

Subscriber Organization Application for Authorization to Participate in the Community Solar Energy Generating System (“CSEGS”) Pilot Program

Submission Guidelines

You must use the attached form to submit your Application. Please remove this instruction sheet prior to filing.) If you need more space than is provided on this form or if you are attaching exhibits, please attach label each separate attachment to identify the Application item to which the attachment corresponds. You are also required to file an electronic version of this document (**excluding confidential information**) using Adobe PDF.

To file an Application with the Maryland Public Service Commission, submit:

- A signed and verified original
- 17 copies of the Application
- An electronic version of the Application and attachments
- Application fee of \$400 for Type A or \$50 for Type B or C. (payable to “Public Service Commission of Maryland”)

Send all materials to:

**Executive Secretary
Maryland Public Service Commission
6 Saint Paul St.
Baltimore, MD 21202**

Concurrently with the filing of the Application with the Executive Secretary, a paper copy of the Application shall be submitted to the Office of People’s Counsel, 6 St. Paul St., 21st Floor, Baltimore, MD 21202.

Questions pertaining to completion of this Application may be directed to the Public Service Commission Staff, Energy Analysis and Planning Division, at the above address or you may call the Division at (410) 767-8085.

If your answer to any of the Application items changes pending Application review, or while you are operating within the State of Maryland, you are under a duty to inform the Commission within 30 days.

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1. Identity of the Applicant:

(Must match the entity listed on the certificate issued by the State Department of Assessments and Taxation of Maryland if applicable)

Legal Name: _____

Current Address: _____

Street Address (if different than above): _____

2. Indicate the type of Subscriber Organization authorization requested. Select only one.

Type A. Proposed Owner and/or Operator of Community Solar Energy Generating System(s) Authorization requires a Subscriber Organization Bond. *See Attachment A.* The bond amount is \$10,000 plus \$25,000 per each MW of program capacity in excess of 1MW for which the Applicant seeks to apply. Application Fee is \$400.

Type B. Proposed Collective Group of Subscribers of a (single) Community Solar Energy Generating System. Complete Attachment C. A bond is not required for program participation of 1MW or less. The bond amount is \$25,000 per each MW of program capacity in excess of 1MW for which the Applicant seeks to apply. *See Attachment A.* Application Fee is \$50.

Type C. Proposed Non-profit Owner and/or Operator of Community Solar Energy Generating System(s) Authorization requires a Subscriber Organization Bond if program capacity requested exceeds 1MW. *See Attachment A.* The bond amount is \$25,000 per each MW of program capacity in excess of 1MW for which the Applicant seeks to apply. Application Fee is \$50.

3. Complete Attachment B for each facility that the Applicant plans to apply for capacity in the Pilot Program.

4. Applicant Operations:

In completing, check all boxes that apply in each subsection.

Identify the functions that the Applicant will undertake on its own behalf, and those that it expects to either partner with others to provide or contract to others.

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(Note: Check more than one box for a particular function if more than one applies.)

	Applicant	Partner/Contract
Develop	<input type="checkbox"/>	<input type="checkbox"/>
Finance	<input type="checkbox"/>	<input type="checkbox"/>
Build	<input type="checkbox"/>	<input type="checkbox"/>
Own	<input type="checkbox"/>	<input type="checkbox"/>
Solicit Subscribers	<input type="checkbox"/>	<input type="checkbox"/>
Operate CSEGS*	<input type="checkbox"/>	<input type="checkbox"/>
Manage Subscriptions*	<input type="checkbox"/>	<input type="checkbox"/>

* “Operate CSEGS” means to operate and maintain the CSEGS facility; “Manage Subscriptions” means maintaining the ongoing subscriber relationships, customer service to subscribers, and data interface with utilities on subscriptions.

Identify which types of subscribers the Applicant intends to serve (Check all that apply):

- Commercial and Industrial
- Residential
- Low and Moderate Income

Identify each investor owned utility where the Applicant intends to operate (Check all that apply):

- Baltimore Gas & Electric
- Pepco
- Delmarva Power & Light
- Potomac Edison
- Southern Maryland Electric Cooperative

Identify the number of CSEGS the Applicant intends to operate (Check one):
 (Note: Check the box for “Single CSEGS” if Applicant is a special purpose entity organized to legally own a single CSEGS.)

- Single CSEGS
- Multiple CSEGS

Identify whether Applicant will accept either or both of the following.

- Security Deposits (as defined in COMAR Regulations 20.62.01.02)
- Prepaid Subscription Fees (as defined in COMAR Regulations 20.62.05.11)

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List the names and identification numbers of any affiliated approved Subscriber Organizations. Submit attachments if needed.

Applicant has no affiliated approved Subscriber Organizations

Name	Number
_____	_____
_____	_____
_____	_____
_____	_____

“Affiliate” means a person that directly or indirectly, or through one or more intermediaries, controls, is controlled by, or is under common control with, or has, directly or indirectly, any economic interest in another person.

5. Regulatory Contact:

Name and Title: _____
Address: _____

Telephone: _____
Fax: _____
E-Mail: _____

6. Primary Corporate Officers/General Partners/Managing Partners (if applicable)

President/General Partner/Managing Partner:
Name: _____

Business Address: _____

CEO:
Name: _____

Business Address: _____

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7. Applicant’s Business Form (if applicable):

- Proprietorship
- Corporation
- Partnership
- Limited Partnership
- Limited Liability Company
- Limited Liability Partnership
- Other: _____

8. Actions Against Applicant. Provide the following information for the Applicant.

- Actions such as Suspensions/Revocations, Limitations, Reprimands, Fines, Consent Decrees, or other similar actions have been taken or are pending against the Applicant. If checked, provide an attachment describing the action; and include docket numbers, offense dates, and case numbers, if applicable.
- No such action has been taken.

9. Technical and Managerial Competency: The Applicant must submit, in an attachment, a statement of technical and managerial competency. The attachment should also include a description of the Applicant and current U.S. operations, intended operations in Maryland, past work experience relevant to the community solar pilot program, general plans for partnering or contracting pilot program functions, and other items or information that demonstrate technical and managerial competency. Finally, list all states where applicant has built or operates a community solar installation at the time of this application.

10. Affiliated Applications: List the name of each company or entity which is affiliated with the applicant, if that company or entity has separately applied for, or intends to apply for, admission to the Maryland CSEGS Program as a Subscriber Organization. Describe the nature of each affiliation.

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- 11. Application Fee:** The Applicant must enclose the required application fee of \$400 (Type A) or \$50 (Types B and C)

Applicant: _____

By: _____

Print Name Here (Sign line above)

Title: _____

Date: _____

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AFFIDAVIT OF GENERAL COMPLIANCE

State of _____ :
County of _____ : ss.

_____, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

That he/she is the _____ (office of Affiant) of _____ (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant;

That the Applicant herein certifies to the Commission that:

The Applicant agrees to comply with the terms and conditions of all applicable electricity company tariffs and agreements with electricity companies.

The Applicant agrees to comply with all applicable requirements of the Federal Energy Regulatory Commission and PJM Interconnection, LLC.

The Applicant agrees to comply with all applicable Federal and state consumer protection and environmental laws and regulations, and Maryland PSC regulations, fees, assessment, and requirements.

The Applicant has obtained all the licenses and permits required to operate as a Subscriber Organization in the State of Maryland. The Applicant agrees that it will obtain all further licenses and permits required to carry out any future activity pursuant to its role as an approved Subscriber Organization, prior to undertaking the respective activity for which local, state or Federal licenses or permits are required.

The Applicant agrees that it shall neither disclose nor resell individual residential customer data provided to the Applicant by any Maryland electricity company. Disclosure or resale of individual non-residential customer data provided to the Applicant by a Maryland electricity company will be governed by customer contract.

The Applicant, including any of its affiliates engaged in the sale of electricity or related services, the general partners, corporate officers or directors, or limited liability company members, managers or officers of the Applicant or its affiliates:

1. Has had no civil, criminal or regulatory sanctions or penalties imposed against it within the previous ten years pursuant to any State or Federal consumer

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protection law or regulation; and has not ever been convicted of a felony; or, alternatively

2. Has disclosed by attachment all such sanctions, penalties or convictions.

The Applicant further certifies that it:

1. Is not under involuntary bankruptcy/insolvency proceedings including but not limited to, the appointment of a receiver, liquidator, or trustee of the subscriber organization, or a decree by such court adjudging the subscriber organization bankrupt or insolvent or sequestering any substantial part of its property or a petition to declare bankruptcy as to reorganize the subscriber organization; and
2. Has not filed a voluntary petition in bankruptcy under any provision of any Federal or State bankruptcy/insolvency law, or its consent to the filing of any bankruptcy or reorganization petition against it under any similar law; or without limiting the generality of the foregoing, a Subscriber Organization admitted in writing its inability to pay its debts generally as they became due, or consents to the appointment of a receiver, trustee or liquidator of it or of all or any part of its property.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____ day of _____, _____.

Signature of official administering oath

My Commission expires _____

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VERIFICATION

State of _____ :
County of _____ : ss.

_____, Affiant, being duly [sworn/affirmed] according to law,
deposes and says that:

That he/she is the _____ (office of Affiant) of _____ (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant;

The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to all applicable sections of the Annotated Code of Maryland as may be amended from time to time relating to perjury and falsification in official matters.

That the Applicant will supplement this Application in the event the Commission modifies the approval requirements, or requests further information and that requiring such modification or further information will delay processing of the application.

That the Applicant agrees that an approval issued pursuant to this Application may not be transferred without Commission approval.

That the Applicant understands that authorization as a Subscriber Organization requires participation in the CSEGS Pilot Program which requires the Applicant to retain project, subscriber and any other information as requested and provide that information to the Maryland Public Service Commission upon request or through required reports.

That the Applicant understands that CSEGS Pilot Program tariffs, rules, or other requirements may change over the Pilot Program in accordance with Orders or other regulatory action of the Maryland Public Service Commission.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____ day of _____, _____.

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Signature of official administering oath

My Commission expires _____

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Attachment A

Subscriber Organization Bond

(Insurer Name)

Bond No. _____

KNOWN ALL MEN BY THESE PRESENTS:

That we, **Company Name**, as Principal(s) and **Insurance Co.**, a company authorized to transact surety business in the State of **Maryland**, as Surety, are held and firmly bound unto **Maryland Public Service Commission**, as Obligee, in the penal sum of _____ (**\$** _____) **DOLLARS**, lawful money of the United States of America, for payment of which, well and truly be made, we hereby bind ourselves, our heirs, executors, administrators, legal representatives and successors, jointly and severally, firmly by these presents.

WHEREAS, the Principal has obtained or is about to obtain, from the Obligee, authorization to do business as a **Subscriber Organization** in Maryland under the Maryland Annotated Code, Public Utilities Article, § 7-306.2 and Code of Maryland Regulations, Title 20.

NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the said Principal shall comply with the provisions of the said Code, licenses, all applicable Ordinances, Rules and Regulations, and any Amendments thereto, then this obligation shall not be payable, but shall otherwise remain in full force and effect, subject to the payment as set forth below.

This obligation shall become effective on the _____ day of _____, _____, and shall remain in force until cancelled.

PAYMENT under this bond shall be due if the Commission determines that **Company Name** is financially insolvent or unable to meet its obligations as an authorized **Subscriber Organization** in Maryland. **Insurance Co.** will permit the Commission to direct that the proceeds of this bond be paid or disbursed to satisfy the Subscriber Organization’s financial obligations to the Commission or other Maryland governmental entity. **Insurance Co.** will permit a Maryland court to direct proceeds of the bond be paid to a person that has obtained a judgment against a authorized subscriber organization and has previously attempted to collect the judgment through all other means available through the Court.

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PROVIDED, that the penal amount of this Bond may not exceed its face value during the time the Bond remains in force and the Surety may terminate its liability hereunder as to future acts of the Principal at any time by giving sixty (60) days written notice of such termination to the Obligee.

SIGNED AND SEALED this _____ day of _____, _____ .

(Subscriber Organization Name)

BY: (Principal Signature)
Principal Name, Title

(Insurer/Bond Company)

BY: (Signature of Insurer)
Insurer Name, Attorney-in-fact

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Attachment B: Planned Project Information

Address of Facility Site: (Street, City, ZIP)

Local Government Jurisdiction (City, County, Town, Etc.):

Pilot Program Category – Open LMI Small/Brownfield/Other

Project Capacity in kilowatts A/C _____

Expected Number of Subscribers for Project:

Residential _____

% of LMI subscribers _____ % Low Income Customers _____

Commercial _____

Industrial > 600 kW demand. _____

Utility Service Territory BGE DPL Potomac Edison PEPCO SMECO

Applicant should check each box for which the applicant intends to:

- Own the facility;
- Operate the facility;
- Own and operate the facility, or
- Collectively control the facility as a group of subscribers.

Applicant should check the appropriate box for the proposed facility, Indicate whether the applicant intends to:

- Convert an existing facility that it will own or operate
- Convert an existing facility that it will control as a group of subscribers
- Develop a new facility that it will operate
- Develop a new facility that it will operate as a group of subscribers
- Develop a new facility, for eventual operation by a different S/O
- Own or operate a new facility to be developed by others
- Other describe) _____

- Check box if deposits will be required of customers

(Applicant should attach additional pages for each project as needed)

