

(a)

BOARD OF PUBLIC UTILITIES**Siting Rules For Grid Supply And Large Net Metered Solar Facilities****Proposed Amendment: N.J.A.C. 14:8-1.2****Proposed New Rule: N.J.A.C. 14:8-12**

BPU Docket Number: QX22100654.

Notice of Correction to Proposal: (PRN 2023-011).

Take notice that the New Jersey Board of Public Utilities (“Board” or “BPU”) discovered typographical and editing errors in the above notice of proposal published in the February 6, 2023, New Jersey Register at 55 N.J.R. 135(a). The errors appear in the first paragraph of the Summary at 55 N.J.R. 135, wherein the Board referred to the Successor Solar Incentive Program as set forth at N.J.A.C. 14:8-10 instead of N.J.A.C. 14:8-11; and failed to mention where the new rule would be codified. To correct the typographical and editing errors, the text of the first paragraph of the Summary, which appeared in the February 6, 2023 notice of proposal in the New Jersey Register at 55 N.J.R. 135, is published below with the corrections.

Take further notice that the Board will accept comments on the notice of proposal and this notice of correction through Friday, April 7, 2023. The Board will continue to accept public comments limited to this notice of correction through May 19, 2023.

While all comments will be given equal consideration and will be made part of the final record of this proceeding, the preferred method of transmittal is through the Board’s Public Document Search tool, by searching for the specific BPU docket number listed above and using the “Post Comments” button. Written comments may also be submitted. Please include subject matter and docket number and submit to:

Secretary of the Board
New Jersey Board of Public Utilities
44 South Clinton Ave., 1st Floor
PO Box 350
Trenton, NJ 08625-0350
Attn: BPU Docket No. QX22100654
Phone: 609-292-1599
Email: board.secretary@bpu.nj.gov

All comments are considered “public documents” for purposes of the State’s Open Public Records Act. Commenters may identify information that they seek to keep confidential by submitting it in accordance with the confidentiality procedures set forth at N.J.A.C. 14:1-12.3.

Full text of the corrected first paragraph within the Summary follows:

Summary

The Board of Public Utilities is proposing to establish new siting rules that will be codified at N.J.A.C. 14:8-12 and apply to all solar installations that would be eligible to compete in the new Competitive Solar Incentive (CSI) Program, which forms part of the larger Successor Solar Incentive (SuSI) Program set forth at N.J.A.C. 14:8-11. The SuSI Program serves as the permanent program for providing solar incentives to qualified solar electric generation facilities and the CSI Program is designed to provide incentives to larger solar facilities within the SuSI Program.

TRANSPORTATION

(b)

NEW JERSEY TRANSIT CORPORATION**New Jersey Transit Corporation Conduct and Safety of the Public in the Use of NJ TRANSIT Equipment and Facilities****Proposed Amendment: N.J.A.C. 16:83-1.2****Proposed New Rules: N.J.A.C. 16:83-3.3 through 3.8 and 3.10**

Authorized By: New Jersey Transit Corporation, Kevin S. Corbett, President and Chief Executive Officer.

Authority: N.J.S.A. 27:25-1 et seq., and 2C:12-1 and 117; and P.L. 58, c. 2021.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2023-020.

Submit comments by May 19, 2023, to:

New Jersey Transit Corporation
One Penn Plaza East
Newark, NJ 07105-2246
Email: njtconductandsafety@njtransit.com

The agency proposal follows:

Summary

The New Jersey Transit Corporation (“NJ TRANSIT” or the “Corporation”) was established by the New Jersey Public Transportation Act of 1979 (Act) (N.J.S.A. 27:25-1 et seq.) as the instrumentality of the State of New Jersey to establish and provide for the operation and improvement of a coherent public transportation system in the most efficient and effective manner. The Act established NJ TRANSIT’s statutory mission as the provision of “efficient, coordinated, safe, and responsive public transportation.” N.J.S.A. 27:25-2. In furtherance of that mission, the Act authorized NJ TRANSIT to “adopt rules and regulations ... necessary to effectuate the purposes of this act.” N.J.S.A. 27:25-5.14.

In January 2022, the State Legislature enacted, and the Governor signed, the Motorbus and Passenger Rail Service Employee Violence Prevention Act, P.L. 2021, c. 352 (VPA) that, among other things, allows NJ TRANSIT to prohibit any person who assaults a Corporation employee from using transportation services for up to one calendar year. If the individual uses a deadly weapon during the commission of the assault, that person may be prohibited from accessing transportation services for life.

Additionally, in November 2021, Congress passed, and the President of the United States signed into law, the Federal Infrastructure Investment and Jobs Act (IIJA). The IIJA, an omnibus funding bill, provided funding for transportation companies, including NJ TRANSIT. The IIJA requires NJ TRANSIT to create and implement a safety education and training program for its transit workers, including de-escalation training, and also requires NJ TRANSIT to create a “risk reduction” program to reduce accidents and injuries, and mitigate assaults on transit workers. The IIJA defines assault on a transit worker as occurring when “an individual knowingly ... interferes with, disables, or incapacitates a transit worker while the transit worker is performing the duties of the transit worker.”

The proposed rules implement these statutory provisions by allowing NJ TRANSIT to suspend ridership privileges for riders who engage in certain enumerated offenses. The proposed new rules, which are authorized pursuant to N.J.S.A. 27:25-5.1 et seq., are intended to implement the provisions of NJ TRANSIT’s authorizing legislation, the VPA, and the IIJA, by enacting rules that suspend ridership privileges when a rider assaults an NJ TRANSIT employee, or when the rider’s conduct impedes or interferes with the safe operation of NJ TRANSIT vehicles and rolling stock.

NJ TRANSIT has determined that the comment period for this notice of proposal shall be 60 days; therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, this notice is excepted from the rulemaking calendar requirement.