

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, AUGUST 8, 2024

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COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. PUR-2024-00122

Ex Parte: In the matter of amending regulations
governing shared solar programs

ORDER ESTABLISHING PROCEEDING

The Regulations Governing Shared Solar Program, 20 VAC 5-340-10 *et seq.* ("Shared Solar Rules"), adopted by the State Corporation Commission ("Commission") pursuant to Code § 56-594.3, establish the requirements for customers of Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion") to participate in shared solar projects.¹ The Shared Solar Rules include, *inter alia*, requirements for licensing and registration of subscriber organizations, billing and payment and dispute resolution.

Chapters 715, 716, 763 and 765 of the 2024 Virginia Acts of Assembly (collectively, "2024 Shared Solar Legislation") amended Code § 56-594.3 and enacted new Code § 56-594.4, effective July 1, 2024. The 2024 Shared Solar Legislation modified certain statutory provisions applicable to Dominion's shared solar program and directed the establishment of a similar program for customers of Appalachian Power Company ("APCo"). Additionally, the 2024 Shared Solar Legislation directs the Commission to recalculate the minimum bill that prescribes the amount a participating customer must pay to the utility each month after accounting for any bill credits.

¹ *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: In the matter of establishing regulations for a shared solar program pursuant to § 56-594.3 of the Code of Virginia*, Case No. PUR-2020-00125, 2020 S.C.C. Ann. Rept. 574, Order Adopting Rules (Dec. 23, 2020).

NOW THE COMMISSION, upon consideration of the matter, is of the opinion and finds that a proceeding should be established to amend the Shared Solar Rules to reflect the 2024 Shared Solar Legislation.

To initiate this proceeding, the Commission Staff ("Staff") has prepared proposed amendments to the Shared Solar Rules ("Proposed Amendments"), which are appended to this Order. The Commission finds that notice of the Proposed Amendments should be given to the public; that interested persons should be provided an opportunity to file written comments on, propose modifications or supplements to, or request a hearing on the Proposed Amendments; and that Dominion should serve a copy of this Order upon each of its shared solar customers and each of its registered subscriber organizations and file a certificate of service.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUR-2024-00122.

(2) All comments and other documents and pleadings filed in this matter shall be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure.² Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and shall comply with Rule 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and

² 5 VAC 5-20-10 *et seq.* ("Rules of Practice").

the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

(4) The Commission's Division of Information Resources shall forward a copy of this Order Establishing Proceeding to the Registrar of Regulations for publication in the *Virginia Register of Regulations*.

(5) On or before August 26, 2024, Dominion shall serve a copy of this Order upon each of its existing shared solar customers and each of its registered subscriber organizations and shall file with the Clerk of the Commission a certificate of service no later than September 9, 2024, consistent with the findings above.

(6) An electronic copy of the Proposed Amendments may be obtained by submitting a request to Matthew Unger in the Commission's Division of Public Utility Regulation at the following email address: matthew.unger@scc.virginia.gov. An electronic copy of the Proposed Amendments can also be found at the Division of Public Utility Regulation's website: scc.virginia.gov/pages/Rulemaking. Interested persons may also download unofficial copies of the Order and the Proposed Amendments from the Commission's website: scc.virginia.gov/pages/Case-Information.

(7) On or before September 26, 2024, any interested person may comment on, propose modifications or supplements to, or request a hearing on the Proposed Amendments following the instructions on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit such documents electronically may file such comments by U.S. mail to the Clerk of the

State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All such documents shall refer to Case No. PUR-2024-00122. Individuals should be specific in their comments, proposals, or supplements to the Proposed Amendments and should address only those issues pertaining to the 2024 Shared Solar Legislation. Issues outside the scope of addressing these amendments will not be open for consideration. Any request for hearing shall state with specificity why the issues raised in the request for hearing cannot be adequately addressed in written comments. If a sufficient request for hearing is not received, the Commission may consider the matter and enter an order based upon the comments, documents or other pleadings filed in this proceeding.

(8) On or before October 10, 2024, the Staff shall file with the Clerk of the Commission a report on or a response to any comments, proposals, or requests for hearing submitted to the Commission on the Proposed Amendments.

(9) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

Project 7988 - Proposed

State Corporation Commission

Chapter 340 Rules Governing Shared Solar Program

20VAC5-340-10. Applicability.

A. This chapter is promulgated pursuant to § 56-594.3 and § 56-594.4 of the Code of Virginia. The provisions of this chapter apply to Phase I Utilities, Phase II Utilities, subscriber organizations, and subscribers. The provisions of this chapter govern the development of shared solar facilities and participation in the shared solar program.

B. For a Phase I Utility the maximum aggregate capacity of the of the Shared Solar Program shall be 50 megawatts, or six percent of peak load, whichever is less.

~~B. C. For a Phase II Utility, ¶the maximum cumulative size part one aggregate capacity of the shared solar program initially shall not exceed be 150 200 megawatts, at least 30% of which must be comprised of low-income customers. The program shall be expanded, as part two, by up to 150 megawatts upon a State Corporation Commission determination that at least 90% of the part one aggregate capacity has been subscribed and that project construction is substantially complete. qualification of satisfying the 30% requirement of low-income participation. In part two of the shared solar program, no more than 51 percent of up to 75 megawatts of aggregated capacity shall serve low-income customers.~~

~~C. D.~~ Any shared solar facility may collocate on the same parcel of land as another shared solar facility only if such facilities are owned by the same entity and do not exceed an accumulative maximum capacity of 5,000 kilowatts among all such facilities. Such facilities will also be responsible for any special interconnection arrangements with the utility.

~~D. E.~~ Customers participating in this program shall remain in their present customer class but may not participate in the multi-family solar program, pursuant to Chapters 1187, 1188, 1189, and 1239 of the 2020 Acts of Assembly, or the net metering program, pursuant to 20VAC5-315, while participating in this program.

~~E. F.~~ Each A Phase I Utility must file any tariffs, agreements, or forms necessary for implementation of the program ~~within 60 days of the utility's full implementation of a new customer information platform or~~ by July 1, 2023~~5~~, ~~whichever occurs first, to process customer subscriptions.~~ A Phase II Utility must file updated tariffs, agreements, or forms necessary for implementation of the program by December 1, 2025. Subscriber organizations may apply for licenses, register projects, interact with potential customers, and otherwise develop shared solar projects beginning in 2021.

~~F. G.~~ The provisions of this chapter shall be deemed not to prohibit the Phase I Utility or Phase II Utility, in emergency situations, from taking actions it is otherwise authorized to take that are necessary to ensure public safety and reliability of the distribution system. The State Corporation Commission, upon a claim of inappropriate action or its own motion, may investigate and take such corrective actions as may be appropriate.

~~G. H.~~ A request for a waiver of any of the provisions in this chapter shall be considered by the State Corporation Commission on a case-by-case basis and may be granted upon such terms and conditions as the State Corporation Commission may ~~impose~~ require.

20VAC5-340-20. Definitions.

The following terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Administrative cost" means the reasonable incremental cost to the investor-owned utility to process subscribers' bills for the program.

"Affordable housing provider" means any multi-family residential housing project that is one or more of the following:

1. A federal, state, or local financing program requiring that the real estate remains subject to land use restriction and rental housing affordability covenants that limit allowable rents charged to individuals or families;
2. A federal low-income housing tax credit project, as defined in § 42 of the Internal Revenue Code of 1986;
3. A project funded with federal grants made to states for low-income housing tax credits under § 1602 of the American Recovery and Reinvestment Act of 2009;
4. A rental assistance demonstration public housing conversion under the federal Consolidated and Further Continuing Appropriations Act of 2020; or
5. Affordable housing meeting the applicable requirements of another federal, state, or local program.

"Applicable bill credit rate" means the dollar-per-kilowatt-hour rate used to calculate the subscriber's bill credit.

"Bill credit" means the monetary value of the electricity, in kilowatt-hours, generated by the shared solar facility allocated to a subscriber to offset that subscriber's electricity bill.

"Commission" refers to the State Corporation Commission.

"Dual-use agricultural facility" means agricultural production and electricity production from solar photovoltaic panels occurring simultaneously on the same property.

"Gross bill" means the amount that a customer would pay to the utility based on the customer's monthly energy consumption before any bill credits are applied.

"Incremental cost" means any cost directly caused by the implementation of the shared solar program that would not have occurred absent the implementation of the shared solar program.

"Low-income customer" means any person or household whose income is no more than 80% of the median income of the locality in which the customer resides. The median income of the locality is determined by the U.S. Department of Housing and Urban Development.

"Low-income service organization" means a nonresidential customer of an investor-owned utility whose primary purpose is to serve low-income individuals and households.

"Low-income shared solar facility" means a shared solar facility at least 30% of the capacity of which is subscribed by low-income customers or low-income service organizations.

"Low-income subscription plan" means a plan submitted to the commission by an applicant providing a commitment for low-income subscription and demonstrating the ability to subscribe low-income customers.

"Minimum bill" means a dollar per month amount determined by the commission ~~under § 56-594.3 D of the Code of Virginia~~ that ~~subscribers are~~ a subscriber is required to pay, at a minimum, on ~~their~~ the subscriber's utility bill each month after accounting for any bill credits.

"Net bill" means the resulting amount a customer must pay the utility after deducting the bill credit from the customer's monthly gross bill.

"Non-ministerial permits" means all necessary governmental permits and approvals to construct the project (other than ministerial permits, such as electrical and building permits), notwithstanding any pending legal challenges to one or more permits or approvals.

"Person" means any individual, corporation, partnership, association, company, business, trust, joint venture, or other private legal entity, and the Commonwealth or any municipality.

"Phase I Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1 of the Code of Virginia.

"Phase II Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1 of the Code of Virginia.

"REC" means a Renewable Energy Certificate originating from a renewable energy standard eligible source as defined in subdivision C of § 56-585.5 of the Code of Virginia.

"Shared solar facility" means a facility that:

1. Generates electricity by means of a solar photovoltaic device with a nameplate capacity rating that does not exceed 5,000 kilowatts of alternating current;
2. ~~Is located in the service territory of an investor-owned electric utility;~~ Is interconnected with the distribution system of a Phase I or Phase II utility in the Commonwealth;
3. ~~Is connected to the electric distribution grid serving the Commonwealth;~~ Has at least three subscribers;
4. ~~Has at least three subscribers;~~ Has at least 40% of its capacity subscribed by customers with subscriptions of 25 kilowatts or less; and
5. ~~Has at least 40% of its capacity subscribed by customers with subscriptions of 25 kilowatts or less; and~~ Is located on a single parcel of land.
6. ~~Is located on a single parcel of land.~~

"Shared solar program" or "program" means the program created through this chapter to allow for the development of shared solar facilities.

"Subscriber" means a retail customer of a utility that (i) owns one or more subscriptions of a shared solar facility that is interconnected with the utility and (ii) receives service in the service

territory of the same utility in whose service territory the shared solar facility is located interconnected.

"Subscriber organization" means any for-profit or nonprofit entity that owns or operates one or more shared solar facilities. A subscriber organization shall not be considered a utility solely as a result of its ownership or operation of a shared solar facility. A subscriber organization licensed with the commission, unless otherwise exempt or granted a waiver from the commission, shall be eligible to own or operate shared solar facilities in more than one investor-owned utility service territory. A Phase I Utility and Phase II Utility shall not be a subscriber organization.

"Subscribed" means, in relation to a subscription, that a subscriber has made initial payments or provided a deposit to the owner of a shared solar facility for such subscription.

"Subscription" means a contract or other agreement between a subscriber and the owner of a shared solar facility. A subscription shall be sized such that the estimated bill credits do not exceed the subscriber's average annual bill for the customer account to which the subscription is attributed.

"Substantial Completion" means all requirements for interconnection with the electric transmission or distribution system have been met and it is signified by a letter from the utility authorizing the shared solar facility to interconnect, energize, and operate. The utility must provide this letter to the shared solar facility as soon as reasonably practical, but no later than 30 days after final interconnection.

"Utility" means a the respective Phase I or Phase II Utility.

20VAC5-340-30. Licensing of subscriber organizations.

A. Each entity seeking to conduct business as a subscriber organization, unless otherwise exempt or granted a waiver from the commission, shall obtain a license from the 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 utility. Applications for licensure shall be filed by the legal entity with control of, or prospective control of, shared solar projects rather than each individual project needing a separate license. If the applicant becomes aware of any material changes to any information while the application is still pending, the applicant shall inform the commission within 10 calendar days. Applications shall include the following information:

1. Legal name of the applicant, as well as any trade names.
2. Physical business addresses and telephone numbers of the applicant's principal office and all offices in Virginia.
3. A description of the applicant's authorized business structure, identifying the state authorizing such structure and the associated 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).
4. Name and business address of all principal corporate officers and directors, partners, and limited liability company (LLC) members, as appropriate.
5. If a foreign corporation, a copy of the applicant's authorization to conduct business in Virginia from the commission or if a domestic corporation, a copy of the certificate of incorporation from the commission.
6. 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.
7. The applicant shall disclose if it is an affiliate of the incumbent utility. If it is, it shall further provide a description of internal controls the applicant has designed to ensure that it and its employees, contractors, and agents that are engaged in the:

(i) a. ~~m~~Merchant, operations, transmission, or reliability functions of the electric generation systems; or

(ii) b. ~~e~~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.

8. Name, title, and address of the applicant's registered agent in Virginia for service of process.

9. Name, title, address, telephone number, and email address of the applicant's liaison with the commission.

10. Sufficient information to demonstrate, for purposes of licensure with the commission, financial fitness commensurate with the services proposed to be provided. Applicant shall submit the following information related to general financial fitness:

a. If available, proof of a minimum bond rating or other senior debt of at least "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. If not available, other evidence that will demonstrate the applicant's financial responsibility.

b. If available, 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. If not available, other financial information for the applicant or any other entity that provide financial resources to the applicant may be provided.

c. If applicable, 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.

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

a. 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. The names and 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. Billing service options the applicant intends to offer and a description of the applicant's billing capability including a description of any related experience.

d. A copy of the applicant's dispute resolution procedure, including the business website, email address, mailing address, and toll-free number for the customer service department.

~~12. A copy of the applicant's dispute resolution procedure, including the toll-free number for the customer service department.~~

~~43.~~ 12. A copy of the applicant's proposed standard agreement it plans to use with prospective subscribers.

~~44.~~ 13. A \$250 registration fee payable to the commission.

~~45.~~ 14. 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 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.

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, and whether any license or authority issued to it or an affiliate has ever been suspended or revoked and whether other sanctions have been imposed.

~~46.~~ 15. A copy of the applicant's low-income subscription plan, as applicable.

B. 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 commission.

C. Any application that fails to provide all required information in this section shall be regarded as incomplete. No action shall be taken on any application until deemed complete and filed.

D. Upon receipt of an application for a license to conduct business as a subscriber organization, the commission shall enter an order providing notice to appropriate persons and an opportunity for comments on the application. The commission shall issue a license to conduct

business as a subscriber organization upon finding the applicant satisfies the requirements established by this chapter.

E. A license granted pursuant to this chapter is valid until revoked or suspended by the commission after providing due notice and an opportunity for a hearing, or until the subscriber organization abandons its license.

F. ~~Commission~~Approval from the commission is required for transfer or assignment of a license issued under this section to any third party. The commission may condition its approval on any terms it determines appropriate to protect customers.

20VAC5-340-40. Registration with the utility.

A. Subscriber organizations, ~~licensed or otherwise~~ that are licensed, exempt, or granted a waiver from the commission consistent with 20VAC5-340-30, shall register each proposed shared solar facility with the utility by: ~~entering into an agreement containing information as prescribed in this section.~~

~~B. 1. A subscriber organization shall provide~~ Providing proof of licensure, exemption or waiver by the commission, as applicable.

~~C. 2. A subscriber organization shall submit~~ Submitting to the utility the full name of the subscriber organization, address, and type of entity (e.g. partnership, corporation, etc.).

~~D. 3. Subscriber organizations shall provide~~ Providing the identity of the shared solar facility participating in the shared solar program, including an address of record and a copy of the executed ~~interconnection agreement~~ Small Generation Interconnection Agreement or an Interconnection Service Agreement for the shared solar facility. Subscriber organizations also shall state the amount of capacity for the facility, ~~meeting or exceeding the minimum of 30%~~ including any percentage, that will be

subscribed by low-income subscribers and provide proof that non-ministerial permits have been obtained for the shared solar facility. Subscriber organizations shall also state the facility's anticipated substantial completion date.

~~E.~~ 4. For a low-income shared solar facility, the subscriber organization shall provide a copy of its low-income subscription plan, as applicable.

~~F.~~ 5. ~~Subscriber organizations and the utility shall exchange~~ Providing the names, telephone numbers, and email addresses of appropriate internal points of contact to address operational, business coordination, and customer account issues, and the names and addresses of their registered agents in Virginia.

~~G.~~ 6. In the event a license granted under 20VAC5-340-30 is transferred to another entity with approval from the commission, the subscriber organization must notify the utility within five business days of approval by the commission.

~~H.~~ 7. ~~The utility may require~~ Providing reasonable financial security, if required by the utility from the subscriber organization to safeguard the utility and its customers from the reasonably expected net financial impact due to the nonperformance of the subscriber organization. The amount of such financial security shall be commensurate with the level of risk assumed by the utility. Such financial security may include a letter of credit, a deposit in an escrow account, a prepayment arrangement, a surety bond, or other arrangements that may be mutually agreed upon by the utility and the subscriber organization. Subscriber organizations deemed bona fide nonprofits shall be exempt from the \$50 per kW alternating current security deposit or surety bond.

B. The utility shall provide to the subscriber organization the names, telephone numbers, and email addresses of appropriate internal points of contact to address operational, business coordination, and customer account issues.

† C. The utility shall notify the subscriber organization within 30 days after the subscriber organization submits a shared solar facility registration to the utility whether the shared solar facility has been awarded capacity in the program queue or placed on a waiting list. When awarded capacity in the program queue, the subscriber organization shall pay to the utility a security deposit or surety bond in the amount of \$50 per kilowatt (kW) of alternating-current (AC) rated capacity of the shared solar facility within 10 days. ~~This Security deposits~~ shall be held by the utility in an interest-bearing account. Deposits shall be returned in full, including interest, upon commercial operation of the shared solar facility and demonstration that low-income subscription requirements have been met. ~~As program capacity is awarded, the utility shall ensure that the cumulative capacity of such projects meets or exceeds 30% of project capacity (or savings equivalent) for low income customers as demonstrated by approved low income subscription plans. Subscriber organizations deemed bona fide nonprofits shall be exempt from the \$50 per kW alternating current (AC) utility deposit.~~

D. Shared solar facility meter requirements. A shared solar facility must have a utility-provided meter capable of measuring output of the facility on a 30-minute interval basis.

1. The shared solar facility's meter shall not be located behind another utility customer account.

2. Costs of installation, maintenance, and reading of the meter shall be billed to the subscriber organization.

‡ E. If a project fails to reach ~~mechanical~~ substantial completion within 24 months of the date it was awarded capacity, the utility shall remove the project from the program queue unless the subscriber organization of the project provides to the utility an additional deposit of \$275 per kW to maintain its position within the program queue. If, after paying the additional deposit, the project still fails to reach ~~mechanical~~ substantial completion within an additional ~~42~~ 4 months, the utility shall remove the project from the program queue.

~~K. F.~~ The utility shall maintain, on a publicly available website, a list of projects accepted into the program queue and those projects that are on the wait list. ~~This project list shall rank projects primarily by the date of the awarded capacity and secondarily by the date of a fully executed interconnection agreement. The utility shall update the list within two business days of any change to the projects in the program queue.~~ The list shall include project applicant name, project location, the alternating current capacity rating of the project, the date the application was accepted into the program queue, ~~and whether the project is a low income shared solar facility.~~ and the date the project reached substantial completion.

1. For each accepted project in the program queue, the project list shall rank projects primarily by the date of the awarded capacity, and secondarily by the date of anticipated substantial completion. The utility shall update the list within two business days of any change to the primary project dates in the program queue, and within 14 business days of any change to the secondary project date.

2. For each wait listed project in the program queue, the list shall rank projects by the date the project was placed on the wait list.

~~L. G.~~ Any project on the wait list that is moved off the wait list and receives a capacity award in the program queue shall have 10 business days to make the required deposit of \$50 per kW of alternating-current rated capacity to retain the project's award.

~~M. H.~~ As part of its public program queue, the utility shall monitor and report the amount of capacity that has been allocated to low-income customers, which also shall be published on the utility's website. ~~Upon qualification of 45 megawatts (MW) of alternating current (AC) of capacity committed to low income subscribers as demonstrated by the approved low income subscription plans of projects that have secured capacity in the program, the utility shall submit a request to the commission to release an additional 50 MW of capacity for the program, which Capacity shall be released without undue delay and allocated first to projects on the wait list and, if capacity~~

remains, to new applicants on a first-come, first-served basis following the registration requirements and process set forth in this section.

I. Certain shared solar program projects shall be entitled to receive incentives, as established by the Virginia Department of Energy, when they are located on rooftops, brownfields, or landfills, are dual-use agricultural facilities, or meet the definition of another category established by the Department of Energy.

20VAC5-340-50. Marketing and enrollment.

A. A subscriber organization shall not conduct any marketing activities related to participation in the shared solar program until after the subscriber organization:

- (i) 1. Receives a license, exemption, or waiver from the commission, and
- (ii) 2. Has begun registration with the utility, as set forth in 20VAC5-340-40.

~~B. A subscriber organization shall not enroll subscribers until after the earlier of when the utility's customer information system is operating or July 1, 2023, and the project receives the executed Small Generator Interconnection Agreement pursuant to 20VAC5-314-40 through 20VAC5-314-70 and any other applicable local and state permits for the shared solar facility. the project receives the executed Small Generator Interconnection Agreement pursuant to 20VAC5-314-40 through 20VAC5-314-70, non-ministerial permits, and any ministerial permits for the shared solar facility and;~~

- 1. For a Phase I Utility after July 1, 2025, or
- 2. For a Phase II Utility after July 1, 2023.

C. A subscriber organization shall not use credit checks as a means to establish the eligibility of a residential customer to become a subscriber.

D. A subscriber organization is prohibited from credit reporting and charging early termination fees for any low-income customer receiving service from a Phase II Utility.

~~D.~~ E. A subscriber organization shall maintain adequate records allowing it to verify the customer's enrollment authorization. Authorization shall be in the form of a written contract with affirmed written signature, electronic signature, or recorded verbal affirmation. The subscriber organization shall maintain a copy of the contract for at least one year after the date of expiration. Such enrollment contracts shall be provided within five business days to the customer, the utility, or the commission staff upon request.

~~E.~~ F. A subscriber organization shall provide accurate and understandable information in any advertisements, solicitations, marketing materials, or customer service contracts. All such materials shall, in a manner that is not misleading, include a statement that price for the subscription does not include charges to be billed by the utility.

~~F.~~ G. A subscriber organization shall provide to prospective subscribers, prior to executing a written contract, consumer disclosure information and a description of how the shared solar program will function. Such description shall include explanations of the respective roles of the subscriber organization and the utility, and a detailed description of how customers will be billed-
, frequency of contract reviews, and methods of continued customer education and engagement.

~~G.~~ H. Subscriber contracts shall include, at a minimum, the following information:

1. Contract price expressed in per kilowatt-hour, or if price is not easily specified, an explanation of how the subscription price will be calculated.
2. Size of the subscriber subscription. The contract must address modification of subscriptions in the event a shared solar facility underperforms during a period.
3. Length of the contract.
4. Provisions for terminating the contract, including any termination fees.

5. Location of the shared solar facility.
6. Size of the shared solar facility.
7. Description of billing terms and conditions.
8. List of applicable fees, including start up fees, cancellation fees, late payment fees, and fees for returned payments for insufficient funds.
9. Clear descriptions of the responsibilities of the subscriber organization and the utility, consistent with this chapter.
10. Toll-free number and address for complaints and inquiries.
11. A clear statement that:
 - (i) a. ~~‡~~The maximum size of the subscriber's subscription shall not exceed their estimated annual usage;
 - (ii) b. ~~e~~Each customer may only participate in one shared solar facility or one multi-family solar facility; and
 - (iii) c. ~~a~~A net metering customer may not participate in this program.
12. In a conspicuous location, confirmation of the customer's authorization for the utility and subscriber organization to exchange, at a minimum, the following billing information:
 - a. Customer name;
 - b. Billing address and premise address;
 - c. Utility account number; and
 - d. Share solar subscription information, including, at a minimum:
 - (1) Pricing;
 - (2) Subscription size;

(3) Contract start date and length; and

(4) Terms of subscription.

13. In a conspicuous location, signatures confirming the customer's request to enroll and the approximate date the enrollment will be effective.

~~H.~~ I. Upon a subscriber's request, the subscriber organization may transfer the subscription to a new address under the existing contract without restriction provided the new address is also located in the utility's service territory. An existing subscriber may transfer the subscription to a new subscriber so long as the new subscriber meets applicable requirements established by the utility and subscriber organizations that exist at the time of transfer. The subscriber organization must provide the utility with updated billing information set forth in subdivision ~~F-12~~ H.12 of this section.

~~I.~~ J. The subscriber organization shall provide to the utility, in a format acceptable to the utility, an initial list of subscribers enrolled in the shared solar facility and their subscription information at least 60 days prior to the shared solar facility supplying service to any customer.

~~J.~~ K. In the event multiple enrollment requests are submitted for the same customer, the utility shall process the request with the earliest dated contract and shall notify the customer within five business days of receipt of the enrollment request of such enrollment. The utility shall only terminate enrollment with sufficient proof of termination presented by either the customer or the subscriber organization.

~~K.~~ L. At least 60 days prior to the termination or abandonment of a shared solar facility, a subscriber organization must provide advanced written notice to the customer, the utility, and the commission.

~~L.~~ M. A subscriber organization shall safeguard adequately all customer information and shall not disclose such information unless the customer authorizes disclosure or unless the information

to be disclosed is already in the public domain. This provision, however, shall not restrict the disclosure of credit and payment information as permitted currently or required by federal and state statutes.

~~M. N. A subscriber may remain subscribed to the program even if the subscriber moves to another location within the utility's territory and may transfer the subscription to a new subscriber so long as the new subscriber meets applicable requirements established by the utility and subscriber organizations that exist at the time of transfer. Phase I Utility low-income customer net financial savings. The subscriber organization must assure net financial savings of at least 10 percent relative to the subscription fee throughout the life of the subscription for a low-income customer. Any contract not meeting the 10 percent minimum on an annual basis must have the financial savings difference returned to the low-income customer in a lump sum payment.~~

20VAC5-340-60. Phase I Utility: Billing and payment.

A. Subscriber organizations shall provide subscriber information to the utility as follows:

1. Subscriber organizations must provide, on a monthly basis and in a standard electronic format and pursuant to this chapter, a subscriber list indicating the kilowatt-hours of generation attributable to each of the subscribers participating in a shared solar facility in accordance with the subscriber's portion of the output of the shared solar facility.
2. Subscriber lists may be updated monthly to reflect canceling subscribers and to add new subscribers.
3. Monthly subscriber information must be provided by the fifth business day of the month.
4. Data transfer protocols for exchange of data between the subscriber organization and the utility shall be established to include:
 - a. Data components;

- b. Data format;
- c. Timing of monthly data exchanges;
- d. Encryption level; and
- e. Channel of data submission.

B. A subscriber organization ~~may~~ will offer ~~separately billing, or consolidated billing service~~ (net crediting) in which the utility will be the billing party to the customer. the subscriber for any applicable portion of the shared solar subscription fee.

~~1. Where a subscriber organization chooses to use consolidated billing, the subscriber organization's marketing materials and contracts must identify clearly that the utility may charge a net crediting fee not to exceed 1.0% of the bill credit value.~~

~~2. Where a subscriber organization chooses to use net crediting, any shared solar subscription fees charged via the net crediting model shall be set to ensure that subscribers do not pay more in subscription fees than they receive in bill credits.~~

~~3. All billing of the customer shall occur and comply with the utility's normal billing and credit cycles.~~

C. Credits to subscriber's bills shall occur within two billing cycles following the cycle during which the energy was generated by the shared solar facility.

D. ~~Each~~ The utility shall, on a monthly basis and in a standardized electronic format, provide the subscriber organization a report indicating the total value of bill credits generated by the shared solar facility in the prior month, as well as the amount of the bill credit applied to each subscriber.

E. Except for low-income customers, ~~F~~failure of a subscriber to pay any regulated charges shall subject the subscriber to the same credit consequences set forth in the utility's commission-

approved terms and conditions of service, including the potential requirement to post a security, or disconnection of service. The utility shall ~~advise~~ provide a notice of intent to terminate service to the subscriber directly of any pending disconnection action for nonpayment, consistent with ~~current~~ the utility's practice as found in its approved tariff and 20VAC5-330-10et seq., and this notice will occur separately from the customer bill. ~~Such notice~~ The bill shall clearly identify ~~clearly~~ the amount that must be paid and the date by which such amount must be received and provide instructions for direct payment to the utility to avoid disconnection. A subscriber may not be disconnected for nonpayment of unregulated service charges.

F. Bill credits.

1. Bill credits shall be for a particular calendar month, regardless of the billing period or billing cycle of the individual customer's account.
2. Bill credits shall be calculated by multiplying the subscriber's portion of the kilowatt-hour electricity production from the shared solar facility by the applicable bill credit rate for the subscriber. Any portion of a bill credit that exceeds the subscriber's monthly bill, minus the minimum bill, shall be carried over and applied to subsequent bills until the earlier of when the credit is satisfied or up to 12 months.
3. In the event that all of the electricity generated by a shared solar facility is not allocated to subscribers in a given month, a subscriber organization may accumulate bill credits. The subscriber organization shall provide the utility allocation instructions for distributing excess bill credits to subscribers on an annual basis.
4. The commission shall establish the yearly applicable bill credit rate for the subscriber's residential, commercial, or industrial rate class.
5. The utility shall provide bill credits to a shared solar facility's subscribers for not less than 25 years from the date the shared solar facility becomes commercially operational.

6. The bill credits associated with the shared solar program shall be applied through the utility's fuel factor.

G. Minimum bill.

1. In a proceeding, as prescribed in 20VAC5-340-80, the commission will determine the specific costs and formula to determine the minimum bill for program participants.

~~2. Low income customers shall be exempt from the minimum bill. Costs associated with such customers' participation shall be recovered by the utility in a manner to be determined by the commission in the proceeding set forth in 20VAC5-340-80.~~

H. Net crediting.

~~1. Net crediting functionality shall be part of any new customer information platform approved by the commission.~~

~~2. Under net crediting, the utility shall include the shared solar subscription fee on the customer's utility bill and provide the customer with a net credit equivalent to the total bill credit value for that generation period minus the shared solar subscription fee as set by the subscriber organization.~~

~~3. The net crediting fee shall not exceed 1.0% of the bill credit value.~~

~~4. Net crediting shall be optional for subscriber organizations, and any shared solar subscription fees charged via the net crediting model shall be set to ensure that subscribers do not pay more in subscription fees than they receive in bill credits.~~

~~I. Shared solar facility requirements. A shared solar facility must have a utility provided meter capable of measuring output of the facility on a 30 minute interval basis.~~

~~1. The shared solar facility's meter shall not be located behind another utility customer account.~~

~~2. Costs of installation, maintenance, and reading of the meter shall be billed to the subscriber organization.~~

H. Termination fees and credit reporting. Early termination fees and credit reporting are prohibited for any low-income customer.

I. Environmental attributes associated with a shared solar facility, including renewable energy credits or RECs.

1. Any renewable energy certificates associated with a shared solar facility shall be distributed to a Phase I Utility to be retired for compliance with such Phase I Utility's renewable portfolio standard obligations pursuant to subsection C of § 56-585.5.

2. As directed by §56-594.4 B 7, mandatory distribution or transfer to the utility of the previous calendar year's RECs, ending December 31, shall take place prior to the annual report filing date for FERC Form 1 as defined in 18 CFR § 141.1.

20VAC5-340-65. Phase II Utility: Billing and Payment.

A. Subscriber organizations shall provide subscriber information to the utility as follows:

1. Subscriber organizations must provide, on a monthly basis and in a standard electronic format and pursuant to this chapter, a subscriber list indicating the kilowatt-hours of generation attributable to each of the subscribers participating in a shared solar facility in accordance with the subscriber's portion of the output of the shared solar facility.

2. Subscriber lists may be updated monthly to reflect canceling subscribers and to add new subscribers.

3. Monthly subscriber information must be provided by the fifth business day of the month.

4. Data transfer protocols for exchange of data between the subscriber organization and the utility shall be established to include:

- a. Data components;
- b. Data format;
- c. Timing of monthly data exchanges;
- d. Encryption level; and
- e. Channel of data submission.

B. A subscriber organization may offer separate billing of its subscription fees or choose to use the utility's consolidated billing service.

C. Consolidated billing will reflect net crediting, as set forth in subsection I, and the utility will be the billing party to the customer.

1. Where a subscriber organization chooses to use consolidated billing, the subscriber organization's marketing materials and contracts must identify clearly that the utility may charge a net crediting fee not to exceed 1.0% of the bill credit value.

2. Where a subscriber organization chooses to use net crediting, any shared solar subscription fees charged via the net crediting model shall be set to ensure that subscribers do not pay more in subscription fees than they receive in bill credits.

3. All billing of the customer shall occur and comply with the utility's normal billing and credit cycles.

D. Credits to subscriber bills shall occur within two billing cycles following the cycle during which the energy was generated by the shared solar facility.

E. The utility shall, on a monthly basis and in a standardized electronic format, provide the subscriber organization a report indicating the total value of bill credits generated by the shared solar facility in the prior month, as well as the amount of the bill credit applied to each subscriber.

F. Except for low-income customers, failure of a subscriber to pay any regulated charges shall subject the subscriber to the same credit consequences set forth in the utility's commission-approved terms and conditions of service, including the potential requirement to post a security or disconnection of service. The utility shall provide a notice of intent to terminate service to the subscriber directly of any pending disconnection action for nonpayment consistent with the utility's practice as found in its approved tariff and 20VAC5-330-10 et seq., and this notice of intent to terminate service will occur separately from the customer bill. The bill shall clearly identify the amount that must be paid and the date by which such amount must be received and provide instructions for direct payment to the utility to avoid disconnection. A subscriber may not be disconnected for nonpayment of unregulated service charges.

G. Bill credits.

1. Bill credits shall be for a particular calendar month, regardless of the billing period or billing cycle of the individual customer's account.
2. Bill credits shall be calculated by multiplying the subscriber's portion of the kilowatt-hour electricity production from the shared solar facility by the applicable bill credit rate for the subscriber. Any portion of a bill credit that exceeds the subscriber's monthly bill, minus the minimum bill, shall be carried over and applied to subsequent bills until the earlier of when the credit is satisfied or up to 12 months.
3. In the event that all of the electricity generated by a shared solar facility is not allocated to subscribers in a given month, a subscriber organization may accumulate bill credits. The subscriber organization shall provide the utility allocation instructions for distributing excess bill credits to subscribers on an annual basis.
4. The commission shall establish the yearly applicable bill credit rate for the subscriber's residential, commercial, or industrial rate class.

5. The utility shall provide bill credits to a shared solar facility's subscribers for not less than 25 years from the date the shared solar facility becomes commercially operational.

6. The bill credits associated with the shared solar program shall be applied through the utility's fuel factor.

H. Minimum bill.

1. In a proceeding, as prescribed in 20VAC5-340-80, the commission will determine the specific costs and formula to determine the minimum bill for program participants.

2. Low-income customers shall be exempt from the minimum bill. Costs associated with such customers' participation shall be recovered by the utility in a manner to be determined by the commission in the proceeding set forth in 20VAC5-340-80.

I. Net crediting.

1. Net crediting functionality shall be part of any new customer information platform approved by the commission.

2. Under net crediting, the utility shall include the shared solar subscription fee on the customer's utility bill and provide the customer with a net credit equivalent to the total bill credit value for that generation period minus the shared solar subscription fee as set by the subscriber organization.

3. The net crediting fee shall not exceed 1.0% of the bill credit value.

4. Net crediting shall be optional for subscriber organizations, and any shared solar subscription fees charged via the net crediting model shall be set to ensure that subscribers do not pay more in subscription fees than they receive in bill credits.

J. Environmental attributes associated with a shared solar facility, including renewable energy certificates or RECs.

1. A subscriber organization that registers a shared solar facility in the program within the first 200 megawatts alternating current of awarded capacity shall own all environmental attributes. At such subscriber organization's discretion, such environmental attributes may be distributed to subscribers, sold to load-serving entities with compliance obligations or other buyers, accumulated, or retired.

2. For a shared solar facility registered in the program after the first 200 megawatts alternating current of awarded capacity, the registering subscriber organization shall transfer renewable energy certificates to a Phase II Utility to be retired for compliance with such Phase II Utility's renewable portfolio standard obligations pursuant to subsection C of § 56-858.5.

3. As directed by § 56-594.3 B 7, mandatory distribution or transfer to the utility of the previous calendar year's RECs, ending December 31, shall take place prior to the annual report filing date for FERC Form 1 as defined in 18 CFR § 141.1

20VAC5-340-70. Disputes.

A. The parties agree to attempt to resolve all disputes arising out of the shared solar program process according to the provisions of this section.

B. A subscriber organization shall establish an explicit dispute resolution procedure that identifies clearly the process that shall be followed when resolving customer disputes. A copy of such dispute resolution procedure shall be provided to a customer or the commission upon request.

C. If the dispute remains unresolved, either party may petition the commission to handle the dispute as a formal complaint or may exercise whatever rights and remedies it may have in equity or law.

D. A subscriber organization shall furnish to customers ~~an~~ a website, email address, mailing address and 24-hour toll-free telephone number for customer inquiries and complaints regarding services provided by the subscriber organization. The 24-hour toll-free telephone number shall be stated on all customer-billing statements and shall provide customers the opportunity to speak to a customer representative during normal business hours. Outside of normal business hours, a recorded message shall direct customers how to obtain customer assistance.

E. A subscriber organization shall direct a customer to contact the utility immediately if the customer has a service emergency. Such direction may be given either by a customer service representative or by a recorded message on ~~its~~ the subscriber organization's 24-hour toll-free telephone number.

F. A subscriber organization shall retain customer billing and account records and complaint records for at least three years and provide copies of such records to a customer or the commission upon request.

G. In the event that a customer has been referred to the utility by a subscriber organization, or to a subscriber organization by the utility, for response to an inquiry or a complaint, the party that is contacted second shall:

(i) 1. ~~R~~Resolve the inquiry or complaint in a timely fashion, or

(ii) 2. ~~C~~Contact the other party to determine responsibility for resolving the inquiry or complaint.

H. In the event a subscriber organization and customer cannot resolve a dispute, the subscriber organization shall provide the customer with the toll-free number and address of the commission.

20VAC5-340-80. Minimum bill composition.

A. The commission shall convene a proceeding to determine any monthly administrative charge and the components of the minimum bill.

With respect to the minimum bill:

1. Each subscriber, other than a low-income customer of a Phase II Utility, shall pay a minimum monthly bill, which shall, as approved by the commission, include the costs of all utility infrastructure and services used to provide electric service and administrative costs of the shared solar program. The commission may modify the minimum bill over time. ~~In establishing the minimum bill, the commission shall (i) consider further costs the commission deems relevant to ensure subscribing customers pay a fair share of the costs of providing electric services to the subscribers, and (ii) minimize the costs shifted to customers not in a shared solar program.~~

2. In establishing the minimum bill for a Phase I Utility, the commission shall:

a. Consider further costs the commission deems relevant to ensure subscribing customers pay a fair share of the costs of providing electric services,

b. Minimize the costs shifted to customers not in a shared solar program, and

c. Calculate the benefits of shared solar to the electric grid and to the Commonwealth and deduct such benefits from other costs.

3. In establishing the minimum bill for a Phase II Utility, the commission shall:

a. Consider further costs the commission deems relevant to ensure subscribing customers pay a fair share of the costs of providing electric services and generation sufficient to meet customer needs at all times,

b. Minimize the costs shifted to customers not in a shared solar program,

c. Calculate the benefits of shared solar to the electric grid and to the Commonwealth and deduct such benefits from other costs; and

d. Exempt low-income customers from the minimum bill.

~~2-~~ 4. The minimum bill components established as set forth in subdivision 1 of this subsection and updated as deemed necessary by the commission shall be limited to such costs as determined by the commission to be just and reasonable based on evidence provided by the parties to the evidentiary hearing process. Such costs must reflect incremental costs of the shared solar program and not otherwise recovered by the utility from participating subscribers. The following factors shall be considered by the commission in determining whether costs proposed by the utility are incremental to the shared solar program and eligible for inclusion in the minimum bill:

- a. The extent to which the costs are utility infrastructure and services used to provide electric service for the shared solar program;
- b. The extent to which the costs are administrative costs of the shared solar program;
- c. Whether including the cost in the minimum bill is necessary to ensure subscribing customers pay a fair share of the costs of providing electric services to the subscribers;
- d. Whether including the cost in the minimum bill will minimize the costs shifted to customers not in a shared solar program; and
- e. Whether including the cost in the minimum bill is otherwise consistent with the requirements of § 56-594.3 and § 56-594.4 of the Code of Virginia.

~~3-~~ 5. The commission shall also consider how the utility will recover the minimum bill charges for exempt low-income customers.

6. The commission shall explicitly set forth its findings as to each cost and benefit, or other value used to determine such minimum bill.

~~B. The bill credit shall be calculated in accordance with 20VAC5-340-60 F₁ and § 56-594.3 C of the Code of Virginia.~~

20VAC5-340-90. Recordkeeping and reporting requirements.

A. Subscriber organizations. Prior to commercial operation of any shared solar facility, each subscriber organization shall report to the commission and the applicable utility its achievement of contracting with low-income customers. Thereafter, this report shall be updated and filed semi-annually with the commission by January 31 and July 31, respectively, of each calendar year for the previous calendar year, commencing in 2024. When making the annual report, the subscriber organization shall provide the following information:

1. Total number of subscribers and the amount of kilowatts subscribed to by each subscriber;
2. Total number of low-income customers and the amount of kilowatts subscribed to by each low-income customer;
3. Detailed plan for meeting its low-income customer target in the upcoming year if the target was not met for the annual period covered by the report; and
4. Certification that there is no subscriber whose subscription size exceeds the subscriber's average annual bill over the past 12 months for the customer account to which the subscription is attributed.

The utility shall maintain a list of requests from active subscriber organizations associated with providing access to customer billing and usage data. The utility shall keep complete documentation of the customer's affirmative consent, and duration of consent, by written or electronic signature as provided by the subscriber organization to the utility. If the affirmative

consent documentation is in the form of a copy of the customer's contract with the subscriber organization, the utility shall maintain a copy of the contract for at least one year after the date of expiration. Such affirmative consent contracts shall be provided within five business days to the customer, the active subscriber organization, or the commission staff upon request.

The utility shall maintain a consolidated list of active subscriber organizations, including the number of low-income customers for each organization.

Each subscriber organization shall retain a record of all disclosure forms, low-income customer proof of eligibility, and subscriber allocation lists for a period of at least three years. Each subscriber organization shall retain copies of subscriber contracts for a period of at least one year from the date of their expiration. Each of these documents must be made available immediately upon request from the commission or commission staff.

A subscriber organization shall retain customer billing and account records and complaint records for at least three years.

B. Affordable housing providers. Affordable housing providers subscribing on behalf of their low-income tenants shall annually, on or before January 31, commencing in 2024, submit a written report for the shared solar program to the commission staff describing how bill savings or other tangible benefits were provided to the tenants in the last year. The report shall include a detailed accounting and expense report for the bill savings achieved.

C. Utility. The utility shall maintain conformance with the commission's Regulations Governing Interconnection of Small Electric Generators (20VAC5-314), and specifically, 20VAC5-314-130.

20VAC5-340-100. ~~Low-income participation stakeholder process. (Repealed.)~~

~~The Commission shall initiate a stakeholder process including low income community representatives and community solar providers to facilitate low income customer and low income service organization participation in the program.~~

20VAC5-340-110. Licensing exemption process for subscriber organizations.

A. Each entity seeking to conduct business as a subscriber organization that provides less than a total of 500 kW AC solar at any one location or multiple locations shall provide notice to the commission prior to commencing any business operations. Each entity must notify the commission by electronic mail to PUUtilityReports@scc.virginia.gov and SharedSolarProject@scc.virginia.gov and contemporaneously provide a copy of the information to the ~~investor owned utility.~~ Phase I or Phase II Utility, as applicable. If the applicant becomes aware of any material changes to any information within the application, the applicant shall inform the commission within 10 calendar days. Notices shall include the following information:

1. Legal name of the applicant, as well as any trade names.
2. Physical business addresses and telephone numbers of the applicant's principal office and all offices in Virginia.
3. A description of the applicant's authorized business structure.
4. Name and business address of all principal entity officers and directors.
5. If a foreign corporation, a copy of the applicant's authorization to conduct business in Virginia from the commission or if a domestic corporation, a copy of the certificate of incorporation from the commission.
6. A list of the states, if any, in which the applicant and the applicant's affiliates conduct business related to participation in a multi-family shared solar program, the names under which such business is conducted, and a description of the business conducted.
7. Name, title, and address of the applicant's registered agent in Virginia for service of process.

8. Name, title, address, telephone number, and email address of the applicant's liaison with the commission.

9. Sufficient information to demonstrate viability to provide said service to its subscribers. (i.e., location and size of the solar installation, expected number of subscribers, expected in-service date, identity of solar developer and operator, contract term, facility maintenance agreement, revenue source, description of facility financing, nonprofit certification, etc.)

10. A copy of the applicant's dispute resolution procedure, including a telephone number.

11. A copy of the applicant's proposed standard agreement it plans to use with prospective subscribers.

12. A \$100 notice fee payable to the commission.

13. Disclosure of any civil, criminal, or regulatory sanctions or penalties imposed or in place within the previous five years against the applicant.

14. An affidavit from an appropriate officer of the applicant certifying that the applicant will indemnify and hold harmless any and all subscribers from and against claim, damage, loss, and expense arising out of the applicant's negligence or misconduct.

15. A copy of the applicant's low-income subscription plan, as applicable.

B. An officer with appropriate authority shall attest that all information supplied on the notice is true and correct and that the applicant will abide by all applicable laws of the Commonwealth and regulations of the commission.

C. Notification to the commission is required for transfer or assignment of said services to any third party.

D. The commission may impose conditions on any terms it determines are appropriate.