



Community Solar

What are the expectations and responsibilities of a community solar company?

In September 2018, the Utilities and Transportation Commission adopted WAC 480-103 to establish rules governing community solar companies and their responsibilities to consumers. Community solar companies are individuals, firms, or corporations, *other than established electric utilities or community solar cooperatives*, that own solar energy projects with maximum rated generating capacities of 1 MW within Washington state and that provide solar energy generated from those projects to paying customers. Customers may be involved in these projects through lease agreements, power purchase agreements, loans, or financial agreements other than direct ownership of a community solar project. The UTC's rules establish requirements for registration, consumer protection, records keeping, and reporting for community solar projects meeting these definitions.

Community solar company responsibilities in Washington

Before developing a customer base, companies must submit registration applications with the UTC and pay registration fees as follows:

Initial registration.....	\$450
Amended registration.....	\$150

Regulatory fees and renewal registration: Community solar companies must submit an annual report to the commission by May 1. The report should include intrastate gross operating revenue for the prior calendar year, among other requirements. The report is used to calculate ongoing regulatory fees, including a \$350 renewal fee.

More information at: www.utc.wa.gov/communitysolar



Consumer Protection
888-333-WUTC (9882)
consumer@utc.wa.gov

Licensing Information
360-664-1222
transportation@utc.wa.gov

PO Box 47250
Olympia, WA 98504-7250
www.utc.wa.gov

The following rules govern community solar companies in Washington...

Company sales personnel: Community solar companies must develop standards and best-practices guiding all hiring decisions and may not deviate from those standards. At minimum, door-to-door sales personnel must pass criminal history background checks showing they have not been convicted of theft, burglary, assault, sexual misconduct, identity theft, fraud or false statements within five years of employment. Companies must keep filed documentation of those background checks through the duration of staff employment and seven years after employment ends. All vendors and independent contractors must have written statements verifying they have passed criminal history background checks, and the community solar company must periodically audit these statements to ensure they are accurate and compliant.

Company employee training and sales activities: Companies must properly train door-to-door sales personnel and document proof of training. Door-to-door personnel must carry and display company-issued identification cards containing company names and logos as well as the sales personnel's photograph, full name, and a customer service phone number. When working an event or going door-to-door, sales personnel must disclose who they are, the company they represent, and clearly state they don't work for local utility companies. While at an event or conducting door-to-door activities, sales personnel **may not** suggest the customers are required to choose a community solar company. Community solar companies and personnel may not display branding elements, such as logos, that suggests a relationship that does not exist between that company or person and any utility, government agency, or other community solar company.

Disclosure of personal information: Companies cannot release private consumer information without prior written permission from the consumer. If a private consumer allows their information to be disclosed, the company must retain documentation of the permission.

Deposits: Deposits from participants, customers, or applicants must be kept in an escrow or trust account. The community solar company will pay customers interest earned from deposits once a year, according to federal guidelines. Companies must refund customer deposits plus interest when deposits aren't applied to accounts or portions of projects, when participants or companies terminate customer participation, or when companies cease operation. Deposit refunds should be made by check and mailed no later than fifteen days following termination of participation or project, unless companies and participants mutually agree to another form of deposit return.

Meter tests: Companies are required to conduct annual meter testing and report meter accuracy to participants. If a participant wants to dispute meter testing results, they can file a complaint with the UTC.

Transfer of projects: Participants can sell or transfer portions or all of their interest in community solar projects as long as the transactions do not create portions smaller than minimum participation size specified in company contracts. Individuals who receive the transfer must meet the company's participation requirements and may be subject to company approval. If participants are unable to transfer their interest to another person, or if they elect not to, the company must accept a transfer back to the company.

Customer complaints: Companies must create procedures for handling customer, project participant, and applicant complaints. At a minimum, the complaint procedures must acknowledge complaints were received, identify company representatives complainants may contact, investigate complaints, report results of investigations to complainants, take corrective action as needed, inform complainants of their rights to speak to a supervisor if they are unhappy with results, and inform complainants of their rights to file a complaint with the commission. Companies must keep complaint information, whether received directly or from the commission, for at least seven years. This information must include complainants' names and addresses, complaint information, all responsive company actions, final dispositions, and all company documents. Companies cannot cancel a project participant's contract while an open complaint is filed with the commission. The commission may suspend or cancel a community solar company registration if a company fails to provide information requested by the commission while conducting regulatory oversight.

