



## Dual-Use Solar Energy Pilot Program – Stakeholder Meeting

IN THE MATTER OF THE DUAL-USE SOLAR ENERGY PILOT PROGRAM

Docket No. [QO23090679](#)

January 21, 2026

Questions and Answers

Below are the questions and answers discussed during the stakeholder meeting held on January 9, 2026, regarding the First Application Period of the current solicitation round in Program Year 1 (“PY1”) of the Dual-Use Solar Energy Pilot Program (“Pilot Program”). Some questions have been edited for clarity.

The New Jersey Board of Public Utilities (“NJBPU” or “Board”) Staff (“Staff”) encouraged attendees to direct additional questions to the following email addresses: [dual-use@njcleanenergy.com](mailto:dual-use@njcleanenergy.com) or [njreinfo@njcleanenergy.com](mailto:njreinfo@njcleanenergy.com).

*Take note: Since the date that the webinar was held, the NJBPU published a new website on January 14, 2026, for the New Jersey Clean Energy Program (“NJCEP”) at <https://cleanenergy.nj.gov/>. The previous NJCEP website will redirect you to this new page.*

### General Questions about the Pilot Program

**Question:** Who is this program designed for? Is this for solar companies or for farmers?

**Answer:** The program is designed to support New Jersey farmers and the robust agricultural and horticultural production that has made New Jersey the Garden State, as well as the State’s clean energy goals. The Board’s rules require project teams to consist of a landowner, farmer, and solar operator. Previous guidance, found in [Frequently Asked Questions: Pre-Application Opening](#), stated that “the Pilot Program encourages the active participation and leadership by the farmer in the planning of the project based on their experience and knowledge of agricultural production practices in New Jersey” (see Question 3).

**Question:** Are there any considerations for including remote net metering (“RNM”) in the Pilot Program?



**Answer:** Per the Board Order dated November 21, 2025,<sup>1</sup> the Board will consider integrating Remote Net Metering in the Pilot Program in future Program Years.

**Question:** Is there a way to get a copy of this presentation?

**Answer:** Yes, the slides are available [here](#), and can also be found in the 2025 Public Notices Table under related materials for “Notice of Stakeholder Meeting: In the Matter of the Dual-Use Solar Energy Pilot Program” on the NJBPU’s [webpage](#) for Public Notices.

### **Application Process & Requirements**

**Question:** Is there a list of what projects were pre-approved?

**Answer:** This information is confidential. However, refer to Question 1 in [Frequently Asked Questions: Pre-Application Opening](#) and the [November 2025 Order](#) for a general overview of the types of projects that were pre-approved.

**Question:** Are only pre-qualified projects allowed to submit in this round or is it open to all?

**Answer:** Only projects that have been pre-approved by receiving a letter of pre-qualification approval from Staff in response to a submitted Expression of Interest (“EOI”) may submit in this round. Board Staff encourages prospective applicants to sign up for the New Jersey Clean Energy Program (“NJCEP”) [listservs](#), NJBPU [listserv](#), and monitor the Dual-Use Solar Energy Pilot Program [webpage](#) for future solicitations.

**Question:** What was the due date for EOIs?

**Answer:** February 14, 2025. Refer to Question 1 under “Pre-Qualification / Application Process” in [General FAQs](#) for dates regarding the first Pre-Qualification Application Period.

**Question:** Will an EOI be required for the next application window? Where will that document be located?

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<sup>1</sup> [In re the First Application Period of the Dual-Use Pilot Program, Program Year 1](#), BPU Docket No. QO23090679, [Order dated November 21, 2025](#) (“November 2025 Order”).



**Answer:** Pursuant to N.J.A.C. 14:8-13.3(e), “An application period shall be preceded by the Board staff’s issuance of a Notice of Incentive Availability (NOIA). The NOIA will include instructions and requirements for each project team to submit an Expression of Interest (EOI) in participating in the related application period.” Board Staff encourages prospective applicants to sign up for the NJCEP [listservs](#), NJBPU [listserv](#), and monitor the Dual-Use Solar Energy [Pilot Program webpage](#) for future solicitations. for future solicitations.

**Question:** If a project applying in this round of applications is not ultimately accepted into the program, can the project apply again in a future solicitation?

**Answer:** Refer to Question 7 under “Pre-Qualification / Application Process” in [General FAQs](#): “Yes. To reapply, projects will have to submit another EOI during the next application round. No prejudice will result from a previous rejection.”

**Question:** Is there a time frame for when to submit an EOI for future rounds?

**Answer:** While the Board has not determined when the next solicitation will occur, PY2 begins on February 26, 2026, and the next opportunity is anticipated to be available sometime thereafter. Board Staff encourages prospective applicants to sign up for the NJCEP [listservs](#), NJBPU [listserv](#), and monitor the Dual-Use Solar Energy Pilot Program [webpage](#) for future solicitations.

**Question:** Will a letter of intent (“LOI”) with the farmer qualify for the site control requirement? Is there any specific information that should be included in the LOI? Do all members of the project team have to be on one document, or can we submit multiple documents to satisfy the site control requirement?

**Answer:** Refer to the [Dual-Use Solar Energy Pilot Program Application Checklist](#) regarding specific requirements for the written lease agreement or other legally binding agreement(s). An LOI will qualify for the site control requirement, if the LOI includes executed dates and signatures by all dual-use project members (landowner, solar operator, and farmer, as applicable); the premise name and address; and is effective for a minimum of three years. Pursuant to N.J.A.C. 14:8-13.7(a), multiple documents are acceptable.

**Question:** Public comments are being accepted until March 6, 2026, but the application window closes on February 25, 2026. How is this possible?



**Answer:** The public comments are being accepted in a Dual-Use proceeding separate from the application period. Refer to Question 2 in [Frequently Asked Questions: Pre-Application Opening](#) regarding dates for the current application window: “The application period for the full application will open on January 14, 2026, and close to applications on February 25, 2026.” There is no comment period associated with the application window.

Under a *separate* docket, i.e., Docket No. [QX24080597](#), the Board is accepting comments on the Dual-Use Pilot Program rulemaking. Refer to the [Notice of Proposed Substantial Changes Upon Adoption \(“NOPSCUA”\) to Proposed Amendments](#), published on January 5, 2026, for instructions on how to provide comments. The deadline for comments on the NOPSCUA is 5:00 P.M., on March 6, 2026.

The [November 2025 Order](#) opened the First Application Period. Applicants should refer to this Order in addition to the adopted rules for the Pilot Program in the [New Jersey Administrative Code](#), which were published in the New Jersey register on January 5, 2026 at [58 N.J.R. 2271\(a\)](#).

## **Project Eligibility**

**Question:** Are there opportunities for urban agriculture or horticultural applications, such as community gardens or botanical gardens?

**Answer:** Yes, provided that a NJ Farmland Assessment is conducted on the land annually and the land meets all other requirements of the Pilot Program. However, dual-use system designs that incorporate permanent agricultural structures, which include greenhouses that have a cement or concrete foundation, are not eligible to participate in the Pilot Program. Farmers interested in incorporating solar on rooftops of permanent agricultural structures should consider the [Administratively Determined Incentive \(“ADI”\) Program](#).

**Question:** Can projects incorporate heating or thermal energy technologies that support a holistic agricultural or horticultural system?

**Answer:** As mentioned above, the farmer should lead the design of the agricultural plan for the project based on their experience and knowledge of agricultural production practices in New Jersey, which could include incorporating heating or thermal energy technologies, provided they do not include any permanent agricultural structures within the project area. However, the cost associated with heating or thermal energy technologies would not qualify for the adder.



**Question:** Can you confirm the size limits for the various programs, e.g. ADI, CSI, Pilot Program?

**Answer:** Dual-Use Pilot Program solar facilities cannot exceed 10 MW (dc) capacity in size. For the First Application Period, a minimum size of 500 kW (dc) was set by the Board. Within this size constraint, facilities that are net metered, non-residential projects of five (5) MW or less are eligible for a base incentive through the ADI Program. Facilities that are net metered, non-residential larger than five (5) MW or are qualifying grid supply projects, are eligible for Competitive Solar Incentive ("CSI") Program base incentives.

For standalone ADI or CSI program requirements (outside of the Pilot Program), refer to the [NJCEP website](#) for more information.

**Question:** Is there a waiver to be able to site a project on preserved farmland?

**Answer:** You cannot site a Pilot Program project on preserved farmland. The waiver process only applies to unpreserved farmland on certain prohibited land types that are listed under project siting requirements (N.J.A.C 14:8-13.6).

For additional assistance on siting, please use the New Jersey Solar Incentive Siting Tool: <https://experience.arcgis.com/experience/b51e0c139a9243e9ae9d8ead2866ce4f/page/Dual-Use-Pilot-Program-Siting-Tool>

**Question:** Are projects eligible if they are sited on land containing prime agricultural soils or soils of Statewide importance? What if the site is in an Agricultural Development Area?

**Answer:** Refer to Question 1 in the Siting and Land Use section of [General FAQs](#):

"Pilot Projects must be located on unpreserved farmland. Pilot Projects cannot be sited on preserved farmland.

Pursuant to the Dual-Use Act (N.J.S.A. 48:3-87.13(b)(4)), siting dual-use projects on prime agricultural soils and soils of statewide importance, as identified by the United States Department of Agriculture's Natural Resources Conservation Service, which are in Agriculture Development Areas, is prohibited unless the project is in association with a research study undertaken in coordination with a New Jersey public research institution of higher education as approved by the Board in consultation with the Secretary of Agriculture.[...]"

Moreover, Pilot Program Projects described above are defined as "covered agricultural lands" in N.J.A.C. 14:8-12.2; refer to the [November 2025 Order](#) for more information on this. For general information on siting, refer to the [NJCEP Dual-Use webpage](#).



## Project Evaluation

**Question:** Has the Weighting of Evaluation Criteria changed? If so, where can the final evaluation criteria be found?

**Answer:** The Weighting of Evaluation Criteria has not changed from the pre-qualification (EOI) phase, and the tables can be found in the [November 2025 Order](#). The tables are also highlighted on the Pilot Program webpage for convenience.

**Question:** For proposed projects on agricultural land that are not currently being used for agricultural production beyond grazing pasture, does this satisfy the criteria of maintaining agricultural production? How does this affect the evaluation of a project?

**Answer:** Livestock grazing, including sheep, cattle, horses as part of an overall agricultural production is an acceptable agricultural practice. Refer to Question 4 of [Frequently Asked Questions: Pre-Application Opening](#): “[...] sheep production (for production of meat, wool, or breeding stock), along with other types of compatible animal husbandry, is an accepted dual-use agricultural practice in the Pilot Program. Also, one of the goals of the Pilot Program is to encourage a diversity of agricultural practices.”

Applicants are reminded to review the definitions of “agricultural practices” and “horticultural practices” in the Board’s rules at N.J.A.C. 14:8-13.2.

Further, pursuant to N.J.A.C. 14:8-13:6(e), “The land on which the Dual-Use Solar Energy Project is installed shall have had at least the previous three years in continuous agricultural or horticultural usage, as demonstrated by participation in the State’s farmland assessment program pursuant to the New Jersey Farmland Assessment Act of 1964, P.L. 1964, c. 48 (N.J.S.A. 54:4-23.1 et seq.).”

With regards to the evaluation of a project, refer to the Weighting of Evaluation Criteria tables in the [November 2025 Order](#) for weighting of “Maintaining the Affected Land in Active Agricultural or Horticultural Use”.

**Question:** Regarding evaluation criteria, what agricultural use is preferred, i.e., how will different agricultural practices be weighted to achieve the stated program goal of encouraging diverse agricultural practices? Will sheep production be weighted same as other farming that is more aligned with existing markets in the New Jersey agricultural sector (e.g., high value specialty crops)?



**Answer:** Refer to the Weighting of Evaluation Criteria tables in the [November 2025 Order](#) for details regarding the evaluation of projects. Staff is not able to provide details beyond this Board Order, and the selection of projects for award is ultimately at the discretion of the Board. Note that one of the goals of the Pilot Program is to encourage a diversity of agricultural practices.

## Costs and Incentives

**Questions:** My concern is the timeline for all Dual-Use projects. If the BPU will only be awarding them in late 2026 at the earliest, it would appear that by then all Federal incentives would no longer be available which in turn would render the projects “DOA.” The only other option is to reprice the projects without these incentives, thereby making them even more expensive than they currently are, and as I understand, the BPU is considering them too expensive to start with. Please help with some direction here.

Will the Board be considering the potential loss of Investment Tax Credits (“ITC”) in their evaluation of requested adders for the program?

**Answer:** In general, applicants are to provide their best possible cost estimates for the calculations performed to request an incentive. In requesting an incentive in the form of an adder, applicants are required to provide a justification and details to ensure the financial viability of their projects. Applicants are to be as descriptive as possible regarding the status of their projects, including whether or not the project expects to receive any tax credits. This information will assist the Board in evaluating projects. Please refer to the online resources, including [Application Cost Information Instructions & Guidance](#).

Given the timing of the Board’s decisions, to reiterate, Staff cannot speak to any specific timelines other than no later than 180 days from the close of the application period per the Dual-Use Act. NJBPU is working as quickly as it can to provide an effective, timely, and efficient process. Through this program, NJBPU aims to gather essential data and insights that will shape the future of solar development in the Garden State. Your participation and feedback are vital to this process.

**Question:** Does the BPU anticipate that it will take the full 180 days to make awards? We are concerned about timing of permitting, utility procurement, and materials procurement timelines in terms of ITC. Projects were considering ITC eligibility when submitting the EOI and negotiating terms with farmers.





**Answer:** Board Staff understands the timing concerns. The 180-day timeframe is statutorily mandated, and the timing of decisions for applications depends on Board approval. Please refer to response under the previous question.

**Question:** Can you please elaborate on the revised reference value for CSI-eligible facilities for the First Application Period (\$64.71/MWh), which is ninety (90) percent of the lowest awarded bid approved for the Basic Grid Supply Tranche (Tranche 1) in the CSI Program's Second Solicitation?

**Answer:** Refer to the [Application Cost Information Instructions and Guidance Document](#) on the NJCEP website regarding the revised reference value, in addition to the [November 2025 Order](#).

**Question:** In the previous round of EOI submittals, applicants were able to decide on the adder amount needed. Is that changing in this new application window such that applicants are not choosing the adder they would need for their project to pencil, and rather they are just providing cost information and BPU is calculating the adder?

**Answer:** In general, the process of requesting an adder has not changed. What has specifically changed is the proxy/reference value for CSI-eligible projects. Projects are still to provide a request and justification for the adder, if deemed necessary.

**Question:** So previously, there was not a calculation. We provided the incremental costs and then requested an adder. But is there a different process where a calculation now needs to be provided?

**Answer:** In the EOI phase, instructions and guidance were provided on how to calculate the adder. This formula for calculating the adder has not changed. The cost information sheet contains some auto-functions to help applicants simplify the calculation process for the adder. Instructions for the formula from EOI/NOIA are the same: Applicants are to calculate their requested adder by dividing the sum of incremental costs of the agrivoltaics project by the sum of its estimated energy production over the first 15 years. Overall, the difference from the EOI phase to the application period is to provide more detailed justification in writing, if it was not provided previously.

**Question:** And it will be treated similarly to EOI round, where BPU will decide on justifiability?





**Answer:** Yes. The Board will determine the appropriate adder based on its consideration of the record at the time of the award, consistent with the criteria that it has established in program implementation.

**Question:** Is there a mechanism that would allow for adjustments to the requested adder depending on the outcome of interconnection studies, compared to assumptions made for the application?

**Answer:** There is no mechanism that would allow the applicant to make adjustments to the requested adder once an application has been submitted, regardless of whether project costs change, including costs of interconnection. Nor will the information be accepted as supplemental to the application after the close of application period. The [November 2025 Order](#) provides that the Board can require projects to provide an overview of project costs to Staff upon request. However, note that similar to the Board's other solar incentive programs, the awarded adder is a fixed SREC-II incentive that will not be increased if project costs are greater than anticipated.

For the Pilot Program's application, having approval to interconnect is not required to submit an application. The information submitted as part of an application should reflect the progress and status of interconnection plans.

If an applicant chooses, it may withdraw its application from the current application period and resubmit its project in a future solicitation without prejudice. However, there may be additions or changes to the requirements, and an applicant would need to conform to any and all conditions set forth in a new solicitation. While the Board has not determined when the next solicitation will occur, PY2 begins on February 26, 2026, and the next opportunity is anticipated to be available sometime thereafter.

NJBPU understands interconnection challenges, which is why the effort on grid modernization was implemented and continues to be an active and iterative process. Refer to the Board's adoption of rules for the grid modernization program issued in the New Jersey Register on January 5, 2026 (N.J.A.C. 14:8-5) at [58 N.J.R. 72\(a\)](#). Please refer to the NJCEP webpage for the [NJBPU's Grid Modernization initiative](#) for additional information.

**Question:** Today, I was notified by JCPL and received a response regarding my interconnection application, which included an unknowable cost for the interconnect fees.



Specifically, I would have to get easements from every landowner along their service route. How would we deal with that in calculating that cost? There is no way to determine the cost estimates for the application period. Is this type of process normal for those trying to interconnect?

**Answer:** Since the question seems to be project-specific, Board Staff will work with the applicant outside of the webinar on their specific situation. As a reminder, if you are experiencing a delay in receiving a response from your EDC and wish to submit a specific complaint regarding the interconnection of your project, please submit an interconnection complaint using the online form provided on the NJCEP website: <https://complaints.energyservices.trcsolutions.com/EDC/Complaint>. For the Pilot Program's application, applicants are to provide their best cost estimates using the information that is available at the time of submission.

## Monitoring and Research Requirements

**Question:** Just to confirm – research partners, including State institutions of higher education, are contracting with the applicant only, correct? I ask because we would normally take low (e.g., 10%) indirect costs from a State award, but we have a mandate to take a much higher negotiated rate from both Federal awards and commercial contracts. It's hard to get this rate reduced. Is there any way to demonstrate that this funding is 'pass-through' State funding so that my institution can request the usual low State rate?

**Answer:** As a reminder, project teams are required to include, but are not limited to, a farmer, landowner, and solar operator, and can include a research partner/entity. Please refer to Appendix A of the [November 2025 Order](#) for additional details. NJBPU does not regulate the details for how these relationships or partnerships are formed. The financial award in the case of the Pilot Program is in the form of SREC-IIs, which is not a direct payout from NJBPU to awardees or a 'pass-through' of State funding.

Rutgers University ("RU") is part of the Board's grant agreement and is in a unique position. In a hypothetical scenario where the Board approves projects for the Pilot Program and the research partner is RU, RU can then be contracted to serve as a research partner/entity. The collaboration between the selected project team and RU is not expected to result in financial transactions.



In general, research costs are permitted to be included in the adder. If a project contracts with a State Institution of Higher Education other than RU, they can include those research costs in the adder, regardless of the indirect cost charges from the institution.

**Question:** Should we be reaching out to Rutgers University or specific personnel regarding a project's research plan?

**Answer:** RU is part of a grant agreement with the Board. As such, at this stage of the application period, RU is only providing general assistance. Similar to the pre-qualification (EOI) phase, the Board encourages applicants to be as descriptive as possible regarding the status of the research plan, without reaching out to specific RU personnel. Following awards, projects can partner with Rutgers Agrivoltaics Program (RAP) to manage and collect the research data required for the Pilot Program for the first three years of a selected project at no cost to the participant. Participants may choose to contract with a non-Board appointed entity to collect the data at their own cost. The cost of the research equipment shall be the responsibility of the applicant, including the equipment needed for collecting data pertaining to environmental metrics (N.J.A.C. 14:8-13.10(a)).

## Other

**Question:** How do solar equipment manufacturers register in the New Jersey Clean Energy Program's trade ally database?

**Answer:** Please see <https://cleanenergy.nj.gov/solar-trade-allies> to sign up for the Trade Ally list.