

# Report on the Lease of Renewable Electric Generation Facilities



**Prepared by the  
South Carolina Office of Regulatory Staff**

**December 31, 2016**



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# Introduction

On June 2, 2014, the Distributed Energy Resource (DER) Program Act (Act 236 or Act) was signed into law by Governor Nikki Haley. Act 236 was the result of consensus among a diverse group of stakeholders and created a pathway for growth in the renewable energy industry in South Carolina. The goal of Act 236 as stated in S.C. Code Ann. § 58-39-110 is to “promote the establishment of a reliable, efficient, and diversified portfolio of distributed energy resources” for South Carolina. The Act created a renewable leasing program through the addition of Article 23 to SC Title 58, Chapter 27, entitled “Lease of Renewable Electric Generation Facilities Program” (Leasing Program or the Program).

In general, leased facilities must meet the following requirements:

- (1) Must generate electricity from a renewable energy resource;
- (2) Must have a generating capacity of:
  - (a) no more than one thousand kilowatts (1,000 kW AC) or one hundred percent of contract demand if a nonresidential customer; or
  - (b) not more than twenty kilowatts (20 kW AC) if a residential customer;
- (3) Must be located on a premises or residence owned, operated, leased, or otherwise controlled by the Lessee;
- (4) Must be interconnected and operated in an approved manner with the retail electric provider;
- (5) May offset part or all of the Lessee’s own retail electrical energy requirements; and
- (6) Must meet applicable safety, performance, interconnection, and reliability standards.

S.C. Code Ann. § 58-27-2630 (C) requires the South Carolina Office of Regulatory Staff (ORS) to submit a report upon completion of reviewing the Program. The purpose of this report is to meet the following requirement:

The Office of Regulatory Staff shall review the program established pursuant to this article and issue a report to the State Regulation of Public Utilities Review Committee no later than December 31, 2016, relating to its review, including recommendations regarding the expansion, reduction, or continuance of the program.

This report details the implementation of the Leasing Program, the Lessor application process, Program experience, and ORS recommendations concerning the Program.

# Program Implementation

The implementation of the Program required several critical steps:

1. Develop an application for Lessors to be certified by the ORS to lease renewable electric generation facilities in SC;
2. Establish an approval process to determine if an applicant is fit, willing, and able to conduct business in accordance with Article 23;
3. Maintain a registry of all installed leased facilities; and
4. Receive, compile and investigate customer complaints.

## Step 1: Develop Certificate Application

Pursuant to Article 23, an entity must submit an application to the ORS and receive approval and certification to lawfully commence doing business as a Lessor of renewable electric generation facilities in South Carolina, excluding any entity lawfully providing retail electric service to the public.<sup>1</sup>

The ORS developed an application to capture the information necessary to determine if an entity is fit, willing, and able to conduct business in accordance with Article 23.<sup>2</sup> This was accomplished through extensive research of leasing activities in other states and collaborative efforts with leasing companies and electric utility personnel. The resulting application requires the entity to provide documentation supporting its managerial, technical, and financial experience. The application was implemented in August 2015 and can be accessed on the ORS website along with the filing instructions.

<http://www.regulatorystaff.sc.gov/electric/Pages/LeasingInformation.aspx>

## Step 2: Establish an Approval Process

Upon receipt of a complete application from a potential Lessor, the ORS is responsible for determining whether the applicant will balance South Carolina's interest in promoting a market for renewable electric generation facilities, providing an appropriate level of consumer protections, and ensuring fair and accurate marketing practices in accordance with South Carolina law.<sup>3</sup>

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<sup>1</sup> Section 58-27-2620 (A)

<sup>2</sup> Section 58-27-2620 (C)

<sup>3</sup> Section 58-27-2620 (B)

The ORS assembled a diverse team to review applications in the order they are received. This team includes ORS employees with experience in finance, economics, and utility operations to ensure a vast array of perspectives during the approval process. The team reviews the application, analyzes the supporting documentation, and makes a determination.

The review process is usually finalized within thirty days of receiving a complete application. Upon review and approval, the ORS issues a certificate permitting the Lessor to market and lease renewable electric generation facilities to Lessees in South Carolina.<sup>4</sup> As of December 15, 2016, thirty-nine Lessor applications have been received and thirty-four certificates have been issued. The remaining five applications are completing the review process. All Lessors currently provide leasing through solar photovoltaic resources (solar).

See Figure 1 for a list of Lessors approved by the ORS and the number of corresponding leases the companies have executed. A more detailed list can also be found on the ORS website.

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<sup>4</sup> Section 58-27-2620 (C)

**FIGURE 1: APPROVED LESSORS AS OF 12/15/2016**

Certificate Number	Date Issued	Company Name	Lessor Type	Number of Leases Executed
SL-0001	8/20/15	Sunrun, Inc.	Residential	1,781
SL-0002	9/30/15	Vivint Solar Developer, LLC	Residential	751
SL-0003	10/13/15	Sunnova Energy Corporation	Commercial	0
SL-0004	11/9/15	NRG Residential Solar Solutions, LLC dba NRG Home Solar	Residential	4
SL-0005	11/9/15	Empower Energies, Inc.	Commercial	0
SL-0006	1/14/16	Onyx Development Group, LLC	Commercial	0
SL-0007	2/26/16	Sunstreet Energy Group, LLC	Residential	0
SL-0008	3/7/16	BlueWave SE, LLC	Commercial	0
SL-0009	5/2/16	C2 WM Leasing, LLC	Commercial	0
SL-0011	6/1/16	SoCore 2016 ProjectCo 3	Commercial	0
SL-0012	6/1/16	SoCore 2016 ProjectCo 4	Commercial	0
SL-0013	6/1/16	SoCore 2016 ProjectCo 5	Commercial	0
SL-0014	6/1/16	SoCore 2016 ProjectCo 6	Commercial	0
SL-0015	6/1/16	SoCore 2016 ProjectCo 7	Commercial	0
SL-0016	5/11/16	Heights Solar, LLC	Commercial	2
SL-0017	6/10/16	Oak Leaf Solar XVI, LLC	Commercial	0
SL-0019	8/25/16	Davis Sustainable Energy, LLC	Commercial	0
SL-0025	10/4/16	RockHillPV, LLC	Commercial	0
SL-0023	10/11/16	GRE Fund II Projectco 5, LLC	Commercial	1

**FIGURE 1 CONTINUED: APPROVED LESSORS AS OF 12/15/2016**

<b>Certificate Number</b>	<b>Date Issued</b>	<b>Company Name</b>	<b>Lessor Type</b>	<b>Number of Leases Executed</b>
SL-0024	10/11/16	GRE Fund II Projectco 6, LLC	Commercial	1
SL-0026	10/11/16	GRE Fund II Projectco 7, LLC	Commercial	1
SL-0035	10/11/16	GRE Fund II Projectco 8, LLC	Commercial	1
SL-0021	10/11/16	GRE Fund II Projectco 2, LLC	Commercial	2
SL-0022	10/11/16	GRE Fund II Projectco 4, LLC	Commercial	1
SL-0036	11/8/16	Live Oak Banking Company	Commercial	0
SL-0027	11/15/16	C2 WM Indian Land Leasing, LLC	Commercial	0
SL-0028	11/15/16	C2 WM Chester Leasing, LLC	Commercial	0
SL-0029	11/15/16	C2 WM Simpsonville Leasing, LLC	Commercial	0
SL-0030	11/15/16	C2 WM Greenwood Leasing, LLC	Commercial	0
SL-0031	11/15/16	C2 WM Lake Wylie Leasing, LLC	Commercial	0
SL-0032	11/15/16	C2 WM Pickens Leasing, LLC	Commercial	0
SL-0033	11/15/16	C2 WM Powdersville Leasing, LLC	Commercial	0
SL-0034	11/15/16	C2 WM Laurens Leasing, LLC	Commercial	0
SL-0038	12/2/16	Live Oak Clean Energy Financing, LLC	Commercial	0



## Step 3: Maintain a Registry of Leased Facilities

When a certified Lessor completes an installation of a leased renewable electric generation facility in South Carolina, the Lessor has up to thirty days to register the facility with the ORS on forms developed and provided by the ORS.<sup>5</sup> The ORS is required to maintain an aggregate registry of these facilities to be made available to the public and subject to the South Carolina Freedom of Information Act.<sup>6</sup>

### *Registry of Leased Facilities Form*

The ORS developed the Registry of Leased Facilities Form in accordance with the provisions set forth in S.C. Code Ann. § 58-27-2630 (A) (1 thru 9).<sup>7</sup> It captures the required information from the Lessor for each leased installation completed and includes the following information:

- Lessor-owner information
- Nameplate generating capacity and expected annual energy output
- Facility location
- Customer-generator Lessee information
- Intended use of the facility and its output
- All required licenses and permits obtained and applied for
- Date the facility began or will begin operation
- Name of interconnected retail electric provider
- Customer affidavit

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<sup>5</sup> Section 58-27-2630 (A)

<sup>6</sup> Section 58-27-2630 (B)

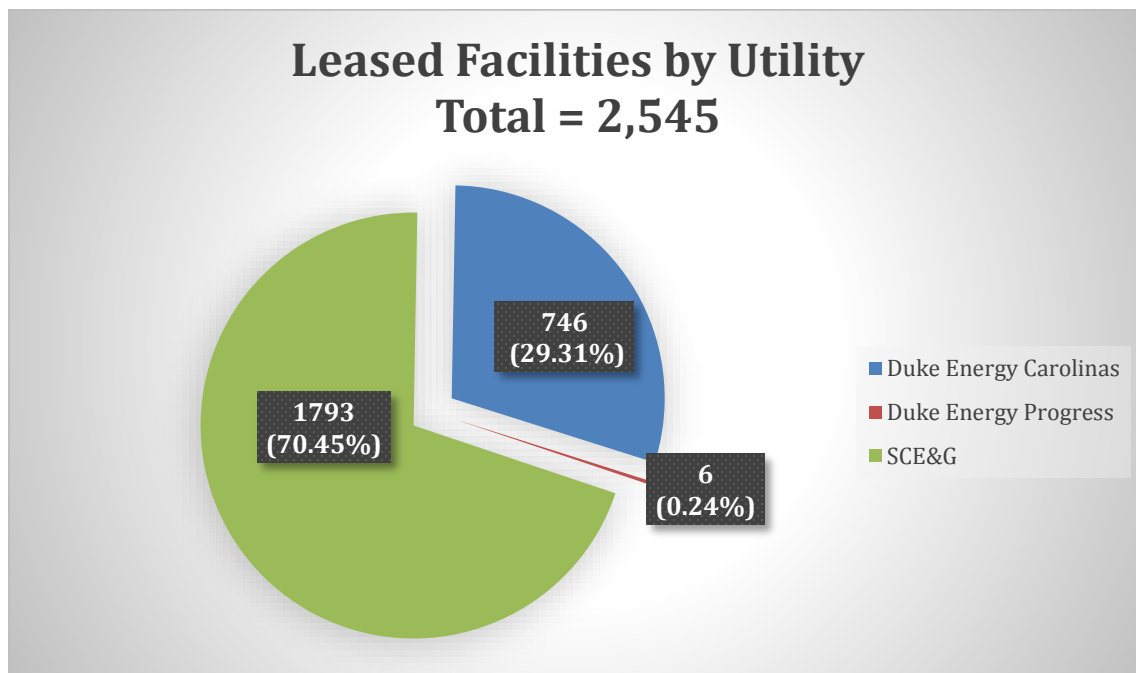
<sup>7</sup> See Attachment B for the Registry of Leased Facilities Form

## Registry Trends

The Registry of Leased Facilities (Registry) maintained by the ORS includes a total of 2,545 registered facilities as of December 15, 2016 (See Figure 2). Of this total, 1,793 (70.45%) are registered in South Carolina Electric & Gas Company's (SCE&G) service territory; 746 (29.31%) are in the Duke Energy Carolinas, LLC (DEC) territory; and 6 (0.24%) are in the Duke Energy Progress, LLC (DEP) territory.

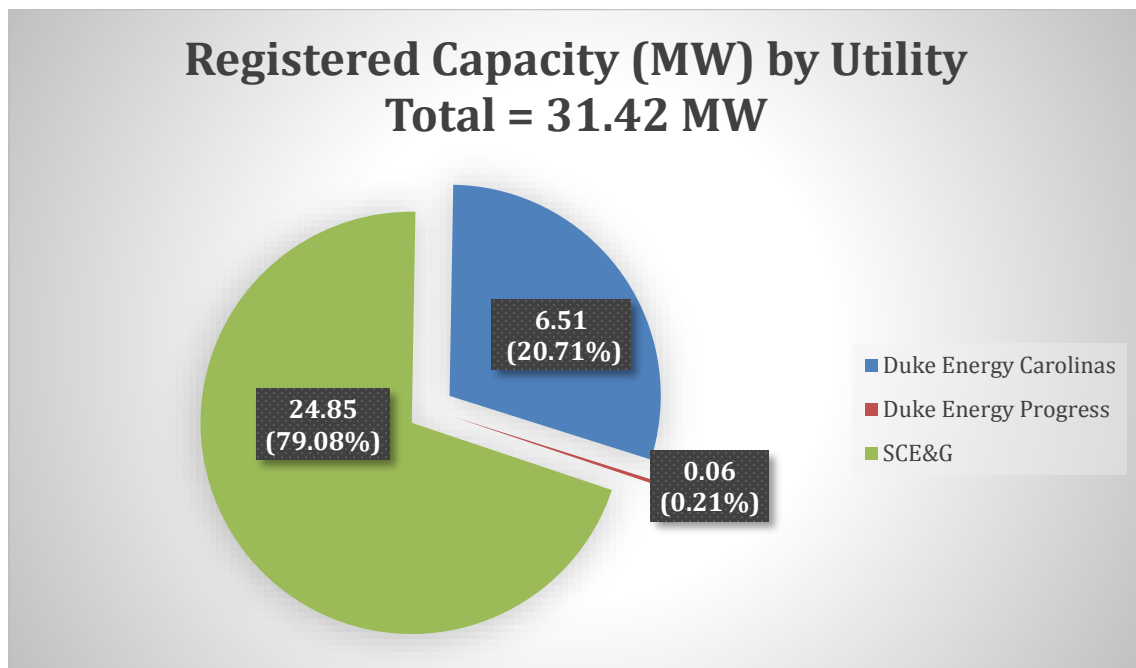
Residential facilities account for 2,536 (99.65%) of all registered facilities. The remaining 9 (0.35%) are commercial facilities registered in SCE&G's service territory. The residential market space for leasing is primarily dominated by two solar leasing companies: Sunrun, Inc. and Vivint Solar Developer, LLC. Together they account for 2,532 (99.49%) of all leased facilities.

**FIGURE 2: LEASED FACILITIES REGISTERED AS OF 12/15/2016**



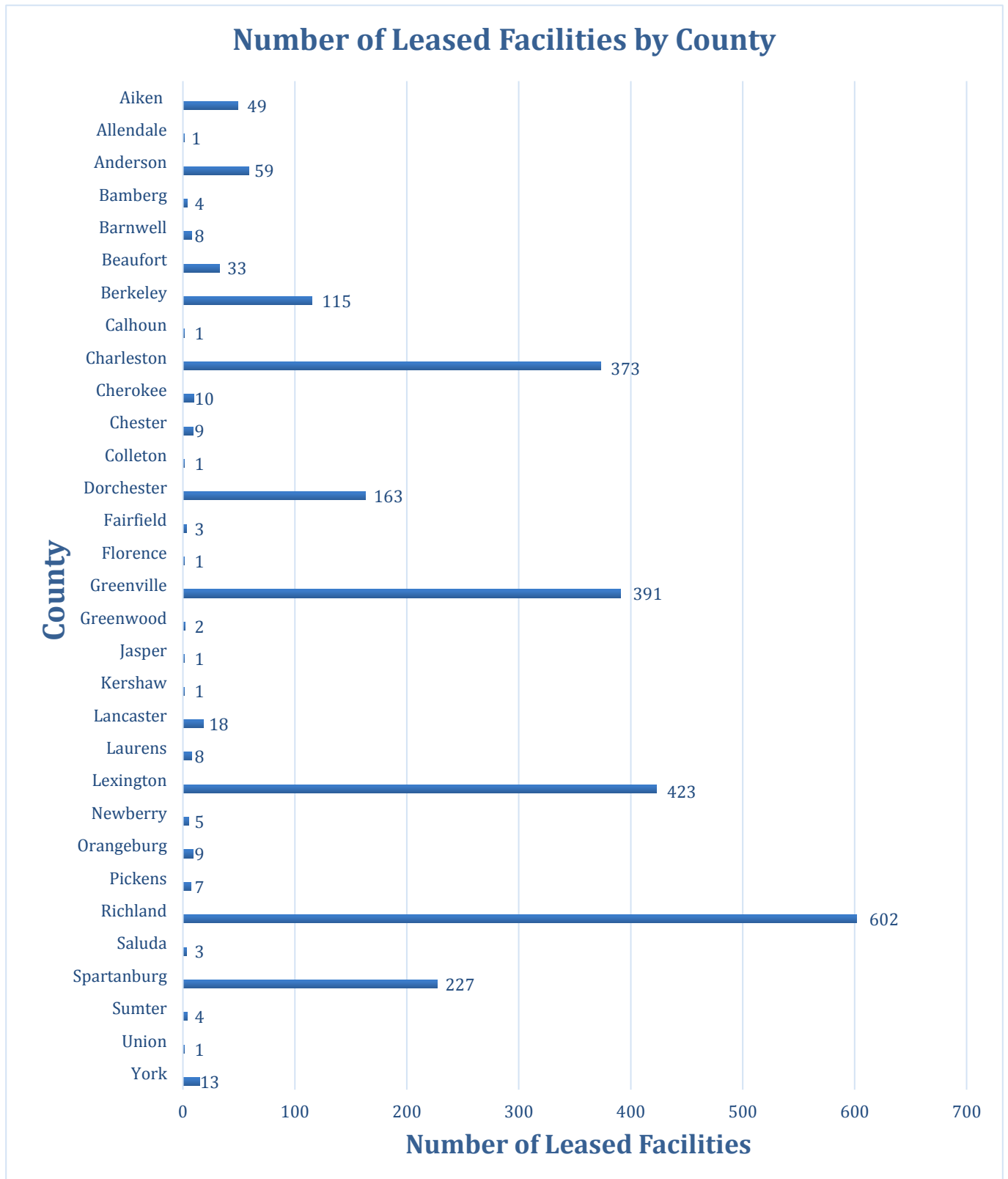
The Registry reflects a total nameplate capacity of approximately 31.42 megawatts (MW) as of December 15, 2016 (See Figure 3). Of this total, 24.85 MW (79.08%) is registered in SCE&G's service territory, 6.51 MW (20.71%) in DEC's service territory, and 0.06 MW (0.21%) in DEP's territory. Residential facilities account for approximately 29.14 MW (93%) of total registered capacity. The remaining 2.28 MW (7%) are commercial facilities.

**FIGURE 3: REGISTERED CAPACITY BY UTILITY AS OF 12/15/16**



Thirty-one South Carolina counties have leased facilities registered with the ORS. The size and population of each county seem to have a direct bearing on the number of leased facilities. Registered facilities tend to be heavily concentrated in the large metropolitan areas of the state such as Richland, Lexington, Greenville, Charleston, Spartanburg, Dorchester, and Berkeley counties. These seven counties account for 2,294 (90%) of all registered facilities. The less populated rural areas tend to experience a much lower level of leasing activity. See Figure 4 for the number of leased facilities by SC county.

**FIGURE 4: LEASED FACILITIES BY SC COUNTY AS OF 12/15/2016**



## Step 4: Investigate Complaints

The ORS has the responsibility to receive, compile and investigate customer complaints arising under Article 23 and attempt to negotiate consent agreements or other settlements resolving alleged violations.<sup>8</sup> The investigatory powers provided to the ORS in Sections 58-4-50 and 58-4-55 regarding public utilities also apply.<sup>9</sup>

Since inception, the ORS has heard directly from Lessees and Lessors regarding many differing aspects of the Program. General inquiries, concerns, and complaints via oral or written communication were addressed by the ORS personnel, and a satisfactory resolution was reached.

The majority of contacts from Lessors related to the application process and interconnection procedures. The ORS received mostly general inquiries seeking clarification regarding specific information to submit with the application, timeframes to be expected during the approval process, the interconnection queue and processing times, and utility incentives offered. The ORS did not receive any formal disputes or complaints from Lessors, nor did the ORS exercise any adverse actions such as filing a petition for revocation of a Lessor certificate with the Administrative Law Court<sup>10</sup> or levying any civil penalties to Lessors.<sup>11</sup>

Lessees contacted the ORS with general inquiries and a minimal number of informal complaints. The inquiries were predominantly from customers seeking education regarding solar leasing such as lease contracts, terms, net metering, and confirmation that Lessors were properly certified. The eleven complaints received about Lessors pertained to marketing practices, customer service, rebate incentives, and facility sizing. All complaints were investigated by the ORS and resolved in a timely manner.

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<sup>8</sup> Section 58-27-2620 (E)

<sup>9</sup> Section 58-27-2620 (F)

<sup>10</sup> Section 58-27-2620 (G)

<sup>11</sup> Section 58-27-2620 (H)

# Recommendations/Conclusion

The implementation of Article 23 required several critical steps:

1. Develop an application for Lessors to be certified by the ORS to lease renewable electric generation facilities in SC;
2. Establish an approval process to determine if an applicant is fit, willing, and able to conduct business in accordance with Article 23;
3. Maintain a registry of all installed leased facilities; and
4. Receive, compile and investigate customer complaints.

The Lease of Renewable Electric Generation Facilities Program began in August 2015 and the ORS gained valuable experience through the development and administration of the Program. The processes developed for Lessor certification, facility registration, and complaint resolution have proved to be effective and efficient.

To date, thirty-four certifications have been issued, 2,545 leased solar facilities with a nameplate capacity of 31.42 MW have been registered, and eleven complaints have been investigated and resolved. The ORS continues to cultivate professional relationships with Lessors and interconnecting utilities in order to promote the establishment of a reliable, efficient, and diversified portfolio of distributed energy resources for South Carolina.

The ORS recommends that the Program continue as defined by Article 23. The processes and procedures enacted will ensure the essential vetting of potential Lessors, provide consumer protection for Lessees, and enhance the growth of the renewable energy industry in South Carolina.

# Attachments

## Attachment A: Certificate Application for Lessor



**CERTIFICATE APPLICATION  
FOR  
LESSOR OF RENEWABLE  
ELECTRIC GENERATION FACILITIES  
LOCATED IN SOUTH CAROLINA**

S.C. Code Ann. §§ 58-27-2600 et seq. requires lessors to obtain a Certificate from the South Carolina Office of Regulatory Staff ("ORS") prior to the leased renewable electric generation facility being marketed or installed in South Carolina.

Please print or type all required information on this pdf-fillable Application form. Identify all exhibits, affidavits and attachments with the Exhibit Title (Example: Exhibit A-2 South Carolina Corporate Filing) and legal name of the Applicant.

File the Application with the ORS at the following address:

South Carolina Office of Regulatory Staff  
Attn: Renewable Electric Generation  
1401 Main Street, Suite 900  
Columbia, SC 29201

**A. APPLICANT INFORMATION**

**A-1** Legal name of entity under which business is to be conducted in South Carolina.

Name of Entity			
Street Address	City	State	Zip Code
Mailing Address (if different)	City	State	Zip Code
Phone	Fax		
Email Address			

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**A-2 Exhibit A-2: South Carolina Corporate Filing**

If the Applicant is a corporation, provide a copy of the Certificate of Existence from the South Carolina Secretary of State and the Articles of Incorporation. If the Applicant is incorporated outside of SC, provide the Certificate of Authority from the South Carolina Secretary of State.

**A-3 Select Entity Type: (Check one)**

- Sole Proprietor
- Partnership
- Corporation
- Limited Liability Company
- Other

**A-4 Applicants Federal Tax ID Number**

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**A-5 Applicant's Website Address**

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**A-6 Applicant's Primary Contact Information**

Name and Title

Mailing Address

City

State

Zip Code

Phone

Fax

Email Address

**A-7 Applicant's Customer Service Contact Information**

Name

Mailing Address

City

State

Zip Code

Title

Toll-Free Phone

Fax

Email Address



**PROVIDE THE FOLLOWING INFORMATION AS SEPARATE EXHIBITS AND LABEL AS INDICATED.**

- A-8 Exhibit A-8: Principal Officers, Directors and Partners**  
Provide the names and titles of the Applicant's principal officers, directors, partners or other similar officials. Provide the percentage of ownership of each owner or partner whose ownership percentage exceeds 20%.
- A-9 Exhibit A-9: Corporate Structure**  
Provide a description of the Applicant's operating corporate structure, including an organizational chart of such structure including a list of all parent, affiliate and subsidiary operating companies.
- A-10 Exhibit A-10: Company History**  
Provide a description of the Applicant's:
- a. Company history and principal business interests including number of permanent employees (as of the date of Application); and
  - b. The total annual revenue for the past three (3) years.

If the Applicant provides an audited financial statement in Section C-3, the Applicant does not have to provide the annual revenue requested in A-10-b.

**B. APPLICANT'S MANAGERIAL AND TECHNICAL EXPERIENCE**

- B-1 Exhibit B-1: Jurisdiction of Operations**  
Provide a list of all states in which the Applicant is currently certified, licensed, registered or otherwise authorized to provide renewable electric generation leasing services.
- B-2 Exhibit B-2: Operating Experience**  
Provide the following information on a per state basis for the most recent five (5) year period:
- a. Total number of renewable electric generation leases executed;
  - b. Total number of residential and commercial customers provided leasing services;
  - c. Scale of facility installation – median kW DC;
  - d. Expected average annual electric output and average actual electric output of leased facilities; and
  - e. Better Business Bureau (“BBB”) rating and website location to support the BBB rating.

Applicants with less than one (1) year of operating experience must provide a Business Plan (Exhibit C-4).

- B-3 Exhibit B-3: Technical Experience**  
Provide the following information:
- a. Description of the installation process. Include a representative sample list of the electric generation technology used by the Applicant for leased installations including make, model, manufacturer and year of manufacture; and

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- b. Description of operations and maintenance service to be provided under the lease to include, at a minimum, the following services:
  1. Monitoring and inspection of the installed facility;
  2. Warranty of service, materials and installation;
  3. Insurance coverage of installed facilities; and
  4. Operations and maintenance duties that must be performed by the lessee.

**B-4 Exhibit B-4: Customer Service**

Provide the following information:

- a. Description of marketing process and timeline for sales activities;
- b. Description of customer billing process;
- c. Description of process to resolve customer complaints and inquiries;
- d. Days and times Applicant's customer service representatives are available to resolve customer complaints and inquiries;
- e. Identify if the following actions related to the lease could occur:
  1. Sale or assignment of the lease to another company;
  2. Termination or default of the lease; and
  3. Customer right to rescind after signing the lease.
- f. Description of Applicant's privacy and security practices related to customer data.

**B-5 Exhibit B-5: Key Technical Personnel**

For all contractors used by the Applicant to perform services related to renewable electric generation leasing including, but not limited to, installation, inspection, maintenance, marketing, customer sales and customer service, the Applicant must provide with its Application all of the following information for each contractor:

- a. The legal name of the party with which the Applicant is contracting;
- b. The mailing address, e-mail address and telephone number of the entity;
- c. A statement that a valid contract exists between the Applicant and the entity; and
- d. A summary of the contract(s) including all services provided.

**B-6 Exhibit B-6: Disclosure of Liabilities and Investigations**

Provide a description (including court docket numbers) of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority and regulatory investigations that could adversely impact the Applicant's financial or operational status or ability to provide renewable electric generation leasing services in South Carolina.

**B-7 Exhibit B-7: Disclosure of Consumer Protection Violations**

Provide a detailed description (including court docket numbers) of all existing, pending or past rulings and judgments related to fraud or violation of any consumer protection or antitrust laws within the past five (5) years. This disclosure is required of the Applicant and predecessor to the Applicant.

**B-8 Exhibit B-8: Customer Documents**

Provide a copy of any lease agreement, cancellation notice, lease summary, lease overview, terms and conditions, and all corresponding exhibits, affidavits and attachments that a customer may be expected to review and/or sign prior to the

provision of renewable electric generation leasing service. At a minimum the lease agreement must conform to the standards set under the Federal Consumer Leasing Act.

Provide a representative sample of all printed marketing materials used to solicit customer business which may include, but is not limited to, a customer proposal and marketing packet. If digital marketing materials are used by the Applicant, provide the website address for the samples.

**C. APPLICANT'S FINANCIAL EXPERIENCE**

**C-1 Exhibit C-1: Annual Reports**

Provide the most recent Annual Report to Shareholders. If Applicant does not generate Annual Reports, the Applicant should indicate that Exhibit C-1 is not applicable and explain why Exhibit C-1 is not applicable.

**C-2 Exhibit C-2: SEC Filings**

Provide the most recent 10-K/8-K Filings with the Securities and Exchange Commission ("SEC"). Applicant may provide the Filings via a hyperlink to the Filings located on their company website. If Applicant does not generate 10-K/8-K Filings, they may submit those of their parent company. If Applicant or its parent company does not generate 10-K/8-K Filings, the Applicant should indicate that Exhibit C-2 is not applicable and explain why Exhibit C-2 is not applicable.

**C-3 Exhibit C-3: Financial Statements**

Provide the three (3) most recent years of audited financial statements (balance sheet, income statement and cash flow statement). If audited financial statements are not available, Applicant may provide financial statements certified by a principal officer. If the Applicant has not been in business long enough to satisfy this requirement, audited or certified financial statements covering the life of the business shall be provided. All financial statements submitted with Application must be certified.

**C-4 Exhibit C-4: Business Plan**

For Applicants with less than one (1) year of operating experience with renewable electric generation leasing service, provide a two (2) year Business Plan for renewable electric generation leasing services. The Business Plan should include financial statements (balance sheet, income statement and cash flow statement). Provide a list of Business Plan assumptions and the contact information (name, mailing address, e-mail, and phone number) of the preparer of the Business Plan.

**C-5 Exhibit C-5: Credit Report and Credit Rating**

Provide a copy of the Applicant's most recent credit report from a national credit reporting agency such as Equifax, Experian, or Trans Union. The credit report must include the Applicant's FICO credit score.

Provide a copy of the Applicant's credit rating as reported by the following organizations (or similar):

- a. Duff & Phelps
- b. Dun and Bradstreet Information Services

- c. Fitch IBCA
- d. Moody's Investors Services
- e. Standard & Poor's

The credit rating of a parent company may be submitted provided the Applicant submits a statement signed by a principal officer of the Applicant's parent company that guarantees the obligations of the Applicant.

If the Applicant does not have a parent company and no credit rating, an explanation and documentation to support an alternative guarantee and assurance that such obligations under its leasing contracts will be fulfilled may be submitted. Such explanations and documentation must demonstrate that the alternative guarantee does not create additional liability.

**C-6 Exhibit C-6: Bankruptcy Information**

If the Applicant or its parent company has ever filed for bankruptcy protection, provide a description including the docket number, name on case and court where the bankruptcy was filed. Identify the legal liabilities yet to be paid by the Applicant or parent company as of the date of the Application. Legal liabilities may include, but are not limited to, liens, payment plans and legal judgments.

**C-7 Exhibit C-7: Discounts, Fees and Charges**

Provide a list of the current discounts, fees and charges that the Applicant may assess to a customer including, but not limited to, basic monthly charge for service, automatic payment discount, returned check fee, late payment fee, inspection fee, product change fee, and deposit.

**C-8 Exhibit C-8: Lease Escalation Rate**

Provide a description and example of how the Applicant will calculate the annual escalation rate for customer leases.

**C-9 Exhibit C-9: Incentives, Tax Credits, Renewable Energy Certificates and Rebates**

Provide a list of all known and expected incentives. These include, but are not limited to renewable energy certificates ("RECs"); other environmental credits, such as carbon-reduction credits; tax incentives, such as the Investment Tax Credit; federal, state, and local incentives; and, other forms of incentives, such as rebates obtained, sought, or expected to be sought by the Applicant. Identify if the incentive, tax credit, REC or rebate is monetized to or shared with the leasing customer and, if so, describe how and over what time period. Identify which party (Lessor or Lessee) retains ownership of the RECs.

**D. APPLICANT'S AFFIDAVIT**

State of: \_\_\_\_\_

County of: \_\_\_\_\_

\_\_\_\_\_, Affiant, being duly sworn/affirmed according to the law, deposes and

says that: He/She is the \_\_\_\_\_ (Principal Officer) of

\_\_\_\_\_ (Name of Applicant):

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

The Applicant herein, attests that the Applicant:

- 1) Has provided information in this Application that is true and complete in all material respects. If there are material changes during the pendency of the Application, the Applicant will notify ORS of the change and, if necessary, provide documentation.
- 2) Will comply with all aspects of S.C. Code Ann. § 58-27-2600 *et. seq.*
- 3) Will cooperate fully with the South Carolina Office of Regulatory Staff on any matter including the investigation of any consumer complaint regarding any service offered or provided by the Applicant.
- 4) Will comply with S.C. Code Laws § 58-27-2630, which requires the Applicant to register renewable electric generation facilities with the South Carolina Office of Regulatory Staff within 30 days of installation.
- 5) Has a sufficient financial arrangement to support leasing as a sustainable business activity. Financial arrangements include, but are not limited to guarantees, bank commitments, contractual arrangements, and credit agreements.
- 6) Will comply with all state and/or federal rules and regulations concerning consumer protection, advertising and promotions.
- 7) Will comply with the interconnection standards required by the electric provider and state law.
- 8) Will require the installation of facilities to be conducted by personnel who meet or exceed all applicable state and local licensing requirements including, but not limited to, the North American Board of Certified Energy Practitioners ("NABCEP"), Interstate Renewable Energy Council ("IREC"), and Underwriter's Laboratories - International Brotherhood of Electrical Workers ("UL-IBEW") certifications.

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- 9) Will require all personnel installing facilities to maintain proper bonding, liability and worker's compensation insurance.
- 10) Will require all facility installations to meet or exceed the safety and performance standards of the National Electric Code ("NEC"), the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers ("IEEE"), Underwriters Laboratories ("UL") and the Federal Energy Regulatory Commission ("FERC").
- 11) Will require all facility installations to be in accordance with the specifications of county and municipal permits.
- 12) Will inform the South Carolina Office of Regulatory Staff during the pendency of the Application and after a Certificate is granted of any material change to the information supplied in the Application within 90 days of such material change.
- 13) Will not transfer or assign the Certificate granted to the Applicant under S.C. Code Ann. § 58-27-2600 et. seq. without prior approval from the South Carolina Office of Regulatory Staff.

I, \_\_\_\_\_, verify under penalty of perjury under the laws of the State of South Carolina, that all information supplied or relating to this application is true and correct. I know that willful misstatements or omissions of material fact constitute criminal violations punishable by imprisonment and fines as prescribed by law. (Note: This oath applies to all schedules and supplemental filings to this application).

**SWORN TO BEFORE ME**

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

-----  
Applicant's Printed Name

-----  
Applicant's Signature

Notary Public \_\_\_\_\_

Commission Expires \_\_\_\_\_

# Attachment B: Registry of Leased Facilities Form



South Carolina Office of  
Regulatory Staff  
Renewable Electric Generation

## Registry of Leased Facilities Form

### Registry Guidelines

1. SC Law § 58-27-2630 requires a Lessor of renewable electric generation to register a facility leased to a customer-generator lessee with the SC Office of Regulatory Staff (ORS) not more than 30 days after installation.
2. Complete a Registry of Leased Facilities Form for **each** facility leased to a customer-generator lessee. ORS will not accept facility registration in any other manner than the Registry of Leased Facilities Form.
3. Fill out the Registry of Leased Facilities Form completely. Incomplete forms will not be accepted.
4. **Submit the completed Registry of Leased Facilities Form to ORS on or before the 15<sup>th</sup> of each month.** Submittal may be via:
  - ✓ Mail: SC Office of Regulatory Staff  
Attention: Thomas McGill  
1401 Main Street, Suite 900  
Columbia, SC 29201
  - ✓ E-Mail (pdf documents only): [tmcgill@regstaff.sc.gov](mailto:tmcgill@regstaff.sc.gov)
  - ✓ Fax: 803/737-0801
5. If no leased facilities were installed during the reporting period, indicate in the appropriate area and return the Registry of Leased Facilities Form to ORS.

### Lessor Information

Lessor Name:	_____	Today's Date:	_____
Certificate #:	SL - _____		_____
E-Mail Address:	_____	Mailing Address:	_____
Name of Person completing the Registry Form:	_____	Phone No:	_____

### Leased Facility Information

If no facilities were installed during the reporting period, check this box.

Customer- Generator Lessee Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone No: \_\_\_\_\_  
 \_\_\_\_\_  
 Physical Location of Facility: \_\_\_\_\_  
 \_\_\_\_\_  
 Nameplate Generating Capacity (AC): \_\_\_\_\_  
 \_\_\_\_\_  
 Name of Retail Electric Provider: \_\_\_\_\_  
 Date the Facility began or will begin operating: \_\_\_\_\_  
 \_\_\_\_\_  
 Expected Annual Energy Output: \_\_\_\_\_ kwh  
 Intended Use of Facility (check one): Residential  Commercial  Industrial

**Facility Permits**

List all federal, state and local licenses and permits required for construction and operation of the leased facility. Indicate whether the permit has been applied for or obtained.		
Permit	Applied For	Obtained

Registry of Leased Facilities Form v.01 01/16



**Customer-Generator Affidavit**

**This affidavit must be completed by the Customer-Generator Lessee for each facility installation.**

State of: \_\_\_\_\_

County of: \_\_\_\_\_

I, \_\_\_\_\_  
(Name of Customer-Generator Lessee), agree that:

- 1) I will not sell, resell, or attempt to sell or resell the electrical output of the facility to any person, corporation, or entity, other than the customer-generator lessee's retail electric provider or its designee;
- 2) The primary purpose for the operation of the renewable electric generation facility is to generate electricity for the benefit of the premises where it is located; and
- 3) The facility has been or will be operated in substantial compliance with all federal and state laws, rules and regulations and all local codes and ordinances.

SWORN TO BEFORE ME

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Customer-Generator Lessee Printed Name

\_\_\_\_\_  
Customer-Generator Lessee Signature

Notary Public \_\_\_\_\_

Commission Expires \_\_\_\_\_