

CHAPTER 22.

PROVISION OF ELECTRIC SERVICE BY LESSORS.

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CHAPTER 22.

PROVISION OF ELECTRIC SERVICE BY LESSORS.

Rule R22-1. APPLICATION.

Pursuant to G.S. 62-110(h), this Chapter governs the resale of electricity by a lessor of a single-family dwelling, residential building, or multiunit apartment complex that has individually metered units for electric service in the lessor's name, where the lessor charges the actual costs of providing electric service to each lessee.

(NCUC Docket No. ER-100, Sub 0, 08/17/11; NCUC Docket No. ER-100, Sub 0, 04/19/2012; NCUC Docket No. ER-100, Sub 0, 03/31/14; NCUC Docket No. ER-100, Sub 4, 04/24/2018.)

Rule R22-2. DEFINITIONS.

- (a) *Lessee.* A person who purchases electric service from a provider.
- (b) *Lessor.* A person, entity, corporation, or agency who owns a residential building, single-family dwelling, or multiunit apartment complex which is available for lease.
- (c) *Multiunit apartment complex.* Premises where one or more buildings containing multiple residential dwelling units under common ownership are available for rent to lessees. One or more multiunit apartment complexes may be known as the leased premises.
- (d) *Provider.* A lessor who purchases electric service from a supplier and charges for the costs of providing the service to lessees. A provider must be the owner of the premises served.
- (e) *Residential building.* A townhouse, row house, condominium, mobile home, building, or other structure used for residential purposes. One or more residential buildings may be known as the leased premises.
- (f) *Single-family dwelling.* An individual, freestanding, unattached dwelling unit, typically built on a lot larger than the structure itself, resulting in an area surrounding the house known as a yard, which is rented or available for rental as a residence. One or more single-family dwellings may be known as the leased premises.
- (g) *Supplier.* A public utility or an agency or organization exempted from regulation from which a provider purchases electric service.
- (h) *Supplier's Unit Electric Service Bill.* The actual amount charged by the supplier for the unit as a whole less any amount charged by the supplier that is not recoverable from the lessees, such as connection or disconnection charges, provider late fees, or amounts attributed to excess usage as provided in Rule R22-7(f).
- (i) *Common Area.* The parts of the rental property that are not otherwise leased to lessees and that are available to or otherwise accessible to all lessees.

(NCUC Docket No. ER-100, Sub 0, 08/17/11; NCUC Docket No. ER-100, Sub 0, 04/19/2012; NCUC Docket No. ER-100, Sub 0; 03/31/2014; NCUC Docket No. ER-100, Sub 4, 04/24/2018.)

Rule R22-3. UTILITY STATUS; CERTIFICATE.

(a) Every provider is a public utility as defined by G.S. 62-3(23)a.1. and shall comply with and be subject to all applicable provisions of the Public Utilities Act and all applicable rules and regulations of the Commission, except as hereinafter provided.

(b) A provider who charges for electric service under this Rule:

- (1) is solely responsible for the prompt payment of all bills rendered by the supplier and is the retail customer of the supplier subject to all rules, regulations, tariffs, riders, and service regulations associated with the provision of residential electric service to retail customers of the supplier;
- (2) is not considered a wholesale customer of the supplier; and
- (3) is not subject to the requirements of G.S. 62-133.8, 62-133.9, or Rules R8-67 through R8-69.

(c) No provider shall begin charging for the costs of providing electric service prior to applying for and receiving a certificate of authority from the Commission.

(NCUC Docket No. ER-100, Sub 0, 08/17/11; NCUC Docket No. ER-100, Sub 0, 04/19/2012; NCUC Docket No. ER-100, Sub 0, 03/31/14; NCUC Docket No. ER-100, Sub 4, 04/24/18.)

Rule R22-4. APPLICATION FOR AUTHORITY.

(a) Every application for authority to charge for the costs of providing electric service shall be in such form and detail as the Commission may prescribe and shall include:

- (1) a description of the lessor, who is the applicant, including legal name and type of business entity, and a description of the property to be served, including business or marketing name, if any, street address, and number of units;
- (2) a description of the proposed billing method and billing statements;
- (3) the proposed method of allocating the supplier's charges to the lessees;
- (4) the administrative fee per lessee, returned check charge, and late payment charge, if any, proposed to be charged by the applicant, and the number of days after the bill is mailed or otherwise delivered when the late payment fee would begin to be applied;
- (5) the applicant's plans for retention and availability of records;
- (6) the name of and contact information for the applicant and its agents, including mailing address, email address, and telephone number;
- (7) the name of and contact information for the supplier of electric service to the applicant's rental property;
- (8) the current schedule of charges from the supplier;
- (9) a copy of the lease forms to be used by the applicant for lessees who are billed for electric service pursuant to this Chapter;
- (10) a statement indicating the particular provisions of the lease forms pertaining to billing for electric service;
- (11) the verified signature of the applicant or applicant's authorized representative;
- (12) the required filing fee;
- (13) one (1) original and seven (7) collated copies of the application; and
- (14) any additional information that the Commission may require.

(b) An applicant may submit for authority to charge for electric service for more than one property in a single application. Information relating to all properties covered by the application need only be provided once in the application. However, if any of the information required by the application differs for different properties, the differences must be clearly explained.

(c) The Commission shall approve or disapprove an application within 60 days of the filing of a completed application with the Commission. If the Commission has not issued an Order disapproving a completed application within 60 days, the application shall be deemed approved; provided, however, no person or entity may charge for electric service in a manner inconsistent with Chapter 62 of the North Carolina General Statutes.

(d) An approved certificate of authority from the Commission to charge for the costs of providing electric service under these rules shall be delivered to the supplier from which the provider purchases electric service and include information in Rule R22-4(a)(1) and (6).

(NCUC Docket No. ER-100, Sub 0, 08/17/11; NCUC Docket No. ER-100, Sub 0, 04/19/2012; NCUC Docket No. ER-100, Sub 0, 03/31/14; NCUC Docket Nos. ER-100, Sub 0, ER-100, Sub 2, 07/20/2015 & 07/23/2015; NCUC Docket No. ER-100, Sub 4, 04/24/2018.)

Rule R22-5. BILLS OF THE PROVIDER.

- (a) Bills for electric service sent by the provider to the lessee shall contain all of the following information:
- (1) the Supplier's Unit Electric Service Bill for the unit as a whole and the amount of charges allocated to the lessee during the billing period;
 - (2) the name of the supplier;
 - (3) the beginning and ending dates for the usage period and, if provided by the supplier, the date the meter for the unit was read for that usage period;
 - (4) the past-due date, which shall not be less than 25 days after the bill is mailed or otherwise delivered to the lessee;
 - (5) the name of the provider and a local or toll-free telephone number and address of the provider that the lessees can use to obtain more information about the bill;
 - (6) the amount of administrative fee, returned check charge, and the late payment charge approved by the Commission and included in the bill, if any; and
 - (7) a statement of the lessee's right to address questions about the bill to the provider and the lessee's right to file a complaint with, or otherwise seek recourse from, the Commission if the lessee cannot resolve an electric service billing dispute with the provider.
- (b) The provider or the provider's billing agent shall equally divide the actual amount of the Supplier's Unit Electric Service Bill for a unit among all the lessees in the unit and shall send one bill to each lessee.
- (c) The amount charged shall be prorated when a lessee has not leased the unit for the same number of days as the other lessees in the unit during the billing period.
- (d) Each bill may include an administrative fee no greater than the amount authorized in Rule R18-6 for water service and, when applicable, a late payment charge no greater than the amount authorized in Rule R12-9(d) and a returned check charge no greater than the amount authorized in G.S. 25-3-506.
- (e) A late payment charge may be applied to the balance in arrears after the past-due date.
- (f) The provider may impose a returned check charge, not to exceed the maximum authorized by G.S. 25-3-506, for a check on which payment has been refused by the payor bank because of insufficient funds or because the lessee did not have an account at that bank.
- (g) The provider shall not charge the cost of electric from any other unit or common area in a lessee's bill.
- (h) No provider shall charge or collect any greater compensation for the costs of providing electric service than the rates approved by the Commission.

(i) The provider may, at the provider's option, pay any portion of any bill sent to a lessee, in accordance with the provisions of the lease; provided, however, that (1) the provider must still send each lessee bills in accordance with the other provisions in Rule R22-5; (2) the provider must credit lessee bills or otherwise refund to lessees the amount, if any, by which the amount specified in the lease exceeds the amount actually owed by the lessee for electric usage in the immediately preceding month; and (3) the provider must comply with G.S. 62-140 regarding non-discrimination in billing for utility service.

(NCUC Docket No. ER-100, Sub 0, 08/17/11; NCUC Docket No. ER-100, Sub 0, 04/19/2012; NCUC Docket No. ER-100, Sub 1, 09/04/13; NCUC Docket No. ER-100, Sub 0, 03/31/14; NCUC Docket No. ER-100, Sub 0, 08/27/14; NCUC Docket Nos. ER-100, Sub 0, ER-100, Sub 2, 07/20/2015 & 07/23/2015; NCUC Docket No. ER-100, Sub 4, 04/24/2018.)

Rule R22-6. RECORDS, REPORTS AND FEES.

(a) The provider shall maintain for a minimum of 36 months records that demonstrate how each lessee's allocated costs were calculated for electric service, as well as any other electric service-related fees charged to each lessee.

(b) All records required to be maintained by the provider pursuant to section (a) shall be kept at the onsite management office or office(s) of the provider in North Carolina, or shall be made available at its onsite management office in North Carolina upon request, and shall be available during regular business hours for examination by the Commission or Public Staff or their duly authorized representatives. Within three business days after a written request to the provider, a lessee may examine the records pertaining to the lessee's account during regular business hours and may obtain a copy of those records at a reasonable cost, which shall not exceed 25¢ per page. However, if a provider does not have an onsite management office at the multi-unit complex or in close proximity to the leased single-family dwelling, then the provider shall in good faith, upon written request, establish with the lessee a mutually-acceptable arrangement for the lessee to examine the records pertaining to the electric service for the leased dwelling unit occupied or previously occupied by the lessee. In the event that a provider and lessee are unable to reach agreement within 10 business days, the lessee may contact the Public Staff – North Carolina Utilities Commission, Consumer Service Division, at (866) 380-9816 (toll-free) or (919) 733-9277, or may write to the Public Staff – North Carolina Utilities Commission, Consumer Services Division, at 4326 Mail Service Center, Raleigh, North Carolina 27699-4300 for assistance in resolving the dispute. If the Public Staff determines that it cannot reasonably resolve the disagreement, the matter shall be referred to the Commission.

(c) Providers shall not be required to file an annual report to the Commission as required by Rule R1-32.

(d) Providers shall pay a regulatory fee and file a regulatory fee report as required by Rule R15-1.

(e) Special reports shall also be made concerning any particular matter upon request by the Commission.

(NCUC Docket No. ER-100, Sub 0, 08/17/11; NCUC Docket No. ER-100, Sub 0, 04/19/12; NCUC Docket No. ER-100, Sub 0, 03/31/14; NCUC Docket No. ER-100, Sub 4; 04/24/2018.)

Rule R22-7. DISCONNECTION; BILLING PROCEDURE.

- (a) Any payment to the provider shall be applied first to the rent owed and then to charges for electric service, unless otherwise designated by the lessee.
- (b) No charge for connection or disconnection or late fee or deposit paid by the provider to the supplier shall be allowed, and no provider may terminate a lease for nonpayment of electric service.
- (c) No provider may disconnect or request the supplier to disconnect electric service for the lessee's nonpayment of a bill.
- (d) Bills shall be rendered at least monthly.
- (e) The date after which a bill for electric service is due (the past-due date) shall be disclosed on the bill and shall not be less than twenty-five (25) days after the bill is mailed or otherwise delivered to the lessee.
- (f) A provider shall not bill for or attempt to collect for excess usage resulting from a meter malfunction or other electric condition in appliances such as water heaters, HVAC systems, or ranges furnished by the provider to the lessee, when the malfunction is not known to the lessee or when the malfunction has been reported to the provider.
- (g) Every provider shall provide to each lessee at the time the lease agreement is signed, and shall maintain in its business office, in public view, near the place where payments are received, the following:
 - (1) A copy of the rates, rules, and regulations of the provider applicable to the premises served from that office, with respect to electric service;
 - (2) A copy of these rules and regulations (Chapter 22); and
 - (3) A statement advising lessees that they should first contact the provider's office with any questions they may have regarding bills or complaints about service, and that in cases of dispute, they may contact the Commission either by calling the Public Staff - North Carolina Utilities Commission, Consumer Services Division, at (866) 380-9816 (toll-free) or (919) 733-9277, or by appearing in person or writing to the Public Staff - North Carolina Utilities Commission, Consumer Services Division, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.
- (h) Each provider shall adopt a means of informing its lessees initially and on an annual basis as to the provider's method of allocating bills to the individual lessees and its administrative fee, returned check charge, and late fee, if any. A copy of the supplier's current schedule of charges shall also be included in these disclosures.
- (i) Every provider shall promptly notify the Commission in writing of any change in the information required in Rule R22-4(a), except for changes in the rates and charges of the supplier (Rule R22-4(a)(8)).

If a provider anticipates that it will not pay a supplier's bill on time, or if the provider receives notice from the supplier of pending disconnection, whichever comes first, the

provider must within 24 hours provide written notice to the Commission and all of the provider's affected lessees of the anticipated nonpayment or disconnection notice. A provider may not abandon or cease providing electric service to its lessees without advance permission from the Commission.

(NCUC Docket No. ER-100, Sub 0, 08/17/11; NCUC Docket No. ER-100, Sub 0, 04/19/2012; NCUC Docket No. ER-100, Sub 0, 03/31/14; NCUC Docket Nos. ER-100, Sub 0, ER-100, Sub 2, 07/20/2015 & 07/23/2015; NCUC Docket No. ER-100, Sub 4, 04/24/2018.)

CHAPTER 22.

APPENDIX.

DOCKET NO. ER-_____, SUB _____

FILING FEE RECEIVED _____

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

APPLICATION FOR CERTIFICATE OF AUTHORITY TO RESELL ELECTRIC SERVICE IN ACCORDANCE WITH
G.S. 62-110(h) and NORTH CAROLINA UTILITIES COMMISSION CHAPTER 22

INSTRUCTIONS

If additional space is needed, supplementary sheets may be attached. If any section does not apply, write "not applicable."

Utility laws, the Commission's Rules, and other information may be accessed at <http://www.ncuc.net/index.htm>

APPLICANT

1. Name of owner _____
(Individual name if the owner is a sole proprietor or business name if not a sole proprietor.)
2. Business mailing address of owner _____
City and state _____ Zip code _____
3. Business telephone number _____ Business fax number _____
4. Business email address _____

PROPOSED UTILITY SERVICE AREA

5. Name of Apartment Complex _____
6. Street Address of Apartment Complex _____
7. County _____
8. Name, address and telephone number of the supplier of purchased power _____

9. Number of tenants that can be served at this apartment complex: _____

RESALE PROVISIONS

10. Describe the method Applicant proposes to use to allocate the supplier's individual electric bill for a unit among all the tenants in the unit (NCUC Rule R22-5): _____

11. Monthly administrative fee per bill: _____
(Pursuant to NCUC Rule R22-5(d), no more than \$3.75 per month - the maximum amount authorized for water resellers by Commission Rule R18-6, may be added to the cost of electric service as an administrative fee. The amount of administrative fee, up to the maximum amount, should be justified by Applicant's actual costs.)
12. Bills will be past due ___ days after they are mailed or otherwise delivered to tenants. (NCUC Rule R22-7(e) specifies that bills shall not be past due less than twenty-five (25) days after mailing or other delivery to tenants.)
13. Late fee amount: _____
(Pursuant to NCUC Rule R22-5(d) and (e), no more than 1% per month on the balance in arrears.)
Number of days after mailing or other delivery of bills at which the late fee begins to apply: _____
(See NCUC Rule R22-5(e) and (7)(e).)

14. Returned check charge: _____
(Pursuant to NCUC R22-5 and G.S. 25-3-506, no more than \$25.00)
15. Statement of the Applicant's plans for retention and availability of records (see NCUC Rule R22-6(a) and (b)): _____

PERSONS TO CONTACT

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
16. Management	_____	_____	_____

		Email _____	
17. Complaints or Billing	_____	_____	_____

		Email _____	
18. Emergency Service	_____	_____	_____

		Email _____	
19. Filing and Payment of Regulatory Fees to Utilities Commission	_____	_____	_____

		Email _____	

OTHER PROVISIONS

20. Applicant must notify the Commission in writing within 30 days if any information supplied on this form changes in the future.
21. Applicant must also file quarterly Regulatory Fee Reports and make regulatory fee payments. Details are set out in NCUC Rule R15-1.

REQUIRED EXHIBITS

22. If the Applicant is a corporation, LLC, LP, or other legal business entity, enclose a copy of the certification from the North Carolina Secretary of State (Articles of Incorporation or Application for Certificate of Authority for Limited Liability Company, etc.). **(Must match name on Line 1 of application.)**
23. If the Applicant is a partnership, enclose a copy of the partnership agreement. **(Must match name on Line 1 of application.)**
24. Enclose a copy of a Warranty Deed showing that the Applicant has ownership of all the property necessary to operate the utility. **(Must match name on Line 1 of application.)**
25. Enclose a vicinity map showing the location of the apartment complex in sufficient detail for someone not familiar with the county to locate the apartment complex. (A county roadmap with the apartment complex outlined is suggested.)

- 26. Enclose a copy of the supplier's schedule of rates that will be charged to the Applicant for purchased power.
- 27. Enclose a copy of any agreements or contracts that the Applicant has entered into covering the provision of billing and collections services to the apartment complex.
- 28. Indicate the number of apartment buildings to be served, the number of units in each apartment building and the number of bedrooms in each unit.
- 29. Enclose a copy of the template or form used for billing statements.
- 30. Enclose a copy(ies) of the form(s) used for leases to tenants, including a statement of which parts of the lease relate to billing for electric service.

FILING INSTRUCTIONS

- 31. Submit one (1) original application with required exhibits and **original notarized signature**, plus seven (7) additional collated copies to: [USPS address] **Chief Clerk's Office, North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325**, or [overnight delivery or hand delivery at street address] **Chief Clerk's Office, North Carolina Utilities Commission, 430 North Salisbury Street, Raleigh, North Carolina 27603**. Provide a self-addressed stamped envelope, plus an additional copy, if a file-stamped copy is requested by the Applicant.
- 32. Enclose a filing fee as required by G.S. 62-300. A Class A utility (annual electricity reseller revenues of \$1,000,000 or more) requires a \$250 filing fee. A Class B utility (annual electricity reseller revenues between \$200,000 and \$1,000,000) requires a \$100 filing fee. A Class C utility (annual electricity reseller revenues less than \$200,000) requires a \$25 filing fee. **MAKE CHECK PAYABLE TO N.C. DEPARTMENT OF COMMERCE/UTILITIES COMMISSION.**

SIGNATURE

- 33. Application shall be signed and verified by an authorized representative of the Applicant.

Signature _____

Printed Name _____

Title _____

Date _____

- 34. (Typed or Printed Named) _____
personally appearing before me and, being first duly sworn, says that the information contained in this application and in the exhibits attached hereto is true to the best of his/her knowledge and belief.

This the _____ day of _____, 20____

Notary Public

My Commission Expires: _____
Date

(NOTARY SEAL)

SELLER DOCKET NO. ER- _____
PURCHASER DOCKET NO. ER- _____
FILING FEE RECEIVED _____

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

APPLICATION FOR TRANSFER OF AUTHORITY TO RESELL ELECTRIC SERVICE FOR APARTMENT COMPLEXES

INSTRUCTIONS

If additional space is needed, supplementary sheets may be attached. If any section does not apply, write "not applicable".

SELLER

1. Name of current certified owner _____
2. Mailing address _____
3. Business telephone number _____

PURCHASER ("Applicant")

4. Name of purchaser _____
5. Business mailing address of purchaser _____
City and state _____ Zip code _____
6. Business telephone number _____ Business fax number _____
7. Business email address _____

UTILITY SERVICE AREA

8. Street Address of Apartment Complex _____
9. Name of Apartment Complex _____
10. County (or counties) _____
11. Supplier of purchased power _____

RESALE PROVISIONS

12. Describe the method Applicant proposes to use to allocate the supplier's individual electric bill for a unit among all the tenants in the unit (NCUC Rule R22-5): _____

13. Monthly administrative fee per bill: _____
(Pursuant to NCUC Rule R22-5(d), no more than \$3.75 per month - the maximum amount authorized for water resellers by Commission Rule R18-6, may be added to the cost of electric service as an administrative fee. The amount of administrative fee, up to the maximum amount, should be justified by Applicant's actual costs.)
14. Bills will be past due _____ days after they are mailed or otherwise delivered to tenants. (NCUC Rule R22-7(e) specifies that bills shall not be past due less than twenty-five (25) days after mailing or other delivery to tenants.)
15. Late fee amount: _____
(Pursuant to NCUC Rule R22-5(d) and (e), no more than 1% per month on the balance in arrears.)
Number of days after mailing or other delivery of bills at which the late fee begins to apply: _____
(See NCUC Rule R22-5(e) and (7)(e).)
16. Returned check charge: _____
(Pursuant to NCUC Rule R22-5 and G.S. 25-3-506, no more than \$25.00.)

17. Statement of the Applicant's plans for retention and availability of records (see NCUC Rule R22-6(a) and (b)): _____

PERSONS TO CONTACT

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
18. Management	_____	_____	_____

		Email _____	
19. Complaints or Billing	_____	_____	_____

		Email _____	
20. Emergency Service	_____	_____	_____

		Email _____	
21. Filing and Payment of Regulatory Fees to Utilities Commission	_____	_____	_____

		Email _____	

OTHER PROVISIONS

- 22. Applicant must notify the Commission in writing within 30 days if any information supplied on this form changes in the future.
- 23. Applicant must also file quarterly Regulatory Fee Reports and make regulatory fee payments. Details are set out in NCUC Rule R15-1.

REQUIRED EXHIBITS

- 24. If the Purchaser is a corporation, LLC, LP, etc., enclose a copy of the certification from the North Carolina Secretary of State (Articles of Incorporation or Application for Certificate of Authority for Limited Liability Company, etc.). **(Must match name on Line 4 of application.)**
- 25. If the Purchaser is a partnership, enclose a copy of the partnership agreement. **(Must match name on Line 4 of application.)**
- 26. Enclose a copy of a Warranty Deed showing that the Purchaser has ownership of all the property necessary to operate the utility. **(Must match name on Line 4 of application.)**
- 27. Enclose a vicinity map showing the location of the apartment complex or manufactured home park in sufficient detail for someone not familiar with the county to locate the apartment complex or manufactured home park. (A county roadmap with the apartment complex or manufactured home park outlined is suggested.)
- 28. Enclose maps of the apartment complex or manufactured home park in sufficient detail to show the layout of streets, apartment buildings or manufactured home lots, and water and/or sewer mains.
- 29. Enclose a copy of the supplier's schedule of rates that will be charged to the provider for purchased water.
- 30. Enclose a copy of the supplier's schedule of rates that will be charged to the provider for purchased sewage treatment.
- 31. Enclose a copy of any agreements or contracts that the Purchaser has entered into covering the provision of billing and collecting and meter reading services to the apartment complex or manufactured home park.

32. If the provider is requesting to include the supplier's administrative fee in its administrative fee, enclose an exhibit listing the master meters serving the apartment complex or mobile home park, indicating for each master meter the size of the meter. Apartment complexes should also indicate the number of apartment buildings served by the meter, and the number of apartments in each apartment building.

FILING INSTRUCTIONS

33. Submit one (1) original application with required exhibits and **original notarized signature**, plus seven (7) additional collated copies to: [USPS address] **Chief Clerk's Office, North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325**, or [overnight delivery or hand delivery at street address] **Chief Clerk's Office, North Carolina Utilities Commission, 430 North Salisbury Street, Raleigh, North Carolina 27603**. Provide a self-addressed stamped envelope, plus an additional copy, if a file-stamped copy is requested by the Applicant.
34. Enclose a filing fee as required by G.S. 62-300. A Class A utility (annual electricity reseller revenues of \$1,000,000 or more) requires a \$250 filing fee. A Class B utility (annual electricity reseller revenues between \$200,000 and \$1,000,000) requires a \$100 filing fee. A Class C utility (annual electricity reseller revenues less than \$200,000) requires a \$25 filing fee. **MAKE CHECK PAYABLE TO N.C. DEPARTMENT OF COMMERCE/UTILITIES COMMISSION.**
35. This application may be filed before title to the property passes to the new purchaser. In that event, the deed required in Item 26 above shall be filed with the Commission as a follow-up to the initial transfer application, once the deed has been executed and recorded with the Register of Deeds. The Commission may approve the transfer application with the condition that it is not effective until the deed is executed, recorded, and has been filed with the Commission.

SIGNATURES

36. Application shall be signed by an authorized representative of the seller.

Signature _____

Printed Name _____

Title _____

Date _____

37. Application shall be signed and verified by an authorized representative of the purchaser.

Signature _____

Printed Name _____

Title _____

Date _____

38. (Typed or printed name of the purchaser's representative) _____

personally appearing before me and, being first duly sworn, says that the information contained in this application and in the exhibits attached hereto is true to the best of his/her knowledge and belief.

This the _____ day of _____, 20____

Notary Public

My Commission Expires: _____

Date

(NOTARY SEAL)

FORM ER-2
07/2015

(NCUC Docket No. ER-100, Sub 0, 04/19/2012; NCUC Docket No. ER-100, Sub 0, 03/31/14; NCUC Docket No. ER-100, Sub 0, ER-100, Sub 2, 07/20/2015 & 07/23/2015).