Data Center Fair Share Act

Stakeholder Meeting

Docket No. EO26080463

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- Meeting will begin with a brief presentation by Board Staff, followed by stakeholder comments.
- Feedback should address the questions raised in the Request for Information (RFI).
- Registered speakers may provide comments for up to 3 minutes each.
- All comments received will be included in the official docket record.
- Written RFI responses are due by 5 p.m. on November 13, 2026.

Introduction

- The Data Center Fair Share Act (P.L. 2026, c.32) was signed into law on July 7, 2026.
- The Act seeks to protect other utility customers from costs and reliability risks attributable to large data centers.
- Board Staff issued an RFI to inform standards and future electric utility tariffs for large data center customers.

Staff seeks stakeholder input to inform Board standards for large data center service.

1. Ratepayer protections: cost allocation, financial security, and stranded costs.

2. Grid operations: interconnection, new clean generation, demand flexibility, and curtailment.

3. Implementation: data center definitions, reporting, compliance, and oversight.

Key Statutory Requirements

- The Board must establish standards for each electric public utility within 12 months of enactment.
- The Board will define large data centers, with thresholds no greater than 50 MW and aggregation of related facilities.
- Standards must allocate data center-related costs to those customers and protect others from stranded costs.
- Large data centers must guarantee payment for at least 85% of requested electricity supply for 10 years, or as otherwise determined by Board standards.

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- Written responses to the RFI are due by **5 p.m. on November 13, 2026.**

- Submit responses under this docket using the “Post Comments” button on the Board’s Public Document Search tool: https://publicaccess.bpu.state.nj.us/

- Written comments may also be mailed to the Secretary of the Board, 44 South Clinton Avenue, 1st Floor, P.O. Box 350, Trenton, NJ 08625-0350, or emailed to: board.secretary@bpu.nj.gov



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