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November 13, 2026

To: Third-Party Suppliers (TPS) and Electric Distribution Companies (EDCs) on behalf of their Basic Generation Service (BGS) Providers

On an annual basis, the Secretary of the New Jersey Board of Public Utilities (Board) issues a letter establishing requirements for how TPSs and EDCs disclose, in a transparent fashion, the environmental attributes of the electricity they provide to customers through the Environmental Information Disclosures (EID) as required by N.J.A.C. 14:8-3.1.

Board Staff ***strongly encourages parties to post their current EID Labels on their websites***. Doing so encourages confidence in affirmative claims about electricity products and will help customers fully understand the renewable content associated with their voluntary purchases of environmental attributes. Further, Board Staff takes this opportunity to remind all parties of the need to provide customers with an updated EID on or before December 1st of each year, as required by N.J.A.C. 14:8-3.1(a).

The Board's environmental disclosure rules are as follows:

SUBCHAPTER 3. ENVIRONMENTAL INFORMATION DISCLOSURE

14:8-3.1 Environmental Information Disclosure

(a) Each supplier/provider shall disclose on customer bills, on customer contracts or on its marketing materials, a uniform, common set of information about the environmental characteristics of the electricity purchased by the customer. The supplier/provider shall disclose this information periodically, as directed by the Board through the posting of a secretary's letter on the Board's website.

(b) The disclosure required under this section shall include:

1. The fuel mix used in generating the electricity supplied, including categories for oil, gas, nuclear, coal, solar, hydroelectric, wind and biomass. If the fuel mix for particular electricity cannot practically be determined, the supplier/provider shall include a regional average determined by the Board;

2. The air pollutants that were emitted because of the generation of the energy, expressed in pounds per megawatt hour, and including categories for sulfur dioxide, carbon dioxide and oxides of nitrogen. If the emissions for particular electricity cannot practicably be determined, the supplier/provider shall include an emissions default determined by the Board; and

3. Any discrete emission reduction retired pursuant to rules adopted pursuant to P.L. 1995, c. 188.

(c) The disclosure required under this section shall be provided in a graphic format provided by the Board through a posting on its website.

EY 2026 COMPLIANCE INSTRUCTIONS

- TPSs and EDCs must use benchmark data for emissions of NJ-based generation.
- Renewable Energy Credits (RECs) retired for New Jersey's Renewable Portfolio Standard (RPS) compliance, in compliance with another state's RPS, or as part of a voluntary clean energy commitment, cannot also be used to improve the environmental characteristics of an electricity product.
- RECs may be used to claim a reduction in emissions from the PJM System Mix and justify a modification to a default label only in accordance with the instructions and the criteria set forth below.
- This Secretary's Letter and the Default Label can be found on the Energy Division web page under the "EID Label Information" Section and on the NJ Clean Energy website under the "Environmental Information Disclosure" webpage for RPS accessed through the "NJCEP Initiatives" section.
- Each TPS and EDC shall update and distribute environmental information on a separate and distinct label for each retail electricity product for which the TPS or EDC is claiming unique environmental characteristics above and beyond what is required by the RPS.

Use of the Default Label

Staff has developed a default NJ EID label (Default Label) intended for use by TPS and EDCs with retail electricity products for which no claim is made about the product's environmental characteristics or its ability to exceed the required compliance with the NJRPS. As noted above, each TPS and EDC shall update and distribute environmental information on a separate and distinct label for each retail electricity product for which the TPS and EDC is claiming unique environmental characteristics.

The Default Label is available on the Board's website at: https://nj.gov/bpu/about/divisions/energy/ and on the NJ Clean Energy website at: https://cleanenergy.nj.gov/resources/environmental-information-disclosure.

The information included in the label shall be based on data reflecting the generation of power **from the most recent energy year**, which begins on June 1st of a particular year and ends on May 31st of the following year. Recognizing that a period of time is needed for information gathering and processing, a span of seven months is typically allowed between the last day of the energy year on which the label information is based and the date that disclosure of an updated label is required. The previous energy year ended on May 31, 2026, meaning that TPS and EDCs shall have until December 1, 2026 to provide updated labels to their customers that provide environmental information.

The source of publicly available information for the Default Label was the PJM System Mix provided by

PJM-Environmental Information Services (PJM-EIS) Generation Attributes Tracking System, or GATS (GATS), which can be accessed at https://gats.pjm-eis.com/gats2/PublicReports/PJMSystemMix.

The PJM System Mix report is publicly available on a monthly, quarterly, annual, or an Energy year basis, and is available at the website listed above. The System Mix report provides average emission rates and percentages by fuel type for all electricity delivered in PJM. These averages are determined by GATS via generator specific electronic certificates that identify the relevant generation attributes necessary for electricity suppliers/providers to satisfy state policies and support voluntary green markets. The PJM System Mix report provides the resource breakdown that is used on the Default Label and that appears as percentages in the Energy Source table and pie chart.

Please note that the PJM System Mix already includes the RECs that were created and retired for New Jersey RPS compliance purposes. Use of a custom EID label or any marketing claims regarding renewable electricity content must be based on retirement of RECs that are in addition to the RECs attributable to New Jersey RPS compliance. Therefore, any affirmative clean energy marketing claims must be based on the retirement of RECs that:

1. were created based on qualified electricity produced from June 1, 2025 to May 31, 2026; and
2. were not used to satisfy another state's renewable energy requirements, New Jersey RPS compliance, or any other voluntary clean electricity product or program.

If using retirement of such RECs to support an environmental marketing claim, the TPS/BGS Providers shall provide their own EID label and have backup documentation that supports their claim available upon customer request or the request of Board Staff. The numbers in the Default label cannot be used in an environmental marketing claim.

As noted above, Staff strongly recommends posting these labels on the TPS/BGS's website.

Any questions regarding these procedures may be directed to Alana Menendez at Alana.Menendez@bpu.nj.gov.

Sincerely,

Sherri L. Lewis

Sherri L. Lewis
Secretary of the Board