

# MULTI-FAMILY SHARED SOLAR PROGRAM LICENSING APPLICATION NON-EXEMPT SUBSCRIBER ORGANIZATIONS

## Contents:

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Each entity seeking to conduct business as a subscriber organization shall obtain a license from the State Corporation Commission prior to commencing business operations. Each entity applying for a license to conduct business as a subscriber organization shall file an application with the Clerk of the Commission and contemporaneously provide a copy of the application to the investor-owned utility.

Commission Staff will perform a completeness review after the application (public version and, if applicable, confidential version) has been filed and the registration fee has been received by the Document Control Center. If Commission Staff considers an application to be complete, the Commission will issue an Order for Notice and Comment in the case. If an application is deemed to be incomplete, a Staff Attorney with the Commission's Office of General Counsel will send a Letter of Deficiency to the liaison identified in the application. The Letter of Deficiency will specify the issues and provide further instruction necessary for the applicant to make the application complete. Incomplete applications will be held in process until the deficiencies are resolved. Failure to complete an application in a timely manner may result in the application being rejected, administrative closure of the case, and forfeiture of the registration fee.

Once an application has been deemed complete, the State Corporation Commission shall enter an order to docket the proceeding, providing notice to appropriate persons, and provide an opportunity for comments on the application.

If the applicant becomes aware of any material changes to any information within the application, the applicant shall inform the Virginia State Corporation Commission within 10 calendar days.

The Virginia State Corporation Commission shall issue a license to conduct business as a subscriber organization upon finding the applicant satisfies the licensing requirements established in the Rules Governing Multi-Family Shared Solar Program under [20 VAC 5-342-30](#).

The Multi-family Shared Solar Program is intended to provide eligible multi-family customers of Dominion Energy Virginia and Old Dominion Power Company the opportunity to participate in shared solar projects. The Multi-family Shared Solar Program is not restricted by minimum low-income subscriber requirements or defined shared solar facility capacity subscription requirements.

The following characteristics of the shared solar facility are required to be licensed as a Non-exempt Subscriber Organization under the Multi-Family Shared Solar Program.

- A. The solar facility is to be located in the service territory of the incumbent utility; Dominion Energy Virginia or Old Dominion Power.
- B. The solar facility is to be interconnected with the incumbent utility's distribution grid.
- C. The solar facility is to be located on the premises of or adjacent to the property of the multi-family dwelling or complex where 3 or more subscribers reside.
- D. The solar facility is to have an alternating current output rating (nameplate capacity) over 500kw (0.5 megawatts).
- E. The solar facility is to be at a single location and have an alternating current output rating (nameplate capacity) of no more than 3,000kw (3 megawatts)

**OR,**

The solar facility is to be at contiguous locations with a cumulative alternating current output rating (nameplate capacity) of no more than 5,000kw (5 megawatts).

Please refer to the Application Selection Guide available on the SCC's website to determine the appropriate shared solar program

and license classification for the solar facility. Questions regarding the multi-family shared solar program or this application may be directed to [SharedSolarProject@scc.virginia.gov](mailto:SharedSolarProject@scc.virginia.gov) or by calling 804-371-9950.

**MULTI-FAMILY SHARED SOLAR PROGRAM  
LICENSING APPLICATION  
NON-EXEMPT SUBSCRIBER ORGANIZATIONS**

1. Legal Name of the Business:

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Trade Name(s):

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2. Principal Office Physical Business Address:

Street Address 1					
Street Address 2					
City		State		Zip Code	
Telephone Number					

Physical Virginia Office Location 1 (if other than Principal Office). Insert "No Virginia Office Location" for Street Address 1 if the applicant does not have an office located in Virginia.

Street Address 1					
Street Address 2					
City		State		Zip Code	
Telephone Number					

Check box and attach a separate sheet with any additional Virginia Office locations, not listed above.

3.  If a foreign corporation, check the box to indicate a copy of the applicant's authorization from the Virginia State Corporation Commission to conduct business in Virginia is attached to this application

**OR**

If a domestic corporation of the Commonwealth of Virginia, check the box to indicate a copy of the certificate of incorporation from the Virginia State Corporation Commission is attached to this application.

4. If a foreign corporation, the applicant's business structure, identifying the state authorizing such structure and date (e.g., if incorporated, the state and date of incorporation; if a limited liability company, the state issuing the certificate of organization and the date of issuance).

Authorized Business Structure			
State Providing Authorization		Date Authorized	

Check the box to indicate a copy of the applicant's business license is attached to this application.

5. Applicant's registered agent in Virginia for service of process.

Name			Title		
Business Address 1					
Business Address 2					
City		State		Zip Code	

6. Applicant's liaison to the Virginia State Corporation Commission.

Name			Title		
Business Address 1					
Business Address 2					
City		State		Zip Code	
Telephone Number		Email			

7. Description of the project to include the physical location and size (in kW AC) of the solar facility, expected in-service date:

Project Name		Project Size (kW)		Project In-Service Date	
Project Address 1					
Project Address 2					
Project City		Project State		Project Zip Code	
Project City of/ County of					

The identity of the complex being served, the expected number of subscribers to be served and any other pertinent information, as applicable.

Complex/ Dwelling Name		Maximum Possible Subscribers		Expected Number of Subscribers	
Complex/ Dwelling Address 1					
Complex/ Dwelling Address 2					
Complex/ Dwelling City		Complex/ Dwelling State		Complex/ Dwelling Zip Code	
City of/ County of					

8. The applicant shall disclose if it is an affiliate of the incumbent utility.

The applicant is **NOT** an affiliate of the incumbent utility.

**OR**

The applicant **IS** an affiliate of the incumbent utility. The applicant shall further provide a description of internal controls the applicant has designed to ensure that the applicant and the applicant's employees, contractors, and agents that are engaged in the:

(i) operations, transmission, or reliability functions of the electric generation systems; or

(ii) customer service, sales, marketing, metering, accounting, or billing functions do not receive information from the utility or from entities that provide similar functions for or on behalf of the utility as would give the affiliated subscriber organization an undue advantage over nonaffiliated subscriber organizations.

9. Name and business address of all principal corporate officers and directors, partners, and limited liability company (LLC) members, as appropriate.

Name		Title			
Business Address 1					
Business Address 2					
City		State		Zip Code	

Name		Title			
Business Address 1					
Business Address 2					
City		State		Zip Code	

Name		Title			
Business Address 1					
Business Address 2					
City		State		Zip Code	

Name		Title			
Business Address 1					
Business Address 2					
City		State		Zip Code	

Check box and attach a separate sheet with Name, Title, and Business Address of additional principal corporate officers and directors, partners, and limited liability company (LLC) members, as appropriate, not listed above.

10. A list of the states in which the applicant and the applicant's affiliates conduct business related to participation in a shared solar program, the names under which such business is conducted, and a description of the business conducted

Business Name		State	
Description of Business Conducted			

Business Name		State	
Description of Business Conducted			

Business Name		State	
Description of Business Conducted			

Business Name		State	
Description of Business Conducted			

Business Name		State	
Description of Business Conducted			

Check box and attach a separate sheet which lists the State, Business Name, and a description of the type of business conducted .

11. The applicant plans to operate in the service territory of the incumbent utility:

Dominion Energy Virginia;

OR,

Old Dominion Power.

12. Sufficient information to demonstrate, for purposes of licensure, financial fitness commensurate with the services proposed to be provided. Applicant shall attach to this application filed with the Virginia State Corporation Commission the following information related to general financial fitness:

a. Proof of a minimum bond rating or other senior debt of "BBB-" or an equivalent rating by a major rating agency, or a guarantee with a guarantor possessing a credit rating of "BBB-" or higher from a major rating agency;

**OR,**

Other evidence to demonstrate the applicant's financial responsibility.

b. The applicant's audited balance sheet, income, and cash flow statements for the most recent fiscal year or published financial information such as the most recent Securities and Exchange commission forms 10-K and 10-Q;

**OR,**

other financial information for the applicant or any other entity that provides financial resources to the applicant may be provided.

c. Information to demonstrate that the applicant is a bona fide nonprofit entity. The information provided shall establish that the applicant:

(i) has the status of a tax-exempt organization under § 501(C)(3) of the Internal Revenue Code of 1986;

(ii) conducts its activities in a manner that serves public or charitable purposes rather than commercial purposes;

(iii) will apply for qualification of projects that serve primarily or exclusively low-income customers;

**AND,**

(iv) was not created for the purpose of avoiding the financial fitness requirements or otherwise under the control of a for profit entity.

13. Sufficient information to demonstrate technical fitness commensurate with the service to be provided, to include:

a. On a separate page attached to this application, a description of the applicant's experience developing solar facilities and engaging as a subscriber organization or other relevant services. Provide a discussion of the applicant's qualifications, including a summary of other projects developed and managed by the applicant with location, status, and operational history.

- b. On a separate page attached to this application, list the names and include a description of the managerial and technical experience of each principal officer and appropriate senior management person with direct responsibility for the business operations conducted in Virginia. Include a description of their experience related to developing solar facilities and providing shared solar services.
- c. On a separate page attached to this application, identify the billing service options supported by the utility of which the applicant intends to offer and a description of the applicant's billing capability including a description of any related experience.

14.  Check box to indicate applicant has attached a copy of the applicant's dispute resolution procedure, including the telephone number for the customer service department.

15.  Check box to indicate applicant has attached a copy of the applicant's proposed standard customer agreement it proposes to use with prospective subscribers.

16. The following information related to the applicant's fitness to operate as a subscriber organization:

- a. Disclosure of any (i) civil, criminal, or regulatory sanctions or penalties imposed or in place within the previous five years against the applicant, any of its affiliates, or any officer, director, partner, or member of an LLC or any of its affiliates, pursuant to any state or federal consumer protection law or regulation and (ii) felony convictions within the previous five years that relate to the business of the company or to an affiliate thereof, of any officer, director, partner, or member of an LLC

Check box to indicate additional disclosure(s) are included on a separate page attached to this application.

**AND,**

- b. Disclosure of whether any application for license or authority to conduct a similar type of business as it proposes to offer in Virginia has ever been denied, whether any license or authority issued to it or an affiliate has ever been suspended or revoked, and whether other sanctions have been imposed.



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Check box to indicate additional disclosure(s) are included on a separate page attached to this application.

17. A \$250 registration fee payable to State Corporation Commission.

**ATTESTATION**

I, \_\_\_\_\_, an officer with appropriate authority shall attest that all information supplied on the application for licensure is true and correct and that, if a license is granted, the applicant will abide by all applicable laws of the Commonwealth and regulations of the Virginia State Corporation Commission.

Signature		Date	
Name		Title	

## APPLICATION INSTRUCTIONS:

All required information is to be provided with the application, internet links or website addresses to information will not be accepted. Applicants must provide clearly legible information in the space provided. If the information exceeds the space provided, the applicant should provide the remaining information on a separate sheet and attach it to the application. Factual information and proactive statements are required, "none", "n/a", "not applicable", or similar phrases must not be used and may cause an application to be deemed incomplete.

Questions may be directed to [SharedSolarProject@scc.virginia.gov](mailto:SharedSolarProject@scc.virginia.gov) or by calling 804-371-9950.

1. The Legal Name of the applicant and any Trade Name(s) to be used to conduct business in Virginia. If a trade name is not used, insert "No Trade Name" in the space.
2. Applicant's address(es) and telephone number(s).
  - a. Physical address and telephone number of the applicant's principal business office. This is the main telephone number and physical street address where the applicant's primary business office is located.
  - b. Physical address and telephone number of the applicant's office(s) located in Virginia. The application provides space for one Virginia office location, if any. If the applicant has more than one office located in Virginia, check the box and on a separate sheet, list the physical address and telephone number of any additional Virginia office location(s) and attach the sheet to the application form. If the applicant does not have an office located in Virginia, insert "No Virginia Office Location" in the space for Street Address 1.
3. If the applicant is licensed as a foreign (Non-Virginia) company, check the box and attach a copy of the certificate from the Virginia State Corporation Commission which authorizes the applicant to conduct business in Virginia ;  
**OR,**  
If the applicant is licensed as a domestic (Virginia) company, check the box and attach a copy of the certificate of incorporation from the Virginia State Corporation Commission.
4. The applicant's authorized business structure (corporation, limited liability company, limited partnership, etc.), the name of the State which authorized the applicant's business structure, and the date the business structure was authorized. Applicants are encouraged to attach a copy of the business authorization to this application.
5. The name, title, and business address of the applicant's registered agent in Virginia.
6. The name, title, business address, telephone number, and email address of the applicant's employee who has been designated as the point of contact for the Virginia State Corporation Commission.

7. Provide a description of the project and identify the dwelling or complex to be served.
  - a. Include a description of the Project (solar facility);
    - i. Project name,
    - ii. Project size (nameplate capacity) in kilowatts of alternating current,
    - iii. The date the project will be placed into service, and
    - iv. The physical address of the project (solar facility) including the city or county name.
  - AND**
  - b. Identity of the Dwelling or Complex receiving electricity from the solar facility. Identify the dwelling or complex where the applicant's subscribers reside to include the following;
    - i. Name of the dwelling or complex, if any,
    - ii. Maximum number of possible subscribers,
    - iii. Expected number of subscribers,
    - iv. Physical address of the dwelling or complex,
    - v. Name of City or County where the dwelling or complex is located.
8. The applicant must disclose whether or not the applicant is an affiliate of the incumbent utility serving the applicant's proposed subscribers. Check the appropriate box on the application.

If the applicant is an affiliate of the incumbent utility, the applicant must attach a separate sheet to this application which provides a description of the internal controls designed to ensure that the applicant, the applicant's employees, contractors, and agents do not give the applicant an undue advantage over any non-affiliated subscriber organization. The internal controls must demonstrate that the affiliate, affiliate's employees, contractors, and agents which engage in operations, transmission, or reliability of electric generation systems; or in customer service, sales, marketing, metering, accounting, or billing functions for or behalf of said incumbent utility do not have an undue advantage over non-affiliated subscriber organizations.
9. The name, title, and business address of all principal corporate officers, directors, partners, or limited liability company members. If the applicant has more principal corporate officers, directors, partners, or limited liability company members than the space provided in the application, check the box and on a separate sheet(s) list the name, title, and address of the additional person(s) and attach the list to the application. Insert "Vacant" for Name for any unused parts of the section.
10. List of the State(s) where the applicant and the applicant's affiliate(s) conduct business in a shared solar program, include the relevant business or trade name used in the State, and a brief description of the type of business conducted. Check the box at the bottom of the section to indicate the applicant will attach a separate sheet to the application which lists any additional States, applicable business or trade name, and description of the business conducted. Insert "Open" for Business Name for any unused parts of the section.
11. Check the box to indicate which utility's service territory the solar facility is located within.

12. Sufficient information attached to this application which demonstrates the applicant has the financial fitness necessary to provide the type of service proposed. Sufficient financial fitness information includes:
- a. If available, proof of a minimum rating of "BBB-" or equivalent by a major rating agency of the applicant's bond(s) or other senior debt,  
**OR,**  
A guarantee with a grantor that possess a minimum bond rating or other senior debt of "BBB-" or equivalent by a major rating agency
  - b. If available, the audited financial statements of the applicant's most recent fiscal year,  
**OR,**  
The applicant's published financial information such as the most recent Form 10-K or Form 10-Q filed with the Securities and Exchange Commission,  
**OR,**  
Other financial information about the applicant or entity that provides financial resources to the applicant.
  - c. If applicable, information which demonstrates the applicant is a bona fide non-profit entity. The information must show that the applicant:
    - i. Has a tax-exempt status under § 501 (C)(3) of the Internal Revenue Code of 1986;  
**AND**
    - ii. Conducts activities that serve public or charitable purposes;  
**AND**
    - iii. Will apply for the qualification of projects which primarily or exclusively service low-income customers;  
**AND**
    - iv. Was not created to avoid the financial fitness requirements or otherwise under the control of a for profit entity.
13. Sufficient information attached to this application which demonstrates the applicant's technical fitness to provide the type of service proposed. Sufficient technical fitness includes:
- a. A description of the applicant's experience developing and operating solar facilities;  
**AND**  
The applicant's experience as a subscriber organization or other relevant services.  
**AND**  
A description of the applicant's qualifications; identify other projects or solar facilities the applicant has developed or managed and include the location, size, status, and a brief operational history.
  - b. Provide a summary of the technical and managerial experience of developing or operating solar facilities or providing shared solar services of each principal corporate officers, directors, partners, or limited liability company members directly responsible for business operations in Virginia.

- c. Identify the billing service options the applicant intends to offer and are supported by the incumbent utility. Include the applicant's billing capability and any relevant experience.

14. Check the box and attach a copy of the applicant's dispute resolution procedure to this application. The applicant's dispute resolution procedures should meet the requirements listed in [20VAC5-342-70](#). See the Example Dispute Resolution Procedure provided on the Commission's website.

15. Check the box and attach a copy of the applicant's standard customer agreement it proposes to use with subscribers.

16. Disclosures related to the applicant's fitness to operate as a subscriber organization;

a. Disclosure(s) of any:

- i. civil, criminal, or regulatory sanctions or penalties imposed or in place within the previous five years against the applicant, any of its affiliates, or any officer, director, partner, or member of an LLC or any of its affiliates, pursuant to any state or federal consumer protection law or regulation

If the applicant has nothing to disclose, then a proactive statement should be provided in the space. For example; *"Ace Subscriber Organization, any of its affiliates, officers, directors, partners, or members, have not had any civil, criminal, or regulatory sanctions or penalties imposed or in place within the previous five years"*.

**AND**

- ii. felony convictions within the previous five years that relate to the business of the company or to an affiliate thereof, of any officer, director, partner, or member of an LLC. If the applicant has nothing to disclose, then a proactive statement should be provided in the space (see example of a proactive statement in 15 a, above).

b. Disclosure(s) of whether the applicant has;

- i. had any application for license or authority to conduct business, similar to what the applicant proposes to offer in Virginia, ever been denied

If the applicant has nothing to disclose, then a proactive statement should be provided in the space (see example of a proactive statement in 15 a, above)

**OR,**

- ii. Any license or authority issued to the applicant or an affiliate of the applicant ever been suspended or revoked, and whether any sanctions have ever been imposed.

If the applicant has nothing to disclose, then a proactive statement should be provided in the space (see example of a proactive statement in 15 a, above).

17. A \$250 registration fee made payable to State Corporation Commission. A cover letter should be included with the registration fee to indicate the applicant's name and the type of license application.

## **ATTESTATION**

The attestation requires the penned signature of an officer, director, partner, or limited liability member who is an authorized representative of the person or entity identified as the applicant. By signing the attestation, the signor is declaring that the information provided in the application is true and correct. Further, a signed attestation is a declaration that, if licensed, the applicant will abide by all applicable laws of the Commonwealth of Virginia and the rules and regulations of the Virginia State Corporation Commission.

## **INSTRUCTIONS FOR FILING THE LICENSE APPLICATION**

The licensing of a non-exempt subscriber organization is conducted through a formal proceeding at the State Corporation Commission. The rules require the applicant to file the application with the State Corporation Commission and to contemporaneously provide a copy to the utility. Upon receipt of the filing, the application will be docketed and assigned a case number. Unless the application is filed according to the [Rules of Practice and Procedure](#) for confidential information, all information contained in the application is available to the public.

### **Preparing the License Application for Filing**

Create a cover letter that includes the return address, telephone number, and email address of the applicant. The cover letter should include the date and a reference statement "Application of [business name] for a License as a Non-exempt Subscriber Organization in the Multi-family Shared Solar Program" to identify the purpose of the application. Review the application form to be certain all the information has been provided, and the attestation has been properly filled in and signed. All accompanying documents should be placed behind the application form.

### **Registration Fee**

The registration fee for non-exempt subscriber organizations is \$250 and is payable to State Corporation Commission. Registration fees must be delivered to the State Corporation Commission, address information is provided below.

### **Confidential Treatment of Information**

If an applicant considers any information required by the application to be confidential, the applicant may elect to withhold the confidential information from public disclosure pursuant to 5 VAC 5-20-170 of the Commission's Rules of Practice and Procedure. Specifically, according to this Rule, "When an application (including supporting documents and pre-filed testimony) contains information that the applicant claims to be confidential, the filing shall be made under seal and accompanied by a motion for protective order or other confidential treatment." A public version of the application, with the information claimed as confidential redacted, must also be prepared and filed with the Commission.

Note that, under 5 VAC 5-20-30 of the Commission's Rules of Practice and Procedure, any Motion for Protective Order must be filed by "a properly licensed attorney at law," including either a Virginia attorney or an attorney licensed to practice in another jurisdiction who appears "in association with a member of the Virginia State Bar."

If the applicant elects to file a confidential version of the application, the applicant should consult Rule 170 for information on the proper way to mark information as confidential. In addition, the Division of Utility Accounting and Finance asks that the cover letter include "(Confidential Version)" in the reference statement and that the application packet include a separate copy of the cover letter marked "(Public Version)" in the reference statement.

Under Rule 170, any "document containing confidential information shall not be submitted electronically." If the applicant elects to file the public version of the application through the Case eFiling System, the Division of Utility Accounting and Finance will not consider the application complete until the confidential version and registration fee are also received by the Document Control Center at the State Corporation Commission.

The Confidential Version of the application and the motion for protective ruling conforming to the Rules of Practice and Procedure must be received within sixty (60) days of the filing of the public version of the application. Failure to comply with the Commission’s Rules of Practice and Procedure may result in delay and/or denial of the application, or any other action deemed appropriate by the Commission.

### Case eFiling System

Applicants must register for a Case eFiling System account to electronically file the license application. To register for an account, download and complete the [Electronic Document Filing Authorization Form](#). Attach a pdf of the completed [Electronic Document Filing Authorization Form](#) to an email addressed to the following:

[Lillian.cammack@scc.virginia.gov](mailto:Lillian.cammack@scc.virginia.gov); [Renee.miles@scc.virginia.gov](mailto:Renee.miles@scc.virginia.gov); [Richard.whitt@scc.virginia.gov](mailto:Richard.whitt@scc.virginia.gov)

You will receive an email with instructions to activate the account. Once the Case eFiling System account has been activated, the application may be filed by uploading a pdf file of the application.

### Sending Applications and Registration Fees to the State Corporation Commission

Applications and Registration Fees may be sent to the State Corporation Commission using the methods and addresses below.

Via U.S. Mail –  
State Corporation Commission  
c/o Document Control Center  
P.O. Box 2118  
Richmond, Virginia 23218-2118

Via FedEx, UPS, or delivery service –  
State Corporation Commission  
c/o Document Control Center  
1300 East Main Street  
Richmond, Virginia 23219

### Providing Copies of the Application to the Utility

Dominion Energy Virginia  
[multifamilysharesolar@dominionenergy.com](mailto:multifamilysharesolar@dominionenergy.com)

or

Director - Regulation Dominion Energy Virginia  
Multi-Family Shared Solar/Shared Solar Program  
120 Tredegar Street  
Riverside Building 3rd Floor  
Richmond, VA 23219

Old Dominion Power Company  
[VA\\_MULTIFAM\\_SS@lge-ku.com](mailto:VA_MULTIFAM_SS@lge-ku.com)

or

Emerging Business Delivery  
LG&E and KU Energy LLC  
220 West Main Street  
Louisville, KY 40202



## **LICENSE APPLICATION PROCESS**

Once the application has been filed to the State Corporation Commission, the Commission Staff will review and evaluate the application, applicant, solar facility, and other information for eligibility and compliance with the program requirements. Typically, the review and evaluation period will take approximately 60 days. The general steps in the process are outlined below:

1. Application is filed.
2. Applications are reviewed by Commission Staff for completeness. If an application is deemed to be complete, an Order for Notice and Comment will be issued by the Commission in the case. If an application is determined to be incomplete, a Commission Staff Attorney will email a Letter of Deficiency to the applicant. The Letter of Deficiency will specify the deficiencies and provide further instruction.
3. Order for Notice and Comment – issued by the State Corporation Commission and establishes deadlines for specific events in the case.
4. Proof of Service – filed by the applicant to demonstrate that it has served a copy of the Order for Notice and Comment on the utility.
5. Comments on Application – filed by the utility or any other party to the case.
6. Staff Report - Staff reports on its investigation of the information contained in the application and makes a recommendation to the Commission.
7. Comments on the Staff Report – any party to the case may file comments on the Staff Report.
8. Order Granting License – if approved, the Commission will issue an order granting a license to the applicant.
9. A Certificate of Licensure is granted.