

SENATE, No. 1217

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JANUARY 25, 2018

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Co-Sponsored by:

Senators Singleton and Brown

SYNOPSIS

Requires BPU consideration and approval of amended application for qualified wind energy project offshore in certain NJ territorial waters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/27/2018)

1 AN ACT concerning offshore wind energy and amending P.L.2010,
2 c.57.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 4 of P.L.2010, c.57 (C.48:3-87.2) is amended to read
8 as follows:

9 4. a. The board **【may】 shall** approve, subject to the project
10 obtaining the necessary permits, approvals, and authorizations from
11 the Department of Environmental Protection, a qualified wind
12 energy project located in territorial waters offshore of a
13 municipality in which casino gaming is authorized, and authorize
14 offshore wind renewable energy certificates for that project. Any
15 such project shall be a nominal 20 megawatts and no more than 25
16 megawatts in nameplate capacity and comply with the requirements
17 set forth in section 3 of P.L.2010, c.57 (C.48:3-87.1) , and the
18 cumulative number of wind turbines approved for the project shall
19 not exceed six .

20 b. Within 30 days following the date of enactment of P.L. ,
21 c. (pending before the Legislature as this bill), the board shall
22 provide a 90-day period for the submission of an amended
23 application under this section for the qualified wind energy project
24 to be located in territorial waters offshore of a municipality in
25 which casino gaming is authorized for which an original application
26 therefor had been submitted to the board prior to the date of
27 enactment of P.L. , c. (pending before the Legislature as this
28 bill). The board's review of this amended application shall be
29 limited to addressing any modifications that may be needed to meet
30 any concerns expressed or considered by the board prior to the date
31 of enactment of P.L. , c. (pending before the Legislature as this
32 bill) specifically concerning the issues of turbine selection and
33 substantiation of financial viability.

34 Following conclusion of the 90-day period required by this
35 subsection, the board shall from time to time provide a period for
36 submission of applications under this subsection that may differ in
37 length from the 90-day period provided in this subsection.
38 (cf: P.L.2010, c.57, s.4)

39

40 2. This act shall take effect immediately.

41

42 STATEMENT

43

44 This bill would require the New Jersey Board of Public Utilities
45 (board) to provide for the submission of an amended application for

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 the qualified wind energy project that the board is currently
2 authorized to approve under existing law. Specifically, under
3 section 4 of P.L.2010, c.57 (C.48:3-87.2), the board is authorized to
4 approve a qualified wind energy project that is located in territorial
5 waters offshore of a municipality in which casino gaming is
6 authorized.

7 This bill would require the board, within 30 days after
8 enactment, to provide a 90-day period for the submission of an
9 amended application for such a project for which an original
10 application therefor had been submitted to the board prior to the
11 date of enactment of this bill. The board's review of this amended
12 application would be limited to addressing any modifications that
13 may be needed to meet any concerns previously expressed or
14 considered by the board specifically concerning the issues of
15 turbine selection and substantiation of financial viability. This bill
16 also provides that the cumulative number of wind turbines approved
17 for the project would not exceed six.

18 Lastly, the bill would require the board, following
19 conclusion of the required 90-day period, to provide from time to
20 time a submission period that may differ from the 90-day application
21 period.