



STATE OF NEW JERSEY
Board of Public Utilities
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Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CLEAN ENERGY

IN THE MATTER OF DAVID AND SUZANNE ZIEGLER) ORDER
– APPEAL OF DENIAL OF RENEWABLE ENERGY)
INCENTIVE PROGRAM (REIP) REBATE)
)
) DOCKET NO. EG10040307

Parties of Record:

David and Suzanne Ziegler, Petitioners, 127 Mountain View Road, Titusville, New Jersey

BY THE BOARD:

This matter concerns the denial of an application for a Renewable Energy Incentive Program ("REIP") rebate. Petitioners David and Suzanne Ziegler ("Petitioners") state that they signed a contract to install a solar system in September 2008 and that the local electric distribution company ("EDC"), Public Service Electric & Gas ("PSE&G") granted initial interconnection approval on November 7, 2008. At that time, the New Jersey Clean Energy Program ("NJCEP") website provided the following information on solar energy rebate availability: "Please note that new applications for solar projects are not being accepted until 2009." Petitioners applied for a loan through PSE&G's solar loan program ("Solar Loan Program") and their application was granted on January 6, 2009. On June 9, 2009, Petitioners' project received approval in the Solar Renewable Energy Credit ("SREC") Registration Program ("SRP"). Petitioners' facility information was sent to PJM-GATS on July 24, 2009, and the project has been generating SRECs since 2009.

On April 3, 2009, Petitioner signed a REIP rebate application to NJCEP. In June 2009, Petitioners contacted REIP program staff and inquired about the status of their project.¹ On

¹ In the initial conversation with program staff, Petitioners did not mention that their project was completed and ready for inspection. On the basis of information provided, program staff advised Petitioners that the project would be eligible for a rebate. In a subsequent conversation, learning that the project was completed and ready for inspection, program staff informed Petitioners that the project, having been already constructed, was not eligible for a rebate.

April 30, 2010, Petitioner filed this petition.

Discussion and Findings

The REIP rebates are designed to stimulate investment in renewable energy facilities. This policy is reflected in the program guidelines, which require submittal of an application with all supporting documentation as the first step in the process; the program is not intended or designed to provide funding for projects which were completed prior to a request being made for funding. REIP Guidebook at pp 5-8. By definition, therefore, a project which has already been completed is ineligible for a rebate.

Petitioners made the decision to pursue their solar project notwithstanding the unavailability of rebates. Indeed, Petitioners pursued and succeeded in obtaining funding from an alternate source, the Solar Loan Program. Thus Petitioners were not and are not eligible to receive a rebate.

In addition, Petitioners' request must be viewed in the context of the ongoing transition of the solar marketplace from rebates to a more market-based system of incentives. During the pendency of this petition, the Board has eliminated rebates for solar systems altogether.² This change reflects, in part, the increased revenues which solar systems can generate in the form of SRECs. Petitioners' own system, as noted above, has been generating SRECs since July 2009.

² In the last quarter of 2010, a Notice was posted on the New Jersey Clean Energy Program website that "Effective immediately, solar rebate applications are no longer being accepted." Since that time, no rebates for solar projects have been provided.

The Board **FINDS** that rebates were not available at the time Petitioner obtained its initial approval to interconnect from PSE&G. The Board **FINDS** that Petitioners applied for and obtained a loan under the PSE&G Solar Loan program. The Board **FINDS** that Petitioners are registered in the SREC Registration Program and that their system has been generating SRECs since 2009. The Board **CONCLUDES** that Petitioners are not eligible for a rebate under the REIP program. The Board hereby **DENIES** the petition.

DATED: 8/18/11

BOARD OF PUBLIC UTILITIES
BY:




LEE A. SOLOMON
PRESIDENT



JEANNE M. FOX
COMMISSIONER

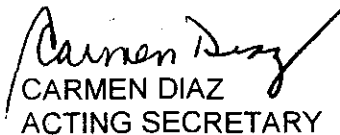


JOSEPH L. FIORDALISO
COMMISSIONER



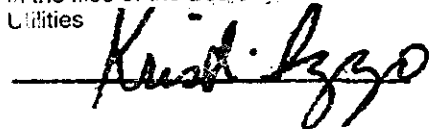
NICHOLAS ASSELTA
COMMISSIONER

ATTEST:



CARMEN DIAZ
ACTING SECRETARY

I HEREBY CERTIFY that the within
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INCENTIVE PROGRAM (REIP) REBATE

Docket No. EG10040307

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