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NY-Sun

Residential and Small Commercial

Program Manual

(<200kW Solar Electric Systems)



NEW YORK
STATE OF
OPPORTUNITY.

NY-Sun

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Program Basics



PROGRAM SUMMARY

NY-Sun Incentive Program

Through the NY-Sun Incentive Program, the New York State Energy Research and Development Authority (NYSERDA) provides financial incentives and financing options for the installation of new grid-connected solar photovoltaic (solar electric) systems that will offset the use of grid-supplied electricity. The program is divided into two tiers: Residential and Small Commercial (<200 kilowatts [kW]) and Commercial and Industrial (>200 kW). The Residential and Small Commercial Program allows for small commercial projects up to 500 kW in the PSEG Long Island region.

Community Distributed Generation (CDG) projects are eligible for small commercial incentives and are subject to all program rules and any rules adopted by the Public Service Commission. A CDG project sponsor is considered a program customer. A CDG project will not retain the approved incentive if sold to another developer prior to interconnection.

Funding for the program has been allocated by the New York State Public Service Commission through the Renewable Portfolio Standard and Clean Energy Fund (CEF) programs with additional funding made available through the Regional Greenhouse Gas Initiative. Incentives are granted on a first-come, first-served basis, and applications will be accepted through December 31, 2023, or until funds are fully committed.

This program manual contains the terms and conditions applicable to the Residential and Small Commercial Program only.

PROGRAM PARTICIPATION

The program relies on contractors and builders to implement new solar electric systems for customers seeking incentives through the program. The contractors and builders have different roles and responsibilities in the program. Contractors are responsible for the contract with the customer, while builders are responsible for the installation of the system. A company that is approved as both a contractor and builder is responsible for all aspects of the project. For details on the roles and responsibilities of each, see the Qualifications, Roles, and Responsibilities sections. Before a contractor and builder can work together, they must establish a contractor-builder relationship agreement through the program.

Incentives are only available for new solar electric systems designed and installed by participating contractors and builders. Incentives will be provided directly to the contractor of record for the project, not to the customer or builder. To participate in the program, a company must submit a contractor application, which can be found at nysenda.ny.gov/become-a-solar-contractor. Interested companies may apply as a participating contractor, builder, or both at any time while the program is open.

Once a company is approved as a contractor or builder in the program, they will be given access to the NYSERDA Portal to begin submitting project applications. Initially, contractors and builders in the program will be in a provisional status. See the Quality Assurance and Compliance section for details on participation status.

Qualifications

Experience

Prior experience with installation, shading analysis, or relevant skills; credentials; employment history; customer satisfaction; and other pertinent experiences will be considered. Applicants are also evaluated on past performance in this or other NYSERDA programs, if applicable.

Customer References

Applicants must provide three verifiable solar electric customer references (customer name, address, phone, and email) for completed, grid-connected solar electric installations. System size (kilowatts), interconnection date, and the applicant's role in the project must be specified. NYSERDA may request construction photos for the projects listed as a reference.

NYSERDA Programs

An application will not be approved if the applicant has unresolved customer or performance issues in this or other New York State programs.

Contractor Qualifications, Roles, and Responsibilities

Program incentives are paid directly to the contractor, who must apply the full value of the NYSERDA incentive to the customer's cost of the solar electric system. Either the contractor or builder is responsible for preparing and submitting all necessary project application documents.

Contractor Qualifications

A contractor may use any business structure that is legal for conducting business in New York State (corporation, LLC, sole proprietorship, etc.). They must meet all program requirements, including required insurance coverage, and have the capability to provide warranty services on all solar electric systems installed, as required by the program and State law.

A contractor must comply with all local authority requirements for registration and licensing that apply to the installation of solar electric systems.

A list of contractors can be found at nyserdera.ny.gov/find-a-solar-contractor.

Contractor Roles and Responsibilities

- Holds the agreement with the customer
- Responsible for performance of builder
- Receives incentive payments
- Agrees to terms of participation agreement
- Agrees to terms of contractor and builder relationship agreement
- Responsible for customer complaints, warranties, and production guarantees

SOLARIZE CONTRACTORS

Solarize campaigns are locally organized community outreach efforts aimed at getting a group of homes and businesses in one area to install solar. Contractors who participate in a Solarize campaign must be a NY-Sun participating builder or contractor and prequalified before responding to a Solarize campaign request for proposal (RFP). Information about Solarize can be found at nyserdera.ny.gov/solarize. To become prequalified to participate in a Solarize campaign, a contractor must submit their name, mailing address, and FEIN, to communitysolar@nyserdera.ny.gov.

By agreeing to participate in a Solarize campaign, the contractor is expected to act in good faith and follow proposed campaign guidelines. A contractor not selected for a Solarize program may not use the Solarize name. The Solarize name is reserved solely for selected contractors.

If the status of selected contractor changes to either suspended or terminated, they must surrender all leads generated by the campaign to the Solarize program manager.

Failure to provide adequate services on previous Solarize campaigns may be grounds for rejecting future participation.



Builder Qualifications, Roles, and Responsibilities

Builder Qualifications

Builders are responsible for maintaining an on-staff individual who has fulfilled one of the credentialing paths detailed below. Companies applying for builder status must include a copy of their credentialing certificate.

1. NABCEP (North American Board of Certified Energy Practitioners) PV Installation Professional Certification

Builders who choose to become credentialed through NABCEP must have a NABCEP Certified PV Installation Professional on staff.

2. IBEW-NECA Electrical Journeyman & Apprentice Training (International Brotherhood of Electrical Workers and National Electrical Contractors Association)

Builders who choose to become credentialed through the IBEW must have a journeyman electrician who has completed an IBEW/NECA, NABCEP, or UL approved 40-hour PV training course on staff.

3. UL (Underwriters Labs) PV System Installer

Builders who choose to become credentialed through UL must have a UL certified PV System Installer on staff.

NYSERDA Logo Use

Solar contractors, builders, energy service companies, building contractors, and other organizations that have been qualified by NYSERDA, but not contracted or funded by NYSERDA, may not use NYSERDA's logo on their website or any marketing materials. NYSERDA logo requests can be made at nyserderda.ny.gov/logo-request.

Builder Roles and Responsibilities

- Responsible for installation and quality of project
- Responsible for maintaining a credentialed person on staff
- Agrees to terms of contractor and builder relationship agreement

CONTRACTOR AND BUILDER RESOURCES

Contractors and builders are encouraged to visit nyserderda.ny.gov/solar-contractor-resources for sample program documents, instructional guides, technical fact sheets, QA checklists and inspection criteria, and other program documents.

SOLAR ANNOUNCEMENTS

Contractors and builders are responsible for staying current on all program announcements and information. NYSERDA provides a summary of the monthly conference calls, program details, and program announcements at nyserderda.ny.gov/solar-announcements.

TAX CREDITS

Customers may be eligible for State and federal tax credits or qualify for real property tax exemptions and tax abatement programs, along with accelerated depreciation allowances. The contractor or builder should inform customers about the availability of tax credits and other governmental assistance, and advise them to consult with an attorney, accountant, or tax professional to determine eligibility.

New York City residents may be eligible for the Real Property Tax Abatement Program. Contractors installing systems in New York City should consult with The New York City Department of Buildings for specific information.

Real property tax information can be found at the New York State Department of Taxation & Finance Office of Real Property Tax Services website. The real property tax exemption Form RP487 may be found at http://www.tax.ny.gov/pdf/current_forms/orpts/rp487_fill_in.pdf.

A list of jurisdictions that have opted out of the real property tax exemption and where access to Form RP487 does not apply may be found at <http://www.tax.ny.gov/research/property/legal/localop/487opt.htm>.

INCENTIVE STRUCTURE

Incentives are available on a first-come, first-served basis and are based on direct current (DC) module wattage ratings at standard test conditions (nameplate rating).

The program is based on a megawatt (MW) block model—an incentive structure designed to provide certainty and transparency around incentive levels; account for regional market differences; make it clear that New York State intends to phase out cash incentives in a reasonable time frame; and allow for the elimination of those incentives sooner in regions where market conditions can support it, based on market penetration, demand, and payback.

The MW block approach allocates megawatt targets to specific regions of the State, breaks those targets into blocks, and assigns incentives per block. Incentives are awarded based on the block in effect at the time of submission. Once all blocks within a region/sector are fully subscribed, the incentive is no longer available to that region/sector. NYSERDA will monitor market conditions and MW block subscription and will adjust accordingly. NYSERDA will make every effort to notify stakeholders at least one full block in advance of any planned changes.

Incentives are reserved at the incentive level designated in the MW block in effect at time of application submission. Program incentives are not guaranteed until a project has achieved an approved status.

System sizes are subject to an incentive cap based on energy use at the site (See page 8). Information on the MW block design, including real-time data on the current incentive levels, can be found by visiting nyserderda.ny.gov/small-solar-dashboard.

Incentives are paid at the residential or small commercial rate based on the service classification of the meter, as determined by the utility. A site/meter is where the solar electric system will be interconnected to the utility meter. If multiple meters are present, multiple systems may be eligible for incentives. The incentive cap will apply to each meter. For example, a shopping mall with four separately metered businesses constitutes four “sites/meters,” each of which may be eligible for incentives, subject to the kilowatt and usage caps. Farms with a residential service classification may retain that classification up to 100 kW alternate current (AC) for net metering purposes. Farms meeting the Agriculture and Markets Law 301 definition of “farm operation” will be considered commercial.

Incentives for New York Power Authority (NYPA) customers will be based on their sector and region.

Once a project application has been submitted in the portal, no changes to the developer, site address, or customer name are allowed. If such a change is requested, the application will be canceled, and an updated one will need to be submitted. The incentive level will be calculated at the current incentive level.

NYSERDA reserves the right to deny newly submitted applications if the contractor or builder is delinquent in installation milestones for other solar electric projects with an approved status.

Regional MW Blocks

- The region served by Con Edison (Con Ed)
- The region served by PSEG Long Island as the LIPA System Operator (Long Island)
- The balance of the State (Upstate)

Sectors

- Residential systems in Con Ed, Upstate, and PSEG regions up to 25 kW in nameplate capacity
- Small commercial systems in Con Ed and Upstate regions up to 200 kW in nameplate capacity
- Small commercial systems in PSEG region up to 500 kW in nameplate capacity

For direct purchase transactions, the agreement between the customer and contractor must clearly show the full amount of the NYSERDA incentive being applied to the total solar electric system price. For lease or power purchase agreement (PPA) transactions, the value of the NYSERDA incentive must be applied to reduce the kilowatt-hour cost.

Any contractor or builder who moves forward with the installation of a project that has not yet obtained an approved status does so at their own financial risk. There is no guarantee of incentives until the project is identified as both received and approved. Also, projects completed prior to being submitted to NYSERDA (prior to obtaining a status of Submitted) are not eligible to receive program incentives.

Once the project is approved, the contractor or builder will be notified of the incentive amount. This amount will not change assuming the solar electric system is installed as approved, and within the terms and conditions of the program.

Small commercial projects in PSEG region greater than 200 kW and approved as of April 12, 2017 may not cancel and reapply. Change orders for these projects to obtain an additional incentive up to 500 kW will not be processed. Completed systems that did not exceed 110% of their annual usage are eligible to add on by submitting a new project application.

System Size Cap

Projects calculated to offset more than 110% of the systems annual electric usage are not eligible for incentives or financing. New construction systems must not exceed 110% of the calculated yearly projected kilowatt-hour of electric usage. These caps do not apply to CDG projects.

Expansion of Completed Systems

Additional incentives for the expansion of a project previously completed in the program may be requested. Incentives will not be paid for watts beyond the caps, based on the combined aggregate capacity, including the existing system. Each application must be completed in its entirety and indicate that it is an expansion system. All required documents must be submitted. The portal requires information about the existing solar electric system, such as system size, project number, associated PON, etc.

Coordination With Other NYSERDA Programs

Solar electric projects receiving, or selected to receive, awards under any other NYSERDA program, PON, RFP, or PSEG Long Island program are not eligible to receive program incentives for those projects. Projects receiving, or selected to receive, awards under NYSERDA or PSEG Long Island programs may not be canceled and resubmitted under the program.

Affordable Solar Residential Incentive

Additional incentives for solar electric installations are available for households that qualify as low- to moderate-income, through the Affordable Solar Residential Incentive. To apply, the customer must submit the Affordable Solar incentive eligibility application found at nyserdera.ny.gov/affordable-solar to NYSERDA's energy loan service provider.

Projects eligible for the Affordable Solar Residential Incentive will receive the standard incentive as well as an additional incentive per DC watt of nameplate capacity, up to a cap of 6 kW. Eligible projects greater than 6 kW in size will receive the full standard program incentive for which they are eligible, but will not receive the additional Affordable Solar Residential Incentive above the 6 kW cap. In cases where the standard incentive is reduced due to losses from shading, azimuth, and tilt, the Affordable Solar Residential Incentive will be likewise reduced, per the System Losses section in the System Technical Requirements.

If the standard program incentive in the final MW block is exhausted, the Affordable Solar Residential Incentive will be set at the standard incentive amount of the final MW block, until the Affordable Solar funding is exhausted.

To be eligible for the Affordable Solar Residential Incentive, a project must meet all requirements of the program, and:

- Service the owner-occupied residence of a customer who is determined to be income-eligible with household income verified according to program rules.
- Attest to the installation of lighting efficiency and hot water efficiency upgrades in the project residence, to include:
 - > High-efficiency lighting in high-use areas of the residence.
 - > Low-flow faucet aerators, if the residence has an electric water heating system.
- Have a nameplate capacity equivalent to but not greater than the lower of:
 - > 110% of projected annual energy usage after implementation of required efficiency upgrades.
 - > 100% of current annual energy usage.
- Provide annual cost savings to the customer for the full lifetime of the solar electric system installation, as demonstrated through the Affordable Solar residential project screening tool. On the tool, the levelized cost of energy (LCOE) must be lower than the utility index rate.
- Include no escalation of monthly payment or energy rate, if financed through a lease or power purchase agreement (PPA).

The additional incentive cannot be retroactively applied to already submitted project applications. Submitted projects may cancel and reapply to obtain the additional incentive.

The Affordable Solar Residential Incentive cannot be applied to an expansion of a completed system project.

FINANCING

Residential Customers

A residential customer with an existing home of four units or less may be eligible to finance the purchase of their solar electric system through NYSEERDA's Green Jobs – Green New York (GJGNY) loan program using either a Smart Energy Loan or On-Bill Recovery. Residential members of CDG projects are not eligible for GJGNY financing.

To access the loan, a contractor must register with the GJGNY loan service provider. To register, a contractor must complete and submit the loan servicer's contractor application packet located at nyserda.ny.gov/solar-contractor-resources.

The packet consists of the following documentation:

- Contractor Application
- Participation Agreement
- ACH Authorization Form (allows for electronic transfer of loan proceeds – optional)
- IRS form W-9
- Certificate of Insurance

Contractors should email a completed application packet to: efs@energyfinancesolutions.com. Notification of approval or request for additional information can be expected within five days.

Customers can apply online or download an application at www.energyfinancesolutions.com.

Small Commercial and Not-for-Profit Customers

A small commercial or not-for-profit customer may be eligible to finance the purchase of their solar electric system through NYSERDA's GJGNY loan program. A customer who wishes to finance their system will rely on the contractor to submit a request for financing to NYSERDA on their behalf. NYSERDA will review the request for financing and will provide the customer with a letter approving or denying the eligibility of the system. If the system is approved as eligible by NYSERDA, the customer must submit the approval letter to a participating lender as part of their loan application. If the customer is approved for financing by the lender, the customer will receive the loan proceeds directly from the lender. Additional information on small commercial and not-for-profit customers can be found at nyserdera.ny.gov/small-commercial-financing.

Contractors should email a completed application packet to: efs@energyfinancesolutions.com. Application packets can be found at nyserdera.ny.gov/solar-contractor-resources. Notification of approval or request for additional information can be expected within five days.

Commercial members of CDG projects are not eligible for GJGNY financing for systems that are not located at the member's premises.

Third-Party Owner Pilot

A 300-project pilot program has been initiated to determine the effectiveness of using GJGNY loans to prepay solar leases and PPAs for projects receiving the Affordable Solar Residential Incentive.

To Participate in the Pilot

A contractor must be approved by NYSERDA's loan servicer to offer GJGNY financing.

The pilot projects must meet all requirements for the program, the Affordable Solar Residential Incentive, GJGNY financing, and:

- Be financed through a fully prepaid lease or PPA, with no outstanding financial obligation to the customer beyond the GJGNY loan.
- Provide annual customer cost savings of at least 50% per kilowatt-hour for the lifetime of the GJGNY loan, as documented in the GJGNY Proforma tool.
- Not exceed a GJGNY loan size of \$6,000.

Contractors may submit customer contracts and related documents that demonstrate adherence to the requirements above for NYSERDA's approval at AffordableSolar@nyserdera.ny.gov.

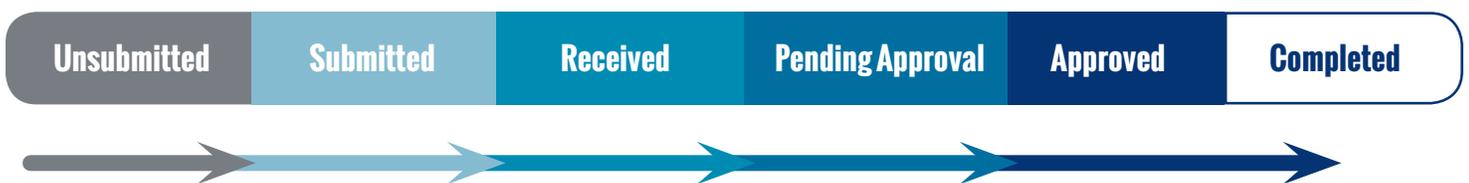
Applying for Incentives



Contractors will submit project applications for incentives, monitor the status of applications, and perform other program-related activities via the NYSERDA Portal.

The project application will progress through the each status shown below.

Project Application Flow



Unsubmitted Status



All project applications are generated in and submitted through the portal. Unsubmitted status is reached once a contractor or builder generates the application. The incentive rate is not confirmed until the application has been submitted.

Submitted Status



The project application moves to submitted status once the contractor or builder has submitted the application and all the required documents to the portal. Use the chart below to determine which documents you need to submit with each project application. Once the application is submitted, the current incentive rate (at that time) is locked in.

Document Details

Project Documents to Reach Submitted Status

Required for All Projects: Must Submit with Project Application
Project application signed by customer
Site map (site plan)
Site photos
One- or three-line drawing
Shading report
Required for Projects Using GJGNY Financing or Participating in Third-Party Owner Pilot
GJGNY ProForma tool
GJGNY preapproval letter
Required for Projects Using Affordable Solar Incentive
Affordable Solar income eligibility letter
Affordable Solar project screening Tool
Not Required: Must Be Available Upon Request
Customer agreement
Customer utility bill
Permits - <i>required with project invoice submission</i>
Environmental assessment - <i>for projects more than 4,000 square feet</i>
Clipboard energy efficiency assessment - <i>for residential projects only</i>
Small commercial energy assessment - <i>for small commercial projects only</i>
Construction photos of the completed installation

A detailed description of each document can be found on the following pages.

Required Documents That Must Be Submitted with Each Application

> Project Application

The contractor or builder must submit all project applications electronically using the portal. Each application must list both a contractor and builder. The project application form must be signed by the customer.

Electronic signatures may be obtained through NYSERDA's DocuSign account, which is available in the portal. If a contractor prefers to use their own electronic signature account, the tool must be NYSERDA approved and a signature verification report must be provided. Approved electronic signature tools include DocuSign, CudaSign, EchoSign, Adobe, and Seamless Doc. Under no circumstances is a contractor or builder permitted to sign on behalf of the customer.

> Site Map (Site Plan)

The site map must include:

- Location of all solar electric system components, including solar electric modules, inverters, disconnects, point of interconnection, and utility meter.
- Layout of solar electric array, showing the tilt, azimuth, and number of solar electric modules on each roof face or sub-array.
- Length of all wire runs more than 100 feet.
- Indication of which trees, if any, will be removed prior to system installation.
- Customer name and address.

A sample site map can be found at nyserdera.ny.gov/solar-contractor-resources.

> Site Photos

The contractor or builder must take photos of the array location, from both the ground and roof level, and photos taken looking south. The application must also include photos of the existing electrical service and the proposed location of the inverter. A single aerial photo does not meet this requirement.

A sample site photo is available at nyserdera.ny.gov/solar-contractor-resources.

Preexisting Conditions

Photos must document preexisting conditions that do not meet current codes and standards, including items that are damaged. As part of the work scope, the contractor or builder will repair or replace substandard conditions that are hazardous or impact the installation of the solar electric system.

- When encountering structural deficiencies, all repairs or replacement will be done under the direction of a State licensed engineer or registered architect.
- Split bus panelboard and load centers, by any manufacturer, will not be used for supply side or load side connection. This includes fused and circuit breaker styles.
- Panelboard and load centers, manufactured with FPE Stab-Lock® circuit breakers or Bulldog/ITE pushmatic-style circuit breakers will not be used for supply side or load side connection.
- Damaged or severely corroded panelboards, disconnects, or switchboards will not be used for supply side or load side connection.
- Missing or undersized grounding electrodes, including the grounding electrode conductor (GEC) and water meter jumpers, must be replaced.
- Existing roof damage in the area of the array must be repaired or replaced.
- When installing a supply side disconnect, at a minimum, the enclosure and the overcurrent protection device must meet or exceed the available fault current (AIC Rating) of the existing main service disconnects.

> One- or Three-Line Drawing

A legible electrical diagram is required, using standard symbols to clearly describe the solar electric system. Either a one- or three-line drawing is acceptable. The drawing must indicate:

- Quantity, conductor size, and insulation type of all energized (hot) conductors, neutral/grounded conductors, and ground conductors.
- Type and characteristics of all raceways, conduit, and enclosures.
- The configuration of solar electric array into electrical strings.
- The voltage and amperage ratings of all combiner boxes, overcurrent protection devices, switches, inverters, batteries, electrical panels, and other relevant equipment as applicable. The rating of the main service panel and its main breaker must be given.
- The quantity, manufacturer, and model of the inverter and solar electric modules.
- Customer name and address.

A sample wiring diagram and a list of design issues is available at nyscrda.ny.gov/solar-contractor-resources.

> Shading Report and Estimate of Annual Output

Shading Report

The contractor or builder must submit a report describing the percentage of the available solar resource that the solar electric array will receive, accounting for losses from shading, array azimuth, and tilt. Projects with a total solar resource fraction (TSRF) below 80% will receive a reduced incentive, as described in System Losses under the System Technical Requirements section.

Reports generated by Solmetric Suneye, Solar Pathfinder, Bright Harvest, Solar Census, Lightmile, HelioScope, Wiley ASSET, and Aurora are acceptable.

In cases where trees or other obstructions must be removed, incentive payment will not be made until a new shading report has been submitted to and approved by NYSERDA.

When the solar electric system consists of multiple arrays with different azimuths, tilts, or shading profiles, a shading report must be run for each array and a weighted average taken to find the overall TSRF. Overall system TSRF must be indicated on the shading report.

Estimate of Annual Output

The estimate of annual output will be calculated in the portal using NREL's PVWatts tool, based on information provided by the contractor or builder, including system size, location, and TSRF. A separate calculation of the solar electric system's expected annual production is not necessary.

The estimate of annual output will determine if the system offsets more than 110% of the customer's annual electric use, per the Incentive Caps section. The contractor or builder must use this figure when completing the GJGNY ProForma worksheet for financing and the Affordable Solar residential project screening tool, if applicable.

Required Documents If Using GJGNY Financing

For residential projects using GJGNY financing, the following documents must be submitted in the portal with the project application:

- Loan preapproval letter
- GJGNY ProForma worksheet

All information in the preapproval letter and ProForma worksheet must match the information in the portal.

The contractor or builder is required to input the customer's preferred loan type (Smart Energy Loan or On-Bill), loan term (5, 10, or 15 years), and loan amount. These fields must match the customer's desired loan selection information on the ProForma tool. If there is a discrepancy in this information, the loan will not be approved.

A sample preapproval letter and ProForma worksheets are available at nyserdera.ny.gov/solar-contractor-resources.

Required Documents If Accessing Affordable Solar Incentive

For residential projects applying for the additional Affordable Solar incentive, the following documents must be submitted in the portal with the project application:

- Income eligibility letter (application available at nyserdera.ny.gov/affordable-solar)
- Affordable Solar residential project screening tool (available at nyserdera.ny.gov/solar-contractor-resources)

Required Documents If Part Of Third-Party Owner Pilot

For projects participating in the pilot, the following must be submitted with the project application:

- Pilot prepaid lease/PPA documentation – verifying that the lease or PPA has been fully prepaid with no further financial obligations by the customer to the third-party owner of the system installation
- GJGNY ProForma worksheet

Additional Documents That Must Be Available Upon Request

The following additional documents must be on file with the contractor. They may be requested by NYSERDA, but do not need to be submitted with the project application to achieve submitted status.

> Customer Agreement

The customer agreement is an important document outlining the direct relationship between the contractor and the customer. As a condition of participation in the program, contractors must abide by the terms and conditions in the participation agreement. The customer agreement may be in the form of a purchase contract or a lease/power purchase agreement.

A. All customer agreements must be signed by both parties and include the following:

- **Installation location:** town, street, and lot or building number.
- **Installation schedule:** realistic installation and interconnection schedule taking into account timeline requirements of NYSERDA and utility review requirements.
- **System description:** description of the solar electric system being purchased and an outline of system specifications, the make and model of major system components, identification and location of easy-to-read meter, references to UL listing, etc.
- **Estimate of annual energy output:** in kilowatt-hours and summarizing the results of the system loss analysis.
- **Applicable incentives:** customer agreement must reflect the entire amount of the anticipated NYSERDA incentive and incentives and warranties must pass to the customer.
- **Explanation and estimate of additional customer-incurred costs:** for development; installation; and commissioning of the system and a payment schedule, if applicable.
- **Assignment of responsibilities:** for scheduling or obtaining and paying for permits, inspections, or other regulatory requirements.
- **Addendum to customer agreement:** completed and signed by both the customer and the contractor.

Electronic signatures may be obtained through NYSERDA's DocuSign account, which is available in the portal. If a contractor prefers to use their own electronic signature account, the tool must be NYSERDA approved and a signature verification report must be provided. Acceptable electronic signature tools include DocuSign, CudaSign, EchoSign, Adobe, and Seamless Doc—all of which are NYSERDA approved. Under no circumstances is a contractor or builder permitted to sign on behalf of the customer.

B. If the customer agreement is for the purchase of the system, the agreement must also include the following:

- **Total system and itemized costs:** broken down into cost of modules; cost of inverters; balance of system (wires, racks, etc.); and labor and overhead (labor, permitting, etc.).
- **System warranty** (see System Technical Requirements section).

C. If the customer agreement consists of a lease or power purchase agreement (PPA), it must include all items listed under “A,” and the following:

- **Total agreement cost and applicable incentives:** lease or PPA must reflect the entire amount of the approved NYSERDA incentive.
- **Production warranty** (see the System Technical Requirements section).
- **Other terms:** such as the party (customer or contractor) responsible for costs related to movement and reinstallation of the system or parts and the terms under which those actions will be taken, as well as any insurance coverage related to the system.
- **Escalation rates or factor for a lease or PPA:** clearly described.

> Utility Bill

For small commercial and NYPA utility project application, the site address on the utility bill must match the installation site address on the project application form. The customer’s historic usage for the past 12 months is required. When 12 months of past billing does not exist, available months and supplemental calculations that demonstrate the anticipated yearly usage may be provided. For projects using remote net metering, the contractor or builder must submit 12 months of electric use data for both the host site and all satellite sites. For CDG, host site information must be submitted at the time of application, with a copy of the initial member allocations with the project incentive request. For new construction (both residential and small commercial), anticipated electric usage is required. Detailed calculations must be submitted for review.

> Permits

All necessary permits, approvals, and certificates, must be submitted by the contractor or builder to appropriate agencies or municipalities for construction of the solar electric project that will receive incentive funding. While submission of required permits is not necessary with the project application submission, the contractor or builder must produce all documents immediately upon NYSERDA’s request. The building permit must be submitted with the final project invoice.

> Environmental Assessment

For all projects that include the installation of modules with total panel surface area and other disrupted areas exceeding 4,000 square feet, an environmental assessment form must be completed and the project must satisfy the New York State Environmental Quality Review Act (SEQRA). The contractor or builder must indicate if the solar electric panel surface area exceeds 4,000 square feet. Information regarding SEQRA is available from the Department of Environmental Conservation website at dec.ny.gov.

It is the contractor or builder’s responsibility to identify all agencies that are involved or may be an “interested party” in the SEQRA process. You can find the SEQR form at: dec.ny.gov.

A sample SEQRA environmental assessment form is available at nyserd.ny.gov/solar-contractor-resources.

> Clipboard Energy Efficiency Assessment

For residential project applications, a clipboard energy efficiency assessment must be performed. A clipboard assessment consists of two components: an interview of the home owners to determine energy-use habits and the age of the home, and an inspection of the home to identify energy-saving opportunities. Certification that an assessment has been completed must be indicated on the project application at time of submission.

The inspection component of the assessment should take no more than 60 minutes and includes:

- Assessment of the hard-wired lighting systems and free-standing light fixtures.
- Appliance ages and whether they are ENERGY STAR® certified.
- Presence of advanced power strips.
- Existence of “vampire loads” related to consumer electronics and battery chargers.
- Use of programmable thermostats or timers for air conditioners.
- Age and condition of the doors and windows.
- Details on recent energy efficiency upgrades, such as insulation.

After the assessment, the results will be reviewed with the homeowner. A copy of the report will be left with the homeowner along with a list of Home Performance contractors and informational brochures detailing NYSERDA’s energy efficiency programs.

Customers will not be required to implement energy efficiency upgrades as a prerequisite to participating in the program, except in the case of projects applying for the additional Affordable Solar Residential Incentive.

> Small Commercial Energy Assessment

For all small commercial projects, building owners are given information on benchmarking tools, such as ENERGY STAR’s portfolio manager benchmarking tool. If requested by the building owner, the contractor or builder will help input utility bill information in the tool to calculate an energy-use index and, where applicable, an ENERGY STAR score. Customers will not be required to benchmark or implement energy efficiency upgrades as a program prerequisite. Energy assessment completion must be indicated on the project application at time of submission.

> Construction Photos

The contractor or builder is required to take construction photos for each project. The program may request construction photos for purposes of conducting a photo inspection at any time. See the Photo Inspection section for additional information.

A photo documentation sample, which contains a complete list of required photos, is available at nysesda.ny.gov/solar-contractor-resources.

Received Status



The project application moves to received status once it has been received by the program. At this time, the application will move into the queue for technical review.

Technical Review

Once the application has been received, the project may undergo a full technical review (design review) to confirm that the project has been designed appropriately and meets all program rules. For a full description of all requirements, see the System Technical Requirements section.

If a project application has missing or inaccurate information or documents, the contractor or builder will be asked to provide the correct information in the portal.

Pending Approval Status



When the project has passed technical review, the application will move automatically to pending approval status. In this status, the purchase order is finalized and funding for the application is set aside.

Approved Status



When the project application and system design have been officially approved by the program, the contractor or builder will receive notification to move forward with the installation of the system.

Contractors have 365 days from the project approval date (the date project is marked approved in the portal) to complete the system installation and submit for final project invoice approval. Projects that do not meet the deadline and have no extension on file will be in jeopardy of cancellation.

While in approved status, the contractor or builder may submit a project cancellation request, project extension request, project modification request, or project invoice request.

Project Cancellation Requests

Requests to cancel a project must be done through the portal by submitting a request for cancellation.

Should a project wish to move forward after cancellation, the contractor or builder must submit a new project application package. In this case, the incentive level and all rules in effect at the time the new application is submitted will apply.

Project Extension Requests

To request an extension, the contractor or builder must submit a project extension request in the portal.

NYSERDA will approve extensions on a limited case-by-case basis. Project extensions will be granted for **legitimate and verifiable reasons which are beyond the control of the contractor, builder, or customer**. No other requests will be considered.

Residential Project Extension Requests

Project extensions may only be granted once for each residential project. If approved, the extension will allow an extra 90 days to complete the project, bringing the total to 455 days.

Small Commercial Project Extension Requests

Project extensions may be granted twice, in 180-day increments each, for small commercial projects. To qualify for consideration, the 75% project invoice request must be submitted through the portal or proof that an application has been filed at New York State Education Department (if applicable) must be submitted.

If approved, the first extension will allow an extra 180 days to complete the project, bringing the total to 545 days from the original project approval date. Projects that exceed 725 days will be in jeopardy of cancellation.

Project Modification Requests

Any system modifications or equipment changes must be submitted in the portal as a project modification request and approved by NYSERDA in writing before a system is installed. Project modifications are not permitted for projects that have already received the initial 75% invoice payment or have already been completed.

Failure to get NYSERDA approval on any and all modifications may result in revocation of the incentive reservation or nonpayment of the incentive.

A project modification request must state the original equipment quantity and catalog numbers, the proposed equipment quantity and catalog numbers, changes in cost, and any changes in the array configuration or wiring. NYSERDA will review the request, and calculate and approve the new incentive or loan amount (if applicable).

Customer signature is required for all project modification requests that result in either an increase or decrease in approved funding amounts. Electronic signatures may be obtained through NYSERDA's DocuSign account, which is available in the portal. If a contractor prefers to use their own electronic signature account, the tool must be NYSERDA approved and a signature verification report must be provided. Approved electronic signature tools include DocuSign, CudaSign, EchoSign, Adobe, and Seamless Doc. Under no circumstances is a contractor or builder permitted to sign on behalf of the customer.

The contractor and builder will receive email approval for project modification requests. All other changes will be approved in the portal. Please check the portal before contacting NYSERDA regarding project modification approvals.

Project modification requests resulting in an increase to system size will not earn an additional incentive in excess of the current incentive cap in effect at the time the project modification request is submitted.

Projects funded at a previously higher incentive level have the option of accepting the existing incentive award "as is" or recalculating the entire array at the current incentive level.

Note: Effective October 9, 2015, projects approved through the standard incentive program cannot submit project modification requests for the purpose of receiving the additional incentive.

Project Modification – Example #1

A 5,000 watts system was funded at $\$0.50 = \$2,500$

If the system is increased to 7,000 watts and the current incentive is at $\$0.40/\text{watt}$, the total incentive will equal $\$2,800$. The change order will be processed for an additional $\$300$.

Project Modification – Example #2

A 5,000 watts system was funded at $\$0.60 = \$3,000$

If the system is increased to 5,500 watts and the current incentive is at $\$0.40/\text{watt}$, the total incentive will equal $\$2,200$. The contractor may choose to keep the original award and the change order will be processed as a no-cost modification.

When calculating the resulting incentive for a change order where the system capacity has decreased, NYSERDA will continue to honor the original incentive level based on the smaller system size.

Project Modification – Example #3

A 5,000 watts system was funded at $\$0.50 = \$2,500$

The system is now reduced to 4,500 watts. The new incentive level will be 4,500 watts at $\$0.50/\text{watt}$ or $\$2,250$. The change order will be processed for a decrease of $\$250$.

Project Invoice Requests – Incentive Payments

All permits required with final project invoice submission, as described below, must clearly reference installation of the approved solar electric system at the customer site. If permits are not needed for installation, a signed letter from the town code officer, or authority having jurisdiction (AHJ) must be submitted stating that no building permit is required. It is not necessary to submit the AHJ or third-party electrical inspection certificate with the invoice request. Contractors must keep the electric inspection certificate on file, NYSERDA reserves the right to request a copy of this document. If the local authority does not require a permit for a system but requires an electrical permit for wiring, a copy of the permit must be provided.

NYSERDA will consider alternate documentation verifying that the system has been completed and complies with all program and relevant code requirements. If applicable, a contractor or builder must submit the alternate documentation to NYSERDA for approval prior to the project.

NYSERDA has the right to inspect projects at any point in the process and may call customers to verify construction.

Residential

The contractor receives the total project incentive in one installment. To request the full 100% incentive, the project invoice must be submitted in the portal for approval.

Customer signature is required on invoices for projects using financing or the Affordable Solar incentive. Electronic signatures may be obtained through NYSERDA's DocuSign account, which is available in the portal. If a contractor prefers to use their own electronic signature account, the tool must be NYSERDA approved and a signature verification report must be provided. Approved electronic signature tools include DocuSign, CudaSign, EchoSign, Adobe, and Seamless Doc. Under no circumstances is a contractor or builder permitted to sign on behalf of the customer.

To receive the full 100% incentive payment, the project invoice must include:

- Utility interconnect permission to operate (PTO) letter
- Building permit

Small Commercial

Contractors have two incentive payment options:

> *Single-Payment Option*

The contractor receives the total project incentive in one installment. To request the full 100% incentive, the project invoice must be submitted in the portal for approval. The customer is required to sign the 100% project invoice.

Electronic signatures may be obtained through NYSERDA's DocuSign account, which is available in the portal. If a contractor prefers to use their own electronic signature account, the tool must be NYSERDA approved and a signature verification report must be provided. Approved electronic signature tools include DocuSign, CudaSign, EchoSign, Adobe, and Seamless Doc. Under no circumstances is a contractor or builder permitted to sign on behalf of the customer.

To receive the full 100% incentive payment, the project invoice must include:

- Utility interconnect permission to operate (PTO) letter
- Building permit

> **Two-Payment Option**

The contractor receives project incentives in two installments tied to specific installation milestones. The customer is required to sign both the 75% and 25% project invoices.

Electronic signatures may be obtained through NYSERDA's DocuSign account, which is available in the portal. If a contractor prefers to use their own electronic signature account, the tool must be NYSERDA approved and a signature verification report must be provided. Approved electronic signature tools include DocuSign, CudaSign, EchoSign, Adobe, and Seamless Doc. Under no circumstances is a contractor or builder permitted to sign on behalf of the customer.

The initial incentive payment, 75% of the total approved incentive for the project, will be paid after all approved system components have been delivered to a customer's site and all permits and approvals have been obtained. Project modification requests are not permitted for projects that have already received the initial 75% invoice payment.

To receive the initial 75% incentive payment, the project invoice must include:

- Building permit

To receive the final 25% incentive payment, the project invoice must include:

- Utility interconnect permission to operate (PTO) letter

Financing-Only Projects

The total GJGNY loan amount approved by NYSERDA will be paid on approval of the project invoice. Customer signature is required on project invoices for financing only projects. Once approved, NYSERDA's loan originator is notified to release loan.

Electronic signatures may be obtained through NYSERDA's DocuSign account, which is available in the portal. If a contractor prefers to use their own electronic signature account, the tool must be NYSERDA approved and a signature verification report must be provided. Approved electronic signature tools include DocuSign, CudaSign, EchoSign, Adobe, and Seamless Doc. Under no circumstances is a contractor or builder permitted to sign on behalf of the customer.

To release the loan, the project invoice must include:

- Utility interconnect permission to operate (PTO) letter
- Building permit

Completed Status



The project has achieved completed status once the system has been installed and interconnected, and final payment has been approved by NYSERDA.

System Technical Requirements



Solar Modules

All solar electric modules must be certified as meeting all applicable standards of the Institute of Electrical and Electronics Engineers (IEEE) and Underwriter's Laboratory (UL) 1703, and detailed in the California Energy Commission (CEC) eligible list found in the portal. The manufacturer is responsible for accurate updates to the list.

Inverters

All inverters must be certified as meeting all applicable standards of IEEE and UL and must meet the standards of the New York State Public Service Commission found at <http://www3.dps.ny.gov/W/PSCWeb.nsf/All/DCF68EFCA391AD6085257687006F396B?OpenDocument>.

The CEC eligible list can be found in the portal. The manufacturer is responsible for accurate updates to the list.

Monitoring Equipment

Each solar electric system must have the ability to record system production in kilowatt-hours. The contractor has the option of providing this information from a hardwired solar electric production meter, online monitoring system, inverter display recorded production, or other approved method.

When a hardwired meter is provided, it will have the capability to display instantaneous AC power and cumulative total AC energy production. Such meters must have a minimum accuracy of 5% and a certificate of compliance from the manufacturer. Remanufactured utility-style meters are permitted if they are certified as calibrated to the applicable ANSI standards for electricity metering. The meters must include numerical digital displays, or analog (easy-read type) in watts or kilowatts for power and kilowatt-hours or megawatt-hours for energy.

System Losses

Project applications will indicate all potential output losses (actual kilowatt-hours generated after all equipment losses are applied) associated with shading, system orientation, tilt angle, etc., and must be analyzed and detailed by the contractor or builder for each system. Solar electric systems shaded by trees or installed on a flat roof will have less than optimal outputs. All impacts on system output must be quantified and considered during the review of the project application submitted by the contractor or builder. The incentive level for a project will be reduced in proportion to output losses when losses from factors, such as shading and orientation, exceed 20% of ideal kilowatt-hour output, as illustrated in this table.

Shading and Orientation Loss	0-20%	21%	23%	24%	25%	26%	27%	28%	29%	30%
Incentive Level	100%	79%	77%	76%	75%	74%	73%	72%	71%	70%

Grid Connection

To be eligible for incentives, all solar electric systems must be grid-connected, end-use applications. End-use means the system is connected on the customer's side of the electric meter, and electricity generated offsets the customer's electricity purchases in accordance with current net metering laws and utility guidelines. In addition to net metering, on approval by the local participating utility, projects may benefit from remote net metering of multiple utility accounts. In all cases, NYSERDA's incentive will be limited to the maximum system size cap of 25 kW DC for residential installations, 200 kW DC for small commercial installations in ConEd and Upstate regions, and 500 kW DC for small commercial installations in PSEG Long Island region. Incentives may not exceed 110% of the aggregated 12-month annual usage.

Approved System Design

Solar electric systems must be installed in accordance with the design and system components submitted in the application and approved by NYSERDA. Any change in approved system design must be approved in writing by NYSERDA prior to installation of the solar electric system.

Solar electric systems not installed according to the submitted and NYSERDA-approved design may not be eligible to receive NYSERDA incentives. When significant changes are made, a new three-line diagram must be included with the project modification request.

Interconnection

The contractor and builder are required to ensure all approved solar electric systems have an appropriate interconnection agreement that meets New York State standard interconnection requirements. They must also ensure that all approved systems are installed in compliance with that interconnection agreement.

Other Electrical Components

All other electrical components of each solar electric system, including, but not limited to, charge controllers, batteries, wiring, and metering equipment must be certified as meeting the requirements of all relevant national and New York State codes and standards.

Structural Requirements

The contractor and builder are responsible for determining that a building is structurally able to support the addition of a solar electric system without overstressing the structure or increasing the load beyond acceptable national and State limits.

Compliance with Laws and Codes

All approved solar electric systems, system components, and installations must comply with any and all manufacturers' installation requirements, applicable laws, regulations, codes, licensing, and permit requirements. This includes, but is not limited to, the New York State Environmental Quality Review (SEQR); the International Building Code Series as amended by the New York State Uniform Code Supplement; the National Electric Code (NEC); New York State's Standard Interconnection Requirements; and all applicable State, city, town, or local ordinances or permit requirements.

Information on New York City fire codes and the NYC Fire Code Section 504.4 can be found at:

- Fire Code-Section FC504:
<http://bit.ly/bpVFKD>
- Application for a Variance to Fire Code FC504:
<http://bit.ly/cRLNjp>

System Warranty for Purchase Agreements

The contractor must provide the purchaser of the solar electric system with a full five-year transferable warranty. The warranty must cover all components of the generating system against breakdown or degradation in electrical output of more than 10% from the original rated electrical output. The warranty will cover the full costs, including labor, repair, and replacement of defective components or systems. The contractor is responsible for providing warranty coverage in a timely manner regardless of the level of support from the equipment manufacturer. Requests for warranty services must be responded to within 72 hours and repairs completed within 30 days. Batteries must be covered by a minimum two-year warranty. The contractor must provide the customer with information on any additional or extended warranties that may also be applicable.

Production Warranty for PPA/Leases

The contractor will offer a production guarantee to the customer for the initial term of the agreement (at minimum). This will provide the customer with compensation if the system produces less than the guaranteed output as specified in the lease or PPA agreement. Guaranteed output may not allow cumulative degradation in electrical output of more than 1% per year from the original rated electrical output for the initial term of this agreement. Under no circumstance will customers be responsible for any labor and repair or replacement costs of defective components or systems over the initial term of the agreement. Should the customer sell the residence at which this solar facility is located, the production guarantee is fully transferable to a new lessee, consistent with the terms of the lease or PPA agreement .

Quality Assurance and Compliance



NYSERDA maintains the integrity of its program through an independent Quality, Standards, and Compliance (QSC) team which manages the quality assurance (QA) system for the program.

The QA system has several components, including a review of qualifications and credentials, paperwork audits, establishment of program standards, and comprehensive field and photo inspections. QA field inspections include verification of the contracted scope of work, accuracy of the site analysis, comparison of installation to submitted design drawings, National Electric Code, International Building Codes with New York State Uniform Code Supplement compliance, and the overall delivered quality of the solar electric installation. The NYSERDA QSC team, or its representatives, may make a reasonable number of visits to the customer site before, during, and after installation of a solar electric system to assess overall compliance.

Inspection of Completed Projects

NYSERDA selects specific completed projects for QA inspections following a rational sampling protocol. The protocol utilizes a strategic sampling of completed projects with rates primarily based on the contractor's and builder's current program status, and recent photo and field inspection scores.

NYSERDA attempts to conduct photo or field inspections on up to 15% of systems installed by full status contractors and builders. Those with a probation or suspended status, will have their completed projects inspected at a rate between 30% and 100% and will be detailed in the status change notice provided by NYSERDA prior to the status change being enacted. Provisional contractors and builders will initially be subjected to up to 100% inspection rate. After the provisional status review is completed, their inspection rate will be determined based on their current status.

The purpose of the QA inspection is to provide NYSERDA with an opportunity to evaluate the accuracy of the site analysis and design paperwork, and to verify that the system was installed according to all program requirements. The QA inspection also includes selected health and safety and performance items, and specific compliance items per applicable code.

The inspection report will be sent to the contractor and builder approximately 15 days after the inspection. The report will be made available to the system owner upon submission of a request directly to NYSERDA.

NYSERDA may select any completed project at any point in the future for a photo or field inspection based on customer complaints, warranty-related issues, or a review of the work done by the contractor or builder under status review or program disciplinary action.

All contractors and builders are encouraged to perform in-house quality control of their projects.

Field Inspections

Field inspections are conducted by a qualified independent third party, using comprehensive field inspection QA checklists and other QA inspection processes approved by NYSERDA.

QA field inspections are scheduled at the customer's convenience. Customers are encouraged to allow the contractor and builder to attend the inspection so questions can be answered and minor fixes can be made on site. If the customer agrees, the contractor and builder will be notified between 5 and 14 days of the upcoming inspection. Every effort will be made to accommodate the schedule of the contractor and builder, but the customer's schedule and efficient scheduling of inspections takes precedence.

Customers have the right to request that the contractor or builder not attend the QA field inspection. In these situations, the contractor and builder will not be notified of the scheduled inspection but will receive the results within 15 business days.

Affordable Solar Field Inspections

QA field inspections will be conducted on a minimum of the first two projects receiving the Affordable Solar Residential Incentive completed by any contractor or builder, and a minimum of 5% of Affordable Solar Residential Incentive projects completed thereafter. In addition to the components of the standard QA field inspection, Affordable Solar Residential Incentive projects will also be inspected for compliance with lighting and water efficiency requirements in the Affordable Solar Energy Efficiency Specifications found at nyserderda.ny.gov/solar-contractor-resources.

Photo Inspections

The contractor or builder is required to take construction photos for each project. The program may request construction photos for purposes of conducting a photo inspection at any time.

A photo documentation sample, which contains a complete list of required photos, is available at nyserderda.ny.gov/solar-contractor-resources.

If photos are requested, the contractor and builder will be notified and provided with a method for submission. It is expected the contractor or builder provide pictures upon request. Failure to provide a complete set of photos may result in disciplinary action.

Photo inspection scores will be taken into consideration, along with QA field inspection scores, when evaluating performance.

Procedure for Handling Nonconformance and Corrective Action

The QA inspection report will provide details of all evaluated elements of the project and list any nonconformances identified. The report will provide an overall score of the project and identify a pass or fail. Projects that have nonconformances related to critical (health and safety) or major (system performance) attributes will automatically fail. Projects that have only nonconformances to minor or incidental attributes may pass or fail based on their overall merits.

All nonconformances are expected to be addressed and corrected in future work conducted in the program. Acknowledgment and plans for preventing future problems may be requested with the report.

While some nonconformances cannot be corrected post installation, others can be remedied through corrective action to the documentation, incentive applied to the project, or remediation of the installation or its components.

When NYSERDA seeks specific corrective action, a corrective action response (CAR) form will be provided with the QA report. The CAR must be either disputed within 15 days by contacting NYSERDA, or remedied within 30 days. Sufficient evidence of remediation must be provided to NYSERDA documenting the completion of required actions. NYSERDA may, at its discretion, conduct a field verification of the remediated installation.

NYSERDA has the right to provide a copy of the QA report; CAR; or specific information from the QA field inspections directly to the customer, all AHJ, or the interconnecting utility based on health, safety, and compliance concerns. In an emergency, NYSERDA or its representatives may shut down the system. NYSERDA will notify the contractor and builder of such action as soon as is possible.

NYSERDA may communicate with any program customer on any matter relevant to a project. Such communications may be in reply to an inquiry from a customer or at NYSERDA's initiation.

PARTICIPATION STATUS

Provisional Status

Contractors and builders in provisional status meet entry level program requirements for credentials and experience, but have not met the minimum QA requirements described below to move to full status.

Project applications submitted by contractors or builders in provisional status will receive both an initial review and a technical review; and completed installations will be subject to increased QA oversight. Below are the guidelines of the Provisional status.

- Provisional contractors or builders will be listed on NYSERDA's website and may be denoted as such.
- Provisional contractors are limited to 15 project applications, until three completed projects have received a passing QA inspection (photo or field).
- Provisional contractors or builders are required to submit construction photos for three of their most recently completed projects.
- Following the completion of the third project and the related QA inspections, NYSERDA will conduct a formal review to evaluate a change in status. Evaluation for a change to full status will be based on the quality and consistency of all submitted work that is fully compliant and meets credentialing requirements.

Full Status

Contractors and builders who have met all program requirements for credentialing, experience, and installation quality will be placed in full status. Existing contractors and builders who have previously demonstrated consistent quality through the program will be placed in full status. Below are the guidelines of the Full status:

- Full contractors and builders will be listed on NYSERDA's website and may be denoted as such.
- Full contractors and builders must meet program standards for timely responses to NYSERDA communications and QA field inspection corrective action requests.
- Full builders are required to have an appropriately credentialed individual on staff (the Builder Qualifications section). Failure to satisfy this requirement and present appropriate documentation will result in an automatic change to probation status.

Probation Status

Probation status is reserved for contractors and builders that have failed to meet the requirements of the program. Probation is prescriptive in nature, in that NYSERDA defines specific results to be achieved in a designated timeframe. During probation, a contractor or builder can still submit project applications, but is restricted from signing a relationship agreement with another participating contractor or builder.

A contractor or builder may be placed in probation status for any of the following reasons:

- Violation of program rules or ethical standards.
- Failure to consistently deliver completed projects that pass the QA field or photo inspection standard.
- Failure to take effective corrective actions on a critical or major deficiency or a repeated incidental or minor deficiency in work quality or performance.
- Three or more corrective action requests that have not been responded to or remain unresolved for more than 30 days.
- A lapse in required credentials.

The probation period will not be less than 30 days. While in probation status, the contractor or builder:

- Will remain on the NYSERDA website.
- May continue to submit new project applications, subject to restrictions based on the reason for the probation status.
- Will be subject to higher QA inspection levels as outlined in the program manual.
- Must remediate all issues related to probation, as directed by NYSERDA.
- Must submit, in writing, an agreed-upon action plan designed to ensure future violations are avoided.
- Must demonstrate successful results through a specified number of completed projects.

Upon satisfactory completion of the action plan and all remediation, and upon review of probation period QA results, NYSERDA will determine whether to return the contractor or builder to full status, continue the probation period, or move to suspended or terminated status.

Suspended Status

Contractors and builders who have failed to adequately respond to terms of the probation status action plan, or who have committed serious violations of program rules, will be placed in suspended status.

A contractor or builder may be suspended if they:

- Fail to adequately fulfill the terms of the probation action plan.
- Are placed on probation for a second time in 12 months.
- Are under investigation for, or have been determined to have engaged in, practices that have put the public or program at risk.
- Have one or more projects not completed by the deadline and have no project extension on file.
- Have outstanding and unresolved requests for return of incentive to NYSERDA due to failure to meet program requirements.
- Fail to provide backup documents when requested.
- Have submitted a payment request when the approved system components have not been delivered to the customer's site.
- Have submitted documentation with falsification of any required items, including, but not limited to, permits, approvals, and customer signatures.
- Have a lapse in required credentials while on probation status.
- Fail to consistently deliver completed projects that pass the QA field or photo inspection standard.

While in suspended status, the contractor or builder:

- Will be removed from the NYSERDA website.
- Will not be allowed to submit new project applications to the program.
- Must complete any work that is in progress when the partner is placed in suspended status.
- May not represent themselves as a participating contractor or builder, except in the execution of remedial action.
- May be directed by NYSERDA to remediate issues related to the suspension.
- May be required to submit, in writing, an agreed-upon action plan designed to ensure future violations are avoided.

A contractor may not submit project applications using a builder in suspended status. Likewise, a builder may not submit project applications or install for a contractor in suspended status.

Suspended contractors and builders will either progress to probation or full status upon satisfactory completion of the specified remedial activities and resolution of issues related to the suspension, or will be terminated from program participation. Nothing in this status relieves the contractor or builder of the responsibility to fulfill any outstanding obligations to the program or program customers as directed by NYSERDA.

Terminated Status

Contractors and builders who have failed to respond to prescriptive action plans and disciplinary measures, or who have committed serious violations of the program rules may be terminated.

A contractor or builder may be terminated from the program if they:

- Have had a suspended status for more than 30 days and have been unresponsive or failed to adequately fulfill the terms of their suspension action plan.
- Have had their credentials lapse while suspended.
- Submit falsified documents or unauthorized signatures to the program.
- Commit illegal actions while participating in the program.
- Are convicted or have a principal who is convicted of a criminal charge that casts the program in a negative light or calls their integrity or workmanship into question.
- Are in gross violation of program installation standards.
- Repeatedly invoice for uninstalled upgrades.
- Fail to meet the terms of the provisional period.

A contractor will not be allowed to submit project applications using a builder in terminated status. Likewise, a builder will not be allowed to submit project applications or install for a contractor in terminated status.

Neither can represent themselves as a participating contractor or builder except in the execution of remedial action.

Contractors and builders in terminated status are prohibited from participation in this or other NYSERDA programs. Customers with incomplete projects will be notified of the termination and may be offered such remedies as NYSERDA deems appropriate. NYSERDA may notify the New York State Attorney General, the New York State Department of Labor, the Better Business Bureau, or others, of the decision to terminate the contractor or builder from the program. Further, the officers and owners of the terminated contractor or builder are prohibited from being or becoming officers or owners of any other program partner. Nothing in this process relieves the contractor or builder of the responsibility to fulfill any remaining obligation to the program or its customers.

Inactive Status

Contractors and builders may be declared inactive if they have not had an approved project in the program over a 24-month period of time. They will be removed from the website, no longer receive email notifications, nor be eligible for incentives or financing options. Should they wish to participate in the future, they may reapply under the rules in place at that time.

Status Review Process

NYSERDA continually reviews all contractors and builders performance in the program to determine if a change in status is necessary.

NYSERDA administers change in program status in the following ways:

- Request a meeting with the contractor or builder
- Issue a notice of program violation or compliance resulting in contractor or builder status change
- Reserves the right to take immediate action on program violation when warranted.
- Contractor or builder has 5 business days to dispute the program violation notification.

NY-Sun, a dynamic public-private partnership, will drive growth in the solar industry and make solar technology more affordable for all New Yorkers. NY-Sun brings together and expands existing programs administered by the New York State Energy Research and Development Authority (NYSERDA), Long Island Power Authority (LIPA), PSEG Long Island, and the New York Power Authority (NYPA), to ensure a coordinated, well-supported solar energy expansion plan and a transition to a sustainable, self-sufficient solar industry.

NYSERDA, a public benefit corporation, offers objective information and analysis, innovative programs, technical expertise, and support to help New Yorkers increase energy efficiency, save money, use renewable energy, and reduce reliance on fossil fuels. NYSEDA professionals work to protect the environment and create clean-energy jobs. NYSEDA has been developing partnerships to advance innovative energy solutions in New York State since 1975.

To learn more about NYSEDA's programs and funding opportunities, visit nyseda.ny.gov or follow us on Twitter, Facebook, YouTube, or Instagram.

