



**The FY27 Clean Fleet EV and EV Charging Program
Terms and Conditions**

Version One

July 1, 2026

Table of Contents

Definitions 3

Program Overview 7

Program Administrator 8

Goals and Eligibility 8

Vehicle Eligibility 9

Equipment Eligibility 9

Procedure..... 10

Selection of Approved Charging Station and Network Service Provider 12

Cancellation Policy 13

Charger Station Operation Requirements 13

Participation in other State and Utility Incentive Programs 14

Extension Policy 15

General Terms and Conditions 17

Definitions

All definitions are for purposes of the Program and may differ from other programs.

1. **Applicant:** Either the Eligible Entity purchasing and maintaining the Charging Station or a third-party applying on behalf of an Eligible Entity that submits an Application to the Program. At the time of application, the Applicant's eligibility and Program funding is not guaranteed. The Eligible Entity has ultimate authority over Applications/installations funded through The Program and may assume management of an Application in lieu of a third-party, if necessary, and the Eligible Entity has discretion in the case of a disagreement with third parties.
2. **Application:** A formal document requesting Program funding. For the Clean Fleet Program, Applications can either be submitted by the Eligible Entity or a third-party applying on behalf of an Eligible Entity.
3. **Authority Having Jurisdiction (AHJ):** The governmental entity responsible for permitting and inspections for the Charging Station and Charging Site.
4. **Certified Pre-Owned Vehicle:** A used Battery Electric Vehicle (BEV) sold by a licensed dealer of that vehicle manufacturer, backed by factory warranty and manufacturer certification(s). To be eligible for the Program, the used BEV may only have had one previous owner.
5. **Charging Connector:** A physical plug that connects an Electric Vehicle to the charging station to transfer power, and it must use a standardized connector type, such as CCS, J3400 (NACS), or J1772, depending on whether it's a Direct Current Fast Charger or Level 2 Charger.
6. **Charging Port:** The system within Electric Vehicle Supply Equipment that provides power to one electric vehicle. A charging port may have multiple Charging Connectors, but it can provide power to charge only one Electric Vehicle through one Charging Connector at a time.
7. **Charging Site:** The location where the chargers will be installed.
8. **Charging Station, Charger, Electric Vehicle Supply Equipment, or EVSE:** Electrical equipment that provides power, either via direct current or alternating current, to an Electric Vehicle for the purpose of recharging its battery. An EVSE may have one or more Charging Ports, each with one or more Charging Connectors.
9. **Clean Fleet or Program:** The Clean Fleet Electric Vehicle and Electric Vehicle Charger Incentive Program.
10. **Combined Charging Standard (CCS):** An internationally developed connector standard, also known as Society for Automotive Engineers (SAE) J1772 Combo, for electric vehicle Direct Current Fast Charging.
11. **Construction Delay:** A delay in construction activities caused by circumstances beyond the Eligible Applicant's reasonable control that prevents timely progress or completion of the project, excluding delays resulting from poor planning, contractor performance issues, or failure to secure required approvals, materials, or labor in a timely manner.

- 12. Direct Current Fast Charger, DCFC, or Dual-Port DCFC:** Electric Vehicle Supply Equipment that provides direct current charging to a plug-in Electric Vehicle battery and is capable of delivering at least 50 kW of output power. To be eligible for the Clean Fleet Program, a DCFC must be a Dual-Port Charger, as defined below. Please refer to the “Eligible Equipment Requirements” for a full explanation and requirements list.
- 13. Dual-Port Charger:** An EVSE that is capable of charging two (2) vehicles simultaneously from the same Make-Ready. For the purpose of this Program, a pair of single-port pedestal or wall mounted L2 EVSE will be considered eligible and counted as one (1) Dual-Port Charger if:
 - a. The pair of L2 EVSE are located directly adjacent to each other;
 - b. Their pedestal or wall mount is located in between two (2) parking spaces; and
 - c. The pair of L2 EVSE receive power from the same Make-Ready.

Additionally:

Pending BPU discretion on a case-by-case basis, a pair of single-port pedestal L2 EVSE that are not directly adjacent to each other may also be eligible and counted as one (1) Dual-Port Charger if the pair of L2 EVSE are capable of charging two (2) vehicles simultaneously and receive power from the same Make-Ready. The Eligible Applicant must provide documentation for verification, such as a single-line diagram. Two (2) single-port DCFC dispensers that receive power from the same source and the same Make-Ready will be considered eligible and counted as one (1) Dual-Port Charger. Such DCFC configurations must allow for two (2) single-port DCFC dispensers to have power-sharing capabilities, where a single vehicle can receive up to the full power of the shared power source, while two (2) vehicles can charge simultaneously and receive their individual dispenser’s full power capacity.
- 14. Electric Vehicle, EV or BEV:** A vehicle that is propelled by one or more electric motors that exclusively use(s) electricity from the vehicle’s battery. Mixed drivetrain vehicles, such as plug-in hybrid electric vehicles, hybrid electric vehicles, and extended range electric vehicles are not considered Electric Vehicles.
- 15. Eligible Applicant:** An Applicant who agrees to the Terms and Conditions, meets all Program requirements, as detailed in the Eligibility Requirements. An Eligible Applicant may be an Eligible Entity or a third party applying on behalf of an Eligible Entity that submits an Application to the Program.
- 16. Eligible Entity:** An organization that meets the eligibility requirements of the Clean Fleet Program, including local and State government entities and non-profit fleets.
- 17. Extraordinary Event:** An event or circumstance beyond the reasonable control of the Eligible Applicant that materially delays project development or completion, including acts of God, severe weather, natural disasters, declared public emergencies, or similar events. Extraordinary Events do not include economic hardship, changes in market conditions, contractor or labor shortages, equipment price increases, financing challenges, or delays resulting from the Eligible Applicant’s action or inaction.
- 18. Fiscal Year or FY:** The NJ BPU Fiscal Year which runs from July 1 through June 30. FY 2027 begins July 1, 2026 and ends June 30, 2027.

19. **Government Entity:** Cities, towns, counties, public school districts including primary, secondary, and State higher education institutions, transportation planning organizations, transportation authorities or agencies, municipal corporations, port districts or authorities, political subdivisions of any type, or any other entities or authorities of New Jersey State and local governments in corporate form or otherwise.
20. **Incentive Reservation:** An allocation of Program funds for an eligible Application from the total available incentive funding provided by NJ BPU, secured via a successful Phase 1 Application. Disbursement and final payment amount is contingent on a successful Phase 2 Application.
21. **J1772:** The SAE standard for electrical connectors used in Level 1 and Level 2 Electric Vehicle charging.
22. **J3400:** The SAE standardized version of the North American Charging Standard (NACS) connector for industrywide adoption used in DCFCs to charge an Electric Vehicle.
23. **Level 2 Charger, L2 Charger, L2, or Dual-Port L2 Charger:** Electric Vehicle Supply Equipment that supplies electricity to a plug-in electric vehicle's on-board charger in the form of alternating current ("AC") using a 208/240-volt AC connection. To be eligible for the Clean Fleet Program, an L2 Charger must be a Dual-Port Charger, as defined above. Please refer to the "Eligible Equipment Requirements" for a full explanation and requirements list.
24. **Load Management Technology:** Hardware or software, whether integrated into an EV charger or installed separately, that dynamically controls and distributes electrical power across one or more Charging Ports to manage total site load within available electrical capacity.
25. **Make-Ready:** The electrical infrastructure, including, but not limited to, service panels, junction boxes, conduit, wiring, etc., necessary to make a particular Charging Site able to accommodate Electric Vehicle Supply Equipment.
26. **Network Service Provider ("NSP"):** A business entity that provides electric vehicle charging network services (EV charger software), including the collection and management of electric vehicle charging data. For more information, please visit <https://chargeup.njcleanenergy.com/network-service-providers>.
27. **NJ BPU, Board, or BPU:** The New Jersey Board of Public Utilities.
28. **Non-Investor-Owned Utility Territory or Non-IOU Territory:** A project location that does not receive electric service from Atlantic City Electric Company (ACE), Jersey City Power and Light Company (JCP&L), Public Service Electric & Gas (PSE&G), or Rockland Electric Company (RECO).
29. **Non-profit:** A tax-exempt organization designated under Internal Revenue Code Section 501(c)(3) operating within New Jersey. A Non-profit must be able to provide a current 990-EZ or 990, which must show a minimum of at least \$50,000 in gross receipts.
30. **North American Charging Standard (NACS):** A connector design developed by Tesla that is capable of both Level 2 and DCFC charging.

31. **Overburdened Municipalities or OBM:** An area that is a block group with at least thirty-five percent (35%) low-income households; with at least forty percent (40%) of the residents identify as a minority or as members of a State-recognized tribal community; or with at least forty percent (40%) of the households having limited English proficiency. For more information on OBMs, please see the Community Energy Planning Program site at <https://cleanenergy.nj.gov/resources/overburdened-municipalities>.
32. **Permitting Delay:** A delay attributable to the applicable Authority Having Jurisdiction (AHJ) in reviewing, issuing, or approving required permits or inspections, despite the Eligible Applicant having submitted complete and timely applications and having responded promptly to all reasonable requests for additional information.
33. **Program:** The Clean Fleet EV and EV Charging Program.
34. **Program Administrator:** The entity managing Application processing on behalf of the New Jersey Board of Public Utilities. The Program Administrator for the Clean Fleet Electric Vehicle Program is the Center for Sustainable Energy (CSE).
35. **Related Party:** Any entity or individual that directly or indirectly owns, controls, is owned or controlled by, or is under common ownership or control with the Eligible Entity, including but not limited to subsidiaries, affiliates, or entities under common management or beneficial ownership.
36. **Single-Port Charger:** An EVSE that contains only one (1) charging port and is therefore only capable of charging one (1) vehicle at a given time.
37. **Site Control or Access Issues:** A delay caused by the temporary loss or restriction of site access or site control, including unresolved easements, rights-of-way, or access agreements, provided the Eligible Applicant demonstrates that such issues are being actively resolved and are expected to be remedied within the extension period.
38. **Supply Chain Delay:** A delay resulting from unavailability, manufacturing delay, or delayed delivery of required equipment or materials from third-party suppliers, despite the Eligible Applicant having placed orders within reasonable timeframes consistent with industry standards.
39. **Utility Delay:** A delay caused by the serving electric utility or other relevant utility provider, including delays related to interconnection review, service upgrades, inspections, or scheduling, where such delay is outside the Eligible Applicant's reasonable control.

Program Overview

By Order dated June 30, 2026, the Board authorized the Clean Fleet EV and EV Charging Program for local and State government and non-profit fleets,¹ offering incentives to Eligible Entities in New Jersey to support the purchase of eligible BEVs, L2 Chargers, and DCFCs for fleet charging. Subject to the availability of funds, the Fiscal Year 2027 (“FY27”) Program, launching on July 1, 2026, will award incentives in the form of reimbursement to approved organizations.

Incentives available during FY27 are as follows:

Type	Purchase	Incentive
Vehicle	Light Duty BEV	Up to \$4,000 per vehicle
Vehicle	Class 2B-6 BEV	Up to \$10,000 per vehicle
Chargers – L2	Public L2 Charger	Up to \$5,000* per Dual-Port Charger
Chargers – L2	Fleet L2 Charger	Up to \$4,000* per Dual-Port Charger
Chargers – DCFC***	DCFC– 50-100 kW	Up to \$60,000* per Dual-Port Charger
Chargers – DCFC***	DCFC– 100-200 kW	Up to \$100,000* per Dual-Port Charger
Chargers – DCFC***	DCFC– 200 kW+	Up to \$180,000* per Dual-Port Charger
Make-Ready Costs	Fleet L2 Charger	Up to \$5,000** per Dual-Port Charger
Make-Ready Costs	Fleet DCFC Charger	Up to \$50,000** per Dual-Port Charger

* Up to 90% of the cost of the charger

** Up to 50% of the cost of the Make-Ready.

*** DCFCs that are ENERGY STAR® certified may be eligible for up to an additional \$5,000 incentive, per Dual-Port Charger.

Make-Ready incentives are available for L2 and DCFC equipment installed for fleet-only use and are available only as part of the same project (i.e., Make-Ready equipment must be installed for program-funded charging equipment). Customers located in a Non-IOU Territory, are also eligible for Make-Ready incentives for public L2 and DCFC equipment. In addition, chargers and vehicles that are located in OBMs, as defined by the New Jersey Office of Clean Energy Equity, are eligible to receive a fifty percent (50%) bonus to be provided as either an additional incentive amount or as the Applicant’s eligibility for additional chargers and vehicles. DCFCs that are ENERGY STAR® certified may be eligible for an additional \$5,000 incentive per Dual-Port Charger. For charging equipment, eligible costs shall include the cost of the charger, taxes on the charger, delivery and activation fees, and warranty for the charger.

Award caps per Fiscal Year apply to eligible entities:

Award Caps for Local Governments, Local Government Entities, Local Schools, and Non-profit Organizations			
Population Served	BEVs	Dual Port L2 Chargers	Dual Port DCFCs *
Up to 20,000	4	2	1
20,001-50,000	10	4	2

¹ [In re the Clean Energy Programs and Budget for Fiscal Year 2027–Programs and Budget for Fiscal Year 2027, BPU Docket No. QO26040124, Order dated June 30, 2026.](#)

50,001-100,000	14	8	4
Over 100,000	20	15	8
Award Caps for State Government, State Agencies, Boards or Commissions, State Universities, County Government, and County Authorities			
BEVs	Dual Port L2 Chargers		Dual Port DCFCs*
20	15		8

*No more than half of an Applicant’s eligible chargers may be DCFC.

Program Administrator

All incentive questions should be directed to the Program Administrator, Center for Sustainable Energy (“CSE”):

Center for Sustainable Energy
3980 Sherman Street, Suite 170
San Diego, CA 92110
Phone: 1-877-426-2474 (877-426-CHRG)
Email: njcleanfleet@energycenter.org

Goals and Eligibility

The primary goal of the Program is to improve the State of New Jersey’s air quality and to assist local and State government entities in transitioning their fleets to fully-electric.

- An Eligible Entity may be a municipality, local school, municipal commission, State agency or board, State commission, State university, community colleges, county or county authority, and non-profit entity. Funding will be reserved on a first-come, first-served basis, until funds are exhausted. A Non-profit must be able to provide a current 990-EZ or 990, which must show a minimum of at least \$50,000 in gross receipts.
- An Eligible Applicant may either be the Eligible Entity seeking consideration or a third-party applying on behalf of an Eligible Entity. An Eligible Applicant may apply for any number of the Eligible Entity’s BEVs and EV Charging Stations up to the Eligible Entity’s award cap, as described above, per Fiscal Year. An Eligible Applicant is not required to apply for the entire allotment at once and may submit additional Applications if the Eligible Entity has not exceeded its award cap.
- A vehicle or charging station purchased prior to submission of a Phase 1 Application is ineligible for the Program. Leased vehicles also are ineligible for an incentive under the Program. Construction activities and equipment purchases may occur, at any time after the Eligible Applicant submits the Phase 1 Application and receives notification from the Program Administrator to proceed, and before the Eligible Applicant submits the Phase 2 Application.
- An Eligible Applicant may not receive funding or incentives from the New Jersey Department of Environmental Protection’s (“NJ DEP”) “It Pay\$ to Plug-In” program for the same charger in addition to, or concurrently with, an incentive under the Program.² If an Eligible Applicant has received funding from the NJ DEP’s It Pay\$ to Plug-In program, the Eligible Applicant must submit

² See overview of NJ DEP It Pay\$ to Plug-In Program [here](#).

documentation showing that the charger funded via the NJ DEP's It Pay\$ to Plug-In program is different from those applied for under this Program.

- The NJ BPU reserves the right to inspect the vehicle and/or charging station for Program verification purposes.

Vehicle Eligibility

A new or Certified Pre-Owned used BEV up to Federal Highway Administration Class 6 classification may be eligible for incentive funding. A used BEV must be Certified Pre-Owned, with supported documentation containing the vehicle window sticker, or Buyers Guide, manufacturer certification, and the manufacturer's warranty. To be eligible for the Program, the Certified Pre-Owned EV can have had a maximum of one prior owner.

An Eligible Applicant may make their purchase(s) through the State Purchasing Contract under Award T0099 but are not required to do so.

Neighborhood EVs, such as but not limited to an electric golf cart and other similar EVs, are not eligible for an incentive.

Equipment Eligibility

A L2 Charger covered under the FY27 Program may be of any brand, provided that the equipment adheres to the following criteria:

- The equipment must include standard AC charging ports available for use by all EVs including, but not limited to, the J1772 and J3400 charging connector standards;
- The equipment is a Dual-Port Charger capable of charging two (2) vehicles at the same time;³
- The equipment chosen is ENERGY STAR® certified, as required by the Appliance Standards Act;^{4,5}
- The equipment is listed by a Nationally Recognized Testing Laboratory to comply with UL 2594.
- Bidirectional charging equipment must also be certified to UL 9741, where applicable.
- The equipment must have OCPP 1.6 Certification or later;

³ For purposes of the Program, a pair of single-port pedestal or wall mounted L2 EVSE will be considered eligible and counted as one (1) dual-port charger if it meets ALL of the following conditions: The pair of L2 EVSE are directly adjacent to each other, their pedestal or wall mount is located in between two (2) parking spaces, and the pair of L2 EVSE receive power from the same Make-Ready. Pending NJ BPU discretion on a case-by-case basis, a pair of single-port pedestal L2 EVSE that are not directly adjacent to each other may also be eligible and counted as one (1) dual-port charger if the pair of L2 EVSE are capable of charging two (2) vehicles simultaneously and receive power from the same Make-Ready. The applicant must provide documentation for verification, such as a single-line diagram.

⁴ See N.J.S.A. 52:27D-141.20; -141.21(h).

⁵ Pursuant to the New Jersey Appliance Standards Act, EVSE sold or installed in New Jersey must be ENERGY STAR® certified. See N.J.S.A. 52:27D-141.20 and 52:27D-141.21(h). ENERGY STAR® certified equipment is available at <https://www.energystar.gov/productfinder>

- The equipment must have networking capability and must be networked with a compliant Network Service Provider (“NSP”) for a minimum of five (5) years with one (1) of the State’s Compliant NSPs;⁶ and
- Each L2 charging port must maintain federal uptime standards, currently ninety-seven percent (97%) uptime, at a minimum, for five (5) consecutive years after installation.⁷

The DCFC equipment covered under the FY27 Program may be of any brand an Eligible Applicant selects, provided that the equipment adheres to the following criteria:

- The equipment includes standard DC charging ports available for use by all EVs including, but not limited to, the CCS and J3400 Charging Connector standards;
- The equipment is a Dual-Port Charger;⁸
- The equipment is listed by a Nationally Recognized Testing Laboratory to comply with UL 2202.
- Bidirectional charging equipment must also be certified to UL 9741, where applicable.
- The equipment must have OCPP 1.6 Certification or later;
- The equipment has networking capability and must be networked with a compliant NSP for a minimum of five (5) years with one (1) of the State’s compliant NSPs;
- Each DCFC charging port must maintain the federal uptime standards (currently 97% uptime) at a minimum, for five (5) consecutive years after installation; and
- No more than half of an Eligible Applicant’s eligible chargers may be DCFC.

Procedure

There is a two-phase Application process; Phase 1 and Phase 2 Applications are located on the Program website at <https://chargeup.njcleanenergy.com/clean-fleet>.

- In Phase 1, Eligible Applicant provides details of the intended purchase and, if approved, incentive funding will be reserved.
- In Phase 2, Eligible Applicant provides proof of purchase and installation and, if approved, claims the incentive.
- The BEV(s) and/or Chargers listed on Eligible Applicant’s Phase 1 Application must be the same year, make, and model listed on the Phase 2 Application. If for any reason a change needs to be made to the make and/or model of the BEV(s) and/or Chargers purchased, Eligible Applicant must immediately notify the Program Administrator.

⁶ <https://chargeup.njcleanenergy.com/compliant-network-service-providers>

⁷ <https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements>

⁸ For the purposes of the Program, two (2) single-port DCFC dispensers that receive power from the same source and the same Make-Ready will be considered eligible and counted as one (1) dual-port charger. Such DCFC configurations must allow for two (2) single-port DCFC dispensers to have power-sharing capabilities, where a single vehicle can receive up to the full power of the shared power source, while two (2) vehicles can charge simultaneously and receive their individual dispenser’s full power capacity.

- Eligible Applicant must have purchased and received the BEV(s) and/or Charger before submitting the Phase 2 Application.
- Payments shall be made to Eligible Applicant in the form of a check, based on proof of purchase and installation of an eligible BEV and/or Charger. Eligible Applicant will be required to complete a Phase 2 application and receive approval in order to receive the incentive.

Step 1: Submit Phase 1 Application

Eligible Applicant should be prepared to provide preliminary information about their project including:

- Number and types of BEVs to be purchased;
- Number and types of Chargers to be installed;
- Site information, such as addresses, site maps, and intended signage. If Chargers are to be publicly available, there should be signage noting public accessibility and the Chargers should have no access limitations to members, customers, etc.;
- Make-Ready cost estimation, if applicable;
- If the site is in a Non-IOU Territory, a utility bill for the project will need to be uploaded; and
- A Third-party Eligible Applicant applying for funds on behalf of the Eligible Entity is required to complete the Letter of Authorization form in the Phase 1 Application.

Eligible Applicant **may not** complete the purchase of a Charger or undertake construction (i.e., breaking ground on the project site) prior to submitting the Phase 1 Application. Placing an order for charging equipment prior to submitting an Application is permitted. Any work performed or purchases made prior to receiving confirmation that funding has been formally reserved through an Incentive Reservation (i.e., approval of the Phase 1 Application) are done at the Eligible Applicant's own risk. Please see Phase 2 Application instructions and requirements for full information about receiving an incentive payment.

Step 2: Incentive Reservation

Eligible Applicant will be notified by the Program Administrator via email of the status of their Application. The Program Administrator completes the Incentive Reservation process by reviewing the Phase 1 Application and ensuring that the entity, Chargers, BEVs, and other details are eligible for the Program. The Program Administrator may email Eligible Applicant to confirm information prior to finalizing the Incentive Reservation. Incentive Reservation entails setting aside Program funding for Applicant for their planned project. Incentive Reservations are confirmed via email as an approval of their Phase 1 Application.

Step 3: Complete Project

Construction and purchases can be made at any point after submitting the Phase 1 Application and receiving email notification from the Program Administrator and before submitting the Phase 2 Application.

A project must be completed within 365 calendar days of incentive reservation, or the reservation will be cancelled. Eligible Applicant may request an Extension to the reservation expiration date from the Program Administrator via email.

Step 4: Submit Phase 2 Application

The project must be completed and the Chargers fully installed before submitting the Phase 2 Application. Eligible Applicant must complete and submit a Phase 2 Application through the Program webpage along with paid invoices for the BEVs and Chargers listed on the Phase 1 Application.

Eligible Applicant should be prepared to provide:

- Proof of purchase and VINs for incentivized BEVs.
- If applicable, Certified Pre-Owned BEV documentation including three of the following: vehicle window sticker or Buyers Guide, the manufacturer certification, and an active manufacturer's warranty.
- Proof of purchase for the incentivized Chargers.
- Site photos of the completed project.
- Serial Numbers for all incentivized Chargers.

Step 5: Incentive Payment

The Program Administrator will review the Phase 2 Application and required documents. If approved, the Program Administrator issues the incentive payment according to Eligible Applicant records and sends a check to Eligible Applicant via the United States Postal Service Standard Mail to the mailing address on file. The Program Administrator may request clarification or confirmation of Application documents or related material, in order to issue an incentive payment. Payments will be issued within ninety (90) calendar days of Phase 2 approval; however, delays may occur.

[Selection of Approved Charging Station and Network Service Provider](#)

NSP Eligibility

The Program Administrator and NJ BPU maintain a list of approved, compliant, and eligible NSPs. An Applicant should review the list of Network Service Providers (NSPs) available on the program website and designate their intended NSP in the Phase 1 Application and their selected NSP in the Phase 2 Application.

If the NSP selected by an Applicant in a Phase 1 Application is or becomes no longer eligible under the Program prior to Phase 2 Application approval, the Program Administrator will notify Applicant via email. Applicant must enroll with a currently eligible NSP within a reasonable amount of time.

If there are factors outside of Applicant's control and Applicant has demonstrated attempts to follow program requirements in good faith, the Program Administrator and/or NJ BPU will further engage with Applicant regarding compliance.

Charging Station Eligibility

The Program Administrator and NJ BPU maintain a list of approved, eligible Charging Stations for the Program. Applicant should review the list of Charging Stations available on the program website and designate their intended make/model and quantity of Charging Station(s) in the Phase 1 Application and their installed Charging Station(s) in their Phase 2 Application.

If the Charging Station selected by an Applicant in a Phase 1 Application is no longer approved under the Program prior to Phase 2 Application approval, the Program Administrator will notify Applicant via email. Applicant must select a currently approved Charging Station within a reasonable amount of time.

If there are factors outside of Applicant's control and Applicant has demonstrated attempts to follow program requirements in good faith, the Program Administrator and/or NJ BPU will further engage with Applicant regarding compliance.

Cancellation Policy

If the Program Administrator determines that an Application or its required documents are incomplete, illegible, or missing required information, the Program Administrator will notify the Applicant via email of the action needed to bring the Application into compliance. Applicant shall then have an additional fourteen (14) calendar days from the date of notification to correct any errors or omissions. If the Applicant fails to correct the errors or omissions within the additional fourteen (14) calendar days, the Program Administrator will cancel the Application.

If the Program Administrator determines Applicant is ineligible for reimbursement because Applicant or equipment did not qualify for an incentive, the Program Administrator will cancel the Application and notify Applicant via email. Applicant is responsible for ensuring that the correct contact information is provided to the Program Administrator so that they receive and review these email communications.

An approved Phase 1 Application (*i.e.*, reservation of funding) does not guarantee that an incentive will be available if Applicant has submitted an approved Phase 2 Application beyond the 365-calendar day timeline for reservations. Applicant has no vested property right to reserved funds, and funds from cancelled Applications will be returned to the Program.

Applicant must notify NJ BPU and the Program Administrator if there is an upcoming sale of the Charging Site property. Program requirements must be incorporated into any deeds or sale representations and documents to ensure that the Charging Station(s) meet(s) the minimum installation requirement of five (5) years.

In the event of a cancellation or inappropriate funding reservation or payment issuance, Applicant is obligated to return the funds to the Program. NJ BPU and/or the Program Administrator reserve the right to request funds to be returned to the Program.

Charger Station Operation Requirements

Charger Station

As a condition of receiving Program funds, the Eligible Applicant and the Eligible Entity agree that, for the minimum required five (5)-year performance period following installation, incentivized Charging Stations shall not be materially repurposed in a manner that is inconsistent with Program requirements, whether or not such requirements or restrictions are expressly enumerated in these Terms and Conditions.

During the required performance period, Eligible Applicant and the Eligible Entity shall comply with all Program requirements, directives, guidance, and conditions issued by NJ BPU or the Program Administrator for purposes of Program administration, oversight, evaluation, or compliance verification. If an incentivized Charging Station is replaced during the five (5)-year performance period, including as a result of a warranty claim or insurance-covered loss, the replacement Charging Station shall likewise be subject to all Program requirements for the remainder of the applicable performance period.

If the incentivized Charging Station is replaced during the five (5)-year compliance period, Eligible Applicant must notify the Program Administrator and provide the replacement Charging Station's serial number and any other information reasonably requested to verify continued compliance with Program requirements. The replacement Charging Station shall likewise be subject to all Program requirements, including data sharing requirements, for the remainder of the five (5)-year compliance period.

Data Sharing

Only an eligible L2 or DCFC Electric Vehicle Charger capable of capturing data (also known as a "smart" or "networked" charger) is eligible for an Incentive. The Electric Vehicle Charger must be networked by an approved Network Service Provider available on the State's pre-qualified list. Eligible Electric Vehicle Charger models must also be approved and added to the eligibility list on the Program website. Eligible Applicants agree to comply with all data sharing requirements as directed by the Program. The Network Service Provider may send both (i) the Eligible Applicant's address and (ii) data related to charging times, frequency, duration, energy dispensed, power levels, and equipment type to NJ BPU and the Program Administrator without additional consent needed from the Eligible Applicant. Anonymized, aggregated State-wide data may be made available in a public facing dashboard. No personally identifiable information will be made available in any data set(s) published pursuant to such data collection.

Participation in other State and Utility Incentive Programs

Dual Participation in the NJ BPU EV Tourism Corridor Incentive Program: An Eligible Entity may receive up to the Incentive Caps per Fiscal Year from both this Program and the EV Tourism Corridor Program. However, the Eligible Entity shall not receive incentives from both programs for the same EVSE as verified by serial number provided in an Application.

Other Programs: Eligible Applicant is not permitted to combine funding and/or incentives from NJ DEP's It Pay\$ to Plug-In program and the Program for the same EVSE. If Eligible Applicant has previously received funding from NJ DEP's It Pay\$ to Plug-In Program, documentation showing that the EVSE detailed in Application for this program is different from the EVSE that received funding through NJ DEP's It Pay\$ to Plug-In program will be required when Eligible Applicant submits its Phase 2 Application.

Please be advised that certain Chargers, including those installed at Eligible Entities, that receive electric utility service from ACE, JCP&L, PSE&G, and RECO may be eligible for additional EV charging incentives for installation costs, such as Make-Ready costs, directly from the utility. Projects may be eligible for both the incentives offered by this Program and incentives offered by ACE, JCP&L, PSE&G or RECO, up to ninety percent (90%) of the total project costs. Please check the respective eligibility requirements of ACE, JCP&L, PSE&G or RECO before purchasing EV charging equipment, as additional conditions on types of eligible equipment may apply for utility incentives.

- ACE: aceevsmart.programprocessing.com
- PSE&G: www.pseg.com/ev
- JCP&L: www.jcp-l.com/evdriven
- RECO: <https://www.oru.com/en/our-energy-future/technology-innovation/electric-vehicles/new-jersey>

Eligible Applicants not in any of the above utility territories may be eligible for Make-Ready incentives through NJ BPU, in the Application, entities must identify themselves as within a Non-IOU Territory.

Extension Policy

An Eligible Applicant is expected to proactively manage its Application and is responsible for knowing the applicable reservation expiration date. The Eligible Applicant is responsible for maintaining accurate contact information and notifying the Program Administrator of any changes to such information.

Charging Station projects must be fully energized and operational for charging use, with a Phase 2 Application submitted, within 365 calendar days from the date funding is reserved. If a project is not completed within this timeframe, the Application may be cancelled.

For vehicle incentive projects under the Clean Fleet Program, Eligible Vehicles must be purchased and delivered to the Eligible Applicant within 365 calendar days from the date funding is reserved.

An Eligible Applicant may request up to three (3) extensions of one hundred twenty (120) calendar days each beyond the applicable reservation expiration date. The Program Administrator reserves the right, in its sole discretion, to approve, deny, modify, or consolidate extension requests. Absent an approved extension, Applications shall remain subject to the applicable reservation expiration date and may be cancelled upon expiration.

All extension requests must be made using the Extension Request Form and delivered to the Program Administrator via the Program email address at least thirty (30) calendar days prior to the reservation expiration date. Extension requests must be based on an eligible extension reason as identified in the Eligible Extension Reasons & Required Documentation table and must include all required supporting documentation. The Administrator or NJ BPU may request additional information as a condition of approval. Both the Program Administrator and NJ BPU retain discretion to approve or deny extension requests.

An Eligible Applicant must use commercially reasonable efforts to mitigate the impact of any delay and resume project activities as soon as practicable. Failure to demonstrate reasonable mitigation efforts may result in denial of an extension request.

If a project cannot reasonably be completed at the original Charging Site, the Eligible Applicant may request approval to substitute an alternate Charging Site, provided the alternate Charging Site satisfies all Program requirements and sufficient Program funding remains available. The reserved funding amount associated with the alternate Charging Site may not exceed the amount reserved for the original Charging Site.

An extension request must demonstrate that a Construction Delay, Extraordinary Event, Permitting Delay, Site Control or Access Issue, Supply Chain Delay, Utility Delay, or other circumstance approved by the Program Administrator and/or NJ BPU was the primary cause of the Eligible Applicant's inability to complete the project within the reservation period. If a project is experiencing multiple delays concurrently, the Eligible Applicant should identify the delay having the greatest impact on the project schedule as the basis for the extension request. Additional information regarding other delays may be provided with the Extension Request Form. Delays that do not materially affect the project schedule, or that reasonably could have been mitigated by the Eligible Applicant, shall not constitute grounds for an extension.

The Program Administrator and/or NJ BPU may consider the cumulative impact of delays, prior

extensions, and overall project progress when evaluating extension requests and may deny further extensions if the project is deemed unlikely to reach completion.

Approval of an extension shall not be construed as a waiver of any other program requirement, deadline, or obligation stated in these Terms & Conditions, unless expressly stated in writing by the Program Administrator and/or NJ BPU.

Submission of false, misleading, or incomplete information in connection with an extension request may result in denial of the request, cancellation of the reservation, potential cancellation of future program applications, participation in future NJ BPU programs, and any other remedies available under the Program.

Eligible Extension Reasons & Required Documentation

Extension requests will be considered only for circumstances beyond the reasonable control of the Eligible Applicant. Approval of any extension is not guaranteed and is subject to review and approval at the discretion of the Program Administrator and/or NJ BPU. All documentation must be clear, legible, and sufficient to demonstrate both the cause of delay and a viable path to project completion within the remaining extension period(s).

Reason	Required Documentation
Construction Delay	Email or equivalent documentation describing the cause of the construction delay and an updated project schedule. Photographs of the project site, dated within thirty (30) business days of the extension request, are required.
Extraordinary Event	Email or equivalent documentation demonstrating the impact to the project site, including a description of the event, dates of impact, and an estimated timeline for resumption of activities and project completion within remaining extension period(s).
Permitting or Inspection Delay	Email or equivalent documentation from the applicable Authority Having Jurisdiction (AHJ) confirming permitting status or delay, dated within thirty (30) business days of the extension request. Acceptable documentation may include permit database screenshots, correspondence from permitting staff, or other official notices.
Site Control or Access Issues	Documentation demonstrating temporary loss of site access or control (e.g., landlord correspondence, easement delays, or legal notices) and confirmation that site access has been or will be restored within the extension period.
Supply Chain Delay	Email or equivalent documentation from the equipment or materials supplier confirming order status and estimated production or delivery dates, dated within thirty (30) business days of the extension request. Additional documentation may include purchase orders, shipping notices, or manufacturer correspondence.
Utility Delay	Email or equivalent documentation from the serving utility confirming project status, interconnection timelines, or delays, dated within thirty (30) business days of the extension request. An Eligible Applicant must provide

	utility contact information to the Program Administrator upon request.
--	--

Purpose, Intended Use, and Restrictions

Program incentive funds are provided solely to support Charging Stations that are installed and operated in a manner consistent with the Program’s stated goals and eligibility requirements.

Charging Stations funded in whole or in part under the Program shall be operated for their intended purpose and shall not be designated, configured, marketed, or operated primarily for private, employee, or fleet-based charging uses, except as expressly permitted under these Terms and Conditions.

Incentivized Charging Stations shall not be relocated, decommissioned, or transferred for a non-compliant use without the prior written approval from NJ BPU and/or Program Administrator.

NJ BPU and/or the Program Administrator, or its authorized agents, reserve the right to verify ongoing compliance with this section during the required performance period, including through audits, site visits, or review of operational characteristics. If an incentivized Charging Station is determined to be materially non-compliant, Eligible Applicant may be required to cure the non-compliance, repay some or all Program incentive funds, and/or be deemed ineligible for future participation in NJ BPU-administered incentive programs.

Projects funded by this Program may be subject to New Jersey Prevailing Wage Act requirements.

General Terms and Conditions

Applicant certifies that the information provided in an Application is true and correct. Applicant agrees to provide any additional information that the NJ BPU or the Program Administrator may request to confirm the accuracy of the information provided and Applicant’s eligibility for an incentive. Applicant acknowledges and understands that obtaining an incentive by submitting intentionally inaccurate information and/or making fraudulent misrepresentations or omissions is strictly prohibited, that any wrongfully obtained incentives must be refunded, and that Applicant may be subject to additional civil and criminal liability as a result. Applicant further understands that the NJ BPU may report and release information concerning such wrongdoing to state and local law enforcement, the New Jersey Motor Vehicle Commission, and any other appropriate authorities.

NJ BPU and/or the Program Administrator, or its authorized agents, reserve the right to audit documents, conduct site visits, and/or request additional documentation within the five (5)-year performance period for the Charging Station(s).

The incentive payment shall be paid directly to Applicant as listed on the Application and is non-assignable and non-transferable. Applicant is responsible for paying any and all tax liability imposed as a result of receiving an incentive. It is the sole responsibility of the Applicant to seek professional advice and determine any tax consequences of participation in the Program.

Neither NJ BPU nor the Program Administrator, nor any affiliates and partners make any representations, expressed or implied, regarding the design, construction, reliability, efficiency, performance, operation, maintenance, or use of any vehicle and/or equipment, discussed, selected, rejected, purchased or leased,

or otherwise considered by the Applicant. Any decisions regarding the selection, design, purchase or lease, use, and operation of any vehicle and/or equipment shall be at the sole discretion of and are the sole responsibility of the Applicant. Neither NJ BPU nor the Program Administrator guarantee energy or bill savings as a result of participation in this Program.

By submitting an Application for the Program, Applicant agrees to release and hold harmless the NJ BPU and Program Administrator, its officers, directors, shareholders, employees and contractors from and against any and all causes of action, damages, losses, claims, expenses, demands, costs (including attorneys' fees and expenses and all court, arbitration or other dispute resolution costs), or any of them, resulting from, arising out of, or in any way directly connected with the Program, an Applicant's receipt of an incentive, failure to receive an incentive, any taxes associated therewith, or an Applicant's vehicle registration or registration status. Neither NJ BPU nor Program Administrator make representations or warranties regarding whether an Applicant will or will not qualify to receive an incentive. Application submissions are confirmed via an automatic email from the Program Administrator upon successful and accurate completion of the online Application. This confirmation email does not guarantee eligibility or a funding reservation. An Applicant's funding is formally reserved upon the Phase 1 Approval notice of written acceptance from the Program Administrator and payment is dependent upon a successful Phase 2 Application and adherence to Program Terms and Conditions.

Applicant agrees that these Terms and Conditions, and all matters arising out of or relating to the Program, whether sounding in contract, tort, or statute are governed by and construed in accordance with the laws of the State of New Jersey.

To appeal the denial of an Application, Applicant must first contact NJ BPU at EV.Programs@bpu.nj.gov within forty-five (45) calendar days of the determination regarding the subject of the appeal or dispute. Applicant shall provide a copy of the letter or other document that is the subject of the dispute and as much other information as possible, including a detailed description of the issue and why the appeal should be granted. NJ BPU will consider appeals on a case-by-case basis. NJ BPU has discretion to approve exceptions to the rules established herein on a case-by-case basis upon Applicant's showing of exceptional circumstances, the satisfaction of which to be determined by NJ BPU in its sole discretion. After acknowledging the receipt of an appeal, NJ BPU will review the submitted documentation and respond as soon as possible. If all attempts to resolve the issue have been exhausted, pursuant to N.J.A.C. 14:1-8.1 et seq., the Applicant may file a petition for a formal hearing with NJ BPU.