

1.1 ..... moves to amend H.F. No. 1397 as follows:

1.2 Page 2, line 18, strike "any" and insert "the solar energy" and strike "programs" and  
1.3 insert "program"

1.4 Page 3, line 2, strike the second "and"

1.5 Page 3, line 3, strike the period and insert a semicolon

1.6 Page 3, after line 3, insert:

1.7 "(9) certify that the following information is contained in any promotional materials  
1.8 developed by the solar garden owner or the utility purchasing the solar garden's generation  
1.9 and is provided separately in writing to prospective subscribers at least 15 days prior to the  
1.10 date a contract is entered into by the subscriber and the community solar garden owner:

1.11 (i) an estimate of the annual generation of electricity by the community solar garden,  
1.12 calculated using the formula developed by the commission under paragraph (d); and

1.13 (ii) an estimate of the length of time required to fully recover a subscriber's initial  
1.14 lump-sum payments made to the owner of the solar garden prior to the delivery of electricity  
1.15 to the subscriber by the solar garden, calculated using the formula developed by the  
1.16 commission under paragraph (e);

1.17 (10) certify that the utility and the solar garden owner must submit copies of all marketing  
1.18 and promotional material and sample contracts to the commission, and that the materials  
1.19 are updated periodically;

1.20 (11) certify that the solar garden owner has placed sufficient financial resources into an  
1.21 escrow account in order to reimburse subscribers for any financial losses incurred if the  
1.22 project fails to meet the contract provisions;

1.23 (12) provide a mechanism for subscribers to transfer subscriptions to other new or current  
1.24 subscribers, or to cancel subscriptions for a full refund;

2.1 (13) require a solar garden owner and the utility purchasing electricity generated by the  
2.2 solar garden to forward customer complaints regarding the operation of the solar garden to  
2.3 the commission;

2.4 (14) require that the contract between a subscriber and the solar garden owner contains  
2.5 a warranty for a minimum level of electricity to be delivered to the subscriber from the  
2.6 community garden; and

2.7 (15) reflect the commission's determination that:

2.8 (i) the plan is financially viable; and

2.9 (ii) the contract between a subscriber and the solar garden owner is fair, reasonable, and  
2.10 not discriminatory."

2.11 Page 3, after line 10, insert:

2.12 "(d) By September 15, 2021, the commission must develop a formula to be used by all  
2.13 solar garden owners to estimate the annual amount of electricity generated by the solar  
2.14 garden.

2.15 (e) By September 15, 2021, the commission must develop a formula used by all solar  
2.16 garden owners to estimate the length of time required to fully recover a subscriber's lump-sum  
2.17 payments made to the solar garden owner prior to the delivery of electricity to the subscriber  
2.18 by the solar garden."

2.19 Page 5, line 20, after "enactment" insert "and applies to any plan filed with the  
2.20 commission on or after that date"