

WAC 480-103-020 Registration as a community solar company. No person may engage in business as a community solar company in Washington without having registered with the commission. Engaging in business as a community solar company includes advertising, soliciting, offering, providing, or entering into an agreement to provide community solar project services.

(1) **Applications.** Community solar companies must submit applications to the commission for the following purposes:

(a) To initially register as a community solar company prior to engaging in business;

(b) To annually renew the company's registration as a community solar company; or

(c) To amend the company's existing registration to reflect any material change to the company's registered operations.

(2) **Application forms.** Community solar companies must submit the appropriate application on the form furnished by the commission and must include all information, documentation, and support the commission requires in the form or the form's instructions. The commission may refuse to accept an incomplete application. The commission's acceptance of an application does not indicate the commission's approval of the application, nor is the commission precluded from finding that the information the company provides in the application is insufficient.

(3) **Initial registration.** A community solar company must provide the following in its application for initial registration:

(a) The company's name and address;

(b) The name and address of the company's registered agent, if any;

(c) The name and address of all administrators the company currently has contracted with or retained to perform tasks on its behalf;

(d) The name, address, and title of each officer or director of the company;

(e) The company's most current balance sheet;

(f) The company's latest annual report, if any;

(g) A description of the services the company offers or intends to offer, including financing models;

(h) A description of the technical administrative competency of the principal personnel that the company will use to provide the proposed services;

(i) Evidence of adequate financial resources to provide the proposed services;

(j) Disclosure of any pending litigation against the company;

(k) The company's active electrical license or registration number issued by the Washington department of labor and industries, if applicable;

(l) Acknowledgment of the company's responsibilities under WAC 480-103-135;

(m) Evidence of an escrow or trust account where the company will hold deposits collected from customers, project participants, or applicants;

(n) Evidence of the resolution of any outstanding complaints against the company on file with the commission; and

(o) The initial registration fee specified in WAC 480-103-010.

(4) **Renewal registration.** Each community solar company must file an application to renew its registration by May 1st of each year after the calendar year in which the commission initially registered the

company. The company must provide the following in its application to renew its registration:

- (a) The company's name and address;
- (b) The name and address of the company's registered agent, if any;
- (c) The name and address of all administrators the company currently has contracted with or retained to perform tasks on its behalf;
- (d) Any update to the name, address, and title of each officer or director of the company;
- (e) The company's most current balance sheet;
- (f) Any update to the description of the services the community solar company offers or intends to offer, including financing models, a description of the technical administrative competency of the personnel the company will use to provide the updated services, and evidence of adequate financial resources to provide the updated services;
- (g) Disclosure of any pending litigation against the company;
- (h) Any update to the company's active electrical license or registration number issued by the Washington department of labor and industries, if applicable;
- (i) Acknowledgment of the company's responsibilities under WAC 480-103-135;
- (j) Evidence of an escrow or trust account where the company will hold deposits collected from customers, project participants, or applicants;
- (k) The registration renewal fee required by WAC 480-103-010; and
- (l) The company's annual report and regulatory fee as required under WAC 480-103-030.

(5) **Amended registration.** A registered community solar company must immediately notify the commission of any material changes to the company's business operations including, but not necessarily limited to, changes to the company's name, services it provides, ownership, or business structure. The company must file an application to amend its existing registration to reflect any such changes.

(6) **Additional information.** The commission may require a community solar company to provide information in addition to the information specified in this rule if necessary to determine whether the company and its proposed or actual operations comply with applicable law and are consistent with the public interest.

(7) **Commission action.** The commission will take one of the following actions within thirty days of receiving a complete application:

- (a) Grant the application by letter or order, with or without a hearing;
 - (b) Issue a notice of hearing to resolve issues of fact or law;
- or

(c) Deny the application. The commission will not deny an application without a hearing. The commission may deny an application on the following nonexclusive grounds:

- (i) Failure to meet the requirements of this rule;
- (ii) Failure to provide sufficient protection for deposits the company collects from customers, program participants, or applicants;
- (iii) Lack of adequate financial resources to provide service;
- (iv) Lack of adequate technical administrative competency to provide service; or
- (v) Violations of applicable federal or state law as provided in WAC 480-103-040.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 18-20-098 (Docket UE-171033, General Order R-595), § 480-103-020, filed 10/2/18, effective 11/2/18.]