

# **The City of Asbury Park Community Solar Energy Pilot Program Application to the New Jersey Board of Public Utilities**



September 9, 2019

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## 1) Introduction & Executive Summary

Asbury Park appreciates the opportunity to present this application to the Board of Public Utilities (“BPU”) in response to the BPU’s 2019 Community Solar Energy Pilot Program solicitation. Asbury Park is especially suited as a participant in the Community Solar Pilot Program due to the unique socio-economic position of the City and its customer-centric development plan.

While the cost of housing has soared to a median rent of \$1,063 a month during the recent re-development of the City, the median household income of Asbury Park has lagged at around \$39,000, according to the U.S. Census Bureau. Thirty percent of Asbury Park is in poverty and about twenty percent of total households are in Affordable Housing<sup>1</sup>. This application provides an *unprecedented* opportunity for Community Solar to reach a significant number of in-need residents of Asbury Park.

An award to Asbury Park’s Community Solar Pilot Project (“Project”) will provide a range of impactful benefits to both the BPU and our low- and moderate-income (“LMI”) residents, as the Project offers innovative and unique elements including:

- The Project will directly support Governor Murphy’s strong environmental justice policy by far exceeding the BPU’s 51% participation rule for qualifying as an LMI Community Solar Project. **The Project will serve 100% LMI customers.**
- The Project will provide a unique and innovative model for the country. Its design will harness Asbury Park’s commitment to its community by using a Program structure that is “customer-centric” with a host of engagement, communication, procurement, contractual, technical, and economic elements and protections. This approach stands in contrast to the “solar vendor-centric” approach used by most Community Solar Projects around the country. First, by Asbury Park taking on responsibility for leading the Project by facilitating all of its elements in an open, transparent, and rigorous municipally-based process, the City can assure that participating customers are well-served and their interests are fully represented and protected. It does not have the “subscriber volume risk” associated with vendor-centric projects. Asbury Park’s Project will serve as a model for the BPU to use in future Pilot solicitations and in designing the permanent Community Solar Program as it moves beyond the Pilot Phase. Second, Asbury Park, as the project lead, has established “peer to peer” relationships with institutions and groups in the community that foster trust and can assure Project success. These established relationships with community based not-for-profit organizations, including housing groups, will be an asset with respect to customer outreach.

<sup>1</sup><https://affordablehousingonline.com/housing-search/New-Jersey/Asbury-Park>

- An important and key design element of this application is that rather than designate a solar project in the application, Asbury Park will use a competitive procurement process to select a solar project and developer in the JCP&L territory that best meets the needs of its residents and includes extensive outreach to both the municipality where the solar project will be located and the residents of Asbury Park. The rigorous and tested protections under public contract law will allow Asbury Park to designate the solar vendor who offers the best comprehensive terms and pricing for its participating customers based on a careful review of all economic and technical factors. Asbury Park's design includes strong customer protections and a mechanism to provide revenue stability to the solar vendors offering to provide service, so that solar pricing does not contain significant risk premiums that would unnecessarily increase the solar energy price paid by customers. (See Attachment A for more information.) Cost effective projects are of increasing importance as the State is in the process of transitioning the solar market to deliver solar at a lower cost to reduce the burden on ratepayers.
- Asbury Park's Community Solar Program will exclusively serve the Affordable Housing community of Asbury Park (which will be either master-metered or individually metered). To qualify for Affordable Housing in Asbury Park, a resident must earn no more than 60 percent of the Monmouth County area median income, easily within the BPU's Community Solar Rule LMI definition. The Asbury Park Housing Authority ("APHA" or "the Affordable Housing Provider") includes both master-metered and individually metered residents in their Affordable Housing Communities; Asbury Park's Community Solar Program will serve both types of customer subscribers of the Affordable Housing Communities. This will be achieved through utilizing an opt-out method of participation for the individually metered customers in Affordable Housing, per the BPU's granting of a waiver (see Attachment F), which builds on the BPU's successful Government Energy Aggregation program, and separately reaching master metered Affordable Housing customers. This dual approach will provide benefits to both types of metered customers in the Affordable Housing Communities: individually metered customers will realize direct savings on their energy bills, while the master metered customers will realize tangible benefits through the savings realized by the Affordable Housing Provider (see Attachment D). By addressing both types of customers, Asbury Park is proposing an all-inclusive system to comprehensively reach the LMI residents of the Affordable Housing community -- one that does not discriminate based on their housing situation, and serves as an excellent pilot opportunity for the BPU to review both approaches as it builds a long term Community Solar Program.

- Asbury Park is one of New Jersey’s most iconic and well-known cities and can serve as a high-profile pilot project that will demonstrate New Jersey’s commitment to make low cost solar energy available to low income residents.

**Asbury Park’s application unambiguously satisfies the Evaluation Criteria provided on page 28 of the BPU’s application at its highest possible point levels. Specifically:**

- The application fully and aggressively satisfies the “Low and moderate Income and Environmental Justice Inclusion” criterion by guaranteeing participation by only LMI customers.
- With regards to the “Siting” criterion, the Project will be located only at the "higher preference" sites provided for in the Evaluation Criteria. It also includes landscaping, land enhancement, pollution support, storm water management, and soil conservation.
- The Project fully satisfies the “Product Offering” criterion by guaranteeing at least 10% savings, and including flexible terms such as no cancellation fees and opportunity for customers to leave the Project at any time.
- The Project aggressively contains the highest level of “Community and Environmental Justice Engagement” because it is designed and managed by the community itself – the City of Asbury Park, its elected representatives, the Housing Authority, and a host of other highly engaged low income and community groups. It couples this approach with extensive engagement with the public at large and particularly with LMI customers who will be the only customers in the Project; and with the municipality where the solar project is located.
- With respect to the “Subscribers” Evaluation Category, it has the greatest possible level: 100% of its customers are residential; and all are LMI customers.
- In the “Other Benefits” category, the Project evidences its high level of commitment by providing local training, energy audits, and energy efficiency measures.

Upon award, Asbury Park is fully staffed and resourced to expeditiously implement the Project. Unlike third parties, Asbury Park is fully dedicated and incented to provide the best pricing and services to its residents on a continuous basis. We are excited about delivering benefits to LMI residents and - due to our position in our community – are committed to long term success.

We look forward to helping make New Jersey a leader in Community Solar for LMI customers.

We are available to answer any questions you may have.

Sincerely,

Michael Capabianco  
City Manager  
City of Asbury Park

## Community Solar Energy Pilot Program Application Form

### Section A: Application Form Requirements, Instructions, Terms and Conditions

The following Application Form is intended only for entities submitting a community solar project for consideration by the New Jersey Board of Public Utilities (“Board” or “BPU”). Projects selected by the Board will be approved for participation in the Community Solar Energy Pilot Program, pursuant to the rules at N.J.A.C. 14:8-9.

This Application Form is valid only for the following Program Year and Application Period:

#### **Program Year 1, Application Period 1**

Application Period Opens: April 9, 2019 at 9:00 A.M.

Application Period Closes: September 9, 2019 at 5:00 P.M.

### I. Minimum Qualification Requirements

The Community Solar Energy Pilot Program is open to projects that meet the following minimum requirements, and the full requirements defined in N.J.A.C. 14:8-9 (available for reference at the following link: [http://njcleanenergy.com/files/file/R\\_2019%20d\\_021%20\(51%20N\\_J\\_R\\_%20232\(a\)\).pdf](http://njcleanenergy.com/files/file/R_2019%20d_021%20(51%20N_J_R_%20232(a)).pdf)).

1. The proposed community solar project must be located in the electric service territory of an Electric Distribution Company (“EDC”) in the State of New Jersey.
2. Existing solar projects may not apply to requalify as a community solar project. An existing solar project, as defined in N.J.A.C. 14:8-9.2, means a solar project having begun operation and/or been approved by the Board for connection to the distribution system prior to February 19, 2019. Projects having received a subsection (t) conditional certification from the Board prior to February 19, 2019 should refer to section B. XIII. Special Authorizations and Exemptions for additional information.
3. The Board will not consider Applications for EDCs to develop, own, or operate community solar project(s).
4. The Board will not consider Applications for projects sited on preserved farmland, as defined in N.J.A.C. 14:8-9.2.
5. The Board will not consider Applications for projects exceeding the capacity limit for individual community solar projects, set at 5 MW as defined in N.J.A.C. 14:8-9.4(g).

### II. Instructions for Completing the Community Solar Energy Pilot Program Application Form

1. Each solar project applying to participate in the Community Solar Energy Pilot Program requires the submission of an individual Application Form. Do not apply for more than one (1) project per Application Form. There is no limit to the number of Application Forms that can be submitted by any one Applicant (see the definition of an “Applicant” in section A. III. Terms and Conditions).



2. Complete sections B and C, and Appendix A in full. All questions are required to be answered, unless explicitly marked as optional. All attachments are required, unless explicitly marked as optional. All attachments must be attached to the end of the Application Form, therefore forming a complete application package. Note that attachments marked as optional will be considered if included, but their absence will not penalize an Application.
3. Original signatures on all forms and certifications of this Application Form are required. The certifications contained in section C must be notarized.
4. Specific exemptions are identified throughout the Application Form which apply only if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals (“RFP”), Request for Quotations (“RFQ”), or other bidding process. If this is the case, the Applicant must include a letter describing the proposed bidding process, and the Applicant should complete all sections of the Application Form based on the project as it will be designed in the bidding process. The Applicant must further commit to issuing said RFP, RFQ, or other bidding process within 90 days of the proposed project being approved by the Board for participation in the Community Solar Energy Pilot Program (see section B. XIII. Special Authorizations and Exemptions).

**See Attachment A.**

### III. Terms and Conditions

#### General Terms and Conditions

1. The “Applicant” is defined as the entity that submits the Community Solar Energy Pilot Program Application Form (for example, an Applicant may be a project developer, project owner, project operator, property owner, contractor, installer, or agent thereof).
2. Prior to completing the Application Form, the Applicant must carefully review the rules at N.J.A.C. 14:8-9, and any other rules, regulations, and codes applicable to the design, construction, and operation of a community solar project in New Jersey. All Applications must be in compliance with all local, state and federal rules, regulations and laws. Furthermore, submission of an Application Form does not obviate the need for compliance with all applicable local, state, and federal laws and regulations at any time during the design, construction, operation, and decommissioning of a community solar project including, but not limited to, regulations by commissions such as the New Jersey Highlands Council and the New Jersey Pinelands Commission.
3. By submitting an Application, the Applicant acknowledges notice on behalf of all project participants that the information included in the Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Aggregated information may be used by the Board and/or other state, federal, county, regional or local agencies in reports and evaluations, and the geographic location may be used to update Geographic Information System (“GIS”) mapping. Applicants may identify sensitive and trade secret information that they wish to keep confidential by submitting them in accordance with the confidentiality procedures set forth in

N.J.A.C. 14:1-12.3. Furthermore, the Applicant understands that the list of approved community solar projects will be published on the Board of Public Utilities website.

4. Amendments or supplements to the Community Solar Energy Pilot Program Application Form will be made available via the New Jersey Clean Energy Program (“NJCEP”) website at [www.njcleanenergy.com](http://www.njcleanenergy.com). This Application Form may be modified for future Application Periods at any time without prior notification.

#### Evaluation of Applications and Approval of Projects

5. Only Applications that are administratively complete by the close of the Application Period will be considered for participation in the Community Solar Energy Pilot Program during that Program Year. An application will be deemed administratively complete if: 1) All questions are completed, except those explicitly marked as optional, 2) All required attachments are included (see Appendix B for a checklist of required attachments), and 3) All required signatures are included. Applicants will be notified if an Application is deemed administratively incomplete. An incomplete Application may be amended and resubmitted during the following Application Period without advantage or disadvantage.
6. The Applicant may be required to supplement the information provided in the Application Form upon request from the Board or Board Staff.
7. Following the close of the Application Period, each Application will be reviewed and evaluated by a dedicated Evaluation Committee.
8. In reviewing each application, Board Staff may consult with the New Jersey Department of Environmental Protection (“NJDEP”), the New Jersey Department of Agriculture, or other state agencies and consultants as are relevant to the Application. Any information marked and submitted as confidential will be treated as such by the receiving agency, and used for the sole purpose of evaluation.
9. The criteria for evaluation of Applications are presented in Appendix C (Evaluation Criteria). Projects must score a minimum 30 points total in order to be considered for participation in the Community Solar Energy Pilot Program. Projects that score above 30 points will be presented to the Board for approval for participation in the Community Solar Energy Pilot Program in order, starting with the highest-scoring project and proceeding to the lowest-scoring project, and until the allocated program capacity for that Program Year is filled.  
The allocated program capacity for Program Year 1 is 75 MW. At least 40% of program capacity (i.e. at least 30 MW) will be allocated to LMI projects.
10. Board Staff may reject Applications that are incomplete at the close of the Application Period, that are not in compliance with the rules and regulations established in N.J.A.C. 14:8-9, or that do not meet a minimum standard for selection, as set forth in this Application Form.

### Milestones and Follow-Up for Approved Projects

11. Should the proposed community solar project be approved by the Board for participation in the Community Solar Energy Pilot Program, such approval will be contingent on the project being constructed and operated as was proposed in its Application.

Furthermore, pursuant to the rules at N.J.A.C. 14:8-9.3(c), approved projects are expected to begin construction within 6 months of their approval by the Board, and are expected to become fully operational within 12 months of their approval by the Board. Extensions may be granted by Board Staff at its discretion, based on its assessment of the specific circumstances of each project approved.

In order to monitor compliance, approved projects will be required to submit updates to the Board:

- a. Prior to the beginning of construction, the Applicant must provide evidence that commitments in the following categories have been met: project location, community and environmental justice engagement, other benefits.
- b. Prior to applying for permission to operate (“PTO”), the Applicant must provide evidence that commitments in the following categories have been met: siting (other than location), all permits received.
- c. Prior to applying to the EDC for allocation of bill credits, the Applicant must provide evidence that commitments in the following categories have been met: product offering, subscriber type, geographic limit within EDC service territory.

If the approved project fails to be completed as proposed in the Application, and the Applicant fails to remediate the failure or provide an equivalent modification within a reasonable timeframe, the project may be penalized up to and including a withdrawal of the permission to operate in the Community Solar Energy Pilot Program.

### Special Considerations for Project Siting

12. Unless the proposed community solar facility is located on a rooftop, parking lot, or parking structure, the Applicant must meet with the NJDEP’s Office of Permit Coordination and Environmental Review (“PCER”) to determine what permits may be required and to identify other potential issues. More information is available at: <http://www.nj.gov/dep/pcer>. The Applicant must have completed the NJDEP Permit Readiness Checklist and submitted said Checklist to NJDEP PCER prior to submitting the Application to the Board (see section B. VIII. Permits). The Permit Readiness Checklist is available at the following link: <https://www.nj.gov/dep/pcer/introcklist.htm>.

13. Special attention should be paid when siting a project on a landfill, a brownfield, or an area of historic fill. For reference, NJDEP’s *Guidance for Installation of Solar Renewable Energy Systems on Landfills in New Jersey* can be found at the following link: <https://www.nj.gov/dep/dshw/swp/solarguidance.pdf>.

14. The Applicant should review the environmental compliance history at the proposed site and the various operations that were conducted there. Satisfaction of all outstanding NJDEP regulatory

compliance obligations, if applicable, will be required prior to applying for permission to operate. The Applicant should identify any outstanding compliance and enforcement issues associated with the property on which the proposed project is to be sited and resolve them accordingly before submitting the Post Construction NJDEP Compliance Form, if applicable.

15. If the proposed project is sited on Green Acres preserved open space, as defined in N.J.A.C. 14:8-9.2, or on land owned by NJDEP, the Applicant must receive special approval for the project from NJDEP prior to submitting the Application to the Board, and attach proof of approval to their application package (see section B. VII. Community Solar Facility Siting).

### Submitting an Application

Applications must adhere to all of the following instructions for submission. Applications must be received no later than 5:00 P.M. on the date of the close of the Application Period in order to be considered.

Mail or hand-deliver the original complete Application package plus three copies of the complete Application package to:

New Jersey Board of Public Utilities  
44 South Clinton Avenue, 7<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
Attn: Office of Clean Energy  
Community Solar Energy Pilot Program Application Package

In addition, submit an electronic version of the complete Application package to both of the following email addresses: [communitysolar@njcleanenergy.com](mailto:communitysolar@njcleanenergy.com) and [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov).

### Questions and Further Information

Please address all questions pertaining to the Application Form to [communitysolar@njcleanenergy.com](mailto:communitysolar@njcleanenergy.com).

Additional guidance and Frequently Asked Questions will be available on the NJCEP website at: <http://njcleanenergy.com/renewable-energy/programs/community-solar>.





If the proposed community solar project will be primarily built by a contracted EPC company, complete the following *(optional, complete if known)*:

*If the EPC company information is left blank and the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program, the Applicant must inform the Board of the information below once the EPC company becomes known.*

EPC Company Name *(optional, complete if applicable)*: \_\_\_\_\_  
 First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
 Daytime Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Municipality: \_\_\_\_\_ County: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**IV. Property/Site Owner Information**

**Applicant is a municipality and will be selecting developer by RFP; see Attachment A.**

Property Owner Company/Entity Name: \_\_\_\_\_  
 First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
 Daytime Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Applicant Mailing Address: \_\_\_\_\_  
 Municipality: \_\_\_\_\_ County: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**V. Community Solar Subscriber Organization *(optional, complete if known)***

*If this section, "Community Solar Subscriber Organization," is left blank and the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program, the Applicant must inform the Board of the information below once the Subscriber Organization becomes known.*

Subscriber Organization Company/Entity Name *(optional, complete if applicable)*: \_\_\_\_\_  
 First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
 Daytime Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Municipality: \_\_\_\_\_ County: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**VI. Proposed Community Solar Facility Characteristics**

**Applicant is a municipality and will be selecting developer by RFP; see Attachment A.**

Community Solar Facility Size (as denominated on the PV panels):  
 \_\_\_\_\_ MW AC                      \_\_\_\_\_ MW DC

Community Solar Facility Location (Address): \_\_\_\_\_  
 Municipality: \_\_\_\_\_ County: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Name of Property *(optional, complete if applicable)*: \_\_\_\_\_  
 Property Block and Lot Number(s): \_\_\_\_\_

Community Solar Site Coordinates: \_\_\_\_\_ Longitude \_\_\_\_\_ Latitude

Total Acreage of Property Block and Lots: \_\_\_\_\_ acres

Total Acreage of Community Solar Facility: \_\_\_\_\_ acres

Attach a delineated map of the portion of the property on which the community solar facility will be located. In the electronic submission, two copies of the delineated map should be provided: 1) as a PDF document, and 2) as a design plan in drawing file format (.dwg) or as a shapefile (.shp), in order to facilitate integration with Geographic Information System (GIS) software.

EDC electric service territory in which the proposed community solar facility is located: *(select one)*

- Atlantic City Electric                       Jersey Central Power & Light  
 Public Service Electric & Gas               Rockland Electric Co.

Estimated date of project completion\* *(The Applicant should provide a good faith estimate of the date of project completion; however, this data is being collected for informational purposes only)* \_\_\_\_\_ (month) \_\_\_\_\_ (year)

Project completion is defined pursuant to the definition at N.J.A.C. 14:8-9.3 as being fully operational, up to and including having subscribers receive bill credits for their subscription to the project.

The proposed community solar facility is an existing project\* .....  Yes  No

If "Yes," the Application will not be considered by the Board. See section B. XIII. for special provisions for projects having received a subsection (t) conditional certification from the Board prior to February 19, 2019.

\*Existing project is defined in N.J.A.C. 14:8-9.2 as a solar project having begun operation and/or been approved by the Board for connection to the distribution system prior to February 19, 2019.

**VII. Community Solar Facility Siting**

1. The proposed community solar project has site control\* .....  Yes  No

If "Yes," attach proof of site control. **See Attachment J.**

If "No," the Application will be deemed incomplete.

\*Site control is defined as property ownership or option to purchase, signed lease or option to lease, or signed contract for use as a community solar site or option to contract for use as a community solar site.

2. The proposed community solar facility is located, in part or in whole, on preserved farmland\* .....  Yes  No

If "Yes," the Application will not be considered by the Board.



\*Preserved farmland is defined in N.J.A.C. 14:8-9.2 as land from which a permanent development easement was conveyed and a deed of easement was recorded with the county clerk's office pursuant to N.J.S.A. 4:1C-11 et seq.; land subject to a farmland preservation program agreement recorded with the county clerk's office pursuant to N.J.S.A. 4:1C-24; land from which development potential has been transferred pursuant to N.J.S.A. 40:55D-113 et seq. or N.J.S.A. 40:55D-137 et seq.; or land conveyed or dedicated by agricultural restriction pursuant to N.J.S.A. 40:55D-39.1.

3. The proposed community solar facility is located, in part or in whole, on Green Acres preserved open space\* or on land owned by the New Jersey Department of Environmental Protection (NJDEP) .....  Yes  No

If "Yes," the Applicant must attach special authorization from NJDEP for the site to host a community solar facility. The Board will not consider Applications for projects located, in part or in whole, on Green Acres preserved open space or on land owned by NJDEP, unless the Applicant has received special authorization from NJDEP and includes proof of such special authorization in the Application package.

\*Green Acres preserved open space is defined in N.J.A.C. 14:8-9.2 as land classified as either "funded parkland" or "unfunded parkland" under N.J.A.C. 7:36, or land purchased by the State with "Green Acres funding" (as defined at N.J.A.C. 7:36).

4. The proposed community solar facility is located, in part or in whole, on land located in the New Jersey Highlands Planning Area or Preservation Area .....  Yes  No

5. The proposed community solar facility is located, in part or in whole, on land located in the New Jersey Pinelands .....  Yes  No

6. The proposed community solar facility is located, in part or in whole, on land that has been actively devoted to agricultural or horticultural use and that is/has been valued, assessed, and taxed pursuant to the "Farmland Assessment Act of 1964," P.L. 1964, c.48 (C. 54:4-23.1 et seq.) at any time within the ten year period prior to the date of submission of the Application .....  Yes  No

7. The proposed community solar facility is located, in part or in whole, on a landfill  
**Eligible location; to be determined in RFP - see Attachment A.** .....  Yes  No If  
 "Yes," provide the name of the landfill, as identified in NJDEP's database of New Jersey landfills,  
 available at [www.nj.gov/dep/dshw/lrm/landfill.htm](http://www.nj.gov/dep/dshw/lrm/landfill.htm): \_\_\_\_\_

8. The proposed community solar facility is located, in part or in whole, on a  
 brownfield **Eligible location; to be determined in RFP - see Attachment A.** .....  Yes  No  
 If "Yes," has a final remediation document been issued for the property? .....  Yes  No



If “Yes,” attach a copy of the Response Action Outcome (“RAO”) issued by the LSRP or the No Further Action (“NFA”) letter issued by NJDEP.

9. The proposed community solar facility is located, in part or in whole, on an area of historic fill  
**Eligible location; to be determined in RFP - See Attachment A.** .....  Yes  No  
 If “Yes,” have the remedial investigation requirements pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-4.7 been implemented? .....  Yes  No  
 Has the remediation of the historic fill been completed pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-5.4? .....  Yes  No  
 If the remediation of the historic fill has been completed, attach a copy of the Response Action Outcome (“RAO”) issued by a Licensed Site Remediation Professional (“LSRP”) or the No Further Action (“NFA”) letter issued by NJDEP.
  
10. The proposed community solar facility is located on a parking lot .....  Yes  No  
**Eligible location; to be determined in RFP - See Attachment A.**
  
11. The proposed community solar facility is located on a parking deck .....  Yes  No  
**Eligible location; to be determined in RFP - See Attachment A.**
  
12. The proposed community solar facility is located on a rooftop .....  Yes  No  
**Eligible location; to be determined in RFP - See Attachment A.**
  
13. The proposed community solar facility is located on a canopy over an impervious surface (e.g. walkway) .....  Yes  No
  
14. The proposed community solar facility is located on the property of an affordable housing building or complex .....  Yes  No
  
15. The proposed community solar facility is located on a water reservoir or other water body (“floating solar”) .....  Yes  No
  
16. The proposed community solar facility is located on an area designated in need of redevelopment .....  Yes  No  
 If “Yes,” attach proof of the designation of the area as being in need of redevelopment from a municipal, county, or state entity.
  
17. The proposed community solar facility is located on land or a building that is preserved by a municipal, county, state, or federal entity .....  Yes  No  
 If “Yes,” attach proof of the designation of the area as “preserved” from a municipal, county, or state entity.
  
18. The proposed community solar facility is located, in part or in whole, on forested lands .....  Yes  No

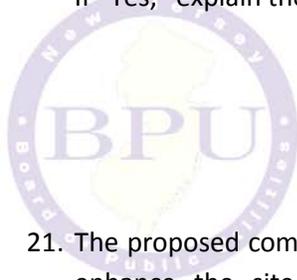


Construction of the proposed community solar facility will require cutting down one or more trees .....  Yes  No  
 If "Yes," estimated number of trees required to be cut for construction: \_\_\_\_\_

19. The proposed community solar facility is located on land or a building owned or controlled by a government entity, including, but not limited to, a municipal, county, state, or federal entity  
**Eligible location; to be determined in RFP - see Attachment A.** .....  Yes  No

20. Are there any use restrictions at the site? .....  Yes  No  
 If "Yes," explain the use restriction below and provide documentation that the proposed community solar project is not prohibited.

Will the use restriction be required to be modified? .....  Yes  No  
 If "Yes," explain the modification below.



21. The proposed community solar facility has been specifically designed or planned to preserve or enhance the site (e.g. landscaping, land enhancements, pollination support, stormwater management, soil conservation, etc.) .....  Yes  No  
 If "Yes," explain below, and provide any additional documentation in an attachment.

VIII. Permits

1. The Applicant has completed NJDEP Permit Readiness Checklist, and submitted it to NJDEP's PCER .....  Yes  No  
 If "Yes," attach a copy of the completed Permit Readiness Checklist as it was submitted to NJDEP PCER. **See Attachment K.**






**Meeting all applicable environmental considerations will be a requirement of the RFP to be issued by Asbury Park.**

4. The Applicant has consulted the hosting capacity map of the relevant EDC and determined that, based on the capacity hosting map as published at the date of submission of the Application, there is sufficient capacity available at the proposed location to build the proposed community solar facility ..... Yes  No
- If “Yes,” include a screenshot of the capacity hosting map at the proposed location, showing the available capacity.
- If “No,” the Application will be deemed incomplete.

**This will be a requirement of the RFP issued by Asbury Park**

**IX. Community Solar Subscriptions and Subscribers**

1. Estimated or Anticipated Number of Subscribers *(please provide a good faith estimate or range)*:  
 \_\_\_\_\_

2. Estimated or Anticipated Breakdown of Subscribers *(please provide a good faith estimate or range of the kWh of project allocated to each category)*:  
 Residential: \_\_\_\_\_ Commercial: \_\_\_\_\_  
 Industrial: \_\_\_\_\_ Other: \_\_\_\_\_ (define “other”: \_\_\_\_\_)

3. The proposed community solar project is an LMI project\* .....  Yes  No  
 \*An LMI project is defined pursuant to N.J.A.C. 14:8-9 as a community solar project in which a minimum 51 percent of project capacity is subscribed by LMI subscribers.

**100% of project capacity will serve LMI customers.**

4. The proposed community solar project will allocate at least 51% of project capacity to residential customers .....  Yes  No
5. The proposed community solar project is being developed in partnership with an affordable housing provider: .....  Yes  No  
 If “Yes,” attach a letter of support from the affordable housing provider. **See Attachment C.**
6. An affordable housing provider is seeking to qualify as an LMI subscriber for the purposes of the community solar project .....  Yes  No  
 If “Yes,” estimated or anticipated percentage of the project capacity for the affordable housing provider’s subscription *(provide an estimate or range)*: \_\_\_\_\_

If “Yes,” what specific, substantial, identifiable, and quantifiable long-term benefits from the community solar subscription are being passed through to their residents/tenants?



Additionally, the affordable housing provider must attach a signed affidavit that the specific, substantial, identifiable, and quantifiable long-term benefits from the community solar subscription will be passed through to their residents/tenants.

**See Attachment E.**

7. This project uses an anchor subscriber (*optional*) .....  Yes  No  
 If "Yes," name of the anchor subscriber (*optional*): \_\_\_\_\_  
 Estimated or anticipated percentage or range of the project capacity for the anchor subscriber's subscription: \_\_\_\_\_
8. Is there any expectation that the account holder of a master meter will subscribe to the community solar project on behalf of its tenants? .....  Yes  No  
 If "Yes," what specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription are being passed through to the tenants?



Additionally, the account holder of the master meter must attach a signed affidavit that the specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription will be passed through to the tenants.

**See Attachment E.**

If "No," please be aware that, if, at any time during the operating life of the community solar project the account holder of a master meter wishes to subscribe to the community solar project on behalf of its tenants, it must submit to the Board a signed affidavit that the specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription will be passed through to its tenants.

9. The geographic restriction for distance between project site and subscribers is: (*select one*)
- No geographic restriction: whole EDC service territory
  - Same county OR same county and adjacent counties
  - Same municipality OR same municipality and adjacent municipalities

Note: The geographic restriction selected here will apply for the lifetime of the project, barring special dispensation from the Board, pursuant to N.J.A.C. 14:8-9.5(a).



10. Product Offering: *(The Applicant must also complete and attach one or more product offering form(s) found in Appendix A. See Appendix A for exemptions.)*

The subscription proposed offers guaranteed or fixed savings to subscribers .....  Yes  No

If "Yes," the guaranteed or fixed savings are offered as:

- A percentage saving on the customer's annual electric utility bill
- A percentage saving on the customer's community solar bill credit
- Other: \_\_\_\_\_

If "Yes," the proposed savings represent:

- 0% - 5% of the customer's annual electric utility bill or bill credit
- 5% - 10% of the customer's annual electric utility bill or bill credit
- 10% - 20% of the customer's annual electric utility bill or bill credit
- over 20% of the customer's annual electric utility bill or bill credit

The subscription proposed offers subscribers ownership or a pathway to ownership of a share of the community solar facility .....  Yes  No

If "Yes," include proof of a pathway to ownership of a share of the community solar facility offered to the subscribers in Appendix A.

11. The list of approved community solar projects will be published on the Board's website. Additionally, subscriber organizations have the option of indicating, on this list, that the project is currently seeking subscribers.

If this project is approved, the Board should indicate on its website that the project is currently seeking subscribers .....  Yes  No

If "Yes," the contact information indicated on the Board's website should read:

Company/Entity Name: \_\_\_\_\_ Contact Name: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Note: it is the responsibility of the project's subscriber organization to notify the Board if/when the project is no longer seeking subscribers, and request that the Board remove the above information on its website.

**X. Community Engagement**

1. The proposed community solar project is being developed by or in collaboration\* with the municipality in which the project is located .....  Yes  No

If "Yes," explain how and attach a letter of support from the municipality in which the project is located.

\*Collaboration with the municipality should include, at minimum, one or more meetings with relevant municipal authorities and clear evidence of municipal involvement and approval of the design, development, or operation of the proposed community solar project.

2. The proposed community solar project is being developed in collaboration\* with one or more local community organization(s) .....  Yes  No

If “Yes,” explain how and attach a letter of support from the local community organization(s).

\*Collaboration with a local community organization should include, at minimum, one or more meetings with the relevant local community organization(s) and clear evidence of the local community organization’s involvement and approval of the design, development, or operation of the proposed community solar project.

3. The proposed community solar project was developed, at least in part, through a community consultative process\* .....  Yes  No

If “Yes,” please describe the consultative process.

\*A community consultative process should include, at minimum, one or more opportunities for public intervention and outreach to the municipality and/or local community organizations.

**XI. Project Cost**

1. Provide the following cost estimates and attach substantiating evidence in the form of charts and/or spreadsheet models: **See Attachment I.**

*Applicants are expected to provide a good faith estimate of costs associated with the proposed community solar project, as they are known at the time the Application is filed with the Board.*

*This information will not be used in the evaluation of the proposed community solar project.*

Net Installed Cost (in \$)	
Net Installed Cost (in \$/Watt)	
Initial Customer Acquisition Cost (in \$/Watt)	
Annual Customer Churn Rate (in %)	

Annual Operating Expenses (in c/kWh)	
LCOE (in c/kWh)	

2. Pursuant to N.J.A.C. 14:8-9.7(q), “community solar projects shall be eligible to apply, via a one-time election prior to the delivery of any energy from the facility, for SRECs or Class I RECs, as applicable, or to any subsequent compensations as determined by the Board pursuant to the Clean Energy Act.”

For indicative purposes only, please indicate all local, state and federal tax incentives which will be applied to if the proposed community solar project is approved for participation in the Community Solar Energy Pilot Program:

**XII. Other Benefits**

- These other benefits will be considerations in the RFP to be issued; see Attachment A.**
- a. Micro-grid project .....  Yes  No
- These other benefits will be considerations in the RFP to be issued; see Attachment A.**
- b. Storage .....  Yes  No
- c. Other (identify): \_\_\_\_\_  Yes  No

**Energy Audits, EE measures and local jobs shall be provided.**

2. The proposed community solar facility provides grid benefits (e.g. congestion reduction) ..... **These other benefits will be considerations in the RFP to be issued; see Attachment A.**  Yes  No

If “Yes” to any, please explain how and provide supporting documents.

4. The proposed community solar project will create temporary or permanent jobs in New Jersey .....  Yes  No

If “Yes,” estimated number of temporary jobs created in New Jersey: \_\_\_\_\_

If “Yes,” estimated number of permanent jobs created in New Jersey: \_\_\_\_\_

5. The proposed community solar project will provide job training opportunities for local solar trainees .....  Yes  No

If “Yes,” will the job training be provided through a registered apprenticeship? ....  Yes  No

If “Yes,” identify the entity or entities through which job training is or will be organized (e.g. New Jersey GAINS program, partnership with local school):

---

**XIII. Special Authorizations and Exemptions**

1. Is the proposed community solar project co-located with another community solar facility (as defined at N.J.A.C. 14:8-9.2)? .....  Yes  No  
 If “Yes,” please explain why the co-location can be approved by the Board, consistent with the provisions at N.J.A.C. 14:8-9.

2. Does this project seek an exemption from the 10-subscriber minimum? .....  Yes  No  
 If “Yes,” please demonstrate below (and attach supporting documents as relevant):

- a. That the project is sited on the property of a multi-family building.
- b. That the project will provide specific, identifiable, and quantifiable benefits to the households residing in said multi-family building.



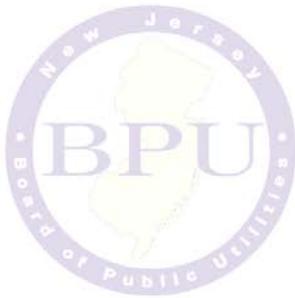
3. Specific sections throughout the Application Form are identified as optional only if: 1) the Applicant is a government entity (municipal, county, or state), and 2) the community solar developer will be selected by the Applicant via a RFP, RFQ, or other bidding process. Has the Applicant left those specific sections blank? .....  Yes  No  
 If “Yes,” attach a letter describing the proposed bidding process. The Applicant must further commit to issuing said RFP, RFQ, or other bidding process within 90 days of the proposed project being approved by the Board for participation in the Community Solar Energy Pilot Program. The Applicant will be required to provide the information contained in those optional sections to the Board once it becomes known.

**Yes, the Applicant commits to these requirements. See Attachment A.**

4. Has the proposed community solar project received, in part or in whole, a subsection (t) conditional certification from the Board prior to February 19, 2019? .....  Yes  No  
 If “Yes,” the project may apply to participate in the Community Solar Energy Pilot Program if it commits to withdrawing the applicable subsection (t) conditional certification immediately if it is approved by the Board for participation in the Community Solar Energy Pilot Program. Attach a signed affidavit that the Applicant will immediately withdraw the applicable subsection (t)



conditional certification if the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program.





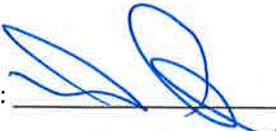
**Section C: Certifications**

*Instructions: Original signatures on all certifications are required. All certifications in this section must be notarized.*

**Applicant Certification**

The undersigned warrants, certifies, and represents that:

- 1) I, Michael Capabianco, am the City Manager of the Applicant The City of Asbury Park and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the SREC Registration Program or subsequent revision to the SREC Registration Program, if applicable; and
- 5) My organization understands that certain information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that sensitive and trade secret information that they wish to keep confidential should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3.; and
- 6) My organization acknowledges that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, they are subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature: 

Date: 08/20/19

Print Name: Michael Capabianco  
Title: City Manager

Company: City of Asbury Park

Signed and sworn to before me on this 20 day of August, 2019

Signature: 

Name: **MELODY J. HARTSGROVE**  
**NOTARY PUBLIC OF NEW JERSEY**  
Comm. # **50037409**

Project Developer Certification

**Not applicable, as Applicant is a municipality and will be selecting developer by RFP; see Attachment A.**

*This Certification "Project Developer / Installer" is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process. In all other cases, this Certification is required.*

The undersigned warrants, certifies, and represents that:

- 1) I, \_\_\_\_\_ (name) am the \_\_\_\_\_ (title) of the Project Developer \_\_\_\_\_ (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the SREC Registration Program or subsequent revision to the SREC Registration Program, if applicable; and
- 5) My organization understands that certain information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that sensitive and trade secret information that they wish to keep confidential should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3.; and
- 6) My organization acknowledges that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, they are subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_ Company: \_\_\_\_\_

Signed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 Signature

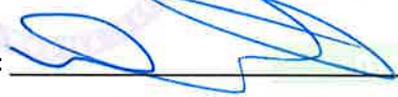
\_\_\_\_\_  
 Name



**Project Owner Certification**

The undersigned warrants, certifies, and represents that:

- 1) I, **Michael Capabianco**, am the **City Manager** of the Project Owner **The City of Asbury Park** and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the SREC Registration Program or subsequent revision to the SREC Registration Program, if applicable; and
- 5) My organization understands that certain information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that sensitive and trade secret information that they wish to keep confidential should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3.; and
- 6) My organization acknowledges that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, they are subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature:  Date: 09/06/19

Print Name: Michael Capabianco  
Title: City Manager Company: City of Asbury Park

Signed and sworn to before me on this 6th day of September, 2019

  
Signature  
Carrie Jeannot

Name

**CARRIE A. JEANNOT**  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires SEPTEMBER 8, 2020



Property Owner Certification

**Applicant is a municipality and will be selecting developer and site by RFP; see Attachment A.**

The undersigned warrants, certifies, and represents that:

- 1) I, Michael Capobianco (name) am the City Manager (title) of the Property TBD via RFP (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package pertaining to siting and location of the proposed community solar project has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) My organization or I understand that certain information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that sensitive and trade secret information that they wish to keep confidential should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3.; and
- 4) My organization acknowledges that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, they are subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature: [Handwritten Signature]

Date: 09/09/19

Print Name: Michael Capobianco

Title: City Manager

Company: City of Asbury Park

Signed and sworn to before me on this 9th day of September, 2019

[Handwritten Signature]  
 Signature  
Carrie Jeannot

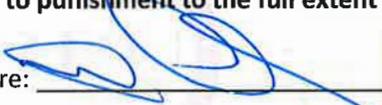
Name  
**CARRIE A. JEANNOT**  
**RESIDENT PUBLIC OF NEW JERSEY**  
 My Commission Expires September 8, 2020



Subscriber Organization Certification (optional, complete if known)

The undersigned warrants, certifies, and represents that:

- 1) I, Michael Capabianco, am the City Manager of the Subscriber Organization The City of Asbury Park and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) My organization understands that certain information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that sensitive and trade secret information that they wish to keep confidential should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3.; and
- 5) My organization acknowledges that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, they are subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature:  Date: 08/20/19

Print Name: Michael Capabianco  
 Title: City Manager Company: City of Asbury Park

Signed and sworn to before me on this 20 day of August, 2019

  
 Signature  
Melody J Hartsgrove  
 Name

**MELODY J. HARTSGROVE**  
**NOTARY PUBLIC OF NEW JERSEY**  
 Comm. # 50037409  
 My Commission Expires 4/29/2021

**Section D: Appendix**

**Appendix A: Product Offering Questionnaire**

Complete the following Product Offering Questionnaire. If there are multiple different product offerings for the proposed community solar project, please complete and attach one Product Offering Questionnaire per product offering.

Applicants are expected to provide a good faith description of the product offerings developed for the proposed community solar project, as they are known at the time the Application is filed with the Board. If the proposed project is approved by the Board, the Applicant must notify the Board and receive approval from the Board for any modification or addition to a Product Offering Questionnaire.

Exception: This "Product Offering Questionnaire" is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process.

**Applicant is a municipality and will be selecting developer by RFP; see Attachment A.**

This Questionnaire is Product Offering number \_\_\_\_\_ of \_\_\_\_\_ (total number of product offerings).

1. Community Solar Subscription Type (examples: kilowatt hours per year, kilowatt size, percentage of community solar facility's nameplate capacity, percentage of subscriber's historical usage, percentage of subscriber's actual usage):

2. Community Solar Subscription Price: (check all that apply)

Fixed price per month

Variable price per month, variation based on: \_\_\_\_\_

The subscription price has an escalator of \_\_\_\_\_ % every \_\_\_\_\_ (interval)

3. Contract term (length): \_\_\_\_\_ months, or \_\_\_\_\_ years OR  month-to-month

4. Fees

Sign-up fee: \_\_\_\_\_

Early Termination or Cancellation fees: \_\_\_\_\_

Other fee(s) and frequency: \_\_\_\_\_

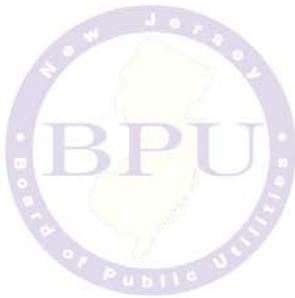
5. Does the subscription guarantee or offer fixed savings or specific, quantifiable economic benefits to the subscriber? .....  Yes  No

If "Yes," the savings are guaranteed or fixed:

- As a percentage of monthly utility bill
- As a fixed guaranteed savings compared to average historic bill
- As a fixed percentage of bill credits
- Other: \_\_\_\_\_

This will be addressed in the RFP to be issued; see Attachment A.

6. Special conditions or considerations:



Appendix B: Required Attachments Checklist

**\* The issues indicated below are all addressed throughout this Application; specific information on the Applicant's solar site is not provided because Asbury Park will undertake a competitive procurement process and provide such project-specific information when the solar project that best serves Asbury Park is designated; see Attachment A.**

*Note that this list is for indicative purposes only. Additional attachments may be required, and are identified throughout this Application Form.*

Required Attachments for all Applications	Page	Attached?
Delineated map of the portion of the property on which the community solar facility will be located.	p.7	* <input type="checkbox"/> Yes <input type="checkbox"/> No
For electronic submission only: copy of the delineated map of the portion of the property on which the community solar facility will be located as a PDF and in drawing file format (.dwg) or as a shapefile (.shp).	p.7	* <input type="checkbox"/> Yes <input type="checkbox"/> No
Proof of site control.	p.8	<input type="checkbox"/> Yes <input type="checkbox"/> No
Copy of the completed Permit Readiness Checklist as it was submitted to NJDEP PCER, if applicable.	p.11	* <input type="checkbox"/> Yes <input type="checkbox"/> No
Proof of a meeting with NJDEP PCER, if applicable.	p.12	<input type="checkbox"/> Yes <input type="checkbox"/> No
A screenshot of the capacity hosting map at the proposed location, showing the available capacity.	p.12	* <input type="checkbox"/> Yes <input type="checkbox"/> No
Substantiating evidence of project cost in the form of charts and/or spreadsheet models.	p.16	<input type="checkbox"/> Yes <input type="checkbox"/> No
Certifications in Section C.	p.19-23	<input type="checkbox"/> Yes <input type="checkbox"/> No
Product Offering Questionnaire(s).	p.24	<input type="checkbox"/> Yes <input type="checkbox"/> No

Required Attachments for Exemptions	Page	Attached?
The Applicant is a government entity (municipal, county, or state), and the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process: ⇒ Attach a letter from the Applicant describing the bidding process	p.6, p.19	<input type="checkbox"/> Yes <input type="checkbox"/> No <b>Attachment A</b>
The proposed community solar project is located, in part or in whole, on Green Acres preserved open space or on land owned by NJDEP. ⇒ Attach special authorization from NJDEP for the site to host a community solar facility.	p.8	<input type="checkbox"/> Yes <input type="checkbox"/> No
The proposed community solar project has received, in part or in whole, a subsection (t) conditional certification from the Board prior to February 19, 2019. ⇒ Attach a signed affidavit that the Applicant will immediately withdraw the applicable subsection (t) conditional certification if the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program.	p. 19	<input type="checkbox"/> Yes <input type="checkbox"/> No

Appendix C: Evaluation Criteria

The Evaluation Criteria chart below lists the various categories that the Board will consider in evaluating project Applications. Projects must score a minimum 30 points total in order to be considered for participation in the Community Solar Energy Pilot Program. Projects that score above 30 points will be awarded program capacity in order, starting with the highest-scoring project and proceeding to the lowest-scoring project.

Evaluation Criteria	Max. Points
<b>Low- and Moderate-Income and Environmental Justice Inclusion</b> Higher preference: LMI project	30
<b>Siting</b> Higher preference: landfills, brownfields, areas of historic fill, rooftops, parking lots, parking decks Medium preference: canopies over impervious surfaces (e.g. walkway), areas designated in need of redevelopment No Points: preserved lands, wetlands, forested areas, farmland  Bonus points for: landscaping, land enhancement, pollination support, stormwater management, soil conservation	20       Max. possible bonus points: 5
<b>Product Offering</b> Higher preference: guaranteed savings >10%, flexible terms* Medium preference: guaranteed savings >5% No Points: no guaranteed savings, no flexible terms*  *Flexible terms may include: no cancellation fee, short-term contract	15
<b>Community and Environmental Justice Engagement</b> Higher preference: partnership with municipality, partnership with local community organization(s), partnership with affordable housing provider Medium preference: letter of support from municipality, project owner is a government and/or public and/or quasi-public entity, project owner is an affordable housing developer	10
<b>Subscribers</b> Higher preference: more than 51% project capacity is allocated to residential subscribers	10
<b>Other Benefits</b> Higher preference: Provides local jobs/job training, demonstrates co-benefits (e.g. paired with storage, micro-grid project, energy audit, EE measures)	10
<b>Geographic Limit within EDC service territory</b> Higher preference: municipality/adjacent municipality Medium preference: county/adjacent county No Points: any geographic location within the EDC service territory.	5

# **Attachment A**

## **Bid Process**

## **Attachment A: Bid Process**

Asbury Park (“the Applicant”) is uniquely positioned to organize a subscriber group of residents and procure a contract with a Community Solar Project owner that best fits the needs of the participating Low- and Moderate-Income residential customers in our City. Unlike Community Solar Projects around the country where the solar developer determines the pricing, contract terms, and conditions of the Project, the Asbury Park program is designed to attain the best arrangement for the participating customers by relying on the competitive market. Specifically, Asbury Park will select its solar vendor and project through a transparent, competitive contracting procurement process which shall include ownership by the Applicant with the goal of attaining a Power Purchase Agreement that best serves participating customers.

This process, which will follow DCA’s guidelines for Power Purchase Agreement (“PPA”) Requests for Proposals (“RFP”) (N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 5:34), has been used by local public units to procure power for hundreds of solar projects. This process provides for the following:

- A public and competitive solicitation process;
- An open question and answer session for bidders;
- A rigorous review process based on defined evaluation criteria;
- Public availability of the proposal evaluation report;
- Development of terms and conditions by the Applicant for the Community Solar Project contract that are specifically designed to protect the interest of the customers, and;
- On-going administration of the contract by Asbury Park, a public entity that will assure that customer interests are reliably served over the long-term.

The contract terms and conditions released in the RFP will address important protections for participating customers, including performance or savings guarantees, termination, payment provisions, fixed pricing for the entire term of the contract, and the other necessary customer-centric terms required to ensure a successful relationship while maximizing savings.

The usual approach for Community Solar, which is vendor-centric, will not be able to ensure 100% participation of low- and moderate-income residents nor offer the residents the protections associated with the fair and open, publicly run customer-centric approach proposed by Asbury Park. In addition, Asbury Park’s approach does not have the subscriber risk associated with the vendor-centric approach. As a public entity, Asbury Park is fully dedicated to meeting the needs and protecting the interests of its residents.

In our Proposal Evaluation Process, we will utilize the following matrix to determine the solar developer that provides the most benefit and is most qualified to develop the Community Solar Project:

<b>Asbury Park Community Solar RFP - Proposal Evaluation Matrix</b>	
<b>Category</b>	<b>Evaluation Factor</b>
<b>Financial Benefits</b>	NPV of Benefits to Customers
<b>Technical Design / Approach</b>	Design and Operations Strategy & Approach
<b>Environmental Acceptability</b>	Permitting, Environmental Protection, and Land Enhancement (Landscaping, Pollination Support, Stormwater Management, Soil Conservation)
	Project Siting (only "higher preference" sites provided for in the Evaluation Criteria will be considered)
	Location
<b>Respondent's Experience</b>	Project Management
	Contractor Expertise
	Project Experience
<b>Financial Strength</b>	Financial Strength and Capability
<b>Customer Service</b>	Capabilities & Billing Support / Collaboration with Host Municipality
<b>Other Benefits</b>	Microgrid Support
	Storage Assets
	Grid Benefits
	Number of Jobs (temporary and permanent) in NJ
	Solar Job Training Opportunities for Local Trainees
<b>Commercial Terms</b>	Agreement Terms Proposed and Requested Changes
<b>Oral Interview Evaluation</b>	Presentation
	Explanation of Key Factors

The evaluation criteria will provide for a rigorous evaluation of Proposals with an emphasis on: achieving optimal savings for the Community Solar subscribers demonstrated through the Net Present Value of the savings ("NPV"); structuring the Project to be completed and operated in harmony with the environment; accomplishing the goals of this Program; strong customer service; and a requirement for collaboration and outreach with the host municipality. This evaluation will be based from information requested from Proposers in a detailed RFP issued within 60 days of the BPU award into the Community Solar Pilot Program.

As a result of Asbury Park using this extensive public procurement process to designate

the best solar project to serve its residents, the Application submitted by Asbury Park cannot at this time provide some of the specific information requested in the Application which relates to identifying the property characteristics and location. Asbury Park will provide this information to BPU in a timely fashion after completion of the RFP to be conducted after designation as a Pilot Project by BPU.

It is simply not in the public interest nor possible to provide this detailed information at this stage of the rigorous and tested process that Asbury Park is utilizing to provide the best project and pricing for its 100% LMI project. Designating a project location and developer prior to submission of this Application would be counter-productive to the interest of the BPU, Asbury Park and its LMI residents since the RFP process cannot be conducted prior to award. In order to attract the attention of bidders and receive the most attractive bids that maximize savings for LMI residents (without significant risk premiums embedded in Project price offers), it is critical that the BPU award be in place prior to when the RFP process is conducted by Asbury Park. Only with a BPU award in place can the Program attract competitive, low cost and financeable projects (including the developer, facility and site). This is because the BPU award *will mitigate risk in several crucial areas* by addressing and solidifying regulatory certainty, customer load, revenue and project and procurement design features.

**It would be discriminatory, unreasonable and harmful to the efforts of Asbury Park, a municipal Applicant, and the LMI customers it represents; and discriminatory, unreasonable, harmful and contrary to the public interest and the goals of the Community Solar Pilot Program that address the Governor's overarching environmental justice policy goals outlined in Executive Order 23<sup>1</sup> were the BPU to not find the application complete.**

After BPU award Asbury Park will move expeditiously into the RFP process and, with the BPU award, will use its competitive RFP process to get the best possible proposals from the solar developer market.

Moreover, since in the model being used by Asbury Park, Asbury Park (and not the solar developer) will be acting as the subscription organization, it is anticipated that bids will be received from a much wider universe of solar developers (and not just those in the community solar development community which is a sub-set of the solar industry) with customer load that is more secure. This greater competition will yield better terms and pricing for participants. **In sum, running the RFP after a BPU award will give security and certainty to the project and ensure the best economic responses.**

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<sup>1</sup> <https://nj.gov/infobank/eo/056murphy/pdf/EO-23.pdf>

In short, the process being utilized is designed to get the best project for our LMI residents. As described throughout this application, Asbury Park has developed a well formulated plan and strong project team to implement this Project after designation by the BPU. As a result, upon BPU award the Project has a very high likelihood of completion and success. This is not a speculative project as it follows well thought out and tested processes to achieve its goals.

Accordingly, Asbury Park requests that the information provided in the Application at this time be deemed complete as it meets the intent of the application requirements and is designed to get the best result for LMI customers. Asbury Park will provide this information after the RFP is conducted. This is consistent with the exemptions provided by the BPU for Sections B.III, B.XIII (3), the "Project Developer Certification", and "Appendix A", which allow government entities that are conducting an RFP process an exemption from providing the information in these sections. It is appropriate and consistent to accept the Application as complete especially in light of Asbury Park's carefully developed and executable plan to provide a 100% LMI program to the benefit of its residents.

Asbury Park will use a proven procurement approach supported by municipal staff who know their community with extensive assistance from experienced legal and technical professionals to navigate public procurement of renewable energy. Within the Municipal government, the Program will be directed by the City Manager, Communications, Community Development, Social Services, and Finance. City Manager Michael Capabianco will take on the lead role. Mr. Capabianco played a leading role in a PPA that was the first to include a cross-county-cross-jurisdictional solar cooperative with Little Ferry and Secaucus municipalities and their Boards of Education. (See [https://www.nj.com/hudson/2014/12/a\\_solar\\_powered\\_secaucus\\_may\\_soon\\_be\\_a\\_reality.html](https://www.nj.com/hudson/2014/12/a_solar_powered_secaucus_may_soon_be_a_reality.html) for more information.)

The following professionals have engaged with Asbury Park to conduct and evaluate the RFP:

- Gabel Associates, an energy-environmental-public utilities consulting firm, has over 25 years of experience in the energy field and has successfully aided in the development of over 200 solar projects and over 20 GEA Programs. (See <http://gabelassociates.com/services/energy-users/renewable-project-development/> for more information.)
- The law firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP., with primary support from Ryan Scerbo, Esq. Mr. Scerbo has 20 years of experience and has been deeply involved in the procurement, financing, and development of 125 MW of solar energy. (See <http://www.decotiislaw.com/practice-areas/green> for more information.)

There is plainly no team more suited to assist the City in pursuing a Community Solar Program. Using this expertise, Asbury Park will ensure success for its Community Solar Project Bid Process to result in an efficiently constructed solar system to deliver savings to its LMI residents.

This rigorous, public procurement process will ensure Asbury Park can select the best pricing, terms, and conditions for subscriber group customers. Our professional team is highly experienced in public procurements for renewable energy and energy aggregation and strongly understand the needs of the community.

Please do not hesitate to contact us with any additional questions.

## **Attachment B**

### **Waiver from Meeting with DEP**

**RE: [EXTERNAL] BPU Community Solar Pilot Program Siting - Asbury Park**

From: Brunatti, Megan &lt;Megan.Brunatti@dep.nj.gov&gt;

Sent: Tue, Jul 16, 2019 at 2:04 pm

To: belle@gabelassociates.com

[image001.png](#) (19 KB)   [image002.jpg](#) (1.7 KB)   [image003.jpg](#) (2.4 KB)   [image004.jpg](#) (2.4 KB)  
[image005.jpg](#) (2.4 KB)   [image006.png](#) (2.9 KB)   – **Download all**



Images not displayed.

**SHOW IMAGES****| ALWAYS SHOW IMAGES FROM THIS SENDER**

Ms. Gabel,

Based upon the email below, you have no site to be evaluated and no project to review. Therefore, the NJDEP is not able to meet with you at this time.

Megan Brunatti, Program Manager  
Office of Permit Coordination & Environmental Review  
New Jersey Department of Environmental Protection  
(609)292-3600  
[megan.brunatti@dep.nj.gov](mailto:megan.brunatti@dep.nj.gov)  
Website: <http://www.nj.gov/dep/pcer>



[https://www.nj.gov/dep/images/footer/njdep-footer-bottom\\_left.jpg](https://www.nj.gov/dep/images/footer/njdep-footer-bottom_left.jpg) [NJDEP Facebook pages](#)

[NJDEP Twitter](#) [NJDEP Instagram pages](#) [Discover DEP-YouTube Channel](#)

*NOTE: This E-mail is protected by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This E-Mail and its contents, may be Privileged & Confidential due to the Attorney-Client Privilege, Attorney Work Product, and Deliberative Process or under the New Jersey Open Public Records Act. If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.*

**From:** belle@gabelassociates.com <belle@gabelassociates.com>**Sent:** Monday, July 8, 2019 2:18 PM**To:** Brunatti, Megan <Megan.Brunatti@dep.nj.gov>**Subject:** [EXTERNAL] BPU Community Solar Pilot Program Siting - Asbury Park

Ms. Brunatti,

I am contacting you on behalf of the City of Asbury Park regarding the permitting for a BPU Community Solar Pilot Program Project (N.J.A.C. 14:8-9). Per the BPU's application to participate in this Program, the BPU asks that each applicant "must meet with the NJDEP's Office of Permit Coordination and Environmental Review ("PCER") to determine what permits may be required and to identify other potential issues [...]". I am contacting you to fulfill this requirement.

It is important to note that our unique model to participate in the Program does not require determining a site before our application is submitted since we will be procuring the solar project a after the BPU award.. Thus, we have no sites yet to be evaluated and no permits yet needed. We will be contacting your department again once we have made this determination at some point after award of participation in the Program.

Based the above, I request that the DEP provide confirmation that a meeting on this matter is *not* needed at this time.

I am available to answer any questions you may have.

Thanks much,

Belle Gabel  
Research Associate  
Gabel Associates  
[belle@gabelassociates.com](mailto:belle@gabelassociates.com)  
732.296.0770

# **Attachment C**

## **Letter of Support from Affordable Housing Organization**

**Asbury Park Housing  
Authority**

1000 ½ Third Avenue  
Asbury Park, NJ 07712

Telephone: 732-774-2660

Fax: 732-774-8623



*Working Together for Housing Excellence*

New Jersey Board of Public Utilities  
44 South Clinton Avenue, 7th Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
Attn: Aida Camacho-Welch, Board Secretary

**RE: Letter of Support for Asbury Park's Community Solar Application**

**July 23, 2019**

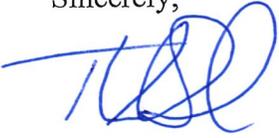
Secretary Camacho-Welch:

The Asbury Park Housing Authority enthusiastically supports Asbury Park's application to be included in the first round of the Community Solar Project awards by the New Jersey Board of Public Utilities (BPU). Asbury Park Housing Authority provides housing assistance to low income residents through the management of programs such as Low Rent Public Housing and the Housing Choice Voucher Program - Section 8. These programs are income based and the eligibility guidelines are set by HUD.

Asbury Park Housing Authority is committed to helping people facing economic challenges and the Asbury Park approach shows this focus. Asbury Park's decision to use its public RFP process to only include low- and moderate-income residents is greatly welcome, needed, and appreciated. It represents a highly effective way to expand the benefits of solar energy to those who cannot normally realize them.

Based on the above, Asbury Park Housing Authority wholeheartedly endorses Asbury  
Park's application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. Sahlin', with a large, stylized flourish at the end.

Thomas Sahlin,  
Executive Director

# **Attachment D**

**Description of Benefit Allocation**

**Method to Master-Metered**

**Residents**

## **Attachment D: Benefit Allocation Method to Master-Metered Residents**

Asbury Park's Community Solar Program will provide significant and unique benefits to the moderate- and low-income residents of the Affordable Housing Community. Many of Asbury Park's Affordable Housing buildings make use of master-meters; therefore, the residents of these buildings do not receive a utility bill. The Asbury Park Housing Authority ("APHA" or "the Affordable Housing Provider") that manages the buildings is the utility account holder. (In the Affordable Housing residences that are individually metered the customer will directly receive the savings on their energy bill.)

The master-meter structure of these Affordable Housing communities offers an exciting opportunity to provide a range of benefits to the residents rather than simply lowering an individual's energy bill. Once Asbury Park is granted participation in the Community Solar Program, the savings to the APHA will go into a group fund to benefit all members of these communities. The Housing Authority Board and the resident groups engaged in this Application are thrilled by this prospect.

In our preliminary meetings with residential groups that represent tenants, it has become clear that these communities know better than anyone how savings could be utilized for their collective benefit. Those ideas range from providing "refunds" back to residents, to social services that fulfill important needs, such as transportation for social activities, shopping, and field trips. We have also discussed the upgrading of building equipment (that would realize comfort and efficiency benefits) as some of these Affordable Housing buildings have deferred maintenance over the years due to a shortage of funds. All of these ideas have unique merit and will require careful discussion and engagement with the Affordable Housing residents.

As such, once a solar developer has been selected through the public procurement process for the Community Solar Project with savings assured over a period time (expected to be 15 years), the communities will engage in a process to determine how to apportion the savings. We do not want to prematurely ask these communities to devote their time and energy to this process until there is a firm offer of savings to discuss.

**For purposes of this proposal, Asbury Park commits to providing all the savings from the solar project to the benefit of every resident in the Affordable Housing community and has provided an Affidavit to this affect (Attachment E); Asbury Park can provide an annual Affidavit to the BPU that certifies this allocation of benefits to the BPU.** However, due to the ongoing process with the residents, Asbury Park would like to also reserve the option to contact the BPU for its approval of any change in this approach, as discussed above.

# **Attachment E**

## **Affidavit to Certify the Pass- Through of Benefits**

**Account Holder Affidavit Pursuant to  
the Community Solar Energy Pilot Program Rules  
N.J.A.C. 14:8-9.6(g)**

State of New Jersey:

: ss.:

County of Monmouth:

The undersigned, being duly sworn, deposes and says that:

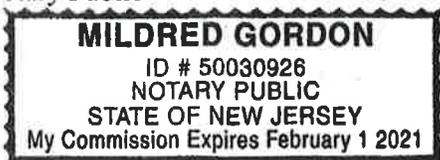
1. I, **Thomas Sahlin**, am the authorized representative of **The Asbury Park Housing Authority** ("Account Holder") associated with the master meters **S322296585, 687038582, 628159777, A021851480, S310219334, S310588766**, located at **1287 Washington Ave, Building 4, Asbury Park NJ 07712; 1287 Washington Ave, Building 7, Asbury Park NJ 07712; 8 Atkins Ave, Asbury Park NJ 07712; 1018 1<sup>st</sup> Ave, Asbury Park, NJ 07712; 2<sup>nd</sup> Ave & Comstock St., Asbury Park, NJ 07712** (the "Facilities").
2. The Account Holder has decided, pursuant to, and in accordance with, the Community Solar Energy Pilot Program Rules, set forth at N.J.A.C. 14:8-9.1 et. seq., to participate in a community solar program (the "Program"), with **the City of Asbury Park**, designed to service the tenants of the Facilities.
3. Pursuant to, and in accordance with N.J.A.C. 14:8-9.6(g), I hereby represent on behalf of the Account Holder that the specific, substantial, identifiable, and quantifiable long-term benefits from the community solar subscription will be passed through to tenants. Accordingly, the benefits, derived from the Program (the difference between the retail credit established by the New Jersey Board of Public Utilities (BPU) and the price for solar energy achieved by the Program) will be passed through to each master-metered tenant of the Account Holder, no less frequently than annually.
4. The assignment of benefits provided for in Paragraph 3 shall continue unless another mechanism for benefit sharing is agreed to by the BPU or its designee.
5. This affidavit is made pursuant to and in compliance with N.J.A.C. 14:8-9.6(g) of the Community Solar Energy Pilot Program Rules.
6. The facts stated above are true, to the best of the knowledge of the undersigned.

Signature: \_\_\_\_\_

By: Thomas Sahlin, Executive Director  
Name:  
Title:

Sworn to before me this  
4th day of Sept, 2019

Mildred Gordon  
Notary Public



# **Attachment F**

## **Letters of Support from Community Organizations**



**WESTSIDE CITIZENS UNITED**

*1101 Bangs Avenue Suite B*

*Asbury Park, NJ 07712*

*(732) 944-0204*

[westside\\_citizens\\_united@mail.com](mailto:westside_citizens_united@mail.com)

New Jersey Board of Public Utilities  
44 South Clinton Avenue,  
7th Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
Attn: Aida Camacho-Welch, Board Secretary

**RE: Letter of Support for Asbury Park's Community Solar Application**

**DATE: July 30, 2019**

Secretary Camacho-Welch:

WESTSIDE CITIZENS UNITED enthusiastically supports Asbury Park's application to be included in the first round of the Community Solar Project awards by the New Jersey Board of Public Utilities (BPU). Westside Citizens United was organized to encourage our community volunteers to give back to their community, by having events, programs, etc. for the seniors and youth within our community.

WESTSIDE CITIZENS UNITED is committed to helping people facing economic challenges and the Asbury Park approach shows this focus. Asbury Park's decision to use its public RFP process to only include low- and moderate-income residents is greatly welcome, needed, and appreciated. It represents a highly effective way to expand the benefits of solar energy to those who cannot normally realize them.

Based on the above, WESTSIDE CITIZENS UNITED wholeheartedly endorses Asbury Park's application.

Sincerely,

*Nina M I Summerlin*

*Nina M I Summerlin*

*Westside Citizens United, President*

*Cc Thomas Sahlin*



## Interfaith Neighbors

Neighbors Helping Neighbors

### Board of Trustees

Rabbi Sally Priesand,  
*President*

Vincent Petruzzello,  
*Vice President*

Paul L. McEvily,  
*Executive Director*

Joseph J. Marmora,  
*Exec. Director Emeritus/  
Treasurer*

Walter "Chip" Craig, Esq.  
*Assoc. Exec. Director/  
Secretary*

Mary Ann Christopher

Kathleen Ellis

Robert E. Hogan

Gwendolyn O. Love

Carol Ann McLaughlin

Pam Saunders

### Advisory Board

Don Brockel

Dennis Donato

Robert Giunco

John Heavey

Tom Kononowitz

John Marmora

Lynn F. Miller

Sandy Mullaney

Carlo Sestito

James Vaccaro

August 5, 2019

New Jersey Board of Public Utilities  
44 South Clinton Avenue,  
7th Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
Attn: Aida Camacho-Welch, Board Secretary

### RE: Letter of Support for Asbury Park's Community Solar Application

Dear Secretary Camacho-Welch:

Interfaith Neighbors enthusiastically supports the Asbury Park Housing Authority's ("APHA") application to be included in the first round of the Community Solar Project awards by the New Jersey Board of Public Utilities (BPU).

Interfaith Neighbors' mission is to assist those less fortunate among us meet life's basic necessities, while seeking to improve the quality of life for individuals and families and the communities in which they live.

We are committed to helping people facing economic challenges and work collaboratively with other agencies – like the APHA – to address these needs. APHA's decision to use its public RFP process to only include low- and moderate-income residents is greatly welcome, needed, and appreciated. It represents a highly effective way to expand the benefits of solar energy to those who cannot normally realize them.

Based on the above, Interfaith Neighbors wholeheartedly endorses APHA's application.

Sincerely,

Paul L. McEvily, Executive Director



1105 Memorial Drive  
Asbury Park, NJ 07712

ReStore  
732-988-7044

Administrative Office  
732-898-4090

---

*"Building homes and changing lives at the Jersey Shore"*

29 July 2019

New Jersey Board of Public Utilities  
44 South Clinton Avenue,  
7th Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
Attn: Aida Camacho-Welch, Board Secretary

Re: Letter of Support for Asbury Park's Community Solar Application

Dear Secretary Camacho-Welch:

Coastal Habitat for Humanity enthusiastically supports Asbury Park's application to be included in the first round of the Community Solar Project awards by the New Jersey Board of Public Utilities (BPU). Coastal Habitat for Humanity is a local affiliate of Habitat for Humanity International which seeks to create a world where everyone has safe affordable housing through its programs including single family home builds, home restoration and repair, and community building.

Coastal Habitat for Humanity is committed to helping people facing economic challenges and the Asbury Park approach shows this focus. Asbury Park's decision to use its public RFP process to only include low- and moderate-income residents is greatly welcome, needed, and appreciated. It represents a highly effective way to expand the benefits of solar energy to those who cannot normally realize them.

Based on the above, Coastal Habitat for Humanity wholeheartedly endorses Asbury Park's application.

Sincerely,

A handwritten signature in black ink that reads "Heather E. Schulze". The signature is fluid and cursive, with the first name being the most prominent.

Heather E. Schulze  
Executive Director

Randy Bishop, President  
Josie Capozzi  
Leonard Danquah  
Brendan Mullooly

Board of Directors  
Michael Rondholz, Vice President  
Amanda Caruso, Secretary  
Carolyn Egan

Heather E. Schulze, Executive Director  
John Chiappinelli, Esquire  
Karolina Larson  
Frank Syphax

# **Attachment G**

## **Community Consultative Process**

## **Attachment G: Community Consultative Process**

Asbury Park's Community Solar Project was and will continue to be developed through an extensive community consultative process. Through the current, pre-award stage and throughout the development and operation of the Community Solar Project, the public has already been and will continue to be greatly involved. To initiate the process of preparing this application and getting buy-in from the public on the Project, Asbury Park approved its Resolution to proceed with this Application at its public council meeting on May 9, 2019. This meeting also included an opportunity for public comment.

Asbury Park deeply engaged with the Asbury Park Housing Authority ("APHA" or "the Affordable Housing Provider") to plan for Community Solar and to propose this approach.

On June 10, 2019, the City gave a detailed presentation to the Board of the Housing Authority and answered the questions of both the Commissioners and the residents of the Affordable Housing communities. These stakeholders were highly enthusiastic about the Project and have been given the opportunity to provide input on Asbury Park's Community Solar plans. The City has been in frequent communication with the leadership of the Affordable Housing Provider throughout this application process and considers their involvement in this Project to be *unquestionably vital*. Our commitment to continue to engage the leadership and residents of the affordable housing community is absolute.

Upon award by the BPU into the Community Solar Pilot Program, Asbury Park will issue a competitive Request for Proposal ("RFP") to designate a solar developer (per Attachment A). The City's evaluation of proposals as well as any contracts entered into will be made public, and subject to public comment.

Asbury Park and APHA will then conduct significant community outreach in the form of public meetings at the applicable affordable housing complexes where the Community Solar customers reside, as well as an open public meeting at Town Hall. These meetings will include presentations regarding the structure of the Community Solar Pilot Program and will provide opportunity for the public and participants to ask questions or voice concerns.

Asbury Park will also have a designated website or a section of its website which will describe the Program and provide FAQs. The City will also have a dedicated toll-free phone number for the public to call and receive further information. The City will have marketing and informational materials available at all participating properties and at other key locations.

Because Asbury Park is a public body, answerable to its residents, it will always operate in an open, engaged, and transparent manner. The City is deeply appreciative of the passionate community involvement we have received up to this point and look forward to equally involving the community as this Project goes forward.

#### Engagement with the Municipality Hosting the Solar Facility

Asbury Park and its selected developer shall also complete an extensive engagement and collaboration process well above the standard permit requirements. This includes in-depth review and discussions with the host municipality, a collaboration agreement with the host municipality, public outreach in coordination with the host community, and the provision of detailed project information. This will be a requirement of both the designated developer and Asbury Park's project team.



**RESOLUTION NO. 2019-172**

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

**AWARDING A PROFESSIONAL SERVICES CONTRACT FOR ENERGY  
CONSULTING SERVICES**

**WHEREAS**, the Mayor and Council of the City of Asbury Park continue to explore methods of protecting the environment through clean energy; and

**WHEREAS**, the New Jersey Board of Public Utilities (BPU) is currently soliciting proposals for a Community Energy Solar Pilot Program (the Program); and

**WHEREAS**, the Community Solar Energy Pilot Program will enable utility customers to participate in a solar energy project that is remotely located from their property and is currently under development; and

**WHEREAS**, the City Manager and Gabel Associates have identified that the City's residents could benefit from this Program; and

**WHEREAS**, the City Manager and Gabel Associates have met with the Asbury Park Housing Authority Executive Director to further this Pilot Program; and

**WHEREAS**, there is no cost to the City or the Asbury Park Housing Authority as the costs will be paid for if, and only if, a contract for energy is awarded; and

**WHEREAS**, the proposal for professional services is attached; and

**WHEREAS**, as per N.J.S.A. 40A:11-5(a)(I) Professional Services are exempt from public bidding and there is no cost associated with this Program; and

**WHEREAS**, the Mayor and City Council desire to further clean energy and authorize the attached agreement with Gabel Associates which reflects no cost to any public entity.

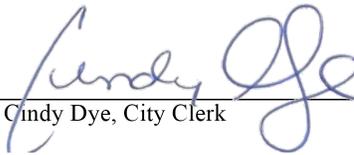
**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth, State of New Jersey authorize the award of a professional services contract to Gabel Associates at no cost to a public entity.

**AND NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth, State of New Jersey that a copy of

this Resolution be provided to the City Manager, Director of Purchasing and Gabel Associates.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2019-172 which was finally adopted by the City Council at a meeting held on the 8th day of May, 2019

CERTIFIED BY ME THIS 9th DAY OF May, 2019.



Cindy Dye, City Clerk

5/9/2019

CINDY A. DYE  
CITY CLERK

✓ Vote Record - Resolution 2019-172						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Eileen Chapman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Yvonne Clayton	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Jesse Kendle	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Amy Quinn	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	John Moor	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Attachment H**  
**Waiver Request**

## **Attachment H: Waiver Request**

Pursuant to N.J.A.C. 14:1-1.2(b), the City of Asbury Park (“the Applicant”, “Asbury Park”, or “the City”) is hereby requesting a waiver from a specific provision of the BPU’s Community Solar Rule, specifically *N.J.A.C. 14:8-9.10(b)*. This provision requires the community solar provider to secure customer consent via an “opt-in” process with the customer needing to provide either a wet or an electronic signature. The Applicant is requesting a waiver from this provision to enable the enrollment of low- and moderate-income (“LMI”) individually metered residential customers through a “modified opt-out” process in a manner that is similar to the approach successfully used by the Board and many municipalities across New Jersey in their administration of Government Energy Aggregation (“GEA”) Programs (*N.J.A.C. 14:4, et seq.*), which is designed to be highly protective of customers. Granting this waiver will position the BPU to meet the Governor’s Environmental Justice goals.

The vendor-centric community solar approach used in other Community Solar programs around the country requires a solar vendor to market and seek out customers to enroll in the project as subscribers (the “opt-in method”). This vendor-centric approach appears to be the basis for the wet or electronic signature requirement in this application. The opt-out approach proposed in this Application is customer-centric and based on Asbury Park’s unique knowledge of its community, its position as the municipal government, longstanding relationships with local not-for-profit organizations, including social service agencies (i.e. affordable housing organizations), and its strong interest in obtaining a long-term arrangement for solar energy that is in the best interest of its participating residents. The City is intimately familiar with its community and can strategically identify individually metered LMI customers who have real need for the solar savings offered by Community Solar through a fair and open process.

An “opt-out” approach is needed to secure the customer base providing the revenue flow that will facilitate lower cost project financing. As the Board’s GEA program design has demonstrated in a multitude of successful efforts (in over 50 municipalities), an opt-out program operated by a municipality is the most efficient way to reach and secure a customer base.

Energy saving programs led by municipalities utilizing the opt-out method protect customers; achieve strong pricing and demonstrated savings; reduce customer sign-up cost; and importantly for the Community Solar Program, provide much greater assurance that adequate customer load will be purchasing solar energy over the term of the Community Solar Power Purchase Agreement (PPA). Solar developers price a “risk premium” into their pricing that is commensurate with the level of risk related to customer

erosion. The opt-out approach will minimize this risk because Asbury Park will use it to keep the customer size and load at an adequate level for the term of the Community Solar PPA. This will translate to reduced costs and greater savings to customers.

The traditional opt-in method may work with markets to middle- and upper-income customers with a deep interest in the environment, but it will not work with individually-metered LMI customers. Accordingly, the opt-out method is vital to the success of the State's environmental justice efforts and will eliminate a significant hurdle that has stunted Community Solar success for the LMI population in other states. In short, the opt-out approach can make New Jersey a national leader in LMI-based Community Solar, delivering on the Murphy Administration's primary Community Solar goal: serving LMI customers.

Moreover, the Applicant's approach will fully protect customers with the following provisions:

- Notice to designated customers that they can opt-out at any time during the program with no penalties. (Notice will only be provided to potential participants identified by the City or through existing public assistance organizations and municipal services, not to every resident in Asbury Park. This limited notice is intended to prevent customer confusion, effectively manage customer relationships, and limit the active subscribers to correlate with solar project capacity.);
- A letter to each designated customer explaining the program and advising them of their opt-out and other rights;
- Customer and constituent support, including the development of educational and marketing materials as well as holding public informational sessions at community meetings;
- Development of a website (or a dedicated page on Asbury Park's website) through which the public can obtain further information regarding the Program;
- A dedicated toll-free number to facilitate customer questions or opt-out requests;
- Assignment of a designated staff person in the municipal building to address any issues;
- A solar contract that is publicly procured and managed by the Applicant, and not

by a private vendor, with strong customer protections (see Attachment A of this application for more detail).

This requested waiver and approval of the modified opt-out approach is necessary, as the marketing and sales process of obtaining wet or electronic signatures for LMI customers is burdensome and expensive, creating a financial barrier to a successful LMI Community Solar Program. Governor Murphy has made environmental justice a centerpiece of many of his policies, including the New Jersey's Community Solar Program which specifically prioritizes servicing LMI customers. The Applicant's Program will be operated by a public entity and customer-centered with a goal to fully protect customers, while advancing the Governor's environmental justice policies with 100% LMI participation.

### Summary

The opt-out approach sought in this waiver request will enable New Jersey to develop LMI-based programs that meet the Governor's objective for solar energy benefits to be extended to LMI customers. The unnecessary labor of collecting individual wet signatures or electronic sign-ups of each individually metered LMI subscriber, per the opt-in approach, will prevent the Program from effectively reaching LMI customers. The opt-in approach is in direct conflict with the efforts of the Board and the Governor to allow LMI customers to realize the benefits of solar energy.

Further, the State is currently transitioning the solar market with the specific goal to ensure solar is delivered to customers at the lowest possible cost in order to decrease ratepayer burden. The opt-out approach is the most cost-effective way to ensure LMI participation in the solar market.

The opt-out method has been market tested and has proven to be highly successful in the BPU's GEA programs; this request is seeking to build upon that successful program in a Community Solar capacity.

Finally, the Community Solar Program is in a Pilot stage. Therefore, it is appropriate to permit the Applicant to use the opt-out approach in the interest of investigating how New Jersey can develop a highly successful program designed to reach the greatest amount of LMI customers at the lowest costs in subsequent Pilot stages or in the permanent BPU program.

Accordingly, the approval of Asbury Park's application should include a waiver of *N.J.A.C. 14:8-9.10(b)* and authorization to use the opt-out elements described above.

In the event this waiver request is not granted by the BPU, Applicant shall develop the Project without the opt-out process albeit at a smaller size (approximately 3.5 MW) to reflect the unavailability of the opt-out process to enroll individually metered customers.

**Attachment I**  
**Estimated Project Cost**

## Attachment to Section XI: Project Costs Assumptions

### System size and Output

DC Watts (kWdc)	5,000
Solar Production Rate (kWh/kWdc)	1,200
First Year kWh	6,000,000
Interconnection	Grid
Financing	Self

### Economic Variables

In Service Date	1/1/2021
Solar Installation- EPC	\$10,250,000
Customer Acquisition Cost	\$0
<b>Project Tax Basis</b>	<b>\$10,250,000</b>
Land/ Rooftop Up-Front Purchase Cost	\$0
<b>Total Solar Cost</b>	<b>\$10,250,000</b>
Avg Installation Cost (\$ per W-DC)	\$2.05
Levelized Cost of Energy (\$/kWh)	\$0.0355
PPA Period (Years)	20
SREC value (\$ per MWh)	Per Schedule
SREC Period (Years)	15
Economic Analysis Period	25
Federal Tax Rate	21%
State Tax Rate	9%
Annual O&M Costs (\$/kW)	\$10.00
Decommissioning Reserve (\$/w)	\$0.02
Lease Cost (\$/MW)	\$25,000.00
Est Insurance Costs (0.5% of Install Cost)	\$51,250
Insurance Escalation (%)	2.0%
O&M Escalation (%)	2.0%
Discount Rate	7.0%

### Economic Incentives

Federal Investment Tax Credit	26%
Depreciation Type	MACRS
Depreciation (years)	5

Attachment to Section XI: Project Costs  
Project Economics

Year	Costs		Expenses				Revenue			EBITDA	State and Federal Taxes						After Tax Cashflow (ATCF)				
	Project Costs (Tax Basis)	Total Costs	Insurance Expenses	O&M Expenses	Decommissioning Expenses	Lease Expenses	Total Expenses	Electricity Revenue	Capacity Revenue	SREC Revenue	Total Revenue	Pre-Tax Cashflow	State Depreciation Value	State Taxable Income	State Taxes Payable / (Recoverable)	Federal Depreciation Value	Federal Taxable Income	Fed. Taxes Payable / (Recoverable)	ITC	Net ATCF	Cumulative ATCF
0	\$10,250,000	\$10,250,000					\$0			\$0	(\$10,250,000)				\$0	\$0	\$0	\$0	\$0	(\$10,250,000)	(\$10,250,000)
1	\$0	\$0	\$51,250	\$50,000	\$100,000	\$125,000	\$326,250	\$212,721	\$97,090	\$930,000	\$1,239,811	\$913,561	\$1,783,500	(\$869,939)	(\$78,295)	\$1,783,500	(\$869,939)	(\$182,687)	\$2,665,000	\$3,839,542	(\$6,410,458)
2	\$0	\$0	\$52,275	\$51,000	\$100,000	\$125,000	\$328,275	\$211,657	\$97,090	\$925,350	\$1,234,097	\$905,822	\$2,853,600	(\$1,947,778)	(\$175,300)	\$2,853,600	(\$1,947,778)	(\$409,033)	\$0	\$1,490,155	(\$4,920,302)
3	\$0	\$0	\$53,321	\$52,020	\$100,000	\$125,000	\$330,341	\$210,599	\$97,090	\$920,855	\$1,228,544	\$898,203	\$1,712,160	(\$813,957)	(\$73,256)	\$1,712,160	(\$813,957)	(\$170,931)	\$0	\$1,142,390	(\$3,777,912)
4	\$0	\$0	\$54,387	\$53,060	\$100,000	\$125,000	\$332,447	\$209,546	\$97,090	\$916,050	\$1,222,686	\$890,239	\$1,027,296	(\$137,057)	(\$12,335)	\$1,027,296	(\$137,057)	(\$28,782)	\$0	\$931,356	(\$2,846,556)
5	\$0	\$0	\$55,475	\$54,122	\$100,000	\$125,000	\$334,596	\$208,498	\$97,090	\$911,555	\$1,217,143	\$882,547	\$1,027,296	(\$144,749)	(\$13,027)	\$1,027,296	(\$144,749)	(\$30,397)	\$0	\$925,972	(\$1,920,584)
6	\$0	\$0	\$56,584	\$55,204	\$100,000	\$125,000	\$336,788	\$207,456	\$97,090	\$906,905	\$1,211,451	\$874,662	\$513,648	\$361,014	\$32,491	\$513,648	\$328,523	\$68,990	\$0	\$773,181	(\$1,147,403)
7	\$0	\$0	\$57,716	\$56,308	\$100,000	\$125,000	\$339,024	\$206,418	\$97,090	\$902,410	\$1,205,918	\$866,894	\$0	\$866,894	\$78,200	\$0	\$788,874	\$165,664	\$0	\$623,210	(\$524,193)
8	\$0	\$0	\$58,870	\$57,434	\$100,000	\$125,000	\$341,304	\$205,386	\$97,090	\$897,915	\$1,200,391	\$859,087	\$0	\$859,087	\$77,318	\$0	\$781,769	\$164,171	\$0	\$617,598	\$93,405
9	\$0	\$0	\$60,048	\$58,583	\$100,000	\$125,000	\$343,631	\$204,359	\$97,090	\$893,575	\$1,195,024	\$851,394	\$0	\$851,394	\$76,625	\$0	\$774,768	\$162,701	\$0	\$612,067	\$705,472
10	\$0	\$0	\$61,248	\$59,755	\$100,000	\$125,000	\$346,003	\$203,338	\$97,090	\$888,925	\$1,189,353	\$843,349	\$0	\$843,349	\$75,901	\$0	\$767,448	\$161,164	\$0	\$606,284	\$1,311,756
11	\$0	\$0	\$62,473	\$60,950	\$100,000	\$125,000	\$348,423	\$202,321	\$97,090	\$884,430	\$1,183,841	\$835,418	\$0	\$835,418	\$75,188	\$0	\$760,230	\$159,648	\$0	\$600,582	\$1,912,337
12	\$0	\$0	\$63,723	\$62,169	\$100,000	\$125,000	\$350,892	\$201,309	\$97,090	\$880,090	\$1,178,489	\$827,598	\$0	\$827,598	\$74,484	\$0	\$753,114	\$158,154	\$0	\$594,960	\$2,507,297
13	\$0	\$0	\$64,997	\$63,412	\$100,000	\$125,000	\$353,409	\$200,303	\$97,090	\$875,595	\$1,172,988	\$819,578	\$0	\$819,578	\$73,762	\$0	\$745,816	\$156,621	\$0	\$589,195	\$3,096,492
14	\$0	\$0	\$66,297	\$64,680	\$100,000	\$125,000	\$355,978	\$199,301	\$97,090	\$871,410	\$1,167,801	\$811,823	\$0	\$811,823	\$73,064	\$0	\$738,759	\$155,139	\$0	\$583,620	\$3,680,112
15	\$0	\$0	\$67,623	\$65,974	\$100,000	\$125,000	\$358,597	\$198,305	\$97,090	\$867,070	\$1,162,465	\$803,867	\$0	\$803,867	\$72,348	\$0	\$731,519	\$153,619	\$0	\$577,900	\$4,258,012
16	\$0	\$0	\$68,976	\$67,293	\$100,000	\$125,000	\$361,269	\$197,313	\$97,090	\$0	\$294,403	(\$66,866)	\$0	(\$66,866)	(\$6,018)	\$0	(\$66,866)	(\$14,042)	\$0	(\$46,806)	\$4,211,206
17	\$0	\$0	\$70,355	\$68,639	\$100,000	\$125,000	\$363,995	\$196,327	\$97,090	\$0	\$293,417	(\$70,578)	\$0	(\$70,578)	(\$6,352)	\$0	(\$70,578)	(\$14,821)	\$0	(\$49,405)	\$4,161,801
18	\$0	\$0	\$71,762	\$70,012	\$100,000	\$125,000	\$366,774	\$195,345	\$97,090	\$0	\$292,435	(\$74,340)	\$0	(\$74,340)	(\$6,691)	\$0	(\$74,340)	(\$15,611)	\$0	(\$32,038)	\$4,109,764
19	\$0	\$0	\$73,198	\$71,412	\$100,000	\$125,000	\$369,610	\$194,368	\$97,090	\$0	\$291,458	(\$78,152)	\$0	(\$78,152)	(\$7,034)	\$0	(\$78,152)	(\$16,412)	\$0	(\$54,706)	\$4,055,058
20	\$0	\$0	\$74,662	\$72,841	\$100,000	\$125,000	\$372,502	\$193,396	\$97,090	\$0	\$290,486	(\$82,016)	\$0	(\$82,016)	(\$7,381)	\$0	(\$82,016)	(\$17,223)	\$0	(\$57,411)	\$3,997,647
21	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,997,647
22	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,997,647
23	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,997,647
24	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,997,647
25	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,997,647
<b>TOTAL</b>	\$10,250,000	\$10,250,000	\$1,245,240	\$1,214,868	\$2,000,000	\$2,500,000	\$6,960,109	\$4,058,265	\$1,941,800	\$13,472,135	\$19,472,200	\$2,262,092	\$8,917,500	\$3,594,592	\$323,513	\$8,917,500	\$2,885,389	\$605,932	\$2,665,000	\$3,997,647	\$0
<b>NPV</b>		\$10,250,000	\$631,403	\$616,003	\$1,059,401	\$1,324,252	\$3,631,059	\$2,173,244	\$1,028,573	\$8,231,185	\$11,433,001	(\$2,448,058)	\$7,415,332	\$386,610	\$34,795	\$7,415,332	\$37,150	\$7,802	\$2,490,654	\$0	\$0

# **Attachment J**

## Proof of Site Control

## **Attachment J: Proof of Site Control**

The RFP issued by Asbury Park shall require site control. See RFP Process in Attachment A.

# **Attachment K**

## **NJDEP Permit Readiness Checklist**

Updated 10/11/16

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF PERMIT COORDINATION AND ENVIRONMENTAL REVIEW

**PERMIT READINESS CHECKLIST**

FOR PCER OFFICE USE ONLY

DATE RECEIVED \_\_\_\_

PRC ID NUMBER \_\_\_\_

-----  
Completion of this form will assist the Department in determining what permits might be needed to authorize a project and to insure that all appropriate programs attend a pre-application meeting. Please fill out the below form as completely as possible, noting any areas you are not sure of and including any information about the project and the site that might help the Department determine the permitting needs of the project.<sup>1</sup>

1. Please complete the following questions if applicable and return to the Department with a **1 to 2 page narrative description of project, its function, and its benefits; as well as a site plan, maps, aerial photos, GIS shape files, etc.**  
See narrative description on page 13.

**A. GENERAL INFORMATION**

1. Name of Proposed Project Asbury Park Community Solar Project
2. Consultant/Contact Information (if any) Belle Gabel  
Gabel Associates  
417 Denison St, Highland Park NJ 08904  
[belle@gabelassociates.com](mailto:belle@gabelassociates.com)  
732-296-0770
3. Name/Address of Prospective Applicant Michael Capabianco, City Manager  
Address/tel./fax 1 Municipal Plaza, Asbury Park NJ 07712 / 732-502-5755 / 732-775-0441  
Company Name The City Asbury Park  
Address/tel./fax 1 Municipal Plaza, Asbury Park NJ 07712 / 732-502-5755 / 732-775-0441
4. Does the project have any existing NJDEP ID#s assigned? i.e., Case number, Program Interest (PI)#, Program ID#?  
No

<sup>1</sup> Please be advised that this form is not a permit application. To receive authorization, approval, or a permit to conduct regulated activities, a formal application must be filed and a formal permit or authorization issued by the appropriate Bureau within the Department prior to the conduct of regulated activity. This form is used solely for the Department's preliminary review and discussion of this project to determine what permits or authorizations may be needed to conduct the proposed activity. Any guidance offered to the applicant during this process is not binding on the Department or the applicant and a final response can only be rendered through the actual issuance of permits, approvals, or authorizations.

**B. PROPOSED PROJECT LOCATION**

Specific site to be designated through RFP process; see attached narrative description.

Street Address/munic. \_\_\_\_

County \_\_\_\_

Zip Code \_\_\_\_

Block No. \_\_\_\_

Lot No. \_\_\_\_

X Coordinate in State Plane (project centroid) \_\_\_\_

Y Coordinate in State Plane (project centroid) \_\_\_\_

**C. PROPOSED ACTIVITY DESCRIPTION AND SCHEDULE**

1. Project Type: \_\_\_\_ New Construction \_\_\_\_ Brownfield Redevelop. \_\_\_\_  
Alternative Energy x Other (Please describe) \_\_\_\_

- a) Estimated Schedule: Date permits needed or desired by, beginning construction date; construction completion, and operation of facility date: \_\_\_\_
- b) Funding Source: Is any Federal Funding being used for this project? No  
State Funding over 1 million dollars? No  
Is funding secured at this time? \_\_\_\_ Is funding conditional? \_\_\_\_ If so, on what? \_\_\_\_
- c) Is the project contingent on receiving the identified funding? N/A  
If yes, explain  
What DEP permits do you think you need for this project? (The Department will confirm this through the PRC process). \_\_\_\_

2. For additional guidance on Department permits, please refer to the Permit Identification Form (PIF) which will be forwarded upon request. The PIF does not need to be filled out or submitted to the Department.

- a) Which Department(s), Bureau(s), and staff have you contacted regarding your proposed project? Office of Permit Coordination, Megan Brunatti
- b) Are there any Department permits that will need to be modified as a result of this project. Please explain and identify the project reviewer of the permit to be modified. See narrative description of the Project enclosed.

- c) Please identify any pre-permit actions or modifications you have applied for or obtained from the Department or other state agencies for this project:

- 1) Water Quality Management Plan consistency \_\_\_\_\_
- 2) Highlands Consistency \_\_\_\_\_
- 3) Wetland Delineation (LOI) \_\_\_\_\_
- 4) Tidelands Conveyance \_\_\_\_\_
- 5) Flood Hazard Jurisdiction or determinations \_\_\_\_\_
- 6) Water Allocation \_\_\_\_\_
- 7) Site Remediation RAW, Remedial Action Permit – Soil and or Groundwater, NJPDES Discharge to Ground Water, NJPDES Discharge to Surface Water, No Further Action Response Action Outcome \_\_\_\_\_
- 8) Landfill Disruption Approval \_\_\_\_\_
- 9) Landfill Closure Plan \_\_\_\_\_
- 10) Other \_\_\_\_\_

3. Please submit this Permit Readiness Checklist form, completed to the extent possible, electronically to [Ruth.Foster@dep.nj.gov](mailto:Ruth.Foster@dep.nj.gov) and [Megan.Brunatti@dep.nj.gov](mailto:Megan.Brunatti@dep.nj.gov) and one (1) copy via mail<sup>2</sup> with the following items if available:
- (a) The completed Permit Readiness Checklist;
  - (b) A description of the proposed project;
  - (c) Any overarching regulatory or policy call(s) or guidance that the Department must make or make known prior to the receipt of the application to determine the project's feasibility, regulatory, or review process.
  - (d) USGS map(s) with the site of the proposed project site boundaries clearly delineated (including the title of the USGS quadrangle sheet from which it was taken)<sup>3</sup>;
  - (e) Aerial photos/GIS information regarding the site;
  - (f) A site map including any known environmental features (wetlands, streams, buffers, etc<sup>4</sup>);
  - (g) Site plans to the extent available;
  - (h) Street map indicating the location of the proposed project;
  - (i) Any other information that you think may be helpful to the Department in reviewing this project.
  - (j) List of any local or regional governments or entities, their historical involvement in this project or site, identification of conflicts with DEP rules; with contact names and information whose attendance/input would be helpful in facilitating this project, ie Soil Conservation Districts, health departments, local zoning officials, etc.

D. The following are questions by Program to guide the Department in its determination of what permits may be needed to authorize this project. If the questions do not apply to the proposed project please indicate N/A. Please include any other information you think may be helpful for the Department to determine which permits are needed.

## WATER AND WASTE WATER INFORMATION

**DEP Safe Drinking Water Program (609) 292-5550**

<http://www.nj.gov/dep/watersupply/>

This Project will not impact water program.

Is the project located within an existing water purveyor service area? If yes, which one? \_\_\_\_\_

Will the project affect any land or water controlled by a Water Supply Authority or water purveyor in New Jersey? If so, please identify and explain. No

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<sup>2</sup> Submit to: New Jersey Department of Environmental Protection  
Office of Permit Coordination and Environmental Review  
P.O. Box 420, Mail Code 07J  
Trenton, New Jersey 08625  
Street Location: 401 East State Street, 7<sup>th</sup> Floor East Wing  
Telephone Number:(609) 292-3600  
Fax Number: (609) 292-1921

<sup>3</sup> USGS maps may be purchased from NJDEP, Maps and Publications, P.O. Box 420, Trenton 08625-0420; (609) 777-1038

<sup>4</sup> NJGIS information

Does the purveyor have adequate firm capacity and allocation to support project demand? N/A

Do water pipes currently extend to the project location? N/A

If not, is it located within a franchise area? N/A

Does the project have an approved Safe Drinking Water main extension permit? N/A

Will the project affect any land or water controlled by a Water Supply Authority or water purveyor in New Jersey? If so, please identify and explain. No

**DEP Water Allocation Program (609) 292-2957**

<http://www.nj.gov/dep/watersupply>

Is the project seeking a new ground water allocation or modification? If yes, does the project have all necessary well location and safe drinking water permits? No

Is the project located within an area of critical water supply concern? No

Will this project have the capability to divert more than 100,000 gallons per day from a single source or a combination of surface or groundwater sources? No

Will this project draw more than 100,000 gallons per day of ground or surface water for construction or operation? No

## **WATER POLLUTION MANAGEMENT ELEMENT**

### **DIVISION OF WATER QUALITY**

**Non-Point Pollution Control (609) 292-0407**

[http://www.nj.gov/dep/dwq/bnpc\\_home.htm](http://www.nj.gov/dep/dwq/bnpc_home.htm)

The **Bureau of Non-Point Pollution Control (BNPC)** is responsible for protecting and preserving the state's groundwater resources through the issuance of NJPDES Discharge to Groundwater Permits and is responsible for permitting industrial facilities and municipalities under NJPDES for discharges of stormwater to waters of the State.

**Groundwater Section (609) 292-0407**

This Program does not issue NJPDES-DGW permits for remediation operations.

The following definitions should be used to assist in identifying discharge activities:

**Subsurface disposal system** is any contrivance that introduces wastewater directly to the subsurface environment, such as, but not limited to: septic systems, recharge beds, trench systems, seepage pits, and dry wells.

**Injection/recharge wells** are constructed such that they are deeper than they are wide, receive effluent via gravity flow or pumping, and include dry wells and seepage pits.

**Overland flow** is the introduction of wastewater to the ground surface, over which the wastewater travels and eventually percolates or evaporates.

**Industrial wastewater** is any wastewater or discharge which is not sanitary or domestic in nature, including non-contact or contact cooling water, process wastewater, discharges from floor drains, air conditioner condensate, etc.

1. Will the project/facility have a sanitary wastewater design flow which discharges to groundwater in excess of 2,000 gallons per day? N/A
2. Will the project/facility generate a discharge to groundwater of industrial wastewater in any quantity? N/A
3. Will the project/facility involve the discharge to groundwater by any of the following activities or structures, or include as part of the design any of these activities or structures? N/A

Please indicate which:

Upland CDF (Dredge Spoils) Spray Irrigation \_\_\_\_\_  
Overland Flow Subsurface Disposal System (UIC) \_\_\_\_\_  
Landfill Infiltration/Percolation Lagoon \_\_\_\_\_  
Surface Impoundment \_\_\_\_\_

Please specify the source of wastewater for every structure identified above (e.g., sanitary wastewater to a subsurface disposal system or non-contact cooling water to a dry well): N/A

Please specify lining materials for each lined structure identified as being used by the proposed project and give its permeability in cm/sec (e.g., 8-inch thick concrete lined evaporation pond at 10<sup>-7</sup> cm/sec): N/A

Does your project/facility include an individual subsurface sewage disposal system design for a facility with a design flow less than 2,000 gallons per day which does not strictly conform to the State's standards? N/A

Does your project involve 50 or more realty improvements? No

#### **DEP Pretreatment and Residuals program (609) 633-3823**

Will the project involve the discharge of industrial/commercial wastewater to a publicly owned treatment works (POTW)? No

If yes, name of POTW: \_\_\_\_\_

Volume of wastewater (gpd): \_\_\_\_\_

Will/does this project involve the generation, processing, storage, transfer and/or distribution of industrial or domestic residuals (including sewage sludge, potable water treatment residuals and food processing by-products) generated as a result of wastewater treatment. If so, please explain.

#### **Stormwater Program (609) 633-7021**

<http://www.njstormwater.org/>

[http://www.state.nj.us/dep/dwq/ispp\\_home.html](http://www.state.nj.us/dep/dwq/ispp_home.html)

Will your site activity disturb more than one acre? Yes

Will any industrial activity be conducted at the site where material is exposed to the rain or other elements? Yes

Does your facility have an existing NJPDES permit for discharge of stormwater to surface groundwater?  
See attached narrative discussion

Is your facility assigned one of the following Standard Industrial Classification (SIC) Codes? See attached narrative discussion

(To determine your SIC Code see the box "Industry Code" on your New Jersey Department of Labor Quarterly Contribution Report.

**Surface Water Permitting (609) 292-4860**

<http://www.nj.gov/dep/dwq/swp.htm>

Will this wastewater facility discharge to Surface Water? \_\_\_\_\_ Yes/No x

If yes, state the name of the proposed receiving stream \_\_\_\_\_

Describe the proposed discharge of wastewater to Surface Water \_\_\_\_\_

If no, how is the wastewater proposed to be discharged (e.g., to be conveyed to another STP, Publicly Owned Treatment Works, etc. See attached narrative discussion.

**MUNICIPAL FINANCE AND CONSTRUCTION ELEMENT**

**Treatment Works Approvals (609) 984-4429**

<http://www.nj.gov/dep/dwq/twa.htm>

Will this project include the construction, expansion or upgrade of a domestic or industrial wastewater treatment facility or an off-site subsurface disposal system that generates more than 2,000 gallons per day? No If yes, explain \_\_\_\_\_

Will the project result in a construction design of more than 8000 gallons of water discharge per day? No

**Office of Water Resources Management Coordination (609)777-4359**

<http://www.state.nj.us/dep/wrm>

**Sewer Service**

Is the project in an approved sewer service area for the type of waste water service needed? N/A

If yes, what is the name of the sewer service area? \_\_\_\_\_

Has this project received endorsement from the appropriate sewer authority with adequate conveyance and capacity? N/A

Do waste water pipes currently extend to the project location? N/A

Is the project consistent with and in an area covered by an up to date Wastewater Management Plan? Yes

Will an amendment to the existing WQMP be required to accommodate this project? No

If tying into an offsite treatment plant, is the capacity and conveyance system currently available? N/A

What is the volume of wastewater that will be generated by the project? N/A

**DEP Land Use Regulation (609) 777-0454**

<http://www.nj.gov/dep/landuse>

See attached narrative discussion

Does the project involve development at or near, or impacts to the following; describe the type and extent of development in regards to location and impacts to regulated features:

Water courses (streams) \_\_\_\_\_

State Open Waters? \_\_\_\_\_

Freshwater Wetlands and/or freshwater wetland transition areas? \_\_\_\_\_

Flood Hazard areas and/or riparian buffers \_\_\_\_\_

Waterfront development areas No

Tidally Flowed Areas \_\_\_\_\_

Bureau of Tidelands Management: [http://www.nj.gov/dep/landuse/tl\\_main.html](http://www.nj.gov/dep/landuse/tl_main.html)

The CAFRA Planning Area? <http://www.state.nj.us/dep/gis/cafralayers.htm>

**DEP NATURAL AND HISTORIC RESOURCES**

**Green Acres Program (609) 984-0631**

<http://www.nj.gov/dep/greenacres>

Does the project require a diversion of State property or parkland, lease of same, lifting of a Green Acres of Land Use deed restriction, or work within an existing easement? No

Will any activity occur on State owned lands? No If so please describe. \_\_\_\_\_

Does the project require a diversion of property funded with federal Land and Water Conservation Funding? No. If so, please describe \_\_\_\_\_.

Does the project include activities that are under the jurisdiction of the Watershed Property Review Board? If so, please describe. No

Has the Watershed Property Review Board made a jurisdictional determination? \_\_\_\_\_

**Division of Parks and Forestry: State Park Service 609-292-2772**

Is the temporary use of State lands administered by the New Jersey State Park Service required for pre-construction, construction and/or post construction activities? If so, please describe. No

**Division of Parks and Forestry: State Forestry Services (609) 292-2530**

<http://www.nj.gov/dep/parksandforests/forest>

**Forest clearing activities/No Net Loss Reforestation Act**

Will construction of the project result in the clearing of ½ acres or more of forested lands owned or maintained by a State entity? No

If so, how many acres? \_\_\_\_\_

**Division of Parks and Forestry: Office of Natural Lands Management (609) 984-1339**  
<http://www.nj.gov/dep/parksandforests/natural/index.html>

Is the project within a State designated natural area as classified in the Natural Areas System Rules at N.J.A.C. 7:5A? No  
If so, please describe. \_\_\_\_\_

**State Historic Preservation Office – SHPO (609) 292-0061**  
<http://www.state.nj.us/dep/hpo/index.htm>

Is the site a Historic Site or district on or eligible for the State or National registry? No  
Will there be impacts to buildings over 50 years old? No  
Are there known or mapped archeological resources on the site? No

**Dam Safety Program (609) 984-0859**  
<http://www.nj.gov/dep/damsafety>

Will the project involve construction, repair, or removal of a dam? No  
If so, please describe \_\_\_\_\_

**Fish and Wildlife (609) 292-2965**  
<http://www.nj.gov/dep/fgw>

Will there be any shut off or drawdown of a pond or a stream? No

### **Threatened and Endangered Species Program**

Are there records of any Threatened and Endangered species, plant, or animal in this project area? No

Will the proposed development affect any areas identified as habitat for Threatened or Endangered Species? No

**SITE REMEDIATION PROGRAM (609) 292-1250**  
<http://www.nj.gov/dep/srp/>

**Office of Brownfield Reuse (609) 292-1251**  
See attached narrative discussion.

Is the project located on or adjacent to a known or suspected contaminated site? \_\_\_\_\_  
<http://www.nj.gov/dep/srp/kcsnj/>

Is the project within a designated Brownfield Development Area? \_\_\_\_\_  
<http://www.nj.gov/dep/srp/brownfields/bda/index.html>

Has a No Further Action, Response Action Outcome, or Remedial Action Permit been issued for the entire project area? \_\_\_\_\_

If not, what is the current status of remediation activities? \_\_\_\_\_ Please include remedial phase, media affected and contaminant(s) of concern.

Name of current SRP Case Manager or Licensed Site Remediation Professional and Preferred Identification (PI) Number \_\_\_\_\_

Is the applicant a responsible party for contamination at the property? \_\_\_\_\_

Is the project located on a landfill that will be redeveloped for human occupancy? \_\_\_\_\_ If yes, is there an approved Landfill Closure Plan? \_\_\_\_\_

**Dredging and Sediment Technology (609) 292-1250**

Does the project involve dredging or disposing of dredge materials? No

**SOLID AND HAZARDOUS WASTE MANAGEMENT PROGRAM (609) 633-1418**

<http://www.nj.gov/dep/dshw/>

Does the project receive, utilize, or transport solid or hazardous wastes? No

Will the project involve the disposing of hazardous Substances per 40 CFR part 261 and NJAC 7:26? No

Will the project include operation of a solid waste facility according to N.J.A.C. 7:26-1-et seq.? No

Is the project a solid waste facility or recycling center? No

Is the project included in the appropriate county Solid Waste Management Plan? No Explain \_\_\_\_\_

**AIR QUALITY PERMITTING PROGRAM**

<http://www.nj.gov/dep/aqpp>

Will activity at the site release substances into the air? No

Does the project require Air Preconstruction permits per N.J.A.C. 7:27-8.2©1? No

Will your project require Air Operating permits (N.J.A.C. 7:27--22.1)? No

Will the project result in a significant increase in emissions of any air contaminant for which the area is nonattainment with the national ambient air quality standards (all of NJ for VOC and NOx; 13 counties for fine particulates), thereby triggering the Emission Offset Rule at NJAC7:27-18? No

Will the project emit group 1 or 2 TXS toxic substances listed in NJAC 7:27-17? No

Will the project emit hazardous air pollutants above reporting thresholds in NJAC7:27 8, Appendix 1? No

Will the project result in stationary diesel engines (such as generators or pumps) or mobile diesel engines (such as bulldozers and forklifts) operating on the site? If so, which?

No

**RADIATION PROTECTION AND RELEASE PREVENTION (609) 984-5636**

[www.state.nj.us/dep/rpp](http://www.state.nj.us/dep/rpp)

Will the operation receive, store or dispose of radioactive materials? No

Will the operation employ any type of x-ray equipment? No

**DISCHARGE PREVENTION PROGRAM (DPCC) (609) 633-0610**

[www.nj.gov/dep/rpp](http://www.nj.gov/dep/rpp)

Is this a facility as defined in N.J.A.C. 7:1E in which more than 20,000 gallons of Hazardous substances other than petroleum or greater than 200,000 gallons of petroleum are stored? No

**TOXIC CATASTROPHE PREVENTION ACT (TCPA) (609) 633-0610**

[HTTP://WWW.STATE.NJ.US/DEP/RPP/BRP/TCPA/INDEX.HTM](http://WWW.STATE.NJ.US/DEP/RPP/BRP/TCPA/INDEX.HTM)

Is this a facility that handles or stores greater than a threshold amount of extraordinarily hazardous substances as defined in N.J.A.C. 7:31? No

**Bureau of Energy and Sustainability (609)633-0538**

<http://www.nj.gov/dep/aqes/energy.html>

<http://www.nj.gov/dep/aqes/sustainability.html>

**GREEN DESIGN (609) 777-4211**

Have you incorporated green design features into this project? Examples of green design features may include: renewable energy, water conservation and use of low impact design for stormwater.

Yes x No \_\_\_\_\_

Will this project be certified by any of the following green building rating systems?

New Jersey Green Building Manual? N/A

<http://greenmanual.rutgers.edu/>

US Green Building Council's LEED (Leadership in Energy and Environmental Design)? N/A

<http://www.usgbc.org/>

ASHRAE Standard 189.1? N/A

<http://www.ashare.org/publications/page/927>

National Green Building Standard ICC 700-2008? N/A

<http://www.nahbgreen.org>

USEPA's ENERGY STAR? N/A

[http://www.energystar.gov/index.cfm?c=business.bus\\_index](http://www.energystar.gov/index.cfm?c=business.bus_index)

**INNOVATIVE TECHNOLOGY (609) 292-0125**

Is an environmental and energy innovative technology included in this project?  Y  N

Is this technology used for manufacturing alternative fuels?  Y  N

- If yes, what is the non-fossil feedstock(s) used for manufacturing the fuels?

Biomass  Municipal Solid Waste  Other Non-Fossil Feedstocks

-What will be the primary use of the manufactured alternative fuels?

CHP System  Micro Turbine  Fuel Cells

For other innovative technology type, what is the proposed application?

Energy  Site Remediation  Drinking Water  Wastewater

For other innovative energy systems, what is the source of energy?

Solar  Wind  Tidal/Wave  Hydroelectric  Geothermal

Is there independent third-party performance data for the technology?  Y  N

Has the technology been verified by an independent third-party entity?  Y  N

Is this technology in use at any other location at this time?  Y  N

- If yes, please provide location \_\_\_\_\_

## DEP COMPLIANCE AND ENFORCEMENT

See attached narrative discussion.

Does the applicant have outstanding DEP enforcement violations, and if so, what is the status? \_\_\_\_\_

If yes, please identify the case, case manager, program, and phone number. \_\_\_\_\_

Does the proposed project facilitate compliance where there is a current violation or ACO? \_\_\_\_\_

## COMMUNITY ENGAGEMENT (609)292-2908

The Department is committed to the principles of meaningful and early community engagement in the project's approval process. The Department has representatives available who could discuss community engagement issues with you and we encourage this communication to take place at the earliest possible time.

- (a) What community groups and stakeholders have you identified that may be interested in or impacted by this project? Low and moderate income (LMI) residents and local site community
- (b) How have you or will you engage community and stakeholders in this project? Please supply individuals or stakeholder groups contacted or who have been identified for community engagement. Yes, deep engagement with LMI customers and local Housing Authority; will engage with host municipality officials and community.
- (c) What are the potential impacts of this project on the community?  
De minimis

- (d) How do you intend to mitigate these potential impacts? Engagement with community and implement community action plan
- (e) What are the community concerns or potential concerns about this project?  
Not known at this time
- (f) How do you intend to address these concerns? See (d) and attached narrative discussion.
- (g) As part of this project, do you plan to perform any environmental improvements in this community? If yes, describe. N/A

Please provide the Department with an additional 1 to 2 page narrative description of the project, focusing on its function and its local/regional environmental, social, and economic benefits and impacts. Also, what sensitive receptors are present and how might they be affected by this project?

See page 13.

## GENERAL

Is the project subject to:

Highlands Regional Master Plan – Planning or Preservation Area? TBD  
[http://www.nj.gov/dep/highlands/highlands\\_map.pdf](http://www.nj.gov/dep/highlands/highlands_map.pdf)

Pinelands Comprehensive Management Plan? No  
<http://www.state.nj.us/pinelands/cmp/>

D&R Canal Commission Standards No  
<http://www.dandrcanal.com/drcc/maps.html>

Delaware River Basin Commission No  
(609) 883-9500  
<http://www.state.nj.us/drbc/>

US Army Corp of Engineers review? No

Narrative for Permit Readiness Checklist from The City of Asbury Park

This "narrative description of the project" is being submitted as part of Asbury Park's Permit Readiness Checklist in support of the Community Solar Project (Project) it has proposed to develop. Community Solar will permit utility customers who cannot host a solar project on their property or residence to take solar energy from a remote solar facility elsewhere in their utility service territory. This Project is designed to support the achievement of Governor Murphy's environmental justice and community solar initiatives in the strongest possible manner, including providing energy savings in the form of low cost renewable energy to low and moderate income (LMI) residents in Asbury Park. An important feature of the Project is that it will serve only LMI residents, well above the requirements of the State.

Asbury Park will be submitting an application to the New Jersey Board of Public Utilities (BPU) for designation of the Project as a participant in the BPU's Pilot Program, and part of that application requires the submission of this Permit Readiness Checklist.

The Project has another design feature that will assure the best pricing and project possible for LMI residents, and that is that it will use competitive procurement to get the best terms and conditions for those customers. Such procurement activity can only be performed after the BPU award as the BPU approval is needed to assure the financial attractiveness of the Project through assuring adequate customer usage, revenue flow, regulatory and other elements to attract reasonable proposals from solar energy developers. Accordingly, at this time a specific location has not been designated for this Project as such determination will follow BPU award and the competitive procurement process. The "Permit Readiness Checklist" is being submitted in this context. All questions in the Permit Readiness Checklist have been addressed and in some responses this site-specific information is not and cannot be included as it would be contrary to the public interest and the development of a 100% LMI Project. Asbury Park will provide such information on a timely basis when it is determined in the procurement process.

It should also be noted that this Project includes a significant Community Engagement component well above permit requirements in both Asbury Park and in the community that will host the Solar Facility. This includes deep engagement with low income and social service organizations, the community housing authority, and in the host community, up-front and ongoing interaction with the municipality, its residents and those in the vicinity of the Project. Community engagement is an important criterion in the procurement process.