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# NOTICE[1]

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

## REQUEST FOR INFORMATION

## Docket No. QO23090679

Staff of the New Jersey Board of Public Utilities ("NJBPU" or "Board") hereby invites all interested parties and members of the public to provide written responses to this Request for Information ("RFI") on the second Program Year ("PY") and solicitation round of the Dual-Use Solar Energy Pilot Program ("Pilot Program"), based upon updated mandates from the New Jersey Legislature. Board Staff ("Staff") anticipates that the Board will announce the opening of the second solicitation of the Pilot Program at a 2027 Board Agenda Meeting, with the Expression of Interest ("EOI") period opening in Q2 of 2027.

**COMMENTS**

All public comments should be filed under Docket No. QO23090679.

**The deadline for responses on this matter is 5 p.m. on December 17, 2026.**

Please submit responses directly to the specific docket using the "Post Comments" button on the Board's Public Document Search tool.

Comments are considered "public documents" for purposes of the State's Open Public Records Act, and commenters may identify any information that they seek to keep confidential by submitting them in accordance with the procedures set forth in N.J.A.C. 14:1-12.3. Confidential information must be filed electronically via the Board's e-filing system. Instructions for confidential e-filing are found on the Board's webpage, https://www.nj.gov/bpu/agenda/efiling/.

[1] Not a paid legal advertisement.

Although electronic filings are strongly encouraged, written comments may also be submitted to:

**Sherri L. Lewis**
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Dated: November 25, 2026

## BACKGROUND AND PROCEDURAL HISTORY

On July 9, 2021, the Dual-Use Solar Energy Act of 2021[2] ("Dual-Use Act") was signed into law. The Dual-Use Act directed the Board, in consultation with the New Jersey Secretary of Agriculture, to adopt rules and regulations establishing a Dual-Use Solar Energy Pilot Program ("Pilot Program") within 180 days.[3] The Pilot Program is open to qualifying dual-use solar energy projects with a capacity no greater than ten (10) megawatts ("MW")[4] that are hosted on unpreserved farmland in active agricultural or horticultural use.

By Order dated October 23, 2024,[5] the Board launched the Pilot Program. The Board ordered that the Pilot Program be open to qualifying grid supply projects; qualifying grid supply projects paired with storage; net metered non-residential projects greater than five (5) MW; and net metered non-residential solar projects less than five (5) MW. The Board approved a total capacity target of up to 200 MW for the 36-month duration of the Pilot Program.

Pursuant to the October 2024 Order, on January 6, 2025, Staff issued a Notice of Incentive Availability ("NOIA")[6] to open the pre-qualification period to Expressions of Interest ("EOIs") on January 6, 2025, and close on February 14, 2025. Twenty-eight (28) projects totaling about 126 MW received prequalification approval letters. By Order dated November 21, 2025,[7] the Board opened the first application period on January 14, 2026 and closed on February 25, 2026. The Board received seventeen (17) prequalified applications totaling 57.05 MW. By Order dated August 12, 2026,[8] the Board conditionally approved sixteen (16) projects to receive SREC-II awards, totaling about 52 MW of capacity.

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[2] P.L. 2021, c. 170.

[3] N.J.S.A. 48:3-87.13(a).

[4] All MW values are in direct current, unless otherwise stated.

[5] In re Dual-Use Solar Energy Pilot Program, BPU Docket No. QO23090679, Order dated October 23, 2024, corrected on January 2, 2025 ("October 2024 Order").

[6] Board of Public Utilities, Notice: In the Matter of the Dual-Use Solar Energy Pilot Program, Dual-Use Solar Energy Pilot Program – Notice of Solar Incentive Availability, BPU Docket No. QO23090679 (January 6, 2025).

[10] In re Dual-Use Solar Energy Pilot Program - Order for the First Application Period of the Dual-Use Pilot, Program Year 1, BPU Docket No. QO23090679, Order dated November 21, 2025 ("November 2025 Order").

[8] In re Dual-Use Solar Energy Pilot Program - Order on the Outcome of the First Solicitation in the Dual-use Pilot Program, BPU Docket Nos. QO.23090679 et al., Order dated August 12, 2026 ("August 2026 Order").

On September 9, 2026, Governor Sherill signed P.L.2026, c.85 ("Act") into law, which amended the Clean Energy Act of 2018 ("CEA")[9] and the Dual-Use Act. The Act allows dual-use solar energy projects awarded in the Pilot Program after September 9, 2026, with a maximum capacity of 5 MW to participate in the Community Solar Energy Program ("CSEP"), with authority granted to the Board to limit eligibility for certain categories or types of dual-use solar energy projects in CSEP. The Act also gives the Board discretion to establish different incentive levels within the CSEP for different categories of solar energy projects based on project characteristics including, but not limited to, the project size and the pre-existing land use and land cover of the property on which the solar energy project is sited. Finally, the Act specifies that the rules and regulations for the Pilot Program may design financial incentives in the Pilot Program to stack with any incentives available in the Board's other solar energy programs, provided that any financial incentives designed to stack are set at a level that takes into account both the additional costs associated with being a dual-use solar energy project and all the revenue streams available to the dual-use solar energy project in the Board's other solar energy programs.

## QUESTIONS

Staff seeks input on changes to the Pilot Program regarding the base incentive level for dual-use projects intending to participate in the CSEP, participation of dual-use projects in the Remote Net Metering ("RNM") market segment, and the minimum size requirement for dual-use projects.

First, based on amendments in the Act, Staff is considering an appropriate base incentive level for projects awarded in the Pilot Program after September 9, 2026, that also intend to participate in the CSEP. Because these projects have additional revenue streams that are not available to grid supply projects, Staff is currently considering a base incentive level of $0/MWh for CSEP-eligible ground mount projects smaller than 5 MW. Projects may still request an adder, defined at N.J.A.C. 14:8-1.2 as "an additional financial incentive on top of a base incentive provided as a SREC-II within the Successor Solar Incentive (SuSI) Program at N.J.A.C. 14:8-11."

Second, Staff is considering allowing projects in the Pilot Program to remote net meter ("RNM") as part of the Board's RNM market segment, to provide more viable pathways for dual-use projects that may not have enough on-site load. Although Staff previously received stakeholder input on this issue, the first application period did not include RNM projects because at the time of the October 2024 Order, the Board had not yet ruled on the eligibility of Pilot Program projects for the RNM market segment. In the November 2025 Order, Staff determined to reassess the viability of RNM as a pathway for Pilot Program projects in future Program Years.

Third, although a goal of the Pilot Program is to bring substantial generation online with the approved total capacity target of up to 200 MW, Staff recognizes the potential for the program to support agriculture in New Jersey by providing benefits to farmers, including those who have less land and financial means to host larger systems. Based on input received previously, Staff is considering lowering the minimum project size requirement from 500 kW in PY1 to 200 kW in the second solicitation to make the Pilot Program more feasible for farmer-led projects.

[9] P.L. 2018, c. 17.

With these considerations in mind, please comment on the following:

1. The appropriateness of $0/MWh as the base incentive level for projects that also intend to participate in the CSEP.

2. Would allowing Pilot Program projects to participate in the RNM market segment offer any advantages over other market segments (ADI, CSEP, CSI)? What problems could this pathway help alleviate (e.g. interconnection)? Could an RNM pathway help farmers or otherwise encourage farmer-led projects? What is the interest or demand in such a market segment under the Pilot Program at this time? The base incentive level would be reflective of the Board's incentive level at the time of the second solicitation. As of the date of this RFI, the SREC-II value for the RNM market segment is $90/MWh.

3. A minimum size requirement of 200 kW for the second solicitation.

Helpful resources for New Jersey's Dual-Use Solar Energy Pilot Program can be found at https://cleanenergy.nj.gov/programs/solar/dual-use-solar-energy-pilot-program.