



Agenda Date: 9/27/19
Agenda Item: 8A

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CLEAN ENERGY

IN THE MATTER OF 1415 PARK AVENUE PETITION)
FOR NJCEP CHP INCENTIVE #2 EXTENSION)
)

ORDER

DOCKET NO. QO19060710

Parties of Record:

Katie Coleman, Park and Garden, Petitioner

BY THE BOARD:

By letter received June 10, 2019, 1415 Park Ave Development, LLC ("Park and Garden" or "Petitioner"), filed a petition ("Petition") in the above-captioned matter requesting that the New Jersey Board of Public Utilities ("Board") grant Petitioner a fifth six-month extension for a project submitted under the New Jersey Clean Energy Program's ("NJCEP") Combined Heat and Power ("CHP") Program. Specifically, Petitioner seeks an additional six (6) months to complete the equipment installation and submit paperwork to receive the second incentive installment for its CHP project.

BACKGROUND

The Board administers NJCEP pursuant to its authority under the Electric Discount and Energy Competition Act ("EDECA"), N.J.S.A. 48:3-49 to -109. The Board's Program Administrator, TRC Environmental Corporation ("TRC"), administers NJCEP. NJCEP's energy efficiency ("EE") and renewable energy ("RE") programs are open to all customers paying into the Societal Benefits Fund.¹ The Combined Heat and Power & Fuel Cell ("CHP/FC") Program at issue here is open to all Commercial and Industrial ("C&I") customers of investor-owned utilities. Incentives are disbursed upon completion of three program milestones: (1) proof of purchase of equipment; (2) project installation and operation, including successful inspection; and (3) acceptance and confirmation of achievement of the required performance thresholds based upon twelve months of operating data.

¹ The Fund is comprised of the monies collected through the societal benefits charge ("SBC") paid by ratepayers. See N.J.S.A. 48:3-60.

PROCEDURAL HISTORY

Park and Garden submitted its original application on January 30, 2015. TRC approved the application on January 7, 2016, giving the project an initial expiration date of June 11, 2017.

Petitioner submitted its proof of equipment purchase required to receive its first incentive installment on September 20, 2016. This incentive, worth \$50,625.00, was approved by Board Staff ("Staff") and paid out on November 23, 2016.

Park and Garden has received four (4) six-month extensions for this project. Petitioner asserts that the first extension was granted to allow the installation of piping, equipment, and controls upgrades to enhance the CHP's efficiency. The second extension was granted to allow the applicant to make further improvements to the piping arrangement as well as other complementary equipment upgrades such as an up-sized heat exchanger and resized circulation pumps. The third extension was granted to allow the completion of this work, while the fourth was requested to finalize commissioning the equipment involved and to resolve a relay-related safety concern raised by the interconnecting utility. This last extension expired on May 11, 2019.

On May 10, 2019, Petitioner reached out to TRC and Staff requesting a fifth six-month extension for this project. Staff responded on May 16, 2019, informing Petitioner that it would have to file a formal petition with the Board for further relief in this case. Park and Garden submitted the instant Petition by letter received June 19, 2019.

On August 7, 2019, Staff reached out to Petitioner requesting an update on the project to make a more accurate recommendation to the Board. Petitioner responded on August 21, 2019 with the requested update.

STAFF RECOMMENDATION

Staff has reviewed the Petition and the record. Staff recommends that the Board grant the Petition and allow Petitioner six months from the expiration of the prior extension, or until November 11, 2019, to finish construction and submit all necessary paperwork to receive its second incentive worth \$101,250.00. As is made clear in the Petition, the majority of recent delays are attributable to steps required to address the interconnecting utility's safety concerns. Additionally, in the update provided to Staff on August 21, 2019, Park and Garden demonstrated significant progress. For example, Petitioner has finalized the design of newly required electrical equipment and approved a scope of work to add a communications converter to the CHP unit to accommodate the new equipment. Accordingly, Staff recommends that the Board approve the Petition.

DISCUSSION AND FINDINGS

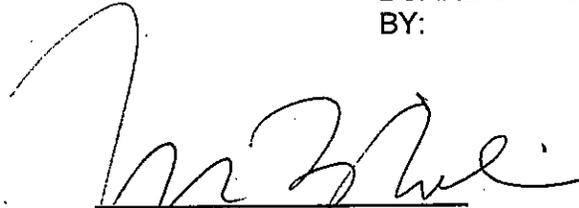
After thorough review of the record and of Staff's recommendation, the Board **FINDS** that Petitioner has pursued its CHP project in a diligent manner and that it merited the extensions previously granted. The Board **FURTHER FINDS** that the project has demonstrated significant progress and that a fifth extension is merited. The Board **HEREBY APPROVES** Petitioner's request for additional time to complete construction, undergo inspections, and submit all necessary paperwork to receive the second incentive installment for its CHP project. The Board

GRANTS Petitioner a fifth six-month extension to do so. This extension will expire on November 11, 2019.

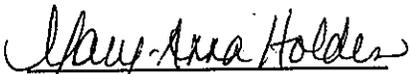
The effective date of this Order is October 7, 2019.

DATED: 9/27/19

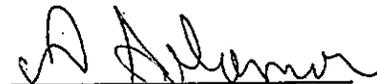
BOARD OF PUBLIC UTILITIES
BY:



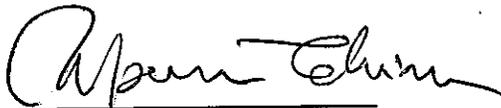
JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



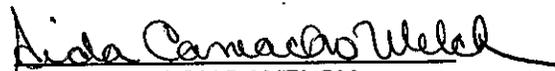
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COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST: 
AIDA CAMACHO-WELCH
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public Utilities

IN THE MATTER OF 1415 PARK AVENUE PETITION FOR NJCEP CHP INCENTIVE #2
EXTENSION - DOCKET NO. QO19060710

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