Agenda Date: 6/30/25
Agenda Item: 8B

STATE OF NEW JERSEY
Board of Public Utilities
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www.nj.gov/bpu/

		CLEAN ENERGY
IN THE MATTER OF THE CLEAN ENERGY PROGRAMS AND BUDGET FOR FISCAL YEAR 2026	))))	ORDER DOCKET NO. QO25040206

Parties of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
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Sheree Kelly, Esq., Elizabethtown Gas Company and South Jersey Gas Company
Tori Giesler, Esq., Jersey Central Power & Light Company
Andrew K. Dembia, Esq., New Jersey Natural Gas Company
Matthew M. Weissman, Esq., Public Service Electric and Gas Company
Margaret Comes, Esq., Rockland Electric Company
Michael Ambrosio, TRC Energy Services

BY THE BOARD:

By this Order the New Jersey Board of Public Utilities ("Board" or "BPU") considers and approves the Fiscal Year ("FY") 2026 ("FY26") Compliance Filings and Budgets for the New Jersey Clean Energy Program. This Order also releases $125,000,000, plus accrued interest, in settlement funds to support the Garden State Energy Storage Program ("GSESP").

BACKGROUND & PROCEDURAL HISTORY

On February 9, 1999, the Electric Discount and Energy Competition Act ("EDECA" or "Act"), N.J.S.A. 48:3-49 et seq., was signed into law, creating the Societal Benefits Charge ("SBC") to, among other things, fund programs for the advancement of energy efficiency ("EE") and renewable energy ("RE") in New Jersey. The Act also provided for the Board to initiate proceedings and undertake a Comprehensive Resource Analysis ("CRA") of EE and RE programs in New Jersey every four (4) years. The CRA would then be used to determine the appropriate level of funding over the next four (4) years for the EE and Class I RE programs, which are part of what is now known as the NJCEP. Accordingly, in 1999, the Board initiated its first CRA proceeding, and in 2001, it issued an order setting funding levels, the programs to be funded, and the budgets for those programs, for the years 2001 through 2003. Since then, the Board has issued numerous Orders setting the funding levels, related programs, and program budgets for the years 2004 – Fiscal Year 2025 ("FY25").[1]

In 2018, Governor Murphy signed into law the landmark legislation known as the Clean Energy Act ("CEA").[2] The law called for a significant overhaul and amplification of New Jersey's clean energy systems through increasing the commitment to both EE and RE, as well as building sustainable infrastructure to fight climate change and reduce carbon emissions. These efforts also continue to create well-paying local jobs, grow the State's economy, and improve public health while ensuring a cleaner environment for current and future residents.

Process Regarding Development of the Proposed FY26 Programs and Budget Filings

Coordination with Program Administrator

On December 1, 2015, the Department of Treasury awarded a Program Administrator contract ("Program Administrator Contract") to Applied Energy Group, Inc. ("AEG"). On January 13, 2017, TRC Energy Solutions ("TRC") acquired the NJCEP Program Administrator Contract from and assumed AEG's rights and duties thereunder.[3] The Program Administrator Contract requires TRC to participate in the annual CRA process, participate in the annual budget process, prepare draft annual Compliance Filings (as defined below) for the NJCEP, design and implement improvements to the NJCEP's programs, obtain and consider stakeholder feedback, coordinate annual NJCEP evaluations, and implement the agreed-upon recommendations flowing from those evaluations. TRC has been fulfilling these requirements as applicable and as they come due.

Stakeholder and Public Process

On May 7, 2025 via the BPU listserv and NJCEP website, the Board provided notice of a May 28, 2025 public hearing. On May 22, 2025, the Board released the following documents, posted to the NJCEP website, related to the proposed FY26 programs and budget: the CRA Straw Proposal, the Division of Clean Energy's ("DCE") Compliance Filing, TRC Program Descriptions and Budgets ("TRC Compliance Filing"), Comfort Partners Compliance Filing, Charge Up New Jersey Compliance Filing, the Division of Property Management and Construction Designated Project List ("DPMC DPL"), and the proposed FY26 Budget ("FY26 Budget").[4] The covering emails and website postings requested comments by June 6, 2025 on these documents. At the May 28, 2025 public hearing, Staff presented the Proposed FY26 Budget, and oral comments were heard on the CRA Straw Proposal and the Proposed FY26 Compliance Filings and Budget. By email dated May 29, 2025, the New Jersey Department of Environmental Protection ("NJDEP")

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[1] In the early years, the budgets and programs were based on calendar years, but in 2012, the Board determined to begin basing the budgets and programs on fiscal years to align with the overall State budget cycle. In 2012, the Board ceased issuing the CRA on a four-year cycle and began to issue a CRA annually.

[2] L. 2018, c. 17, https://www.njleg.state.nj.us/2018/Bills/PL18/17_.PDF, codified at N.J.S.A. 48:3-87.8 et al.

[3] For ease of presentation, the Program Administrator is referred to throughout this Order as "TRC" or "the Program Administrator." TRC, together with its subcontractors, is referred to as the "TRC Team."

[4] In some cases, program budgets include funding from sources other than the SBC. In this Order, "FY26 Budget" refers only to the portion of the budgets for NJCEP programs that will be funded through new and carryforward SBC funds as well as new FY26 SBC funds going towards State Energy Initiatives but which are outside the NJCEP programs administered by the Board.

confirmed that: (a) the Board had consulted with the NJDEP regarding the CRA Straw Proposal, including, without limit, the Proposed FY26 Funding Level set forth therein (as defined below); and (b) the NJDEP agreed with the Proposed FY26 Funding Level.[5]

Approval of CRA Straw Proposal

On June 26, 2025, prior to acting on the present Order, the Board reviewed and approved a Comprehensive Energy Efficiency & Renewable Energy Resource Analysis Straw Proposal, which set the FY26 SBC funding levels for NJCEP programs and detailed related budgets ("CRA Order"). The proposed budgets set out below utilize and are consistent with the budgets as specified in the CRA Order.

PROPOSED FY26 PROGRAMS AND BUDGET

Based on the goals set forth in the CRA Straw Proposal, the policy objectives of the NJCEP, and historic spend rates, and in close coordination with the TRC Team, Staff developed proposed programs and budget as described below.

Proposed FY26 Budgets for the NJCEP

To determine the proposed FY26 Budget for the entire NJCEP, Staff did the following:

- Calculated the total funding per the CRA Order, comprised of the amount of new FY26 SBC funding;

- Estimated the amount of commitments made prior to FY26 that are in the pipeline of Board Approved projects/allocations and expected to carryforward into FY26. This includes amounts expected to be paid in or to remain committed through FY26. Many projects, including those funded through the EE and Electric Vehicle ("EV") budget lines, can take two or more years from commitment to final incentive payment. This results in a large amount of estimated Board Approved carryforward and committed carryforward; and

- Added the commitment backlog to new FY26 SBC funding to arrive at a total proposed FY26 Budget of $869,030,671.

[5] "Proposed FY26 Funding Level" and "FY26 Funding Level" refer to new SBC funding for fiscal year 2026, inclusive of State Energy Initiatives funding.

New Jersey Clean Energy Program – Fiscal Year 2026 Budget[6]

FY26 Program/Budget Line[7]	Allocations Pending Board Approval		Pipeline of Board Approved Projects/Allocations		FY26 Budget
	FY26 New Funding	FY25 Estimated Carryforward – Pending Board Approval	FY25 Estimated Carryforward – Board Approved	FY25 Estimated Committed Carryforward	
Total NJCEP + State Initiatives	**344,665,000**	**192,515,423**	**38,540,411**	**293,309,837**	**869,030,671**
State Energy Initiatives	**97,200,000**	**118,989,000**	**0**	**0**	**216,189,000**
Total NJCEP	**253,465,000**	**73,526,423**	**38,540,411**	**293,309,837**	**652,841,671**
Energy Efficiency Programs	**61,790,034**	**0**	**0**	**129,616,262**	**191,406,296**
C&I EE Programs	**28,399,755**	**0**	**0**	**39,064,035**	**67,463,790**
C&I Buildings	24,448,371	0	0	35,941,700	60,390,071
LGEA	3,951,384	0	0	3,122,335	7,073,719
New Construction Programs	**33,390,279**	**0**	**0**	**35,814,400**	**69,204,679**
New Construction	33,390,279	0	0	35,814,400	69,204,679
State Facilities Initiative	**0**	**0**	**0**	**54,675,202**	**54,675,202**
Acoustical Testing Pilot	**0**	**0**	**0**	**62,626**	**62,626**
Distributed Energy Resources	**10,205,741**	**5,867,478**	**0**	**9,849,825**	**25,923,043**
CHP – FC	**10,205,741**	**0**	**0**	**9,118,087**	**19,323,828**
Microgrids	**0**	**0**	**0**	**731,738**	**731,738**
Energy Storage*	**0**	**5,867,478**	**0**	**0**	**5,867,478**
Transmission-Scale	**0**	**0**	**0**	**0**	**0**
Distributed	**0**	**5,867,478**	**0**	**0**	**5,867,478**
RE Programs	**3,025,441**	**1,360,000**	**353,015**	**2,633,660**	**7,372,116**
Resource Adequacy	**0**	**1,360,000**	**353,015**	**2,633,660**	**4,346,675**
Solar Registration	**3,025,441**	**0**	**0**	**0**	**3,025,441**
Planning and Administration	**18,749,429**	**23,798,945**	**11,677,210**	**16,182,216**	**70,407,798**
BPU Program Administration	**0**	**0**	**10,400,000**	**0**	**10,400,000**
Marketing	**4,867,352**	**1,632,648**	**0**	**500,000**	**7,000,000**

[6] Numbers presented in the above table may not add up precisely to totals provided due to rounding.

[7] The FY26 NJCEP Budget relies on annual SBC funding ($344.665m in FY26), carryforward that is Board approved and has been formally committed in contracts, grants, and other purchase orders (approximately $293.310m), carryforward funding that is not yet formally committed but that is for programs that are Board-approved ($38.540m), and carryforward funding that is needed for programs that are pending Board approval ($192.515m).

CEP Website	**0**	**0**	**0**	**1,423,000**	**1,423,000**
Program Evaluation/Analysis	**7,816,552**	**22,166,297**	**1,233,350**	**13,445,732**	**44,661,932**
Outreach and Education	**5,994,383**	**0**	**0**	**785,578**	**6,779,961**
Sustainable Jersey	956,266	0	0	473,714	1,429,980
NJIT Learning Center	745,000	0	0	311,864	1,056,864
Outreach, System Maintenance, Other (Program Administrator)	4,293,117	0	0	0	4,293,117
Memberships	**71,141**	0	**43,859**	**27,906**	**142,906**
BPU Initiatives	**153,694,355**	**42,500,000**	**26,510,186**	**135,027,875**	**357,732,416**
Clean Energy Affordability	**54,766,461**	**18,000,000**	**883,268**	**60,152,487**	**133,802,216**
Community Energy Grants	0	10,000,000	883,268	2,125,000	13,008,268
Urban Heat Island Mitigation Grants	0	5,000,000	0	0	5,000,000
Residential Low Income Improvements	53,646,461	3,000,000	0	9,284,562	65,931,023
Comfort Partners	53,646,461	0	0	9,284,562	62,931,023
Whole House	0	3,000,000	0	0	3,000,000
Residential Energy Assistance Payment	0	0	0	48,742,925	48,742,925
Clean Local Energy Advisory and Resource Fellows	1,120,000	0	0	0	1,120,000
Grid Modernization Efforts	**0**	**15,000,000**	**0**	**0**	**15,000,000**
Electric Vehicle Programs	**98,927,894**	**9,500,000**	**24,626,918**	**74,875,388**	**207,930,200**
Plug In EV Incentive Fund**	50,000,000	0	0	30,873,200	80,873,200
CUNJ Administrative Fund	4,754,812	0	0	3,345,188	8,100,000
CUNJ Residential Charger Incentive**	1,424,971	0	1,375,029	2,950,000	5,750,000
EV Studies, Pilots, and Administrative Support	0	1,500,000	0	0	1,500,000
Clean Fleet	3,742,711	0	11,257,289	14,157,000	29,157,000
Multi-Unit Dwellings (Chargers)	6,032,899	0	7,967,101	17,750,000	31,750,000
EV Tourism	9,972,500	0	4,027,500	5,800,000	19,800,000
Electric School Buses**	15,000,000	0	0	0	15,000,000
School Bus V2G	2,000,000	2,000,000	0	0	4,000,000
MHD Depot**	6,000,000	6,000,000	0	0	12,000,000
Workforce Development	**0**	**0**	**1,000,000**	**0**	**1,000,000**

*Additional details on how the Energy Storage line will be funded can be found in the FY26 Division of Clean Energy Compliance Filing. As detailed below, Transmission-Scale and Distributed Energy Storage will be funded using Ørsted Settlement funds.
**Programs with statutory minimum funding requirements.[8]

Proposed FY26 Budget for State Energy Initiatives

The State Energy Initiatives amount is set through the State budget, outside of the Board's control. In FY26, in accordance with the FY26 Appropriations Bill[9], the State Energy Initiatives budget is $216.189 million.

Proposed FY26 Budgets for EE Programs

As part of the statewide overhaul of New Jersey's clean energy systems, the CEA required New Jersey's investor-owned gas and electric utility companies to reduce their customers' use of gas and electricity by set percentages over time. To help reach these targets, in June 2020 the BPU approved a comprehensive suite of EE programs designed to transition the State to some of the highest energy savings in the country.

These "next generation" EE programs feature new ways of managing and delivering programs historically administered by the NJCEP. Some of the programs continue to be administered by NJCEP, but the remaining programs are now administered by the utilities.

Generally, there are two main categories of EE programs that are funded through the NJCEP Budget:

1. Programs that remain administered by and through the NJCEP program administrator.
    a. New Construction Programs ("NC");
    b. Commercial and Industrial Buildings ("C&I"): Large Energy Users Program ("LEUP");
    c. Local Government Energy Audit ("LGEA"); and

2. Programs that have transitioned to the utilities but will remain open in the NJCEP for the limited purpose of processing applications submitted or funds committed, as applicable, on or before June 30, 2021.
    a. C&I Buildings – Pay for Performance ("P4P") – Existing Buildings ("P4P EB")

[8] These programs come with independent statutory requirements mandating minimum annual funding levels which can funded from SBC funds or certain other sources identified in the statutes. See, e.g. N.J.S.A. 48:25-1, N.J.S.A. 26:2C-8.58.
[9] S.2026/A.5800 (2025).

Throughout the year, Staff will further evaluate the other EE programs that remain with the NJCEP and will seek stakeholder engagement about possible improvements and enhancements aimed at increasing energy savings.

The proposed FY26 budgets for EE programs that are funded through the NJCEP are shown in the table above titled New Jersey Clean Energy Program – Fiscal Year 2026 Budget; a brief description of each of the EE programs is set forth below:

- *New Construction Programs*: Provides financial incentives to builders who construct new homes meeting the New Jersey Energy Star Homes standards, which exceed the requirements of existing energy codes. The NC Program ("NCP") opened on May 1, 2025, consolidating and streamlining the legacy new construction programs and allowing for a greater depth of scope.
- *C&I Buildings*: The LEUP includes a new Decarbonization Pilot to incentivize a scope of work broader than traditional EE, such as beneficial electrification, EV chargers, storage, and CHP, among others. Unlike traditional energy efficiency programs, the Decarbonization Pilot explicitly targets greenhouse gas ("GHG") emissions reductions. In addition to LEUP, C&I Buildings includes C&I - New Construction and P4P - New Construction. These two programs provide incentives to C&I customers who incorporate high efficiency equipment into new construction and will continue to run unchanged through October 31, 2025.
- *LGEA*: Provides subsidized energy efficiency audits to municipalities, school districts, and non-profits.
- *State Facilities Initiatives:* Through an Energy Capital Committee, identifies and implements energy efficiency projects in State-owned facilities with the objective of producing energy savings.
- *Acoustical Testing Pilot*: Encourages the exploration of new energy-saving opportunities in the water sector.

<u>Proposed FY26 Budgets for Distributed Energy Resource Programs</u>

The proposed FY26 budgets for distributed energy resources ("DER") programs are shown in the preceding table; a brief description of each DER program is set forth below:

- *CHP / Fuel Cell*: Provides incentives for the installation of Combined Heat and Power ("CHP"), including, without limit, those utilizing bio-power and fuel cells with heat recovery and without heat recovery. Staff are re-evaluating the Combined Heat and Power – Fuel Cells ("CHP-FC") Program for potential changes in criteria.
- *Microgrids*: Provides incentives to fund feasibility studies and engineering design for potential DER microgrids in the state
- *Energy Storage:* Provides funding to support the GSESP, which seeks to provide incentives for storage projects for achieving the State's energy storage and resiliency goals. In addition to the $5,867,478 in carryforward funding, the GSESP will receive funding from the Ørsted Settlement, as detailed later in this Order.

Proposed FY26 Budgets for RE Programs

The proposed FY26 budgets for RE programs are shown in the preceding table; a brief description of each of the RE programs is set forth below:

- *Resource Adequacy*: Provides funding for research, evaluations, and consulting services that address resource adequacy by exploring mature and emerging clean generation resources that can be scaled and deployed in New Jersey; implementing demand flexibility services; and improving customer engagement through clear communication and programs that empower them to actively participate in energy management.
- *Solar Registration:* Provides funding to support the registration of projects that are eligible to generate and trade Solar Renewable Energy Credits ("SRECs"); Transition Renewable Energy Certificates ("TRECs"); and SREC-IIs under the Solar Programs, as well as the general administration of the Solar Programs.

Proposed FY26 Budgets for Planning & Administration

The FY26 budgets for planning and administration are shown in the preceding table; a brief description of each of the planning and administration functions is set forth below.

- *BPU Program Administration:* Includes primarily Staff salaries and fringe benefits.
- *Marketing:* Includes funding for marketing initiatives.
- *CEP Website:* Includes funding for redesigning the Clean Energy Program website.
- *Program Evaluation/Analysis:* Includes funding for program evaluation, the results of which are used, among other things, to set incentive levels and design programs.
- *Outreach and Education:* Includes funding for the implementation of outreach prepared by the TRC Team, and projects with NJIT and Sustainable Jersey.
- *Memberships:* Includes funding for membership in organizations coordinating advancement of clean energy initiatives.

Proposed FY26 Budgets for BPU Initiatives

The Proposed FY26 budgets for BPU Initiatives are shown in the preceding table; a brief description of each of these initiatives is set forth below.

- *Community Energy Grants:* Supports municipalities by providing funding to create community energy plans that will guide future actions to address the specific clean energy needs of their respective communities, and funding to implement clean energy projects that will encourage energy saving behavior modifications and energy reductions.
- *Urban Heat Island ("UHI") Mitigation Grants*: Aims to address the heat island effect in communities across New Jersey that have experienced historic redlining and ongoing disinvestment by funding community-driven strategies that improve the energy efficiency of community facilities and expand public cooling infrastructure, thereby reducing both extreme heat exposure and energy costs.
- *Comfort Partners*: Provides for the installation of energy conservation measures at no cost to income-qualified customers.
- *Whole House*: Provides funding to open a potential permanent program that expands EE offerings, including building electrification, and addresses long-term health impacts for

low-income residents through development of a collaborative, interagency approach to addressing a broader array of residential health and safety concerns.

- *Residential Energy Assistance Payment ("REAP")*: Provides funding for electricity bill credits for residential customers most in need of financial assistance.
- *Clean Local Energy Advisory and Resource ("CLEAR") Fellows*: Provides funding for experts in energy and/or stakeholder engagement to collaborate with and provide technical assistance to local entities throughout the state to enhance energy efficiency.
- *Grid Modernization Efforts:* Provides funding to expand the Grid Modernization Forum with additional workgroups to continue to oversee the development of the grid modernization proceedings; engage a Phase 2 Grid Modernization Forum program consultant; initiate several Grid Mod Innovation Pilots; and take the next steps towards introducing new and amended rules based on the workgroup report's recommendations.
- *Electric Vehicles*: Encourages adoption of EVs by funding incentive payments for the purchase of light duty EVs and the development of EV charging infrastructure.
- *Workforce Development:* Advances workforce development with a focus on community-based approaches that will build a more inclusive and representative clean energy workforce.

SUMMARY OF COMMENTS FROM PUBLIC STAKEHOLDERS

Written and oral comments regarding the Proposed FY26 Compliance Filings and Proposed FY26 Budget were submitted by Alejandro Meseguer, American Council for an Energy-Efficient Economy ("ACEEE"), American Lung Association ("Lung Association"), Cherry Hill Township, Bloom Energy ("Bloom"), Capital Access, ChargeScape, ChargEVC-NJ, DCO Energy, Energy Efficiency Alliance of New Jersey ("EEA-NJ"), Energy Efficiency Alliance Coalition ("EEA Coalition"), Environment New Jersey ("Environment NJ"), Installations 3 Construction Training Center, Isles Inc ("Isles"), Jersey Renews, Jersey Renews Coalition, MaGrann Associates ("MaGrann"), New Jersey Coalition of Automotive Retailers ("NJCAR"), New Jersey Division of Rate Counsel ("Rate Counsel"), New Jersey Energy Coalition ("NJEC"), New Jersey League of Conservation Voters ("NJLCV"), New Jersey Offshore Wind Alliance ("NJOWA"), New Jersey Utilities Association ("NJUA"), NJ Work Environment Council, Northeast Chapter of the Combined Heat and Power Alliance ("The NE Chapter"), Public Service Electric and Gas Company ("PSE&G"), Renew Home, Robert Erickson, Sangeeta Doshi, Susan Dorward, Tri-County Sustainability, United States Hydrogen Alliance ("USHA"), and Volt Industrial Equipment ("Voltie").

Below is a summary of the testimony and comments, as well as Staff's responses to them. Staff reiterate that they are conducting an ongoing series of meetings and other outreach for soliciting input on broad features of the programs that will enable the State to meet the clean energy goals set forth in the CEA and the 2019 Energy Master Plan ("EMP").[10] In other words, although Staff are ready, willing, and able to further consider input on such broad features, in many cases the current proceeding is not an appropriate vehicle for doing so.

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[10] New Jersey Board of Public Utilities, 2019 New Jersey Energy Master Plan: Pathway to 2050, available at https://nj.gov/bpu/pdf/publicnotice/NJBPU_EMP.pdf.

Staff note that the process and schedule for commenting on the FY26 Budget, compliance filings and CRA Straw Proposal were very similar and that both proposals are being presented to the Board on the same Agenda. Because some comments do not readily lend themselves to being classified as being about one (1) proposal versus the other, Staff strongly encourage readers interested in either proceeding to read the comments and responses regarding both proposals.

<u>**General**</u>

Comment: NJLCV expressed support for the FY26 budget but are concerned that 30% of the budget is being carried forward (carry forward of nearly $40 million for CEP and over $300 million in total). Despite the urgent need, they state that funds are not being spent in a timely manner. NJLCV believe that unspent funds could support programs like microtransit, EV charging infrastructure, and scaling up of whole-home EE programs. NJLCV asked that BPU clarify the source and reason that funds are being carried over, accelerate investment where it will benefit residents, and clarify where funds have been allocated but not drawn down.

Response: Staff thank NJLCV for their support of the FY26 Budget. Staff are continuously looking for ways to spend down the carryforward amounts as efficiently as possible. In the FY26 Budget table, Staff identified carryforward that is already committed to programs in the estimated committed carryforward column. In some circumstances the Board has already approved programs and budgets, but a formal commitment has not been made yet. The nearly $40 million cited by NJLCV falls into this category: money that has been obligated by the Board and is awaiting a formal commitment such as a contract, grant, or other purchase order. A commitment is considered formal when a contract, grant, or purchase order is created. These funds cannot be reallocated. Staff also identified carryforward that is pending Board action, but not yet committed. These columns were added to provide for more transparency and clarity in the FY26 Budget.

Comment: Robert Erickson recommended that the BPU establish a clear plan with schedules by utility and generation source by year to get to 100% clean electric by 2035.

Response: Staff acknowledge the importance of having a clear plan to meet the Clean Energy goals. There are documents and proceedings, such as the EMP, that are meant to best determine how the State can meet these Clean Energy goals while maximizing the benefit to ratepayers.

Comments: The Lung Association strongly recommended including a side-by-side comparison with FY25 budget figures, either as an additional column or a separate table to enhance transparency and allow the public to more easily assess year-over-year changes in program funding. They stated that this change would allow for a more efficient review of budget trends and improve accountability in tracking how program funds are spent over time.

Robert Erickson recommended the FY26 budget have a clear, simple table for each item and all sub-items in the FY26 budget as to the cost, benefit, and the amount of GHG, including pollution levels, year by year. He stated that the focus on eliminating carbon dioxide and GHG emissions is largely missing from the FY26 budget plan, similar to prior years' budgets. He highlighted that a technical explanation should detail how GHG reductions will be achieved and illustrate New Jersey's planned versus actual progress in reducing emissions according to Executive Orders and EMP documentation.

Response: Staff thank the Lung Association for their comment. Staff are continuously looking for ways to improve transparency in the budget process and will take the recommendation into consideration in the FY27 budget cycle.

Staff thank Mr. Erickson for the recommendation. Staff continue to internally evaluate the effectiveness of the programs that receive funding by utilizing a carbon abatement cost. Staff will look for future opportunities to incorporate this work into future budget analysis. Staff point the commenter to the quarterly reports that can be found on the NJCEP website. Metrics can be found in the report that show how NJCEP budgets reduce various pollutants, lower carbon emissions, and achieve energy efficiency savings.

Comment: Rate Counsel repeatedly raised issues with the DCE's single-year CRA and Budget plans, and the level of detail in its compliance filings. Rate Counsel alleged that the single-year plans violate the law and lead to higher carryforward funding since Staff do not consider future obligations and revenue in the current year Budget. They recommended that the Board provide a multi-year plan that analyzes program funding, performance, and spending. Further, they charged that the compliance filings do not provide evidence or justification for a wide range of Budget requests, nor do they provide sufficient detail about programs, plans, incentives, savings, and emissions. Finally, they stated that the use of the same text in Compliance Filings year over year indicates that there was no updated Budgetary analysis for several programs.

Response: Although Staff have considered a longer-term Budget, Staff disagree with the commenter regarding the advantages of a multi-year Budget or CRA. The Board determined that the CRA and Budget should be adjusted in 2012 to better align with the State's annual Budget. Also, this annual approach to developing the CRA and Budget allows for greater stakeholder input and enables Staff to better assess changes that impact program needs. Further, Staff consider a range of issues when crafting the Budget, including future obligations and revenue. Staff disagree with Rate Counsel and assert that there are sufficient details to justify the proposed funding levels. Program details can be found in the most recent compliance filings, including the EE programs, which are available on the NJCEP website. Additionally, financial and energy savings reports, which show expenditures and associated metrics for each program, are posted on the NJCEP website quarterly. Finally, Staff analyze programs each year. The use of the same language in compliance filings year over year is intended to provide consistency for stakeholders, not to indicate that Staff did not review programs. Nevertheless, Staff will take these recommendations into consideration in its ongoing efforts to improve the budget process.

Comment: Rate Counsel recommended providing more time between the filing and the stakeholder meeting and more time between the meeting and the comment deadline. They argued the time provided currently is too short to get through the documents. Further, they recommended introducing an evidentiary proceeding whereby Staff provide data necessary for Rate Counsel and other stakeholders to evaluate the Budget. They recommended that Staff at least answer questions at the public hearing.

Response: Staff have provided additional time for comment review in recent fiscal years based on previous feedback from stakeholders. Staff will continue to look for ways to provide as much time as possible for stakeholders to review. However, the FY26 Budget must be approved by the Board before the new fiscal year begins on July 1st, so providing as much time as Rate Counsel would like is rarely possible. Further, the Budget relies on estimates and actual current year spending. If the Budget is completed earlier, Staff will have a less accurate picture of current year activity and of expected carryforward funds. Also, Staff assert that there are sufficient details to justify the proposed budgets. Program details can be found in the most recent compliance filings, including the EE programs, which are available on the NJCEP website. Additionally, financial and energy savings reports, which show expenditures and associated metrics for each program, are posted on the NJCEP website quarterly. Staff will continue to look for ways to improve transparency in the Budget process.

Budget

Comment: Rate Counsel submitted their own FY26 Budget proposal, which recommends reducing new SBC funding in FY26 to $53.6 million, which would fund Comfort Partners. Additionally, they recommended cutting FY25 Estimated Carryforward that is pending Board approval, which would lead to a total FY26 Budget of $385.5 million, down from Staff's recommendation of $869 million.

Response: Staff disagree with Rate Counsel's recommended FY26 budget. Staff have addressed the need for specific programs in other comments. Here, it is important to highlight that Rate Counsel is recommending that the Board not provide funding for statutorily mandated programs such as the Plug in EV Incentive Fund, Charge Up New Jersey ("CUNJ") Residential Charger Incentive, Electric School Buses, and Medium Heavy Duty Depot. Moreover, they recommend that the Board does not provide money for State Energy Initiatives, which the Board does not actually have control over. As stated previously, the State Energy Initiatives funding is determined by the State Budget. Further, cutting funding for Solar Registration would effectively close several solar programs, as new applications could not be accepted.

Comment: Rate Counsel criticized the State Energy Initiatives FY26 Budget proposal of $91.2 million, which it said represents funds diverted to the State General Fund without clarification in the Compliance Filings. They stated that these initiatives are unrelated to the State's clean energy goals and should not be funded by ratepayers, many of whom are struggling with bills. They stated there is no legal justification provided for the use of SBC funds in this context, nor is there data supporting the request of $91.2 million.

Response: Staff appreciate the comments submitted by Rate Counsel regarding the State Energy Initiatives budget line. However, this amount is set through the State Budget, outside of the Board's control. In FY26, in accordance with the FY26 Appropriations Bill[11], the State Energy Initiatives budget is $216.189 million.

Comment: Rate Counsel raised issue with prior year carryforward in the Budget of $524.3 million, which they believe indicates that Staff will not be able to spend funds collected through the SBC. Without an evidentiary process supporting decisions, they stated that funds should not be collected to support most areas of the Budget. For example, they stated that rather than collect the regular $344 million SBC in FY26, the SBC should be reduced by $173.7 million, the amount that is being used to provide assistance via the REAP and Energy Bill Assistance lines. They emphasized that this is especially true given the 20% increase in electric rates expected this month.

Response: Staff disagree that the amount of carryforward shows that the SBC is too high. Staff regularly work to improve the allocation of funding and minimize the amount of carryforward commitments, but commitments are a precursor to spending. In this way, Rate Counsel misses the distinctions in the FY26 Budget when it cites the $524.3 million in carryforward: $293.3 million of this has been formally committed through agreements and $38.5 million has been obligated by the Board and is awaiting a formal commitment such as a contract, grant, or other purchase order. Accordingly, there needs to be money in the Budget to make these commitments, which often

[11] S.2026/A.5800 (2025).

means carrying forward funding.

Staff disagree with Rate Counsel regarding support for budget decisions, noting that Board-approved NJCEP programs are subject to a process involving extensive research and stakeholder engagement, which Rate Counsel participates in. The NJCEP is a dynamic program, with changes made to existing programs and new components introduced from year to year. In addition, due to the current rate environment, Staff have found ways to reallocate funding to provide utility bill relief to ensure that long-term and short-term needs of ratepayers are addressed.

With respect to energy bill assistance, Staff notes that this initiative will now be fully supported by RGGI[12] and the Solar Alternative Compliance Payment[13] ("SACP"), outside of the NJCEP budget. To align with the FY26 Appropriations Bill[14], slightly less than $119 million was reallocated from the Energy Bill Assistance line to the State Energy Initiatives line. The remainder from Energy Bill Assistance was reallocated to Community Energy Grants and Whole House.

Comment: Rate Counsel recommended the Board not approve collection of new SBC funds and instead create an evidentiary process over the next several months so that stakeholders can request additional materials from Staff and its consultants; submit interrogatories that Staff and its consultants must answer; the opportunity to cross examine Staff and consultants; and submit comments.

Response: Staff disagree that the Board should not approve new SBC funds for FY26. Doing so would inhibit the Board from planning and carrying out clean energy objectives as specified in the EMP. Further, it would damage the State's credibility in the industry at a time when clean energy projects are already facing obstacles. As stated, Staff are always looking to improve transparency and the Budget process. However, providing as much time as Rate Counsel would like is rarely possible. Even so, Staff provide opportunities throughout the year and specifically during the Budget process and true-up Budget process for stakeholders to review detailed Budget and programmatic information and provide comment. Through these processes, Staff do respond to stakeholders.

Comment: Rate Counsel argued that the Acoustical Testing Pilot program should be ended as soon as practical and that no funding should be committed or budgeted in FY27.

Response: Staff will be closing out the remaining grants in FY26. No additional funding for this program will be committed in FY27.

State Facilities Initiative

Comment: Rate Counsel pointed out that all FY26 Budget for the State Facilities Initiative ("SFI") is from the FY25 estimated committed carryforward of $54,675,202. They stated that the DCE FY26 Compliance Filing does not provide data on State Facilities Initiative, but stated that current

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[12] New Jersey receives a portion of funds collected from the RGGI CO_2 quarterly auctions. The Board receives 20% of the proceeds from the New Jersey auctions.

[13] Electricity suppliers are required to pay an SACP if they do not meet the requirements of New Jersey's solar Renewable Portfolio Standards (RPS) with Solar Renewable Energy Certificate (SREC) retired. These payments are put into a separate account and are required to be returned to ratepayers.

[14] S.2026/A.5800 (2025).

funds were carried over from FY25 based on updated project timelines. Rate Counsel argued that DCE has not provided data on energy savings and cost-effectiveness data for SFI.

Response: Staff agree that SFI will be funded by Committed Carryforward in FY26. Staff post updates on the SFI Projects on the Board's website www.nj.gov/bpu, through the Division of State Energy Services. Additionally, projects managed by Treasury Division of Property Management and Construction have Request for Proposals posted to NJSTART. Projects report energy savings as part of final construction requirements by contractors. The State Facilities Energy Consumption Report is not funded by SFI. This report was included on the BPU and DPMC Designated Project List, but was removed in FY25. No SBC funds were used for this effort.

Energy Efficiency

Comment: Robert Erickson commented that NJ needs to replace the Energy Star program immediately if the program is cut. He stated that the FY26 NJCEP filings reference the federal Energy Star program, with many programs, equipment, and incentives dependent on Energy Star qualifications, including the NJ EV charger incentive program and NJ utility incentives. He emphasized that with the federal Energy Star program potentially ending, NJ needs to establish a multi-million dollar replacement program in 2025 to prevent disruptions or collapse of clean energy programs reliant on Energy Star. He recommended that a replacement program collaborate with other States to reduce costs, provide standards, equipment testing, and publish qualifications, like the federal program. It would also use consortium results where appropriate.

Response: Staff thank Mr. Erickson for comments regarding the uncertain future of the Energy Star program. Stakeholders at the May EE stakeholder meeting expressed similar concerns and offered comments on the topic. Staff are in discussions about options that would allow New Jersey to continue to offer Energy Star-related clean energy programs without disruption if the federal government ends the Energy Star program.

Comment: Robert Erickson suggested that the BPU should include specific goals and public annual tracking statistics for the installation of cold climate heat pumps in this year's Budget and future year Budgets, given the New Jersey EO 316 which calls for 400,000 additional buildings to be electrified by 2030 and 2019 EMP Strategy 4.1. He stated that only "cold climate" heat pumps should be approved for new residential construction incentives in New Jersey programs funded by taxpayers or ratepayers. For the Comfort Partners program, replacements should be cold climate heat pumps, avoiding natural gas or oil systems. He critiqued language in the CRA that has been repeated four years in a row that the BPU is "assessing" heat pumps. He noted excellent "cold climate" heat pumps are readily available in the market to install. Some of these have been successfully installed in NJ and are widely being installed in both Maine and Massachusetts. He emphasized the importance of heat pump installations for New Jersey to meet Executive Order 316 and the 2019 EMP goals, which call for incentives to transition to electric heat pumps and other electric appliances, crucial for achieving 100% clean energy targets.

Response: Regarding public goals and statistics, Staff are working with EE program administrators to add to publicly available quarterly program reports statistics that track to EO 316 objectives, including dwelling units and commercial spaces and/or public facilities with electric space heating and cooling and electric water heating systems, as well as residential units serving households earning less than 80% of area median income that are made ready for electrification through the completion of necessary electrical system repairs and upgrades. These statistics could include information about conversions from oil, gas, propane, or resistance heating to electric heat pumps; new homes adopting heat pumps; and other valuable data. Staff thank Mr. Erickson for the comments and suggestions.

Comment: Robert Erickson recommended that the BPU establish an aggressive Building Electrification roadmap by the end of 2025 as part of the FY26 Budget. He stated that a roadmap is needed for clean energy investments and suggested that the BPU add a newly funded program for the development of a Building Electrification Roadmap as a standalone Budget item.

Response: BPU has been working with the Governor's Office of Climate Action and the Green Economy and other State agencies to develop a New Jersey strategic roadmap for building decarbonization following convening of the Clean Buildings Working Group. This roadmap will be released soon, and we welcome continued discussion on the topic.

Comment: Robert Erickson argued that BPU needs to eliminate all natural gas equipment incentives in the FY26 Budget. These incentives should be eliminated to prevent further GHG pollution and worsening global warming. Funds saved from cutting these incentives should be redirected towards cold climate electric heat pumps and other electrification priorities. He recommended that additional funds be allocated to fossil fuel equipment or infrastructure. He argued that natural gas companies should be prohibited from covering the costs of installing gas pipelines and meters at customer premises, requiring customers to bear these costs.

Response: BPU's revised new construction program includes incentives for two (2) or more individual improvements through the Bundled Pathway, with eligible measures comprising electric efficiency equipment and efficient envelope and insulation measures. Program applicants may also participate in the Streamlined and High Performance Pathways, which offer tiered incentives for overall building performance that exceeds certain thresholds above minimum standards, as well as a GHG emission reduction bonus.

BPU does continue to offer a natural gas energy efficiency incentive through the Large Energy Users Program at $3.75/therms saved annually, which can come from multiple sources and types of equipment under the program. Staff will continue to evaluate natural gas equipment incentives.

Regarding the costs of gas pipelines and meters, the Board appreciates this comment and will consider it in the appropriate context. Currently these costs are regulated pursuant to N.J.A.C. 14:3-8 et seq.

Comment: Robert Erickson suggested NJCEP prohibit utilities from offering incentives for central air conditioning systems that only provide cooling. Incentives should focus solely on "cold climate" heat pumps, which offer both heating and cooling. Funds for central air conditioning and dehumidifier incentives should be redirected to support heat pumps, as investing in central air conditioning locks in less efficient equipment for the long term, burdening taxpayers and ratepayers. He suggested that prohibiting support for central air conditioning might encourage multi-family housing and HOAs to accept heat pumps, citing instances where owners faced challenges installing heat pumps due to HOA restrictions. He argued that incentives should not be given to hybrid systems that facilitate automated fuel switching, as these perpetuate fossil fuel dependence. However, homeowners should be supported in partially transitioning by installing heat pump minisplits alongside existing equipment as an interim solution.

Response: As part of the Triennium 2 Efficient Products programs, the utilities offer modest incentives for residential central air conditioning systems (up to $200 per unit, compared to $500 per unit in Triennium 1). As part of the new Triennium 2 building decarbonization start-up programs, by comparison, the electric utilities offer robust incentives for residential cold climate air source heat pumps that fully displace fossil fuel heating. For example, a customer adopting a full displacement cold climate air source heat pump is eligible for the lesser of $10,000 or 50% of the installation cost per house (i.e., cost of installation and dehumidifier). Moderate income customers are eligible for the lesser of $12,000 or 60% of the installation cost. In addition, the utilities offer $2000 for re-ducting if applicable and $2000 for decommissioning a fossil fuel system. These incentives are designed to encourage adoption of cold climate heat pumps that fully displace fossil fueled heating equipment while transitioning away from central air conditioning units.

Among the gas utilities, as part of its building decarbonization start-up program, New Jersey Natural Gas Company offers up to $2000 or 30% of the project cost per house (and $3000 or 50% of the project cost per house for moderate-income customers) for an air source heat pump, including integrated controls, that partially displaces the usage of natural gas fired equipment by being sized for at least cooling load plus electrical panel capacity if appropriate, up to heating load. Staff suggest that these incentives support residents to partially transition by installing one or more heat pumps alongside existing equipment as an interim solution.

Staff invite Mr. Erickson and other interested stakeholders to participate in opportunities for discussion and feedback about implementation of Triennium 2 programs, and in particular, the vision for Triennium 3 programs, whether through public stakeholder meetings or requests for comments on proposed approaches in 2025 and beyond.

Comment: Robert Erickson commented that the Board has consistently stated over four years that it is "assessing cost-effectiveness of heat pump adoption," particularly for oil- and propane-fueled buildings. However, there appears to be no reported progress, suggesting the text is simply copied annually without updates. He emphasized that heat pump replacement for oil and propane systems has been cost-effective for years and addressing natural gas consumption—responsible for over 80% of residential space heating emissions—is crucial. He cited Maine's significant progress, with heat pump heating becoming more common than oil heating in new homes. He highlighted that NJ lacks annual public goals or statistics on conversions from oil, gas, propane, or resistance heating to electric heat pumps, or on new homes adopting heat pumps. Despite its reputation as a technologically advanced state, Erickson stated that New Jersey lags behind Maine in promoting and adopting electric heat pumps on a population-adjusted basis.

Response: While Staff agree that it is cost-effective to transition from electric resistance to an air source heat pump for heating, with increasing electricity prices, assessment of the cost-effectiveness of heat pump adoption continues to be relevant based on the relative prices of electricity, natural gas, and delivered fuels.

CHP-FC

Comments: The NE Chapter expressed its disagreement with the BPU's proposal to stop accepting new applications at the end of the calendar year for the NJCEP CHP-FC program.

USHA urged the Board to maintain the current CHP-FC Program and extend its availability to new applicants beyond the current deadline of December 31, 2025. They stated that preserving access to the program during the transition to a future framework centered on renewable energy will help ensure continuity for stakeholders and prevent delays in deploying efficient, low-carbon energy technologies. They stated that closing the program without a successor could disrupt progress. To strengthen and maintain its effectiveness, they suggested that the Board review and update incentive structures to reflect inflation and market needs, improving accessibility and investment incentives. They welcomed opportunities to participate in stakeholder engagement efforts to help shape the future framework.

DCO Energy opposed the proposed elimination of financial incentives for CHP systems not fueled by Class I renewable energy resources. They stated that the current incentives have been crucial in developing projects that enhance energy efficiency, reduce emissions, lower operating costs, and contribute critical distributed generation capacity to the grid. They explained that New Jersey lacks significant Class I thermal energy resources beyond landfill gas, and its biofuels market is underdeveloped, lacking necessary infrastructure and commercial maturity for project deployment. Additionally, no transitional solutions are provided to sustain CHP viability while these renewable options are developed. Therefore, DCO Energy argued the change would dismantle the CHP program, halt microgrid development, increase grid pressure, and reduce energy efficiency gains. The change is seen as premature and misaligned with market realities and clean energy goals. They urged the Board to maintain a fuel- and technology-neutral incentive structure and pursue a phased transition only when Class I renewable fuel markets are viable.

NJEC urged the Board to maintain the current CHP-FC Program, and allow it to remain open to new applications beyond December 31, 2025, ensuring continued support for CHP-FC projects during the transition to a new program focused on renewable energy sources. They suggested the Board issue a generic procedure order for the program to address increasing the incentives in line with inflation. They stated that a premature closure of the existing program before the replacement initiative is fully developed could create a gap in clean energy investment, causing uncertainty among stakeholders and potentially delaying critical projects that contribute to the state's clean energy goals. They strongly recommended that the existing program remain open and accessible to ensure stability.

Bloom suggested that the Board reconsider its decision to stop accepting new applications for the NJCEP CHP-FC incentive program at the end of 2025. They argued that onsite generation with CHP and Fuel Cells, even when using natural gas, offers significant benefits such as reducing grid load, improving energy efficiency, and providing emissions reductions. Bloom emphasized that renewable fuels are not yet affordable or available at scale in New Jersey, potentially making CHP-FC projects economically unfeasible or requiring increased incentives. Without support for cleaner onsite generation, reliance on dirtier grid power could increase emissions. They stated that fuel cells can replace diesel generators, reducing CO2 emissions and pollution, especially in vulnerable communities. They noted that the New Jersey Fuel Cell Task Force report supports these claims, highlighting fuel cell's role in enhancing grid reliability and reducing reliance on high-emission peaking units. Bloom urged continued support for onsite generation to maintain environmental benefits and address grid challenges effectively.

Response: Staff thank the commenters for their concerns regarding the proposed change to the CHP-FC Program and suggestions for how to transition to a renewable energy fuels pathway. After considering stakeholder feedback, Staff are recommending that this Program remain open to new applications and unchanged until further policy development can be completed to transition to a renewable energy fuel pathway. Specifically, Staff need additional information on the availability of renewable resources for these projects and the challenges around ensuring the necessary infrastructure exists. Staff anticipate further stakeholder engagement around the issues of the availability of renewable energy fuel and the challenges around ensuring the necessary infrastructure exists. Once this process is completed, Staff anticipate making final recommendations to the Board at a future time.

Comment: The NE Chapter commented that it disagrees with the recommendation to set the FY26 budget for DER at $12,588,216, which it claims is a significant decrease from its FY25 budget of $93,188,194. The FY25 budget included CHP–FC funding of $31,500,69, which is completely absent from the FY26 Budget. They further claimed the NJCEP partially recognized this error in its May 28th Public Hearing on its Proposed Fiscal Year 2026 CRA, Budget and Program Plans, where it suggested CHP-FC funding of $10,205,741 under a modified program. The FY26 Budget fails to recognize that DERs, and CHP specifically, reduce the cost of energy for all ratepayers while providing additional benefits.

Response: Staff submit that its FY26 DER budget is sufficient to maintain the existing level of CHP-FC activity and that the NE Chapter might have become confused as to the proposed funding for CHP-FC. Staff did not make any error regarding this item.

Contrary to the commenter's statement above, the actual FY26 budget for CHP-FC is $19,323,828, <u>not</u> $12,588,216. Staff note that the proposed Division of Clean Energy Compliance Filing proposes a $12,588,216 budget for DER, but that budget is only for the DCE-managed programs and does not include CHP-FC, which is managed by TRC. Based on recent trends, Staff believe the proposed FY26 CHP-FC budget will be sufficient to maintain those trends. For example, during FY25, NJCEP is on pace to commit and spend approximately $20,000,000 for CHP-FC projects, leaving approximately $5,000,000 unused and suggesting that $15,000,000 could be adequate for FY26.

Staff also note that $60,000,000 of the FY25 DER budget was allocated to Energy Storage. During FY26, Staff proposed funding Energy Storage through another source, i.e., the Ørsted settlement, thereby reducing the FY26 DER Budget by approximately $60,000,000.

Comment: Bloom commented, as it has in the past, that the manufacturer diversity cap should be "lifted" because it disfavors non-combustion fuel cell technology without a rational basis for doing so.

Response: This comment has been made, considered, rejected, and fully responded to regarding one or more previous Staff proposals. The reader is respectfully referred to those materials. For example, in connection with the proposed FY21 TRC Compliance Filing, Staff explained that "the fuel cell program is the only NJCEP program that historically has been dominated by a single manufacturer; all the others, including CHP, have consistently had a healthy mix of manufacturers, contractors, consultants, and applicants." Indeed, for the last several FYs, the only fuel cell applications NJCEP has received have been for Bloom equipment, thereby providing continuing evidence of the need for a cap to prevent Bloom from monopolizing the market. Staff continue to believe that limiting any manufacturer to $5,000,000 incentives is more appropriate than allowing Bloom to monopolize the market. Staff also note that in recent FYs this cap has not been reached, i.e., that applicants have not submitted approvable applications using Bloom technology and totaling $5,000,000 or more. Indeed, with only a few weeks left in FY25, NJCEP has not received even a single approvable fuel cell project. In other words, Bloom has not offered, and there otherwise is not any real evidence to support its claim that the manufacturer cap drives customers towards non-fuel cell CHP projects and away from fuel cell projects.

Comment: Bloom commented that the proposed CHP-FC incentive structure is contrary to Recommendation 2.13 of the Fuel Cell Task Force, to wit: “[T]he BPU Clean Energy Program budget should increase the incentive for non-combustion generation, like fuel cell systems, that emit no air pollutants. The program currently allocates an incentive that could be three times greater for the installation of a combustion CHP system that increases air pollutants.”

Rate Counsel commented, as it has in the past, that NJCEP should not provide incentives for fuel cells that are <60% efficient.

Response: Staff disagree with Bloom and point out that fuel cells with the same ≥60% efficiency as CHPs are subject to the same $3,000,000 cap as CHPs. Although Staff continue to evaluate the potential benefits of non-combustion generation and possible ways to further incentivize its use, it continues to believe it appropriate to provide a greater incentive to a technology that is ≥60% efficient than to a technology, like Bloom’s, that is only ≥40% efficient. Staff also note that it has considered, rejected, and fully responded to similar comments regarding one or more previous Staff proposals. In addition, Staff continue to believe, despite Rate Counsel’s contrary comment, that the environmental and grid resiliency benefits of ≥40% fuel cells continue to justify and support the existing incentives for that equipment.

Comment: Rate Counsel commented as it has in the past, including regarding the proposal for FY25 CHP-FC, that the Board should re-evaluate the justification for continuing to use limited ratepayer funds to incentivize mature technologies that use fossil fuel, such as CHP-FC. Rate Counsel again emphasized that CHP-FC projects can have adverse impacts on Overburdened Communities (“OBCs”) and therefore, if the Board continues the CHP-FC Program, it should establish siting requirements to minimize the impact on OBCs.

Response: Similar to Staff’s response to similar comments in the past, Staff appreciate Rate Counsel’s reservations about incentivizing a fossil fuel technology, but note that, in general, projects in the CHP-FC program demonstrate overall efficiencies greater than those from current overall electric utility generation. The projects result in energy and GHG reductions at a customer’s site and provide resiliency benefits. Staff continue to reevaluate this program and will take Rate Counsel’s recommendations into consideration as part of that reevaluation.

As part of its overall reevaluation of CHP-FC, Staff will also consider whether CHP-FC has or is likely to have a significant adverse impact on OBCs and, if so, potential ways to mitigate that impact, including the potential efficacy and appropriateness of adding siting criteria to the program rules. In that regard, Staff note that CHP-FC projects are often substantially cleaner and more energy and cost-efficient than traditional power projects and that therefore they can also have a significant positive impact on an OBC.

New Construction Program

Comment: MaGrann commented that the Board should add “language into the compliance filing to provide flexibility in program design to accommodate potential impacts from changes in federal programs such as EPA ENERGY STAR.” The Lung Association commented that given the “uncertainty” around ENERGY STAR, the Board should work with public utilities to provide guidance to customers about how they can continue to purchase and maintain efficient equipment.

Response: Staff in principle agree with these comments. The TRC Compliance Filing states: "News sources indicate that United States Environmental Protection Agency may be eliminating the ENERGY STAR program. The Board is closely monitoring this situation and will consider appropriate revisions to NJCEP if and as appropriate." Staff are in discussions about options that would allow New Jersey to continue to offer Energy Star-related clean energy programs without disruption if the federal government ends the Energy Star program.

Comment: MaGrann commented that its understanding is that although Table 1 in the TRC Compliance Filing indicates the Bundled Pathway is "n/a" for Multifamily buildings, TRC will continue to apply its guidance allowing the use of that Pathway for Multifamily common areas that are not covered by the Energy Rating Index path calculation."

Response: Staff do not expect the guidance to change in the near term, and it does expect TRC to continue to utilize it in the near term.

C&I Buildings / LEUP:

Comment: Rate Counsel commented, as it has in the past, that the TRC Compliance Filing should provide more detail regarding how much of the budget for this line item is allocated to the "base" LEUP program versus the LEUP Decarbonization Program.

Response: As it has in the past, including regarding its proposal for FY25, Staff submit that establishing a single budget covering both the LEUP and the Decarbonization Pilot contained within it is reasonable and consistent with Staff's and the Board's historic practice regarding pilots created within existing programs. Especially for pilots, it is useful and important for Staff and TRC to have the discretion to readily direct funds towards the pilot if it is attracting more than expected participation and to direct funds away from the pilot and towards the "base" program if the pilot is attracting less than anticipated participation.

Cost Benefit Analysis

Comment: Rate Counsel commented, as it has in the past, that TRC's Cost-Benefit Analysis ("CBA") fails to provide sufficient supporting details for its analysis, such as the methodology and assumptions it used.

Response: As previously and similarly stated in the response to similar comments regarding the FY24 and FY25 TRC CBAs, Staff disagree. The CBA includes a discussion and the results of the application of all six tests of cost-effectiveness generally recognized in New Jersey (including the Triennium 2 New Jersey Cost Test). The level of detail and support is consistent with N.J.S.A. 48:3-60, with the Board's Orders implementing that statute and identifying the requirements for Compliance Filings[15] and the level of detail and support historically contained in Board-approved Compliance Filings.

Distributed Energy Resources

Comment: Rate Counsel commented that no funding should be provided for Microgrids in the

[15] See In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs, BPU Docket Nos. QO19010040, QO23030150, & QO17091004, Order dated May 24, 2023.

Budget and have concerns about them being new sources of noise and air emissions in OBCs. They also stated that no evidence has been provided that funding microgrids provides any tangible benefits to ratepayers.

Response: The only funding currently in the FY26 Budget to support microgrids are the remaining grant agreements that have not yet been paid out as part of the Town Center Distributed Energy Resources Microgrids Incentive Program. Under Phase 1 and 2 of this Program, no funds have been provided for the construction of a microgrid, but were intended to evaluate the feasibility and design of various proposals. In order to best determine the viability and understand the technological and regulatory challenges, evaluating proposals at this stage of the process is key. The Board has not yet determined next steps on funding this program beyond the current phases.

Comment: Robert Erickson suggested that the BPU needs to specify a substantial program of electricity storage to complement the vast increase in renewable electricity expected by 2035. He referenced large storage programs in both California and Texas. He highlighted that the California program has helped address large swings in solar each day, without requiring increases in natural gas usage and Texas is set to surpass California in battery storage by 2026. He noted that the BPU has solicited 160 MW of solar-paired storage, with bids closing in July 2025 and references the NJCEP's ambitious storage goals. However, it lacks annual statistics on planned or active storage sites and projections which highlights the need for a detailed storage roadmap.

Response: Staff agree that energy storage will play a valuable role in helping New Jersey meet its clean energy goals. Staff note the June 18, 2025, launch of Phase 1 of the GSESP, which seeks to incentivize transmission-scale. A program administrator will play a vital role in tracking metrics for projects that are incentivized, including details on size, location, and other performance indicators.

Comment: Rate Counsel commented on BPU's efforts on energy storage, including incentivizing solar + storage under CSI and developing a standalone program.

Response: Staff acknowledge Rate Counsel's comments on the progress that has been made in regard to meeting the State's storage goals and note the successful launch of Phase 1 of the GSESP, which will focus on transmission-scale projects.

<u>Nuclear</u>

Comment: Rate Counsel commented that the DCE Compliance Filing did not provide details on the amount of funding that is anticipated to be utilized in FY26 to support the BPU's efforts around nuclear, specifically reviewing stakeholder input and why ratepayer fund should be used to support unregulated generations.

Robert Erickson commented that no taxpayer or ratepayer funding should be spent to develop and subsidize nuclear, as it needs to stand on its own financially. The commenter explained that industry customers, like data centers, seeking new electricity sources, including nuclear power, should cover all associated costs without burdening taxpayers or ratepayers. They should finance the entire lifecycle of new or expanded power plants, including risk management, evacuation plans, research and development, siting, waste management, insurance, and other expenses. Residents within 75 miles of new or expanded nuclear sites must be informed about plans, schedules, risks, and impacts. He stated that offshore wind (“OSW”) farms, solar, and storage are considered safer and potentially cheaper than nuclear options when factoring in environmental costs across the lifecycle.

Response: Staff are still in the early phases of gathering stakeholder input to inform the State's next steps towards potentially advancing new nuclear and have recently released a Request for Information ("RFI") on May 5, 2024. Any use of funds to support future efforts will require additional Board action. Also, Staff expect additional extensive stakeholder engagement following review of the comments that are received from the RFI, including how to maximize ratepayer benefits from bringing any new generation online. Additionally, Staff are evaluating the benefits and needs for clean firm generation, which could include nuclear, to complement other renewable energy sources to ensure resource adequacy.

Offshore Wind

Comment: The Jersey Renews Coalition, along with 17 supporting organizations[16], urged the Board to reconsider its allocation of the $125 million Ørsted settlement funds, which are currently designated entirely for the new GSESP. While they acknowledged the importance of energy storage, the Jersey Renews Coalition argues that directing all funds to this initiative is short-sighted. They recommended reallocating a portion of the funds to support OSW-related programs, such as workforce training and public education through the Wind Institute, to maintain momentum and competitiveness in New Jersey's OSW development.

The Jersey Renews Coalition stressed that consistent investment is necessary to build a robust supply chain and workforce for OSW, which is crucial for meeting the state's clean energy goals. They highlighted that energy storage, while important, creates fewer permanent jobs compared to investments in supply chain manufacturing for clean energy production, which could generate hundreds of permanent jobs.

The Jersey Renews Coalition advocated for a balanced approach, using some funds for the GSESP and directing others towards supply chain development for OSW and solar projects. The coalition believes this strategy will maximize job benefits and economic growth, leveraging existing industry investments to ensure New Jersey remains a leader in the national OSW landscape. They urged the BPU to revise its decision to better allocate the Ørsted settlement funds to projects that will provide the most benefits for the State's clean energy economy.

NJOWA urged the Board to allocate a portion of the Ørsted settlement funds to OSW initiatives, including infrastructure initiatives related to the now canceled Transmission Siting and Economic Development Grant Program. NJOWA also highlighted the importance of continuing to fund NJ EDA's Wind Institute in order to maintain momentum in developing the workforce for the industry.

NJLCV urged the Board to reconsider the drop in OSW Workforce Development funding from $22 million in FY25 to $0 in FY26. They argued that the State needs to develop its OSW and RE workforce, so that NJ can get projects online quickly when the federal landscape changes. NJLCV urged the Board to engage labor unions, educational institutions, and community-based organizations to identify needs and opportunities in FY26.

[16] Action Together New Jersey, Anglers for Offshore Wind, Clean Water Action, Clinicians for Climate Action NJ, Elevate Network, Emerald Cities Collaborative, Environment New Jersey, Environmental and Climate, Justice Committee NAACP State Conference, GreenFaith, New Jersey Offshore Wind Alliance, New Jersey Policy Perspective, New Jersey Progressive Equitable Energy Coalition (NJPEEC), New Jersey Sustainable Business Council, NJ Work Environment Council, Salvation and Social Justice, Unitarian Universalist Faith Action NJ, and Wind of the Spirit.

Alejandro Meseguer expressed support for the State's clean energy targets and recommended the administration use the Ørsted settlement funds to contribute to OSW investments and storage. Meseguer noted that with a new Governor taking office next year, clean energy's future in the State is uncertain, so investments in OSW should be made now.

Response: Staff recognize the significant potential benefits associated with the deployment of OSW and the need for both OSW workforce development efforts that will ensure a workforce is in place to support the industry when needed and programs to help facilitate transmission siting and development. Staff note that funding from prior budget allocations remains available to EDA for OSW workforce development. The reduction in the FY26 OSW budget and use of Ørsted Settlement funds for GSESP reflect uncertainty in OSW deployment driven by federal policy, balanced against the critical need to fund projects, such as storage that will ease capacity market prices and help stabilize ratepayer bills. The use of the Ørsted settlement funds to support the GSESP are aligned with New Jersey's clean energy goals and the Board's mission of ensuring safe, adequate and proper utility service at reasonable rates. The state remains committed to advancing OSW and will reassess whether future funding should be obligated to support OSW, transmission, and workforce development initiatives as the industry progresses in future years.

<u>Solar</u>

Comment: Richard Harris III of Installations 3 Construction Training Center in Newark, NJ provided oral comments at the public hearing. The commenter stated that in 2023, the Commissioner requested that their organization submit a letter for the Solar for All (“SFA”) program from the Governor's Office. The company submitted the letter and the Commissioner followed up with the training opportunity. The commenter emphasized that they are awaiting the rollout of the training and criticized the Board for the lack of clear communication about participation in training and education planning. The commenter requested a timeline on the training rollout from the GHG Emission Fund. The commenter highlighted the organization's accreditations and their eagerness to educate the community on Whole House program repairs and the community solar program.

Response: Staff appreciate the commenter's letter of support for the New Jersey SFA award. Staff acknowledge that the SFA’s roll out has been taken longer than expected due to unforeseen changes in federal guidance. The Board has secured the federal award and will stakeholder the program proposal, including its workforce training and education plans, before the SFA federal planning period ends in December 2025. Staff are working vigorously to keep the program in compliance with its SFA terms and conditions and to share the benefits of solar energy with New Jersey stakeholders as soon as possible.

Comment: Robert Erickson expressed the need to greatly increase incentives for solar and storage to make up for the OSW deficit. He stated that the solar incentive increase may also need to compensate for the pending elimination of the federal solar tax credit in pending Congressional legislation.

Response: Staff are initiating a stakeholder proceeding to evaluate Administratively Determined Incentive Program incentive levels, as well as a consideration for the addition of storage. A Request for Information is expected to be released in June to gather stakeholder input on incentives, capacity changes, and program design. Staff encourage stakeholders to submit comments on incentives as part of this process.

<u>Planning and Administration</u>

Comment: Rate Counsel asked why an additional nearly $4.4 million is proposed to be transferred to Program Evaluation and Analysis. They stated Staff should demonstrate that their evaluation activities do not overlap with those done by the utilities.

Response: The additional increase to the Program Evaluation and Analysis Budget line supports ongoing or anticipated contractual obligations. NJCEP evaluation funding supports the Statewide Evaluator ("SWE"), which runs the Evaluation, Measurement, and Verification ("EM&V") Working Group, develops the EM&V Framework applicable for all EE program administrators, and oversees implementation of statewide evaluation studies. NJCEP evaluation funding also supports the Energy Efficiency Evaluation Study Team, which conducts statewide evaluation studies. These activities all complement and do not overlap with or duplicate those conducted by the utilities. The utilities, in turn, are responsible for hiring independent utility evaluators to conduct impact and process evaluations of utility programs, with oversight by SWE. The utilities' evaluation budgets are low compared to industry standards and are essential in the monitoring of performance for specific measures, service providers, and utility administrators.

Outreach and Education

Comment: Rate Counsel stated they cannot find evaluations or audits of Sustainable New Jersey ("TCNJ"), NJIT Center for Building Knowledge ("CBK"), Rutgers Center for Urban Policy Research ("CUPR"). Further, they stated that these programs have not been audited within the past three years and should be in order to determine effectiveness and ensure that ratepayer funds are being spent well.

Response: Sustainable Jersey at TCNJ, the CBK, and the CUPR are not programs. Rather, the BPU has contracts with these State colleges and universities to assist with and support the BPU Division of Clean Energy's programs and initiatives. The Memoranda of Understanding with TCNJ and NJIT, along with their work plans and more detailed budgets for work that commences in FY26, are before the Board for their consideration in parallel with the FY26 budgets and programs. The next MOU with CUPR would commence in FY28.

Comment: The Lung Association recommended that the Board ensure education and outreach allocations in FY26 include health-focused messaging on the air quality and associated health benefits of electrification and energy efficiency. By coordinating with community health partners who already conduct home assessments and engage with vulnerable populations, they emphasized that the State could improve program uptake, share outreach materials, and strengthen the connection between clean energy and public health goals.

Response: Staff thank the Lung Association for their comment and will consider their recommendation. Staff are committed to raising awareness of the benefits of clean energy and energy efficiency, and aim to continue engaging with new and existing stakeholders to encourage adoption of clean energy and energy efficiency where appropriate.

Grid Modernization

Comment: Isles supported the proposed $15 million for Grid Modernization efforts for FY26, but urged the BPU to add new funding for these efforts as well noting that grid modernization issues underly the greater energy crisis currently facing New Jersey. They emphasized that the current grid's infrastructure and management processes must be modernized to meet our increasing electricity demands and support the shift away from fossil fuels. They recommended that projects include community-based microgrids, especially in areas prone to outages and climate impact, considering the impact of data centers on the grid, ensuring that funding supports storage co-location with distributed renewable energy, and planning processes include equity-centered stakeholder engagement with community-based organizations and municipalities.

Response: Staff appreciate Isles's support for the greater grid modernization effort and the critical importance of allocating funding towards these efforts. The Board is working on addressing issues such as grid management processes, supporting the shift away from fossil fuels, and meeting increasing energy demands in a cost-effective manner with minimal ratepayer effects through the Grid Modernization Forum. The allocated funding will go towards running the Forum, which is a collection of stakeholder workgroups, and the running of "Grid Innovation Demonstrations" or pilots to test newer technologies and processes. The Board appreciates the commenter's suggestion and intends to incorporate these projects, such as community-based microgrids and energy storage systems co-located with distributed generation sources, within the Grid Modernization Forum and the Innovation Demonstrations while ensuring appropriate stakeholder engagement and opportunities for further feedback.

Comment: Nick Dreher provided oral comments on behalf of Renew Home. Renew Home recommended additional focus be considered and placed on grid flexibility resources and initiatives, including virtual power plants ("VPP"), whether tied to smart thermostats, solar plus storage, storage, or heat pump water heaters. The commenter emphasized that VPP-tied grid flexibility will avoid utility system costs related to transmission and distribution, aid utilities and State planners in modernizing the grid effectively, and ultimately save money and reduce costs for all rate payers.

Response: Staff appreciate the commenter's feedback and emphasizes the importance of grid flexibility resources and initiatives. The compensation of "grid flexibility services" such as VPPs, demand response through smart thermostats, energy storage, and vehicle to grid capabilities are the subject of the next workgroup planned under the Grid Modernization Forum. The Board acknowledges the enormous potential for a new market compensation mechanism for such services and works toward investigating and evaluating such mechanisms already underway. It is the Board's intent to continue working toward establishing such market-driven, rather than subsidy-driven, mechanisms for the compensation of distributed DER ownership.

Clean Energy Affordability

Comment: NJLCV stated that affordability should be central in the clean energy transition and recommended: reevaluating income thresholds for assistance programs to ensure they reflect economic conditions and utility cost increases; scaling ratepayer assistance programs proportional to rising utility rates; expanding energy affordability strategies to include water, by doing automatic enrollment and utility data sharing mechanisms; maintain strong utility shutoff protections to protect vulnerable households.

Response: Staff appreciate the comments and note that they are working to identify ways to structure programs to prioritize affordability. These recommendations, if not already considered, will be kept in mind when programs are evaluated. Specifically, in regard to Comfort Partners, Staff will be reviewing and considering changes to the program income eligibility to be aligned with existing assistance programs such as the Universal Assistance Fund ("USF").

Comment: Rate Counsel suggested that the $1.1 million dollars for the Clean Local Energy Advisory and Resource ("CLEAR") Fellowship should not be approved. They advocated for these funds to be spent through the USF.

Response: Staff thank Rate Counsel for their comments but respectfully disagree that funds would be best spent through the USF. Although the program is still in development, Staff believe that the CLEAR Fellowship will be beneficial to municipalities for the purposes of strengthening their clean energy and energy efficiency portfolio while broadening access to cost savings. The CLEAR fellows will work with municipalities across the State that have some of the highest energy consumption per capita to help them significantly reduce energy consumption.

Comment: The commenter suggested that the FY26 Compliance Filing for Community Energy Planning Grants (“CEPG”) is a "cut and paste version" from the FY25 Compliance filing.

Response: Staff appreciate the commenter's feedback and would like to note that updates have been made regarding Program Year 4 of the CEPG, with applications open this month, June 2025.

Comfort Partners

Comment: NJLCV stated that the Comfort Partners Program is vital to achieving the State’s clean energy and equity goals. However, rising inflation and increased demand are putting pressure on the program’s capacity. They noted that it is critical that funding levels are adjusted to meet these challenges and ensure existing and future projects are not delayed. Ensuring the program remains fully funded will also help advance energy efficiency in low-moderate income (“LMI”) households and contribute to long-term affordability, as well as energy equity.

Response: Staff thank the commenter for their comments and acknowledge the need for continued support of the programs that serve the LMI population of New Jersey, particularly a program like Comfort Partners which provides necessary weatherization and equipment upgrades which will keep residents' costs low. Staff have been and continue to work to make appropriate budget recommendations to help the program meet capacity needs.

Comment: PSE&G noted that the recent increases to the Comfort Partners budget is not enough, and total funding for the program should increase by up to 30%. One recommendation for achieving this target is by reallocating budget funding from other clean energy programs. Additionally, PSE&G extended their support for reviewing the possibility of transitioning program eligibility requirements away from federal poverty level and to state median income in the current fiscal year.

Response: Staff thank PSE&G for their comments regarding increased funding to support Comfort Partners and for their efforts as partners in the program. Staff agree that continued support for the program is essential to serve low-income residents throughout the state. In addition to the increased funds allocated in the FY25 True-up and FY26 budget, Staff have considered other ways to support the overall operations of the Comfort Partners program, including leveraging federal funding for the purposes of home electrification. Staff will continue to look for ways to improve support to the program and in turn to continue providing these important services to New Jersey residents.

Additionally, Staff acknowledge the commenters’ encouragement to transition the income eligibility criteria for Comfort Partners participants in order to align with USF. Staff understand the importance of keeping the enrollment process as simple as possible so that eligible customers can easily participate in both programs. No specific timeline details have been decided yet, but relevant details on this effort will be shared when available.

Comments: ACEEE commended New Jersey's Comfort Partners Program and recommended that the current Comfort Partners budget should significantly increase, if not double. ACEEE submitted a copy of the report they sent to PSE&G regarding their analysis of the Comfort Partners program.

NJUA expressed their support of transitioning the income eligibility criteria for the Comfort Partners program from federal poverty level to State median income to align with the USF, simplifying enrollment and improving access to weatherization services. NJUA highlighted that New Jersey's investment in low-income energy efficiency programs is low compared to other states. They recommended increasing funding for the Comfort Partners program by two to three times to match best practices, noting that other leading states allocate 20-30% of their energy efficiency budgets to low-income programs. NJUA urged the Board to approve a substantial funding increase for Comfort Partners in FY26 to address rising PJM electricity capacity market prices, which disproportionately affect vulnerable households. They acknowledged scaling such a program will take time and propose reallocating funds within the Clean Energy Program's FY26 budget to start supporting an expanded Comfort Partners program without increasing the overall BPU budget. NJUA emphasized the importance of advancing energy equity and affordability for New Jersey residents.

Response: Staff thank ACEEE and NJUA for their comments. Staff thank ACEEE for submitting a recently published research memo pertaining to the Comfort Partners program. Staff would like to note that the Comfort Partners budget increased in the FY25 true up Budget and the total remained the same as part of the FY26 Budget. In addition to the funds allocated in the true up and FY26 Budget, Staff have considered other ways to support the overall operations of the Comfort Partners program, including leveraging federal funding for the purposes of home electrification. Staff will continue to look for ways to ensure the program is working effectively to serve New Jersey's low-income population.

Additionally, Staff appreciate the support of NJUA to transition the income eligibility criteria for Comfort Partners participants to align with USF. Staff understand the importance of keeping the enrollment process as simple as possible in order to ensure that low-income residents have easy access to program services. Staff will keep these factors in mind when reviewing and considering changes to program eligibility requirements.

Comment: Isles applauded the proposed $250 million in Clean Energy Affordability programs, especially the $125 million for Energy Bill Assistance and $62.9 million for Comfort Partners. They expressed that these programs, along with the solar energy and battery storage projects that have been prioritized, will lead to local job creation and reliability for those who run the risk of facing unreliable power supply. They commented that this is a win for all constituents because affordability affects everyone.

Response: Staff thank the commenter for their support of the proposed budgets for Clean Energy Affordability and Comfort Partners. The intention is to provide more services and benefits to the residents of New Jersey who are most in need of assistance.

With respect to energy bill assistance, Staff notes that this initiative will now be fully supported by RGGI and the SACP. To align with the FY26 Appropriations Bill[17], slightly less than $119 million was reallocated from the Energy Bill Assistance line to the State Energy Initiatives line. The remainder from Energy Bill Assistance was reallocated to Community Energy Grants and Whole

[17] S.2026/A.5800 (2025).

House.

Comments: Robert Erickson highlighted that approximately $41 million of the $63 million Comfort Partners Budget is allocated for gas incentives, overshadowing the $22 million set aside for electric incentives. He argued that the gas incentives should be eliminated, or at least the ratio be shifted so that electric incentives dominate.

Mr. Erickson also emphasized that the Comfort Partners program continues to saddle low-income customers with the possibility of converting from oil to gas, thus locking low-income customers into natural gas usage and high future costs for decades to come. He claimed the focus should be on "cold climate" heat pumps.

Responses: Staff appreciate the comments on the Comfort Partners program and will consider the recommendations when reviewing the program for potential improvements. Efforts have already been made to expand the electrification/electrification-readiness measures offered through the program. Additionally, due to recent historical trends, more funding has been dedicated to gas measures at the start of the fiscal year as an estimate of how the budget will be spent. If necessary, the budget will be adjusted at a later date, including moving funding from gas to electric, to account for actual program spending.

Comment: Rate Counsel concurred with the FY26 draft budget for the Comfort Partners program.

Response: Staff appreciate Rate Counsel's concurrence with the FY26 draft budget for Comfort Partners, as the FY26 budget is the same as the FY25 true up budget.

<u>Whole House</u>

Comments: NJLCV urged the Board to continue and expand support for the Whole House Pilot program ("WHPP"), rather than eliminate funding, especially given increases in rates this summer. NJLCV explained that Whole House helps low-income and overburdened households access EE services that save them money and improve health and safety. Further, there remains significant and unmet need. They argue that other sources of funding could be used to support Whole House if EE is recognized as a necessary health intervention.

EEA-NJ supported the continuation, expansion, and increased funding of the WHPP. They noted that the program addresses structural and weatherization barriers in homes, which are essential for creating safe and healthy living environments, especially for low-income families experiencing high energy burdens. They expressed that the WHPP has proven effective, saving participants money on energy costs and providing broader system benefits. EEA-NJ criticized the Board's decision to deprioritize the program in favor of EV incentives, which primarily benefit wealthier residents. They argued for expanding the program beyond Trenton to other New Jersey cities with better infrastructure to support its rollout. They pointed to funding sources like the Regional Greenhouse Gas Initiative ("RGGI") and Infrastructure Bank as potential avenues for supporting the program. EEA-NJ emphasized the WHPP's importance in addressing energy poverty and promoting energy efficiency, and urged the Board to continue and expand the program to benefit more New Jersey residents.

The Lung Association expressed concern that the WHPP will be discontinued for FY26 and urged the Board to preserve funding for the WHPP or specifically address how the Comfort Partners program will use new funds to address health hazards. They noted how health hazards, such as mold, lead, and structural deficiencies, are identified and addressed in weatherization and retrofit projects, particularly in low-income and OBCS. They also suggested improving cross-agency collaboration with health and community affairs departments that may have the resources and authority to address these hazards directly.

The EEA Coalition, a coalition of over 25 organizations[18], led by EEA-NJ, urged the Board to continue and expand the WHPP in FY26. They stated that the Trenton pilot has already improved 20 homes, showing substantial need and effectiveness, with an average cost of $9,698 per home and significant returns on investment. They emphasized the systemic benefits that flow from the program: reducing high energy burdens helps families move off of utility assistance programs, lowering costs for all ratepayers. Improving building efficiency also reduces the amount of electricity needed by individual utilities, contributing to lower capacity charges within PJM markets. Given the high demand for such initiatives, exemplified by Pennsylvania's successful Whole Home Repair Program, the coalition recommended expanding the program beyond Trenton and utilizing additional providers. They emphasized the program's multifaceted benefits as an energy, housing security, workforce, public health, and community safety initiative. The coalition highlighted alternative funding sources, such as RGGI and Infrastructure Bank, to support the program's expansion. They called on the Board to ensure all New Jerseyans have access to safe, efficient, and affordable homes.

Isles strongly urged the Board to formalize and fund a WHPP line item that integrates energy efficiency, weatherization, lead remediation, health and safety interventions, and electrification upgrades. They acknowledged that the current budget proposal does not include a specific line item for the WHPP, and urged the BPU to reconsider the allocation based on the success of similar programs throughout the country. They emphasized that these programs create jobs, meet community members where they are, and build relationships throughout the community. They recommended providing flexible funding through Comfort Partners or Community Energy Grants to allow for holistic interventions, and partnering with community-based implementers like Isles to develop a model for Statewide scaling to ensure equity in energy savings and deliver long-term value to residents in low-and-middle income communities.

Response: Staff thank the EEA-NJ, NJLCV, the Lung Association, the EEA Coalition, and Isles for their support of WHPP. Based on stakeholder feedback, Staff have allocated money towards the WHPP for FY26, despite the program being set to end June 30, 2025, to begin assessment of the program after its conclusion. Staff will use the evaluation to assess the program design moving forward. If a statewide program, upon further evaluation, is appropriate and approved, low-income residents across the state who are in need of health and safety improvements will be eligible to receive services from both Whole House and Comfort Partners. Staff would also like to note that as of June 3, 2025, the estimated average cost for Whole House work is $10,013 per client and estimated average cost for Comfort Partners work is $10,000 per client. Staff acknowledge that there could be considerable variation in costs per unit seeing as Health and Safety costs can vary from unit to unit, however, current energy savings of post comfort partners

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[18] Action Together New Jersey, American Council for an Energy-Efficient Economy, Bright Power, Building Performance Association, Capital Access, Inc., Clean Water Action, Clinicians for Climate Action NJ, CMC Energy Services, Elevate Newark, Emerald Cities Collaborative, Environment New Jersey, Environmental Defense Fund, Green Energy Economics Group (GEEG), Housing and Community Development Network of New Jersey, Isles, Krem Energy, LLC, Natural Resources Defense Council, New Jersey Future, Newark Green Team MnM Consulting, New Jersey League of Conservation Voters, New Jersey Progressive Equitable Energy Coalition (NJPEEC), New Jersey Policy Perspective, New Jersey Sustainable Business Council, Salvation and Social Justice, Sealed, Sunowner, Inc., Vote Solar, Waterspirit.

improvements are typically $400 a year with a potential 50 year payback period for both Comfort Partners and Whole House.

Staff would like to note that Comfort Partners does already provide certain services to homes with existing health and safety issues, and that they would continue to be available for homes not eligible to participate in Whole House. Lastly, Staff acknowledge the comment regarding collaboration with other state departments in order to provide the best service to constituents, and will keep in mind as it works to improve the program in the future.

Staff appreciate the recommendations to provide flexible funding to Whole House through other programs, specifically Comfort Partners and Community Energy Grants. Staff will consider the recommendations presented by the commenter when proposing any changes to each of the mentioned programs.

Comment: Rate Counsel generally supported Whole Homes spending if it can be done in a cost effective manner. Rate Counsel stated that they plan to comment on Whole House's evaluation report.

Response: Staff look forward to reading Rate Counsel comments on the WHPP Evaluation report. Staff note that based on stakeholder feedback Staff have allocated funds to WHPP for FY26.

Comment: Jeremy Newberg of Capital Access commented during the May 28 stakeholder meeting. The commenter shared insights and experiences from Capital Access's home repair program in Philadelphia and Bucks County. The commenter emphasized the challenges of implementing a full Whole House program. Jeremy expressed Capital Access' support of the NJ WHPP. He suggested that WHPP is struggling to get to scale and impact because the work needed for the target low income population with the low dollar subsidy caps often at $10,000 a house or less are not aligned with the need. The commenter proposed 1) increasing funding caps to $75,000 per single family occupied home in combined subsidy and financing; 2) establishing a challenge where if a city and a county that administers Housing and Urban Development ("HUD") funds, along with a county weatherization assistance provider and the State rebate administrator and local utilities invest subsidy funds in a coordinated manner, New Jersey BPU will provide a 100% match to fund up to $75,000 a house to address whole home performance basic system repair and energy retrofit needs; 3) providing accessible and affordable financing combined with grant subsidy based on ability to pay debt service; 4) opening the WHPP administration to more providers based on market and demographic needs in the State; 5) procuring GCs on a rolling request for proposal basis so a discrete number of publicly procured GCs can build more robust books of business in batches rather than the one-off contract awards; 6) providing technical assistance help GCs get approved to participate in all of these funding programs; and 7) investing in life cycle case management services to educate communicate and coordinate with low-income homeowners so they can be successful and satisfy clients. Capital Access expressed their willingness to help implement common sense solutions for LMI homeowners in NJ.

Response: Staff appreciate the commenters' feedback on the WHPP. Staff will consider in future iterations of the program these financing options and best ways to engage with customers of the program.

Urban Heat Island

Comment: NJLCV commended the Board for doubling funding for the UHI Program to $5 million.

They noted that investments in energy-efficient public cooling infrastructure and green space are crucial for building climate resilience in overburdened and heat-vulnerable communities. These needs will only become more apparent due to the effects of climate change and encouraged the Board to have a robust, well-funded program to meet the need.

The Lung Association expressed support for the $5 million increase in UHI mitigation in FY26. They emphasized that urban areas experience more heat-related illnesses, which can exacerbate health symptoms for residents with chronic respiratory conditions, and strategic investment in these areas is critical to achieving health equity outcomes tied to energy resilience and climate adaptation. They urged the BPU to continue prioritizing long-term clean energy investments that address both environmental and public health needs through continued support for low-income energy assistance, promoting the adoption of high-efficiency appliances, and expanding access to weatherization and electrification incentives. Further, they encouraged continued transparency in how these funds are deployed.

Isles supported the funding and BPU’s dedicated allocation to UHI Mitigation, noting it is critical for programs that aim to reduce extreme heat risk through strategic tree planting, green infrastructure, and other science-based solutions, especially in vulnerable urban areas with limited canopy and aging housing stock. They encouraged the Board to prioritize funding for community-based organizations with a history of environmental health work in OBCs, and ensure investments also support local workforce development and long-term tree maintenance capacity.

Response: Staff appreciate UHI program support from NJLCV, the Lung Association, and Isles. Funds will be deployed for the expansion of outdoor public cooling infrastructure (e.g., street trees, urban green spaces, and cool pavements) and resilience hub development (i.e., enhancing energy efficiency and energy resilience of critical community facilities). The objective of the UHI Program is for overburdened municipalities ("OBMs") and community-based organizations ("CBOs") to develop and implement projects that address UHIs and lower energy demand in communities disproportionately impacted by extreme heat. A co-benefit of these projects can be reduced emissions, which will result in improved public health outcomes. Grant proposals will be evaluated in part on the strength of stakeholder involvement through established inclusion of community members in the design and implementation of projects, which can also include workforce development.

Comment: Rate Counsel expressed concerns about funding the UHI Program and referenced their April 17, 2025, filing in response to the UHI Program Request for Comments (“RFC”). In the filing, Rate Counsel proposed eliminating some of the Program funding and in response to the FY26 Budget, Rate Counsel is proposing complete removal of funds for the UHI Program. Rate Counsel also indicated that the proposal is most likely not close to being finalized and requested that Staff provide a detailed response to each comment in Rate Counsel’s April 17, 2025, filing.

Response: Staff thank Rate Counsel for their comments and acknowledge their concerns regarding the proposed funding allocation for the UHI Program.

As noted in Rate Counsel’s April 17, 2025, filing in response to the UHI Program RFC, Rate Counsel expressed support for preserving funding for Category 2: Cooling the Built Environment—which focuses on energy efficiency and resilience upgrades for public buildings that serve as cooling centers and local resilience hubs. Rate Counsel also recommended reducing funding for Category 1: Comprehensive UHI Interventions—which supports large-scale revitalization projects that expand outdoor public cooling infrastructure—and eliminating Category 3: UHI Microclimate Interventions—which funds small-scale community initiatives including local greening efforts. These recommendations were based on Rate Counsel's concern that Categories 1 and 3 have limited connections to energy use.[19]

Staff disagree with Rate Counsel's position to eliminate funding for the UHI Program entirely. The UHI effect and development density are closely linked to increased energy consumption, particularly in overburdened and low-income communities that often lack adequate tree canopy cover and cooling infrastructure. These communities experience higher temperatures, leading to increased demand for air conditioning and increased energy costs, thereby exacerbating energy burdens.[20]

To address these challenges, the UHI Program proposes investments in public cooling infrastructure and natural land cover expansion. Greening efforts, including tree planting and community green spaces, contribute to cooling through shading and evapotranspiration, both of which are proven to reduce surrounding air temperatures and building cooling loads.[21]

The BPU, in partnership with the NJDEP, previously implemented the Cool Cities Program to expand residential tree canopy and shading to promote energy conservation. In a similar initiative, the New York State Energy Research and Development Authority ("NYSERDA") launched a large-scale urban forestry initiative in the Bronx informed by the New York City Regional Heat Island Initiative report.[22] This study found that modeled urban forestry interventions could reduce summer peak electricity demand by approximately 2–3% (MW).[23]

The proposed UHI Mitigation Program builds on these precedents and reflects an evidence-based approach to both energy reduction and increased community resilience. Staff note that the

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[19] In re the Establishment of an Urban Heat Island ("UHI") Mitigation Program, BPU Docket No. QO24100834, Rate Counsel Comments (April 17, 2025).

[20] See UHI exposure linked to redlining and limited investment in green spaces at Scientific American and Nature, Discrimination Has Trapped People of Color in Unhealthy Urban 'Heat Islands', https://www.nature.com/articles/d41586-023-02618-1; It's Getting Hot in Here: A Roadmap for Stakeholder Involvement in Urban Heat Island Mitigation, Midwest Energy Efficiency Alliance (2023), https://www.mwalliance.org/sites/default/files/meearesearch/its_getting_hot_in_here_a_roadmap_for_stakeholder_involvement_in_urban_heat_island_mitigation.pdf.

[21] See for drivers of the UHI effect in cities at Urban Climate Lab at the Georgia Institute of Technology and The Trust for Public Land, The benefits of green infrastructure for heat mitigation and emissions reductions in cities, https://www.tpl.org/wp-content/uploads/2023/05/Benefits-of-Green-Infrastructure.pdf; See natural land cover for UHI mitigation and energy conservation, Yekang Ko, Trees and vegetation for residential energy conservation: A critical review for evidence-based urban greening in North America, 34 Urban Forestry & Urban Greening 318–335 (Aug. 2018), https://doi.org/10.1016/j.ufug.2018.07.021; and See for energy savings and temperature reduction associated with community gardens at MOST Policy Initiative, Community Gardens in City Parks (2024), https://mostpolicyinitiative.org/community-science-no/community-gardens-in-city-parks/#:~:text=Urban%20green%20space%2C%20including%20parks,Okvat%20and%20Zautra%2C%202011.

[22] See Heat Island Community Actions Database at EPA, https://www.epa.gov/heatislands/heat-island-community-actions-database. See Greening the Bronx: Urban Heat Island Mitigation Project (2018), https://portal.nyserda.ny.gov/servlet/servlet.FileDownload?file=00Pt0000005vuDZEAY.

[23] See tree planting impacts on energy demand at report prepared by Columbia University, NASA/Goddard Institute for Space Studies, and Hunter College CUNY, and SAIC for NYSERDA, MITIGATING NEW YORK CITY'S HEAT ISLAND WITH URBAN FORESTRY, LIVING ROOFS, AND LIGHT SURFACES-New York City Regional Heat Island Initiative (2006), https://www.coolrooftoolkit.org/wp-content/uploads/2012/04/Mitigating-New-York-Citys-Heat-Island-with-Urban-Forestry-Living-Roofs-and-Light-Surfaces.pdf.

proposed FY26 budget for the UHI Program has been reduced to $5 million. Staff anticipate finalizing the proposal before or by the end of the calendar year.

<u>**Residential Energy Assistance Payment & Energy Bill Assistance**</u>

Comment: NJLCV commended the Board for significantly increasing funding for the REAP program and for allocating $51 million for customer energy assistance. With rate increases anticipated this summer, they stated that these programs offer a lifeline to vulnerable households. However, they advocated for short-term relief to be accompanied by long-term solutions, noting that transitioning off volatile fossil fuels and investing in energy efficiency and electrification will reduce household energy burdens and increase overall resilience.

Response: Staff thank the commenter for their support of energy assistance to New Jersey customers. Staff acknowledge the need to develop both short- and long-term solutions to ensure that all residents of New Jersey are able to achieve lower energy usage and therefore lower overall energy costs. Long-term solutions, such as Comfort Partners and the Community Energy Planning Grants and the implementation grants, among others, can help reduce residents' energy bills, and the Board continues to consider ways to deploy more long-term solutions.

Comment: Rate Counsel suggested that the $125 million for energy bill assistance that is unspent from last fiscal year should result in a lowering of the FY26 SBC collection.

Response: Staff respectfully disagree with Rate Counsel's claim that the $125 million for energy bill assistance that is unspent from last fiscal year should result in a lowering of the FY26 SBC collection. The SBC funds received each fiscal year are dedicated to annual expenditures and ongoing commitments. The committed funds cannot be reallocated and due to the amount of time and complexity of certain projects, commitments that are made in one year are often carried forward into a future year.

Staff also notes that for FY26, the Energy Bill Assistance initiative will now be fully supported by RGGI and the SACP. To align with the FY26 Appropriations Bill[24], slightly less than $119 million was reallocated from the Energy Bill Assistance line to the State Energy Initiatives line. The remainder from Energy Bill Assistance was reallocated to Community Energy Grants and Whole House.

<u>**Electric Vehicles**</u>

Comment: NJLCV supported the increase in funding for CUNJ EV Incentive program, which has a $60 million budget in FY26 but encouraged the Board to fund CUNJ at $65 million as industry estimates show this is what is needed to reach the State's EV goals. NJLCV is also concerned by the $5 million drop in Multi-Unit Dwelling ("MUD") program funding, which they stated will slow progress on the EV Act's requirement that 15% of MUDs have chargers by December 2025. They asked that the funding be equitably distributed and stressed the importance of EV charging in densely populated and renter-heavy communities.

Response: Staff thank NJLCV for their comment. Staff note that the proposed CUNJ budget for FY26 is $50 million rather than $60 million. This represents a $20 million increase over the $30 million floor required by the legislature. Staff are committed to making progress towards the State's EV goals and allocate funding accordingly. Each year Staff analyze each EV program

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and optimizes the budget of each program based on available funding and with the State's goals in mind. BPU weighs a wide variety of program considerations to do so, including but not limited to equity, demand, total number of EVs registered, impact to rate payers and benefits to New Jersey residents. The CUNJ, Clean Fleet, MUD and EV Tourism Corridor Programs are all operated on a rolling basis, so applications are approved on a first come, first service basis, each of these programs as a low-income or Overburdened Municipality bonus to ensure that funds are being equitably distributed. The reductions in new Clean Fleet and MUD funding reflect current application trends and take into account FY25 carryover. Staff believe that current budgets are sufficient to meet present demand.

Comment: NJLCV raised concerns over the 14.3% reduction in the E-Mobility Program and $3 million reduction in the Clean Fleet Program given these programs' importance towards meeting State goals and supporting underserved communities. They encouraged the Board to reassess these changes.

Response: Staff are committed towards making progress towards the State's EV goals and allocates funding accordingly. Each year Staff analyze each EV program and optimizes the budget of each program based on available funding and with the State's goals in mind. BPU weighs a wide variety of program considerations to do so, including but not limited to equity, demand, total number of EVs registered, impact on ratepayers, and benefits to New Jersey residents. While SBC funding has been removed in the FY26 budget for e-mobility, the Board is still considering the program. Staff will recommend budget allocations as needed.

Comments: Channing Gardner is the CEO of Voltie, which manufactures and distributes compact battery-electric construction equipment. Gardner, in written and oral comments applauded the BPU's leadership in advancing clean energy through the Clean Energy Resource Analysis and battery electric incentive programs. He highlighted that this technology has been proven and adopted in Europe and China while the US continues to lag behind. He noted that the BPU's proposed actions are instrumental in accelerating the shift toward cleaner, safer, and more sustainable technologies, and is glad to see BPU becoming a national leader in the construction industry through the proposed changes to the Clean Fleet program.

Cherry Hill Township noted that electric equipment is a game changer for municipalities as it better meets resident's needs, is safer for employees, and saves municipalities money. However, upfront costs remain a barrier so the Township supports expanding Clean Fleet to include electric off-road and landscaping equipment.

Sangeeta Doshi supported the inclusion of electric off-road and landscaping equipment in the Clean Fleet program as it reduces localized air and noise pollution, promotes public health, and accelerates the transition to clean, zero-emission municipal operations. Doshi noted that gas powered equipment disproportionately impacts environmental justice communities and will help New Jersey meet its climate goals. Doshi urged the Board to fully fund and adopt this expansion. Doshi also expressed support for the Clean Fleet program as it is good for the environment and the people of New Jersey, noting it is supported by residents due to less noise and cleaner air.

Susan Dorward supported the inclusion of electric lawn equipment in Clean Fleet due to the environmental and noise reduction benefits.

Tri-County Sustainability requested that the Board include maximum incentives for the battery electric landscaping and charging equipment. Such equipment offers many benefits including reduced costs, improved performance and worker safety, and sustainability.

Response: Staff thank Voltie, Cherry Hill Township, Sangeeta Doshi, Susan Dorward and Tri-County Sustainability for their comments and support. The off-road program component has been removed from the FY26 budget but will continue to be reviewed.

Comment: The Lung Association supported the EV programs but is concerned about the reduction in new funding for the Clean Fleet program, which has $6 million less in new funds compared to FY25, and MUD, which has $1.9 million less in new funding compared to FY25. They stated that this decreased funding may harm the State's ability to meet its EV goals and urge the Board to maintain or increase funding compared to FY25.

Response: Staff are committed to making progress towards the State's EV goals and allocates funding accordingly. Each year Staff analyze each EV program and optimizes the budget of each program based on available funding and with the State's goals in mind. BPU weighs a wide variety of program considerations to do so, including but not limited to equity, demand, total number of EVs registered, impact on ratepayers, and benefits to New Jersey residents. The reductions in new Clean Fleet and MUD funding reflect current application trends and take into account FY25 carryover. Staff believe that current budgets are sufficient to meet present demand.

Comment: Isles expressed their support of the over $3.7 million in new funding allocated to Clean Fleet. As a community-based organization with a long-standing commitment to environmental health, Isles urged the BPU to ensure dedicated outreach and technical support for community organizations, school districts, and municipalities in OBCs that may lack capacity for procurement, grant applications, and vehicle transition planning. They also suggest bundling Clean Fleet incentives with e-mobility and energy infrastructure programs to allow coordinated charging infrastructure.

Response: Staff thank Isles for their support for the Clean Fleet program. Staff note that nothing in the program precludes recipients from using the vehicles or chargers for e-mobility projects operated by an eligible entity.

Comment: Isles was encouraged by the proposed $1 million in e-mobility funds but requested the budget be raised to $5 million. They also advocated for the Board to prioritize funding for existing programs such as GOTrenton!

Response: Staff thank Isles for their support. In terms of funding, each year Staff analyze each EV program and optimize the budget of each program based on available funding and with the State's goals in mind. Staff are continuing to plan for this program, and believe the current budget is sufficient at this stage.

Comment: Isles expressed support for the $15 million in new funding for Electric School Bus programs in FY26 and encouraged additional investment in education and outreach for school districts and organizations transporting students with their fleet transition process. They commented that this program will have environmental and public health benefits.

Response: Staff thank Isles for their support and their comment.

Comment: Environment New Jersey, the NJ Work Environment Council, and Jersey Renews, a broad diverse coalition representing more than 70 faith, labor, community and environmental organizations, supported the CUNJ program and commended the Board on the impact of CUNJ on EV sales. They stated it is difficult to have measured dialogue about the program structure without access to the modeling the Board conducts to inform program changes and development.

They noted that important structural components include the amount of the EV rebate, income based adder, continuity of the program, and most importantly how to maximize sales. They also noted the importance of the customer and dealership experience.

Environment New Jersey stated that it is impossible to address these components without stakeholder input which is difficult given the time constraints. They requested a stakeholder session in Q1 of FY 2026 and for the Board to share the modeling information it uses to make programmatic decisions.

Response: Staff thank Environment New Jersey for their comment and support for the CUNJ program. Staff note that information about program metrics was shared with stakeholders. Also, Staff value transparency highly and notes that many of the program statistics and information are available on our website, which is updated regularly: https://chargeup.njcleanenergy.com/.

Comment: NJCAR, in written and oral comments, supported the CUNJ program and praised that it ran throughout FY25 without closing like it had in previous fiscal years, noting it creates stability and ease of use. They also appreciated the historically high funding level of $50 million.

However, NJCAR believed that reducing the proposed base incentive is inconsistent with New Jersey's EV goals. NJCAR stated that the average price for an EV is $58,000 so they believe that a $1,500 incentive is insufficient, especially given that taxes and registration fees are being phased back in. They asserted that BPU has not provided evidence that a $1,500 incentive is enough to incentivize car shoppers to make a purchase.

They noted that in prior years the program exhausted its funds before the end of the fiscal year, which made it difficult for dealers and consumers. While NJCAR acknowledged that the reduced base incentive will help the program last longer, mitigating this concern, they believe that the right course is to restore a $4,000 incentive for all consumers given the increased budget.

Response: Staff thank NJCAR for their comment. Staff review the incentive levels continually, considering both the impact within New Jersey and the design of other state programs. BPU weighs a wide variety of program considerations, including but not limited to equity, program cost, total number of EVs registered, impact on ratepayers, and program longevity. The current structure not only will increase the total number of EVs registered in NJ but will simultaneously help LMI people purchase a vehicle by maintaining the income qualified incentive at $4,000. In addition, this structure allows the program to run for the longest amount of time. Staff will continue to evaluate these factors and optimize program design to maximize public good and make meaningful progress towards reaching the State's electrification goals.

Staff note that the proposed FY26 program structure raises the income qualified incentive so that residents who are the most price sensitive, are still eligible for a $4,000 total incentive. Individual tax filing residents with an Adjusted Gross Income ("AGI") of less than $75,000 are eligible for the $4,000 incentive while married couples filing jointly with an AGI of less than $150,000 are eligible for the $4,000 incentive as well. Additionally, Staff agree that as we moved through most of the Early Adopter phase consumers need stability in the incentive in order to access the incentive when they are purchasing a vehicle, which is why the proposed structure was selected.

Comment: NJCAR stressed the need for transparency and states that the portal providing information about program expenditures should be updated more than once every 3 months.

Response: Staff believe transparency is important and are currently meeting or exceeding most of NJCAR's requested benchmarks. For example, NJCAR requested that the funding tracker on the CUNJ Program website shows funding availability in real-time, and the statistics for program are updated monthly. This is the best place for Dealerships to check on available funds. The funding tracker and a wide variety of program statistics can be found at https://chargeup.njcleanenergy.com/. The process from Approved to Paid takes less than 30 days.

The dealer portal currently provides application details and status, and additional changes are planned for 2025.

A marketing campaign both for dealers and consumers is put into place at the start of the new fiscal year, those campaigns take into consideration the feedback we receive from dealers and customers in their survey responses.

Staff also note that the CUNJ administrator runs an EV Sales training program, ElectrifyIQ, which is available to dealerships at no cost.

Comment: NJCAR believed incentives for an EV subscription service will increase EV adoption by allowing consumers who are unwilling to make the investment in an EV to still go electric. So, NJCAR advocated for EV subscription incentives.

Response: Staff thank NJCAR for their comments. Staff agree that it is important for consumers to have choices that meet their unique lifestyles and needs. However, Subscription Programs do not currently provide customers with Battery Electric Vehicles under $55,000 at all times. Until that legislatively mandated threshold has been met, incentives may not be utilized. Staff look forward to continued discussions on this issue.

Comment: Rate Counsel raised concerns about the total EV budget, which is $209.9 million, including $110 million in carryover, and the increase in the EV budget over FY25. In the Clean Transportation Stakeholder meeting, Rate Counsel noted that they believe this results in an overcollection of money from ratepayers and that EVs should not be incentivized by the Board at all.

Response: Staff note that many EV projects take time to complete. For example, charger installations can take two years due to project delays such as ordering parts and permitting issues. This means funds that have already been reserved for a grantee need to be rolled over to future fiscal years as BPU pays the grantee once the project has been completed.

The FY25 Estimated Carryforward—Pending Board Approval category is for programs that Staff are currently working to develop. It is also important to note that the appropriation of SBC funds for the MHD Depot budget line, which is listed under this category, is statutorily mandated. The FY25 Estimated Carryforward—Board Approved category is for funding that Staff estimate will be obligated by the end of FY25 for the respective program budget line. The FY25 Estimated Committed Carryforward category is for obligated funds that have already been awarded to grantees, with fully executed grant agreements, which are pending project completion to be paid out. This means that the portion of the EV budget that is available for Staff in FY26 to use on new grantees or projects is the sum of the FY26 New Funding and the FY25 Estimated Carryforward—Pending Board Approval, bringing the available budget to $108,427,894. Of that only $9,500,000 is in FY25 Carryforward Pending Board Approval. It is also important to note that FY26 New Funding for the Plug-In Incentive Fund and the Electric School Bus Program are also statutorily mandated. Staff also note that details regarding awards for each fiscal year were presented during the stakeholder session which are available here.

Comment: Rate Counsel raised concerns about BPU funding EVs as they are not a utility program. Rate Counsel noted that the legislature required the Board to allocate $30 million towards EVs and stated that the legislature believes this threshold to be sufficient. They requested a justification for an EV budget that is seven times larger than $30 million. They also stated that BPU does not coordinate with utilities leading to duplicative funding.

Response: Staff thank Rate Counsel for their comment. As Rate Counsel acknowledged, BPU is legislatively required to fund EV programing. Staff note that P.L. 2019, c. 362 requires the Board to fund a Light Duty Electric Vehicle Incentive Program (CUNJ) at a minimum of $30 million. This law also provides the Board the authority to fund CUNJ at higher levels and does not provide a specific funding level that is “sufficient.” Staff also note that the $30 million floor is just for CUNJ, not EV programing as a whole.

Additionally, in FY25 the Governor provided an additional $20 million in General Fund monies for CUNJ. In FY26 the Governor has directed BPU to spend a minimum of an additional $20 million in SBC funding on CUNJ as reflected in the proposed FY26 Budget which allocates $50 million in SBC dollars to CUNJ.

Additionally, the EV Act, P.L. 2019, c. 362, directs the Board to establish programs to help the State meet the goals set in the EV Act, including goals related to light duty EV adoption, public charging infrastructure, MUD charging infrastructure, governmental fleet electrification, and Medium and Heavy Duty (“MHD”) electrification.

The EV Tourism programs are designed to help meet the EV Act goal for hotels, requiring at least 20% of all franchised overnight lodging establishments shall be equipped with charging stations by the end of 2025 and 50% by the end of 2030. The EV Act also establishes goals for public DC Fast Chargers (“DCFC”) at travel corridor locations for at least 75 charging locations with at least two DCFCs and at community locations for at least 100 charging locations with at least two DCFCs by the end of 2025.

The MUD Program is designed to meet the EV Act goal requiring at least 15% of MUDs have charging infrastructure by the end of 2025 and 30% of MUDs should have this infrastructure by 2030.

The Clean Fleet program is designed to meet the goal requiring:

a) at least 25% of State-owned non-emergency light duty vehicles shall be plug-in EVs;

b) by December 31, 2035, and thereafter; and

c) 100% of State-owned non-emergency light duty vehicles shall be plug-in EVs.

It is also designed to help NJ Transit meet the goals of the EV Act: December 31, 2024, at least 10% of the new bus purchases made by the New Jersey Transit Corporation shall be zero emission buses, and (b) the percentage of zero emission bus purchases shall increase to 50% by December 31, 2026, and 100% by December 31, 2032, and thereafter.

The EV Act also gives the Board the authority to establish MHD electrification goals and gives the Board the authority to adopt policies that work towards any of the EV goals covered in the EV Act.

Therefore, each program Staff currently administer or propose are legislatively authorized under the EV Act.

Additionally, the EV Act also amends the authorized uses of the Societal Benefits Charge to include "plug-in electric vehicles and plug-in electric vehicle charging infrastructure."

Staff note that there is regular coordination between BPU, NJDEP and utilities to ensure that there is no duplication of programming. In addition, the utility and BPU incentives were designed to be complimentary rather than duplicative, as utilities may only provide funding for Make-Ready infrastructure, and BPU incentives provide funding primarily for the chargers themselves. Also, Staff note that no grantee can receive over 90% of their project costs from government and utility incentives. Grantees are not permitted to stack BPU incentives with NJDEP's Pay$ to Plug program.

Comment: Rate Counsel commented that the CUNJ FY26 Compliance Filing provides a high level overview of the CUNJ Program. Rate Counsel stated that it does not provide any data, information, analysis, or evaluation and therefore provides no support for the FY26 EV budgets or programs. Rate Counsel also advocated for the elimination of the non-LMI portion of the program.

Response: Staff thank Rate Counsel for their comment. Staff note that data regarding previous and current programs was provided during the stakeholder session and can be found here. Staff value transparency and note that many of the program statistics and information are available on our website, which is updated regularly: https://chargeup.njcleanenergy.com/.

Comment: Rate Counsel asserted that the line item for EV Studies, Pilots, and Administrative Support is vague and that there are very few details about the plans for this or the timeline, including that of the EV Roadmap. They also questioned the movement of funding from the CUNJ administrative fund to this line item.

Response: The EV Studies, Pilots and Administrative Support line is designed to fund such programs as approved by the Board. The EV Roadmap is a collaborative statewide project coordinated through the Partnership to Plug In.

Comment: Rate Counsel supported lowering the base incentive from $2,000 to $1,500. They also stated that the off-road component of Clean Fleet is vague and inconsistent with New Jersey's goals. They also requested that the progress of the EV goals, forecasts or projections, and justification for the tiered CUNJ structure were provided. Rate Counsel stated that the caps for Clean Fleet equipment reimbursements are not specified.

Response: Staff thank Rate Counsel for their comments. Staff note that the off-road program component has been removed from the FY26 Budget but will continue to be reviewed. Staff note that BPU's information about the previous and current year incentive programs were shared during the stakeholder session, that information can be found here. Also, Staff value transparency and note that many of the program statistics and information are available on our website, which is updated regularly: https://chargeup.njcleanenergy.com/. Staff also note that the Clean Fleet program is designed to help incentivize governments to meet goals of the EV Act, but BPU is not responsible for funding or tracking all EVs in state government. Information regarding the number of vehicles funded is included in the data shared during the stakeholder session.

Additionally, Staff note that the compliance filing stated that the eligibility caps are based on population and location. Detailed information about the program, including the equipment caps is available on our website at https://chargeup.njcleanenergy.com/clean-fleet.

Comment: Rate Counsel requested detailed program projections for the upcoming fiscal year and information about past program performance, including the number of LMI residents that own an EV, the location and accessibility of the chargers, the operability of the chargers installed under the program, and a justification for the 50% OBM bonus.

Response: Staff note that detailed information about the incentives provided, including the number of chargers installed in OBMs and affordable housing complexes is available on our website and is updated monthly: https://chargeup.njcleanenergy.com/mud-incentive-statistics. The amount of money spent on chargers in OBMs is also available on the same dashboard. All BPU programs require chargers to be operational for at least 5 years and must meet or exceed the Federal uptime requirement of 97%. Additionally, Staff note that chargers funded under the MUD program are required to be accessible to all residents in the complex, but they are not required to be publicly accessible. The number of vehicles sold, and the associated program expenditures, to LMI residents under our program are available on our website: https://chargeup.njcleanenergy.com/charger-incentive-statistics. The NJDEP is responsible for tracking details related to overall EV sales; information can be found at https://dep.nj.gov/drivegreen/.

Comment: Rate Counsel requested data on how many tourists visit New Jersey, whether they stay overnight, and how many more tourists would visit New Jersey due to the program. They stated that no data is provided on how the funding is split between community and tourist use.

Response: Staff thank Rate Counsel for their comment. Range anxiety is a well-documented obstacle to adoption, as well as a frequent concern noted on surveys of incentive recipients.

Furthermore, research shows that robust charging networks mitigate this concern, which is what the EV Tourism aims to accomplish. A more comprehensive charging network encourages people with an EV to road trip to and in New Jersey as opposed to other states where charging is less comprehensive or there is more congestion at chargers.

Staff note that all EV chargers installed under the EV Tourism program are required to be open to the public. The EV Tourism Corridor Program specifically aims to install public fast chargers along state and federal highways to encourage public charging in general, and funds Level 2 chargers for guests at hotels along such highways to meet the goals as established in the EV Act.

Comment: Rate Counsel believed that e-mobility will not decrease emissions and will instead replace traditional bikes and scooters. Also, they raised safety concerns associated with e-bikes and e-scooters. Rate Counsel commented that one of the stated goals of the e-mobility program is to reduce Vehicles Miles Traveled ("VMT"), which they stated is not covered under New Jersey's EV goals. They also question the need for a pilot.

Response: Staff thank Rate Counsel for their comment. E-mobility solutions help displace cars, especially in areas with vehicle traffic congestion, these programs are often most needed and impactful in LMI income neighborhoods. Reducing VMT directly reduces emissions because each VMT traveled by a conventional vehicle emits GHG emissions. Any VMT diverted to e-mobility prevents the emissions from being released which dramatically reduces emissions. Staff note that e-mobility is a new and developing field which is why Staff continue to work on designing a program to address New Jersey ratepayer's needs. While funding has been removed in the FY26 NJCEP Budget, the Board is still considering the program. Staff will recommend budget allocations as needed.

Comment: Rate Counsel expressed their support for electrifying school buses. However, they commented that no details on or historical results of the program are provided.

Response: Staff thank Rate Counsel for their support with electrifying school buses. Staff note that BPU is statutorily mandated to provide $15 million to the NJDEP for their Electric School Bus Program. The program provides incentives for school buses, both Level 2 and DC Fast Chargers, and Bi-Directional Charging and is expecting another round of solicitations in FY26. As such, all program details including potential historical results are managed by the NJDEP. More information is available on their website: https://dep.nj.gov/drivegreen/mhdv-funding-and-incentives/.

Staff recognize the disproportionately high impact of the MHD sector on emissions and continue to carefully consider policies to address MHD electrification.

Comment: Rate Counsel asked BPU whether Vehicle to Grid ("V2G") pilots are included in the statutes governing the NJDEP School Bus Program.

Response: Staff thank Rate Counsel for their comment and note that P.L. 2022, c. 86 instructed the NJDEP to test technologies such as V2G. The text of the Statute is available on the State's website: https://pub.njleg.gov/Bills/2022/PL22/86_.HTM.

Comment: Rate Counsel stated that no details were provided on the Medium Heavy Duty Depot program and what was accomplished since the program began.

Response: Staff thank Rate Counsel for their comment and note that the Medium Heavy Duty Depot program has not opened and is still in development. As such, there are no historical results.

Comment: ChargeScape noted the increasing importance of V2G technologies as the grid transitions to renewable energy. They stated that V2G pilots have several benefits including easing peak demand, assisting the technology reach scale, and lowering total cost of ownership. ChargeScape advocated for using the $1.5 million in proposed funding for EV Studies, Pilots, and Administrative Support to fund V2G pilots.

Response: Staff thank ChargeScape for their comment and acknowledge the importance of V2G. Each year Staff analyze each EV program, including the EV Studies, Pilots, and Administrative Support, and optimize the budget of each program based on available funding and with the State's goals in mind. BPU weighs a wide variety of program considerations to do so, including but not limited to equity, demand, total number of EVs adopted, impact on ratepayers, and benefits to New Jersey residents. Staff also note that aspects of the BPU and utility programs were designed to ensure infrastructure is prepared for future technologies, including V2X, by requiring all funded chargers and make ready be networked and share charging data. These requirements help ensure that funded chargers are ready for managed charging and potential V2X.

Comment: ChargEVC-NJ submitted comments, both written and orally at the Transportation Public Hearing, which expressed both appreciation and concern regarding the FY2026 Compliance Filing for the CUNJ program. ChargeEVC-NJ commended the proposed increase in the program's annual budget to $50 million, which better aligns with the state's EV adoption goals. However, they strongly opposed the proposed reduction in the base EV rebate from $2,000 to

$1,500, emphasizing that continuous rebate cuts, paired with rising EV costs, potential removal of federal tax incentives, and the removal of other state incentives like the sales tax exemption and the imposition of a new EV registration fee send conflicting signals about New Jersey's commitment to supporting EV market growth. ChargEVC-NJ also highlighted persistent concerns about the program's evolving design, particularly the introduction of income eligibility requirements and the lack of transparency and timely stakeholder engagement.

ChargEVC-NJ recommended reinstating a $4,000 base rebate to ensure the program meaningfully influences consumer behavior and addresses the growing affordability gap, especially amid potential losses to the federal $7,500 EV tax credit, rising interest rates, and new tariffs. They also expressed support for the Charge Up+ LMI incentive but stressed that it should be additive, not a replacement for a strong base rebate, especially given the lack of clarity around actual demand for the LMI segment.

ChargeEVC-NJ argued that important data such as transaction-level information and insights into income-qualified program participation are provided to stakeholders only days before public comment deadlines, which does not allow stakeholders sufficient time to analyze the data, provide meaningful feedback and program design recommendations.

Finally, ChargEVC-NJ urged the Board to improve transparency by sharing modeling assumptions and relevant data early in the program planning process. They called for stakeholder meetings in the first quarter of 2026 to collaboratively shape the next year's program and ensure the policy-making process reflects best practices.

Response: Staff thank ChargeEVC-NJ for their comments and suggestions, as well as their support for increased funding of the ChargeUp NJ program in FY26.

Staff review the incentive levels continually, considering both the impact within New Jersey and the design of other state programs. Staff evaluate and weigh a wide variety of program considerations, including but not limited to equity, program cost, total number of EVs adopted, program longevity, impact on ratepayers, the impact of potential changes to Federal incentives and the State sales tax and registration fees. The proposed FY26 incentive structure will not only increase the total number of EVs registered in New Jersey, but it will simultaneously help LMI residents purchase a vehicle by maintaining the total income qualified incentive at $4,000.

Staff note that the proposed FY26 program structure raises the income qualified incentive so that LMI residents, who are the most price sensitive, are still eligible for a $4,000 total incentive. Individual tax filer residents with an AGI of less than $75,000 are eligible for the $4,000 incentive while married couples filing jointly with an AGI of less than $150,000 are eligible for the $4,000 incentive.

The proposed incentive structure allows the program to stay open longer, which is also an important factor, as program interruptions have historically led to significant drops in EV adoption that disproportionately impact LMI residents who often lack the flexibility to delay vehicle purchases until incentives resume. Data shows that EV sales trends in New Jersey typically show higher volumes during periods when the program has been open, with incentivized vehicles accounting for approximately one third of all EVs sold during months that the program was open.

Staff further note that information regarding the incentive program, including data on the income qualified segment of the program is available on the CUNJ program website and is updated regularly: https://chargeup.njcleanenergy.com/incentive-statistics. Staff also value transparency and note that information about regarding past program performance was shared during the stakeholder meeting and can be found here.

Comment: Robert Erickson noted that the EV incentive was reduced from $4,000 in FY24 to $2,000 in FY25, and in FY26, the incentive will be further reduced to $1,500, except for income-eligible buyers. He emphasized that the reduction was not the intention of previous comments, which aimed to increase funding so the $4,000 incentive could last the entire year without running out early. Instead, the intent was to increase the EV incentive funding so it lasts the entire funding year while retaining at least the $4K per EV purchase incentive.

Erickson argues that the EV incentive needs to be increased back to the $4K level with adequate funding provided to last the entire year, saying it is okay to add an additional incentive for income eligible, but not to cut the primary incentive to fund it. He suggests the eligible MSRP should be a maximum of $45K for all EVs as there is no reason for NJ to provide an incentive for those that can afford more expensive EVs.

Response: Staff thank Robert Erickson for their comments. Staff review the incentive levels continually, considering both the impact within New Jersey and the design of other State programs. Staff weigh a wide variety of program considerations when developing their final recommendations to the Board, including but not limited to equity, program cost, total number of EVs adopted, program longevity, impact to ratepayers, potential changes to Federal incentives and the State sales tax and registration fees.

The proposed FY26 incentive structure will not only increase the total number of EVs registered in New Jersey but will simultaneously help LMI residents purchase a vehicle by maintaining the total income qualified incentive at $4,000. BPU's projections have shown that this incentive structure results in the most vehicles on the road. Staff note that the proposed FY26 program structure raises the income qualified incentive so that these residents, who are the most price sensitive, are still eligible for a $4,000 total incentive.

Staff note that the $55,0000 MSRP cap was established by the EV Act.

Comment: Robert Erickson suggested that the 2025 EMP and FY26 NJCEP should address the new $290 annual EV road tax, as it disproportionately affects LMI and low-mileage drivers, and hinders the used EV market in New Jersey. Additionally, the 2025 GOP House reconciliation bill imposes a $250 annual fee on EV owners. Combined, these fees total $540 annually for EV owners in New Jersey, regardless of mileage, car age, or financial status, compared to less than $100 for gas car registration. This is regressive, as drivers of large diesel or gas vehicles pay less despite higher mileage, even when fuel taxes are considered. Furthermore, New Jersey already collects an electric sales tax from utilities, making part of this EV road tax a form of double taxation.

Response: Staff thank Robert Erickson for their comments and note that the BPU reviews the program incentive levels continually, weighing a wide variety of program considerations, including but not limited to equity, program cost, total number of EVs adopted, program longevity, impact on ratepayers, changes to Federal incentives and the State sales tax and EV registration fee. Staff note that the proposed FY26 program structure raises the income qualified incentive so that LMI residents, who are the most price sensitive, are still eligible for a $4,000 total incentive.

Comment: Robert Erickson recommended that the income eligible EV CUNJ Incentive process should use NJ income documentation directly from the NJ tax department, eliminating the need for users to obtain and upload federal tax transcripts, which are difficult to access. Currently, the process requires these transcripts, making it bureaucratic and misleading, contrary to the program's goal of facilitating EV purchases. The website's claim that the process is "Easy" is misleading, as the requirement for a federal tax transcript, rather than the expected NJ tax filing or 1040 form, creates confusion and potential delays for applicants.

Response: Staff thank Robert Erickson for their comments and suggestions for consideration on improving the pre-qualification application process. Staff also note that the ChargeUp+ program offers many additional options for valid documentation that residents can submit to verify their income in order to pre-qualify for the income qualified incentive, the full list of can be found on the program website: https://chargeup.njcleanenergy.com/how-to-apply. Accepting such a wide variety of documentation for proof of income allows residents to submit the most convenient option for them, simplifying the process.

Since the launch of the income qualified adder in September, 3,300 residents have successfully prequalified for the incentive and so far 2,500 have redeemed their prequalification ID at a participating dealership.

Staff further note that pre-qualification for the income verified incentive is necessary to ensure program compliance, and that approvals are valid for 120 days to provide sufficient time for applicants to purchase their EV.

Comment: Robert Erickson commented that at a 2024 NJCEP hearing, he raised concerns about the lack of DC fast chargers for EVs in New Jersey which could deter EV purchases. In 2024, only a few fast chargers were identified in the Cape May area, and none in Atlantic City or nearby communities. However, by 2025, there was a significant increase, with over 30 chargers identified near Cape May and at least 20 in Atlantic City. This improvement is promising, but further expansion is needed. He recommended the 2024 EMP and NJCEP outline a detailed plan, funding, and schedule to deploy more DC fast chargers statewide, including in LMI communities, to support the EV program's growth.

Response: Staff thank Robert Erickson for their comments. Staff continue to evaluate the progress and impact of our EV and EV charger programs to ensure the most effective and efficient build-out of EV charging infrastructure in New Jersey, helping to meet our state's transportation electrification goals. Staff note that the EV Tourism Corridor Charging program, which recently opened at the end of April 2025 and is accepting application on a rolling basis, was designed to specifically increase the build-out of charging infrastructure at travel-centric locations along major corridors in New Jersey. This program aims to reduce range anxiety for EV travelers by providing incentives for DC Fast chargers to businesses, hotels, government entities, and non-profits within 1 mile of eligible corridors, and for both DC Fast Chargers and Level 2 chargers for hotels within 3 miles of an eligible corridor. Staff further note that bonus incentives are provided to sites located in OBMs. More information on the program can be found on the program website: https://chargeup.njcleanenergy.com/ev-tourism-corridor. Also, the Clean Fleet program provides funding for chargers, including DCFC fast chargers open to the public.

Comment: Robert Erickson provided a list of factors impeding EV adoption including state taxes on EVs, potential federal EV taxes, the elimination of the exemption for the state sales tax, the cuts in the CUNJ base incentive, the possible repeal of the Clean Vehicles Tax Credit from the federal government, and delays with obtaining the CUNJ+ incentive. Erickson states that these factors make gas/hybrid models more attractive financially and that customers may not realize that there are substantial savings per mile using electricity instead of gas which may partly or fully offset the higher upfront costs. He also notes dissatisfaction with the state's EV charging network and model selection for lower MSRP EVs, etc.

Response: Staff thank Robert Erickson for their comments and understand that there are various barriers to EV adoption that continue to evolve and that which are also affected by changes in both State and Federal policies. Staff review the incentive levels continually, considering both the impact within New Jersey and the design of other state programs. Staff weigh a wide variety of program considerations when developing their final recommendations to the Board, including but not limited to equity, program cost, total number of EVs adopted, program longevity, impact to ratepayers, as well as changes to Federal incentives and the State sales tax and registration fees.

The proposed FY26 incentive structure will not only increase the total number of EVs registered in New Jersey but will simultaneously help LMI residents purchase a vehicle by maintaining the total income qualified incentive at $4,000. BPU's projections have shown that this incentive structure results in the most vehicles on the road. The proposed FY26 program structure raises the income qualified incentive so that these residents, who are the most price sensitive, are still eligible for a $4,000 total incentive.

Staff do not select models for the CUNJ incentive. Manufacturers submit a request to Staff to include a model in the Program. Staff approve all requests that comply with the program terms and conditions, which are available on our website: https://chargeup.njcleanenergy.com/. All manufacturers that are authorized to sell vehicles in the state of New Jersey are encouraged to apply.

Comment: Robert Erickson suggested the 2024 EMP and NJCEP should prioritize a rapid increase in electric school and other buses through aggressive scheduling and funding. He noted that in 2024, only 21 electric school buses were operational out of 21,700 in New Jersey, though up to 200 more were reportedly ordered. This would still represent only about 1% of the total, indicating significant progress is needed to meet GHG reduction goals and improve health outcomes for school children and communities near buses. Additionally, he stated that New Jersey Transit and other bus operators should also transition to EVs. The NJCEP should enhance public tracking and reporting of electric school buses by school district to provide transparent updates on orders, deliveries, and operational status, rather than relying on scattered media reports, to ensure the success of this crucial initiative.

Response: Staff thank Robert Erickson for their comments and notes that $15 million is included in the FY26 EV Programs budgets, which is statutorily mandated to be provided to the NJDEP for their Electric School Bus Program. As such, any program tracking or public disclosures are handled by the NJDEP. The program provides incentives for school buses, Level 2 and DC Fast Chargers, and Bi-Directional Charging and is expecting another round of solicitations in FY26. You can find more information of the program on their website: [https://dep.nj.gov/drivegreen/mhdv-funding-and-incentives/.](https://dep.nj.gov/drivegreen/mhdv-funding-and-incentives/) Staff recognize the disproportionately high impact of the MHD sector on emissions, and continue to carefully consider policies to address MHD electrification.

Workforce Development

Comment: Isles raised concerns that clean job training programs are no longer a line item in the proposed FY26 budget, a major shift from the previous budget which allocated $22 million. They emphasized that job training programs and opportunities in the clean energy space are a major driving force behind support for clean energy in the state, and at a time like this when energy costs are rising and our energy grid grows more and more strained from increased demand, it is critical to support workforce development and job training efforts in the renewable energy sector. They stated that investing in our workforce is key to meeting New Jersey's clean energy goals, meeting increasing demand and securing a clean, healthy future.

Response: Staff recognize the importance of workforce development and job training efforts in the renewable energy sector. Recent industry challenges have led to adjustments in funding to the NJ Wind budget, which supported job training programs. Staff will continue to assess future funding opportunities to invest in workforce development efforts as the industry progresses.

REVISIONS TO PROPOSED FY26 COMPLIANCE FILINGS AND PROPOSED FY26 BUDGET

Following the posting of the Proposed FY26 Compliance Filings and stakeholder comments received in regard to the Proposed FY26 Budget, these documents were revised as follows.

1. To align with the FY26 Appropriations Bill[25], $124,989,000 was reallocated to support State Energy Initiatives, comprising slightly less than $119 million from Energy Bill Assistance, $5 million from UHI and $1 million from MUD.
2. Slightly less than $119 million was reallocated from the Energy Bill Assistance line to the State Energy Initiatives line. The remainder from Energy Bill Assistance was reallocated to Community Energy Grants and Whole House. The Energy Bill Assistance initiative will be fully supported by RGGI and the SACP.
3. Approximately $6 million was reallocated from the Energy Storage line. The remaining carryforward in the Energy Storage line was allocated for Distributed storage. Transmission-Scale storage will be fully funded by the Ørsted settlement funds. The exact allocation of funding between Distributed and Transmission-Scale storage is yet to be determined.
4. $10 million was reallocated to Community Energy Grants.
5. $1 million from E-Mobility Programs was reallocated. While SBC funding has been removed in the FY26 budget for E-mobility, the Board is still considering the program. Staff will recommend budget allocations as needed.
6. Based on stakeholder feedback, SBC funding has been allocated in anticipation of a permanent Whole House Program. The permanent program will require Board approval.
    - $3 million was allocated to Whole House.
7. Based on stakeholder feedback, Staff recommends that the CHP-FC Program remain open to new applications and unchanged until further policy development can be completed to transition to a renewable energy fuel pathway. Any future Staff recommendations will require Board action.
    - The language in the TRC Compliance Filing was updated to reflect this change.
8. DCE Compliance Filing: Adjustments were made to the Clean Fleet, and EV Tourism program descriptions.
    - Language was added to the E-Mobility Programs, Energy Storage, and Clean Energy Affordability sections discussing the funding adjustments.
    - Energy Bill Assistance program description was removed.
    - The detailed budget table was adjusted to reflect the budget shifts.

[25] S.2026/A.5800 (2025).

9. CRA: Language was added to the Storage and Clean Energy Affordability sections to align with the addition of the Whole House program and Storage allocations. The Proposed FY26 Funding Levels table was updated.
10. TRC Compliance Filing: Cover page updated to "FY26 Budget".
11. DPMC DPL: RGGI funding is no longer anticipated to support the NJDEP Parks Upgrade. Money was reallocated based off of updated estimates of project costs.

THE ØRSTED SETTLEMENT FUNDS

On May 25, 2024, the State of New Jersey and the Board entered into a settlement agreement with Ørsted A/S, Ørsted North America Inc., Ørsted Wind Power North America LLC, Ocean Wind LLC, and Ocean Wind II, LLC (collectively, "Ørsted") in connection with the cancellation of the Ocean Wind 1 and Ocean Wind 2 projects.[26] As part of that agreement, Ørsted agreed to pay the State a sum of $125,000,000 to be used, "[i]n the absolute sole discretion of the Board," for clean energy programs including "programs to encourage meeting the State's clean energy goals under the State's Energy Master Plan."[27] Goal 2.3.6 of the State's 2019 Energy Master Plan calls for developing 2.5 GW of energy storage by 2030 and 8.7 GW of energy storage by 2050.[28] The Proposed FY26 Compliance Filings and Budgets proposed allocating the settlement funds to support the Board's energy storage programs. Staff note the successful launch of Phase 1 of the GSESP[29] on June 18, 2025, which seeks to incentivize transmission-scale projects.

STAFF RECOMMENDATIONS

The FY26 Compliance Filings and Budgets set out in detail the rationale utilized by Staff and the program administrators to develop the Proposed FY26 Programs and Proposed FY26 Budget. Having reviewed and considered the comments regarding the FY26 Compliance Filings and Budgets, Staff recommend that the Board approve both the Proposed FY26 Compliance Filings and Proposed FY26 Budget with the changes detailed above, and the process used to develop them.

DISCUSSION AND FINDINGS

Consistent with the Program Administrator Contract, Staff coordinated with the TRC Team regarding the Proposed FY26 Compliance Filings and Budgets, as well as the comments received on the same. The Proposed FY26 Compliance Filings and Budgets were distributed to the BPU listserv and posted on the NJCEP website. Staff accepted oral comments on the Proposed FY26 Compliance Filings and Budgets at a public hearing, solicited written comments from stakeholders and the public, and reviewed and considered these comments. In addition, Staff consulted with DEP with respect to the CRA as required by statute. Accordingly, the Board **HEREBY** **FINDS** that the processes utilized in developing the FY26 Compliance Filings and Budgets were

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[26] In re the Board of Public Utilities Offshore Wind Solicitation for 1,100 MW – Evaluation of OSW Applications, BPU Docket No. QO18121289, Settlement Agreement dated May 25, 2024.

[27] Id. at 3-4.

[28] New Jersey Board of Public Utilities, 2019 New Jersey Energy Master Plan: Pathway to 2050, 127, available at https://nj.gov/bpu/pdf/publicnotice/NJBPU_EMP.pdf.

[29] Notice, In the Matter of the New Jersey Energy Storage Incentive Program, BPU Docket No. QO22080540, https://www.nj.gov/bpu/pdf/publicnotice/Notice_StakeholderMeetings_NewJerseyEnergyStorageProgram.pdf.

appropriate and provided stakeholders and interested members of the public with notice and opportunity to comment on them.

The Board has reviewed the FY26 Compliance Filings and Budgets, written and oral comments submitted by stakeholders, and Staff's recommendations. The Board **HEREBY FINDS** that the FY26 Compliance Filings and Budgets will benefit customers and are consistent with the NJCEP's primary objectives of lowering energy bills, reducing demand for electricity, emitting fewer pollutants into the air, and creating jobs. Further, the programs reflected in the FY26 Compliance Filings and Budgets will provide environmental benefits, and are otherwise reasonable and appropriate. Therefore, the Board **HEREBY APPROVES** the FY26 Compliance Filings and Budgets.

The Board **HEREBY DIRECTS** Staff to work with the Program Administrator to update relevant program documents, such as applications and program manuals, and to take the necessary steps to implement the programs and changes ordered herein, including but not limited to, the provision of adequate notice of such changes.

The budgets approved herein are based on estimated FY25 expenses and once final FY25 expenses are known, are subject to "true up" in a future Order(s). For example, if actual FY25 expenses are less than the estimated expenses for any program, then the unspent amount will carry over into FY26. To the extent that FY26 budgets approved herein are below FY26 expenses due to actual FY25 expenses being less than estimated FY25 expenses, the Board **HEREBY AUTHORIZES** the Fiscal Office to pay all invoices for approved program expenses during FY26.

Pursuant to its authority under N.J.S.A. 48:2-40 and as required, the Board may reopen this matter and adjust the FY26 budgets. Any such adjustments will be considered by the Board and memorialized in a separate Order. The budgets approved herein are contingent on appropriations by the Legislature and subject to State appropriations law.

Pursuant to the terms of the May 25, 2024, settlement agreement, the Board has sole discretion to use the Ørsted settlement funds to support clean energy programs that support the State's clean energy goals under the EMP. The Board **HEREBY FINDS** that the GSESP will support the State's clean energy goals under the EMP, in particular Goal 2.3.6. The Board **HEREBY AUTHORIZES** the use of the Ørsted settlement funds totaling $125,000,000 plus accrued interest to support the GSESP. The Board **HEREBY DIRECTS** Staff to take all necessary steps to effectuate this release.

This Order shall be effective on June 30, 2025.

DATED: June 30, 2025

BOARD OF PUBLIC UTILITIES
BY:

CHRISTINE GUHL-SADOVY
PRESIDENT

DR. ZENON CHRISTODOULOU
COMMISSIONER

MARIAN ABDOU
COMMISSIONER

Michael Bange

MICHAEL BANGE
COMMISSIONER

ATTEST:

SHERRI L. GOLDEN
SECRETARY

IN THE MATTER OF THE CLEAN ENERGY PROGRAMS AND BUDGET FOR FISCAL YEAR 2026

DOCKET NO. QO25040206

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