

**Recycled Material Manufacturing Facilities Certification Form
For the State of New Jersey**

INSTRUCTIONS

On September 15, 2022, the Governor signed into law P.L. 2022, c.110, “an Act concerning electricity sold to recycled material manufacturing facilities and supplementing P.L.1999, c.23 (C.48:3-49 et seq.)” (the “Act”). N.J.S.A. 48:3-87.14.

The Act exempts electric power suppliers and basic generation services providers from “all renewable energy portfolio standards obligations, including Class I RECs, Class II RECs, SRECs, ORECs, or any other RECs, established pursuant to section 38 of P.L.1999, c.23 (C.48:3-87) or any other subsequent law, and any rule, regulation, or board order adopted pursuant thereto, for all kilowatt hours of electricity supplied by such electric power supplier or basic generation service provider to a recycled materials manufacturing facility.” N.J.S.A. 48:3-87.14(b)(1). The Act also specifies that a recycled materials manufacturing facility is not “required to pay any charges designed to offset any renewable energy portfolio standards obligation of its electric power supplier or basic generation service provider, including Class 1 RECs, Class II RECs, SRECs, ORECs, or any other RECS.” Id. The provisions of the Act apply to “all electricity sold to recycled materials manufacturing facilities beginning on January 1, 2022.” N.J.S.A. 48:3-87.14(b)(5).

The Act defines a “[r]ecycled materials manufacturing facility” as “a facility that: (1) receives service under an electric public utility rate at or above 110 kilovolts delivery; (2) manufactures products made from recycled materials, provided that not less than 90 percent of the content of such products manufactured in the State meet the definition of recycled materials; and (3) employs not less than 200 employees in the State.” N.J.S.A. 48:3-87.14(a). The Act also defines “[r]ecycled materials” to mean “any item or commodity which is manufactured or produced in whole or in part from post-consumer waste material.” Id.

The Act also requires each electric power supplier or basic generation supplier to submit to the New Jersey Board of Public Utilities, at the end of each energy year, a “sworn affidavit received from each recycled materials manufacturing facility” which “certifies the number of kilowatt hours of electricity that the electric power supplier or basic generation provider sold to that recycled materials manufacturing facility during that energy year.” N.J.S.A. 48:3-87.14(b)(3) to (4). Each electric power supplier or basic generation supplier is also required to “provide this information on the Retail Sales Adjustment Form that every electric power supplier and basic generation provider is required to submit to the board at the end of each energy year.” N.J.S.A. 48:3-87.14(b)(4).

The Affidavit form that must be used to show compliance with these requirements is provided on the following page.

Recycled Materials Manufacturing Facility Certification Form

Energy year: From _____ to _____

Name of Facility: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Contact person: _____

Telephone Number: _____

E-Mail Address: _____

I, _____ (print name), hold the position of _____ (position held) at the Recycled Materials Manufacturing Facility referenced above (the "Facility"). I certify under penalty of law that I have personally examined and am familiar with the information submitted in this affidavit and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information:

I certify that this Facility: (1) receives service under an electric public utility rate at or above 110 kilovolts delivery; (2) manufactures products made from recycled materials, and not less than 90 percent of the content of said products manufactured in the State meet the definition of "recycled materials" as used in the Act; and (3) employs not less than 200 employees in this State.

I certify that the electric power supplier and/or basic generation provider sold _____ kilowatt hours of electricity to the Facility during the energy year _____.

I certify under penalty of law the submitted information is true, accurate, and complete. I am aware that there are significant civil and criminal penalties for submitting false, inaccurate, or incomplete information, including the possibility of fine and/or imprisonment.

_____ Date: _____

(Signature)