



**FILING INSTRUCTIONS
FOR
LESSOR OF RENEWABLE
ELECTRIC GENERATION FACILITIES
LOCATED IN SOUTH CAROLINA**

The Governor signed Act 236 into law on June 2, 2014, which provides for the lease of renewable electric generation facilities in South Carolina. S.C. Code Ann. §§ 58-27-2600 *et seq.* require lessors to obtain a Certificate of Fit, Willing and Able (“FWA”) from the South Carolina Office of Regulatory Staff (“ORS”) prior to the leased renewable electric generation facility being marketed or the facilities installed in South Carolina.

Please carefully read the Filing Instructions and Application. The ORS is available to answer questions and provide assistance related to the Application.

1) Where can I obtain the Application Form?

The Application is available for download on the Electric page of the ORS website:
www.regulatorystaff.sc.gov/electric

2) Who must submit an Application?

Any entity that owns renewable electric generation facilities and wishes to begin **leasing** such facilities to a customer-generator lessee in South Carolina must file an Application with the ORS.

3) How should the Application be submitted to ORS?

The Applicant must submit one (1) original Application signed by an officer and three (3) copies including all exhibits, affidavits and other attachments. The Application and all exhibits, affidavits and other attachments shall be bound in ring binders; all pages shall be indexed to the applicable Application section; and all pages should be sequentially numbered in accordance to the Application index. All exhibits, affidavits and attachments should be clearly identified and labeled as specified in the Application. At this time, Applications cannot be submitted electronically.

4) Where should I submit the completed Application?

Completed Applications may be submitted to:
South Carolina Office of Regulatory Staff
Attention: Renewable Electric Generation
1401 Main Street, Suite 900
Columbia, SC 29201

5) What qualifies as a complete Application?

A complete Application should consist of the Application Form and all exhibits, affidavits and attachments.

6) What if my Application is incomplete?

An Application that is incomplete may be suspended or rejected by ORS. An Application that has been suspended or rejected may cause a delay in approval. If ORS suspends or rejects an Application, ORS will notify the Applicant of the reason and may direct the Applicant to furnish additional information. The approval process begins or resumes when the ORS receives the completed Application.

7) What is the typical process to receive a Certificate of Fit, Willing and Able?

ORS will review Applications in the order in which they are received. Upon ORS approval, the Applicant will receive notification of the approval and a numbered FWA Certificate to demonstrate the Applicant is approved to conduct business in accordance with S.C. Code Ann. §§ 58-27-2600 *et seq.*

8) Who do I contact if I need assistance with the Application?

Questions and assistance related to the Application should be directed to:
Robert Lawyer
rlawyer@regstaff.sc.gov
(803)737-0584

9) What South Carolina law governs renewable electric generation leasing?

The certification of a lessor of a renewable electric generation facility is governed by S.C. Code Ann. §§ 58-27-2600 *et seq.*

10) How do I protect information in the Application that I believe is Confidential?

For information the Applicant deems confidential, the Applicant must identify the specific reasons, pursuant to S.C. Code Ann. § 30-4-40, detailing why the information is exempt from disclosure. The Applicant must provide information it deems confidential in accordance with the following instructions:

- a. Separate the confidential information from the non-confidential information and insert placeholders in the body of the document where the confidential information was removed. The placeholder, such as a sheet of paper, must state that confidential information was removed or redacted. The placeholder will alert the reader that a response containing confidential information was removed and kept separately from the non-confidential information. Where a page contains confidential information and non-confidential information, please redact the confidential information and provide an un-redacted copy separately, under seal (for example, in a sealed envelope), and marked “CONFIDENTIAL;”
- b. Mark or stamp each page containing confidential information with the word “CONFIDENTIAL” so as to be easily seen. Non-confidential pages should not be marked or stamped; and
- c. Provide a list of the confidential information along with the total number of pages for each confidential item on the list.