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Procedure for Filing a Petition regarding NJCEP or other Clean Energy Issues

Under the New Jersey Board of Public Utilities' ("Board") Rules of Practice, N.J.A.C. 14:1-1 to 14:1-12.18, you may file a petition, which is a formal request for the Board to grant the relief you seek. The petition should include the basic facts of your case and specify what you are asking the Board to do (for example, asking the Board to grant a waiver of a New Jersey Clean Energy Program ("NJCEP") requirement).

- The petition should be written in numbered paragraphs.
- The original petition, plus four copies, must be filed with the Secretary of the Board at the mailing address above.
- You must copy the Director of the Division of Clean Energy at the mailing address noted above.
- You must include a filing fee of \$25.00, payable by check or money order, made payable to "Treasurer, State of New Jersey."

Once the petition is filed with the Board, your petition will be given a Docket Number (case number). You should include this Docket Number on all future correspondence concerning your matter.

Below are some typical ways we proceed when we receive certain petitions:

- We request a response from the relevant utility when we receive petitions requesting an extension of time to complete construction of a renewable energy project.
- We decide petitions regarding denials of NJCEP applications on the basis of the petition's own content and the record regarding the application or other request that was denied.
- We proceed in a case-by case-manner and with reference to the applicable section of the Solar Act of 2012 as to petitions involving grid supply projects regulated under that Act.

The above provides only examples; do not be concerned if your matter does not fit into one of the categories above.

The Board Secretary will serve your petition regarding an NJCEP matter on the NJCEP Program Administrator and any other respondent named in your petition, N.J.A.C. 14:1-4.5(a)(2). You will receive a copy of the answer, if any, filed by the Program Administrator or other respondent. If the Board determines that the matter is a "contested case" (a case in which the parties dispute important, relevant facts about the matter), either the Board or the Office of Administrative Law ("OAL") may hold evidentiary hearings. See <http://www.nj.gov/oal/hearings/guide/> for additional information on contested cases and <http://www.nj.gov/oal/about/about/> for more information on the OAL. In a contested case, no party, except an individual appearing on his or her own behalf or a principal of a close corporation, shall be allowed to participate in any proceeding before the Board unless he or she is represented by an attorney of this State. Additionally, unless waived by the Board, the cost of

a transcript plus the daily appearance fee for the court reporter is your responsibility, as a petitioner.

Be aware that it usually takes several months before a final resolution is reached. If your matter is a formal one to be resolved through a Board Order, a copy of the Order will be sent to you. In the meantime, if suitable, Staff may ask questions and/or hold meetings.

Please note that the above procedures do not apply if you file an informal complaint. Such complaints would be handled by the process set up to address a customer's dispute with its utility, pursuant to the requirements of N.J.A.C.14:1-5.13. You are advised to read through these rules prior to deciding whether they would be applicable to your particular situation.