Green Jobs-Green New York Program – Billing and Collection of On-Bill Recovery Charges

Introduction: This document summarizes processes to be used for on-bill recovery of loan installments charged to certain Utility customers for financing eligible energy efficiency improvements for eligible properties through the Green Jobs-Green New York (GJGNY) program administered by the New York Energy Research and Development Authority (NYSERDA), as authorized by the Power NY Act of 2011.

The Power NY Act of 2011 requires on-bill financing to be available by May 30, 2012 - 300 days from the effective date of the legislation. The phased rollout for the program will provide loans for energy efficiency improvements in residential 1-4 family properties, with applications to be accepted starting January 30 2012. To accommodate this accelerated implementation, while still allowing completion of system and process changes, residential on-bill loans will provide that the customer 's NYSERDA Loan Installment charge will not commence prior to the first bill for a billing period starting on or after June 1, 2012. No interest will accrue during this deferral period, and the number of installments due will remain the same. Loans for energy efficiency improvements in small business and not-for-profit facilities and multifamily buildings will be implemented by May 30, 2012.

The utilities involved will include combination electric and gas corporations with annual revenue in excess of \$200 million and the Long Island Power Authority (together hereinafter referred to as "Utility" or "utilities"). Consistent with the statute, following is the maximum number of accounts initially eligible for On-Bill Recovery Loans in each Utility service territory:

	# Customers	Initial Cap
Utility	12/31/2011	(.5%)
Central Hudson	304,736	1,524
Con Edison	3,413,108	17,066
Long Island Power Authority	1,118,201	5,591
NYSEG	934,954	4,675
Niagara Mohawk Power Corporation d/b/a	1,683,712	8,419
National Grid (National Grid)		
Orange & Rockland	224,692	1,123
Rochester Gas and Electric	<u>405,146</u>	<u>2,026</u>
Total	8,084,549	40,423

NYSERDA will monitor the number of participants by Utility service territory and will submit a Petition to the Commission to review such limit prior to each Utility limit being reached. Should the Commission increase the maximum number of accounts, NYSERDA will continue to monitor and report the loans in each Utility service territory as set forth above and submit a Petition for review prior to reaching such maximum.

Organizations/Roles:

- NYSERDA program administrator and lender
- ➤ Loan Originator The organization involved in reviewing the eligibility of the applicant/Utility customer for financing, preparing the customer's financing agreement, and disbursing the loan proceeds.
 - The initial Loan Originator for residential loans is Energy Finance Solutions (EFS). NYSERDA may allow multiple financial institutions to originate residential loans in the future.

- NYSERDA will select or approve one or more Loan Originators to originate loans for small businesses, not-for-profits, and multifamily buildings.
- ➤ Utility billing and collection of on-bill loan installment charges identified herein and on the Utility customer's bill as "NYSERDA Loan Installment"
- ➤ Loan Servicer master loan servicer responsible for tracking on-bill recovery charges and NYSERDA Loan Installment payments currently Concord Servicing Corporation, or any subsequent servicer as may be appointed by NYSERDA
- Title Company performs last owner search and records the Mortgage (and subsequent satisfaction) and On-Bill Recovery Program Declaration (and subsequent satisfaction) in connection with the customer's (borrower's) on-bill recovery obligation on behalf of NYSERDA currently New York Title Research Corporation, or any subsequent provider who may be appointed by NYSERDA

Processes:

- A. New Loan Process
- **B.** Utility Payment Processing and Remittance
- C. Late payment charges
- D. Notice of Termination
- E. Deferred payment arrangement
- F. Termination of service
- G. [Deleted]
- H. Change in Utility Account Number
- I. Account Closure
- J. Establishment or re-establishment of service at meter address with a prior NYSERDA Loan Installment obligation
- K. Partial loan satisfaction
- L. Full loan satisfaction
- M. Bimonthly billing
- N. Bill formatting
- O. [Deleted]
- P. Payment of Fees to Utilities
- Q. Arrears Uncollectible by Law
- R. Reporting
- S. Complaint Handling Billing Adjustment
- T. Utility customer billing and payment history
- **U. Change Process**
- V. Notices

Appendix A: Data Exchange Protocols

Appendix B: Data File Layouts

A. New Loan Process

- 1. Customer completes Credit Application and submits to Loan Originator
- 2. Loan Originator reviews application for adherence to NYSERDA loan underwriting criteria.
- 3. Loan Originator verifies with Title Company borrower's title to property; Title Company reports back to Loan Originator results of last owner search
- 4. Loan Originator notifies applicant in writing of approval/denial.
- 5. Loan Originator prepares and sends to customer loan documents (Note and Mortgage/On-Bill Recovery Program Declaration)

- 6. Customer signs, notarizes, and returns the loan documents
- 7. Customer contacts contractor to schedule the work
- 8. For residential 1-4 family properties, once work is complete, contractor fills out a Certificate of Completion, has the form signed by customer acknowledging completion of the work, and contractor mails or faxes the form and final invoice to Loan Originator. Loan Originator pays loan proceeds to contractor upon delivery of a certificate of completion.
- 9. For small business, not-for-profit, and multifamily building owner properties, loan proceeds are disbursed to the customer/borrower in accordance with the loan agreement, but the loan will not be communicated to the Utility to commence loan installments until delivery of a certificate of completion.
- 10. Loan Originator transmits loan information to Loan Servicer. Loan Servicer verifies loan information and enters into its servicing system. NYSERDA sends payment to Loan Originator for loan amount plus any accrued interest.
- 11. Loan Originator mails original financing documents to Title Company
- 12. Title Company files the Mortgage or On-Bill Recovery Program Declaration and returns original documents to Loan Servicer.
- 13. On a weekly basis, NYSERDA/Loan Servicer will provide to the Utility a NYSERDA Loan Establishment File, as described in Appendix A herein, summarizing all new loans closed/disbursed for customers of the Utility during the week.
- 14. The Utility will establish the NYSERDA Loan Installment on the customer's account and provide confirmation of same to NYSERDA via the Utility Account Openings File as described in Appendix A.
- 15. Loan Servicer will notify the customer of record via US mail that the loan has closed and loan proceeds have been disbursed to the contractor, and that the NYSERDA Loan Installment charge should be included in the next bill issued by the Utility for a billing period commencing after the date on which the Loan Servicer notifies the Utility, but not earlier than a billing period commencing June 1, 2012. This notification will include the amount of the monthly or bimonthly NYSERDA Loan Installment charge and the loan term in number of payments. The customer will be directed to contact NYSERDA/Loan Servicer if they have any questions.
- 16. The Utility will commence charging the NYSERDA Loan Installment on the first billing period commencing after the date notified by Loan Servicer through the NYSERDA Loan Establishment File, but not earlier than a billing period commencing June 1, 2012. The Utility will bill installment amounts according to its normal billing cycle.
- 17. The Utility shall charge one NYSERDA Loan Installment for each full billing period of utility service, provided that no more than 12 installments shall be billed per year. NYSERDA charges will be presented on the utility billing statement.

B. Utility Payment Processing and Remittance

- Should a customer remit less than the total amount due for electric and/or gas services and NYSERDA Loan Installment, the Utility will apply such partial payment first as payment for electric and /or gas Utility services and any remaining amount will be applied to the NYSERDA Loan Installment charge.
- 2. Should a customer remit more than the total amount due for electric and/or gas Utility services and the NYSERDA Loan Installment amount(s), the Utility will apply the overpayment first to subsequently billed electric and gas Utility service charges, and next to subsequently billed NYSERDA Loan Installments billed by the Utility. The Customer's Note indicates that they may not make a prepayment of their loan by making payment directly to the Utility.

- The Utility will not apply customer overpayments as a prepayment of NYSERDA Loan Installment amount or as full payment of the NYSERDA Loan Installments. Customers must contact Loan Servicer to make a prepayment or fully satisfy the NYSERDA Loan Installment obligation.
- 4. Public assistance payments (both Home Energy Assistance Program (HEAP) payments and emergency assistance payments provided under Section 131-s of the New York Social Services Law) received by the Utility for a customer's account shall not be applied to NYSERDA Loan Installment charges billed on the customer's account. See Section Q(2) herein for processes.
- 5. Federal Emergency Management Assistance (FEMA) payments received directly by the Utility on a customer's account shall not be applied to NYSERDA Loan Installment charges billed on the customer's account.
- 6. Only one NYSERDA Loan Installment can exist on a Utility customer's account.

 NYSERDA's program rules will not allow a customer with an outstanding on-bill recovery loan agreement to apply for a new on-bill recovery loan.
- 7. Remittance Within 15 calendar days after each month end, utilities will remit payment to Loan Servicer for any NYSERDA Loan Installment amounts collected during the prior calendar month and will provide a Utility Remittance file providing the details of such remittance, as described in Appendix A. The Utility remittance shall be made by electronic ACH payment using the following instructions (which are different than used by the utilities to make transfer payments of SBC collections):

Bank: JPMorgan Chase

Routing #: 122100024 Acct#: 811106962

Acct name: NYSERDA Green Jobs-Green New York Loan Fund

C. Late payment charges

- 1. In order to comply with federal Truth in Lending Act regulations (Regulation Z, 12 CFR, Part 226) and the prohibition against pyramiding of mortgage loan late fees, and given the expression from the utilities that modifying the calculation of late payment charges for NYSERDA Loan Installments would be extremely challenging, there will be no late payment charges calculated on unpaid NYSERDA Loan Installments billed by the Utility.
- 2. Late payment charges will be assessed to the customer for any direct billings by the Loan Servicer, which will be calculated at 1.5% of the unpaid NYSERDA Loan Installment charges.

D. Notice of termination

1. Utility will provide notice of termination to customer for failure to pay NYSERDA Loan Installment charges in the same manner as failure to pay Utility service charges.

E. Deferred payment agreement

1. Utility will offer deferred payment agreement for NYSERDA Loan Installment charges arrears in the same manner as arrears on Utility service charges.

F. Termination of service

- 1. Utility will terminate service for failure to pay NYSERDA Loan Installment charges and fees in the same manner as for failure to pay Utility service charges.
- 2. During the period the account is disconnected, NYSERDA loan installments will not be billed and the account closure procedures will be followed as described in Section I herein.

G. [Deleted]

H. Change of Utility Account Number

1. Any changes in Utility account number for an <u>active NYSERDA Loan Installment account</u> shall be provided to Loan Servicer via a Utility Change of Account Number File as described in Appendix A.

I. Account closure

- If the Utility is contacted by a utility account owner with active NYSERDA Loan Installment charges requesting that the Utility account be (permanently) closed, the Utility will discontinue the NYSERDA Loan Installment charges on such account and report the account closure in the Utility Account Closing File described in Appendix A.
- 2. If the Utility is contacted by a utility account owner with active NYSERDA Loan Installment charges requesting that the Utility account be temporarily suspended, such as in the case of a seasonal customer who suspends utility service, the Utility will discontinue the NYSERDA Loan Installment charges on such account and report the account in the Utility Account Closing File described in Appendix A.
- Utility may also close an account after non-payment by customer and termination of service. If so, the Utility will discontinue the NYSERDA Loan Installment charges on such account and will report the account closure in the Utility Account Closing File described in Appendix A.
- 4. Arrears -
 - In the case of outstanding arrears on the NYSERDA Loan Installment that exist when an account is closed, if the customer does not re-establish service with such Utility within 45 days, it will be the responsibility of NYSERDA, and not the Utility, to collect any arrears that are due and owing, regardless of whether or not the customer subsequently re-establishes service with the Utility.
 - If the customer establishes a new account with the Utility during the 45 day
 period, the Utility will transfer and bill the arrears associated with the NYSERDA
 Loan Installment on the new Utility service account (Loan Servicer loan number
 remains unchanged). This change in account number is not reported on Change
 in Utility Account Number File, since the new account is not active, but the new
 account number will be reported on the monthly Utility Inventory File.
- 5. Utility will report to NYSERDA/Loan Servicer any arrears balance remaining after 45 days without the customer re-establishing service with such Utility through a Utility Transfer of Uncollected Payment File as described in Appendix A. Upon notification of an uncollectible balance from the Utility through the Utility Transfer of Uncollected Payment File, the Loan Servicer will commence statement billing of the arrears balance

- (which will remain under the Loan Servicer's original loan number in its servicing system).
- 6. No NYSERDA Loan Installment will be charged by the Utility during a period of property vacancy where the account is suspended or closed and no Utility bill is sent to the customer
- 7. Upon notification of any account closure or temporary suspension of utility service by the Utility, if a successor customer does not establish service within 60 days of such notice, the Loan Servicer shall commence direct statement billing to the current property owner pursuant to the terms of the loan agreement. The Loan Servicer shall request the Title Company to perform a last owner search within this 60 day period, which shall be reported by the Title Company to the Loan Servicer for direct billing. If the current property owner is different from the utility account owner for the closed account, the Loan Servicer shall establish a separate account with a new loan number in its servicing system for the direct billing of future installments due on the on-bill recovery loan for the number of unbilled monthly loan installments reported by the Utility in the Utility Account Closings File (this will not be reported to the Utility as a new loan). This direct billing shall continue until a successor customer establishes service, or the existing customer re-establishes service, at the property address, at which time the billing will return to onbill recovery billing through the successor account establishment process described in Section J herein. Any amounts directly billed shall be collected by NYSERDA or its Loan Servicer and shall not be subsequently transferred to the Utility for billing and/or collection.

J. Establishment or Re-establishment of service at meter address with a prior NYSERDA Loan Installment obligation

- 1. When Utility service is opened or re-opened for a metered property that had a previous NYSERDA Loan Installment charge, the Utility will provide information to NYSERDA through the Successor Accounts file as described in Appendix A. The account owner may be a new owner (a purchaser or tenant of the property) or may be the prior account owner (in the case of account closure through termination, or suspension of utility service for a seasonal customer).
- 2. Upon receipt of the Successor Accounts File by the Loan Servicer, the Loan Servicer shall determine if the name of the successor customer is different from the current borrower of record in the Loan Servicer's system. If the name is different, the Loan Servicer shall establish a new loan number for the new customer for the remaining unbilled loan installments on the loan account; if there is no change in the name on the account, the loan number will remain the same. Once this determination is made, the Loan Servicer will request the Utility to establish a NYSERDA Loan Installment charge on the successor customer's bill through the NYSERDA Loan Establishment File as described in Appendix A.
- 3. Establishing the NYSERDA Loan Installment charge on the Customer Account The Utility will establish the NYSERDA Loan Installment on the successor customer's account and provide confirmation of same to NYSERDA via the Utility Account Openings File described in Appendix A.
- 4. Notifying the Current Utility Customer of Record Loan Servicer will notify the customer of record via US mail that their Utility bill will include a NYSERDA Loan Installment charge. This notification will include the NYSERDA Loan Installment monthly (or bimonthly) amount and the loan term in number of payments. The customer will be directed to contact NYSERDA/Loan Servicer if they have any questions.

5. Billing the NYSERDA Loan Installment – The Utility will commence billing the NYSERDA Loan Installment charge on the successor customer's next bill issued by the Utility for a billing period commencing after the date on which NYSERDA reports the account to the Utility via the NYSERDA Loan Establishment File described in Appendix A.

K. Partial loan satisfaction

- 1. Customer wishing to make partial pre-payment of NYSERDA Loan Installment obligation must contact Loan Servicer.
- 2. Loan Servicer will confirm (via customer provided Utility billing statement) that there are no arrears owed on Utility service charges before allowing customer to make a partial loan payment (since payments are to be applied first to Utility charges).
- 3. Loan Servicer will provide customer with instructions for any pre-payment.
- 4. Customer makes pre-payment to Loan Servicer.
- 5. Partial pre-payment shall be applied to outstanding principal balance of loan. Installment payment amount will remain unchanged, so partial prepayment will reduce number of remaining installments.
- 6. NYSERDA/Loan Servicer will provide Utility Change in Term File weekly to report changes in remaining installments as described in Appendix A.
- 7. The Utility will update the account with the new number of remaining NYSERDA loan installments.
- 8. NYSERDA/Loan Servicer will refund to customer any difference between the final monthly NYSERDA Loan Installment paid and the amount due based on re-amortization of loan payments resulting from partial prepayment within 30 days of final payment.

L. Full loan satisfaction

- 1. Customer wishing to make full pre-payment of NYSERDA Loan Installment obligation must contact Loan Servicer.
- 2. Loan Servicer will use its best efforts to confirm (via customer provided Utility billing statement) that there are no outstanding arrears balances owed on Utility service charges or NYSERDA Loan Installments before allowing customer to make full loan payoff (since payments are to be applied first to Utility charges). Loan Servicer will also inquire as to the customer's last and next billing cycle, to avoid making arrangements for payoff and then having another NYSERDA Loan Installment billed to the customer before Loan Servicer is able to communicate to the Utility the full satisfaction of the loan. In the event that a customer makes a full payoff and then the next Utility bill includes an additional NYSERDA Loan Installment, NYSERDA will communicate in writing to the Utility the need for a billing adjustment through its customer complaint handling procedures.
- 3. Loan Servicer will provide customer with payoff amount and instructions for payment.
- 4. Customer makes payment to Loan Servicer.
- 5. NYSERDA/Loan Servicer will provide a weekly NYSERDA Change in Terms File (as described in Appendix A) to the Utility to report NYSERDA Loan Installment obligations which have been fully satisfied.
- 6. Utility discontinues NYSERDA Loan Installment charge on customer account upon receipt of Change in Terms File.
- 7. Loan Servicer/NYSERDA notifies Title Company, who records mortgage/declaration satisfaction with county clerk's office within 30 days.
- 8. NYSERDA returns satisfied mortgage/declaration document to customer.

M. Bimonthly billing

- 1. Utility will notify the Loan Servicer of any accounts with a NYSERDA Loan Installment obligation billed on a bimonthly basis through the Utility Account Openings file described in Appendix A.
- 2. Utility will communicate any collections of NYSERDA Loan Installment amounts through monthly Utility Remittance File described in Appendix A.

N. Bill Presentation

- 1. DPS staff will review Utility proposed bill format.
- 2. Bill needs to include following information:
 - NYSERDA Loan Installment amount
 - NYSERDA phone # (1-866-697-3732) and email address (<u>nyserdaloan@nyserda.org</u>) for customer questions or complaints (NYSERDA will refer customers to Loan Servicer as appropriate)
- 3. At least annually, the Utility shall provide the following information on the customer's Utility bill or via a Utility bill insert:
 - Dollar amount of unbilled NYSERDA Loan Installments
 - Number of unbilled NYSERDA Loan Installments remaining
- 4. Annually, the Utility shall include a copy of NYSERDA's complaint handling procedures (as prepared by NYSERDA) as an insert to the Utility bill for each customer account with an active NYSERDA Loan Installment. Utilities who provide customers with electronic billing may refer to NYSERDA's procedures on its website through the following link: http://www.nyserda.ny.gov/on-bill/complaint-handling

O. [Deleted]

P. Payment of Fees to Utilities

 NYSERDA will include provisions in billing services agreements with the following utilities for payment of fees to defray costs directly associated with changing or upgrading billing systems to accommodate on-bill recovery financing. A total of \$500,000 will be provided, funded through NYSERDA's DOE ARRA Better Buildings grant (subject to ARRA terms and conditions), allocated among the following utilities on pro-rata basis based on number of electric customers:

Utility	# electric	Pro-rata %	Amount
	customers as of		
	12/31/2010		
CHG&E	299,975	4.8%	\$24,091
ConEd	3,337,455	53.6%	\$268,026
NYSEG	878,569	14.1%	\$70,557
O&R	224,633	3.6%	\$18,040
RG&E	367,131	5.9%	\$29,484
LIPA	<u>1,118,230</u>	<u>18.0%</u>	<u>\$89,802</u>
Total	6,225,993	100%	\$500,000

- 2. NYSERDA will include provisions in billing services agreement with National Grid for payment of up to \$400,000 to defray costs directly associated with changing or upgrading its billing system to accommodate on-bill recovery financing, funded through NYSERDA's DOE ARRA Better Buildings grant (this was included in NYSERDA DOE grant application).
- 3. NYSERDA will include provisions in billing services agreement with each Utility for payment of a fee of \$100 for each NYSERDA Loan issued in its service territory to defray costs directly associated with implementing the program. NYSERDA will pay fees on a monthly basis (no later than 15 days after each month end).
- 4. NYSERDA will include provisions in billing services agreement with each Utility for payment of a fee of 1% of the amount of each NYSERDA Loan issued in its service territory to defray costs that are directly associated with the program. NYSERDA will pay fees on a monthly basis (no later than 15 days after each month end).
- 5. NYSERDA will provide a NYSERDA Fee Remittance File (as described in Appendix A) monthly to provide the detail of fees paid to the Utility.

Q. Arrears Uncollectible by Law

1. Customer Bankruptcy

In order to avoid damages resulting from violation of the automatic stay provisions of bankruptcy, it is imperative for timely communication between NYSERDA, the Utility, and the Loan Servicer when any party becomes aware that a customer with a NYSERDA loan obligation has filed for bankruptcy protection. Accordingly:

- a. The Utility shall, as soon as practical, notify NYSERDA and the Loan Servicer upon receipt of a notice that a customer with an outstanding NYSERDA Loan Installment balance has filed for bankruptcy protection. The Utility shall send an email to NYSERDA's General Counsel (hb1@nyserda.org) and to Loan Servicer (msherrod@concordservicing.com and cjones@concordservicing.com), unless notified in writing by NYSERDA otherwise, which shall include the Utility account number, the Loan Servicer loan number, and shall provide as an attachment any written notice received.
- b. NYSERDA and the Loan Servicer shall, as soon as practical, notify the Utility upon receipt of a notice that a customer with an outstanding NYSERDA Loan Installment balance has filed for bankruptcy protection. The notification shall be communicated by email to such individual(s) as the Utility designates in writing to NYSERDA, and shall include the Utility account number, the Loan Servicer loan number, and shall provide an attachment any written notice received.
- c. The NYSERDA Loan Installment charge shall be discontinued by the Utility upon notice of a customer bankruptcy proceeding and the account closed in accordance with normal Utility procedures for bankruptcy notification.
- d. NYSERDA shall request re-establishment of any NYSERDA Loan Installment charges to the customer upon completion of, and as authorized by, the bankruptcy proceeding through the New Account Openings process.
- e. The Utility shall report any successor customer who establishes account service at a property address where a prior customer (including one involved in a bankruptcy proceeding) had outstanding NYSERDA Loan Installments. NYSERDA shall then request any eligible NYSERDA Loan Installment that survives the bankruptcy proceeding to be established for the successor customer through the New Account Openings process.

- 2. Customers with Direct Voucher or Utility Guarantee Arrangements
 A customer may enter into a Direct Vendor ("DV") or Utility Guarantee ("UG")
 arrangement with the local Department of Social Services ("DSS") for the payment of
 electric and gas service charges. When this occurs, the Utility must cease collection of
 any remaining unpaid arrears on the customer's account as of the receipt of notice of
 such arrangement from the local DSS. Neither Home Energy Assistance Program
 (HEAP) funding nor emergency assistance payments provided under Section 131-s of
 the New York Social Services Law may be applied towards NYSERDA Loan Installment
 arrears or monthly installment charges. Accordingly:
 - a. When a customer enters into a DV or UG arrangement, the Utility will immediately discontinue collection of any arrears in NYSERDA Loan Installment charges, which will be referred back to NYSERDA as uncollectible through the Utility Transfer of Uncollected Payment File.
 - b. The utility will also discontinue billing any new NYSERDA Loan Installment charges to the customer for as long as the customer is on the DV/UG arrangement.
 - c. Where the Utility's usual business practice is to close the customer's account upon receipt of a DSS notice that a customer has entered into a DV/UG arrangement and simultaneously establish service under a new utility account number for the customer, the Utility will report the account closure through the Utility Account Closing File, report any arrears on the closed account through the Utility Transfer of Uncollected Payment File, and will report the new account established through the Utility Successor Account File. When the customer's DV/UG arrangement ends, the Utility will close the current account and re-establish a new account (reported through the Utility Successor Account File). Upon receipt, the Loan Servicer will request the Utility to establish the NYSERDA Loan Installment on the account through the NYSERDA Loan Establishment File for the number of installments remaining on the loan term, not including the period that the customer was on DV/UG arrangement.
 - d. Where the Utility's usual business practice is to continue using the same utility account number when a customer has entered into a DV/UG arrangement, the Utility shall notify the Loan Servicer via email that the customer has entered into a DV/UG arrangement, and shall report any arrears on the account through the Utility Transfer of Uncollected Payment File. When the customer's DV/UG arrangement ends, the Utility shall notify the Loan Servicer via email. Upon receipt, the Loan Servicer will request the Utility to establish the NYSERDA Loan Installment on the account through the NYSERDA Loan Establishment File for the number of installments remaining on the loan term, not including the period that the customer was on DV/UG arrangement.
 - e. During the period of time that a customer is on DV/UG, the account shall be reported in the monthly Utility Inventory File with a Loan Status of "(NS) No Successor."
 - f. If an account on DV/UG is closed and a subsequent successor customer establishes services, the usual account closure and successor account process will be followed. Successor customers will not be responsible for any NYSERDA Loan Installment arrears or installments due during the period that a prior customer was on DV/UG arrangement.

R. Reporting

1. On a monthly basis, NYSERDA will report to each Utility and Department of Public Service (DPS) staff the number of loan applications in process, the number of loans outstanding,

- and the initial maximum number of accounts by Utility service territory. The report will be sent via email to those DPS and Utility staff designated in writing to NYSERDA.
- 2. NYSERDA and Utilities shall report information relevant to the On-Bill Recovery program to the Department of Public Service in accordance with requirements set forth by the Department or through Commission Order.
- 3. In accordance with Section 1899(3) of the Public Authorities Law, NYSERDA shall issue an annual report to the Governor and Legislature no later than October 1st of each year concerning the Green Jobs-Green New York program, which shall include the following information relative to on-bill recovery loans, which shall be reported using information through June 30 of each year:
 - a. NYSERDA's activities and outcomes related to establishing an on-bill recovery mechanism, including the number of persons who have applied for and who have received financial assistance that utilizes on-bill recovery and the results of the evaluation program performed pursuant to subdivision three of section eighteen hundred ninety-six of this title;
 - b. the amount expended by NYSERDA in support of the program and the purposes for which such funds have been expended;
 - c. the number of customers participating in the program, separately stating the number of residential and non-residential customers and the amounts financed;
 - d. the number of program participants who are in arrears (greater than 60 days, consistent with utility reporting to the Public Service Commission) in their Utility accounts <u>as of June 30</u> of each year for electric and/or gas service;
 - e. the number of program participants who are in arrears (greater than 60 days, consistent with utility reporting to the Public Service Commission) in their on-bill recovery charge payments as of June 30 of each year;
 - f. the number of program participants whose Utility service has been terminated for non-payment <u>as of June 30</u> of each year;
 - g. a description of the geographic distribution of loans made;
 - h. an estimate of the energy savings resulting from this program;
 - i. an estimate of the average project cost; and
 - j. in consultation with the NYS Department of Labor, an estimate of the number of jobs created under the program.
- 4. To assist NYSERDA in meeting its reporting requirements, each Utility shall report the information required in (d), (e), and (f) above to NYSERDA no later than July 31 of each year. The information shall be reported in writing through email or other written communication to NYSERDA's Treasurer.

S. Complaint Handling Billing Adjustment

- Upon receipt of a complaint by NYSERDA from a customer with a NYSERDA Loan Installment, NYSERDA will log the complaint and make an initial determination of any NYSERDA Loan Installment charges billed to the customer by the Utility to be considered in dispute.
- 2. NYSERDA will communicate to the Utility any amounts initially considered to be in dispute, any subsequent changes in the amount to be considered in dispute, or upon closure of the dispute any adjustments which should be made to the NYSERDA Loan Installment charges billed to the customer. The communication shall be made as soon as practicable upon determining the disputed amount, or any subsequent adjustment, and shall be communicated via email from NYSERDA to the Utility representative(s) designated in writing

by the Utility. The email shall include an Excel file attachment providing the following information:

Field					Field	
ID	Length	Field Name	Type	Format	Value	Comments
						01-CHGE, 02-ConEd, 03-LIPA, 04 NatGrid, 05-NYSEG, 06-O&R,
1	2	Utility Code	N			07-RG&E
2	11	Concord Loan Number	Α			
3	14	Utility Account	Α			
4	80	Name	Α			
5	1	Amount Status	А		I/U/C	I-Initial, U-Update, C- cancel
6	10	Amount	N	1234567.89		

- 3. In order to continue Utility service during the time a complaint or an appeal of a complaint is pending, the customer will be required to pay any NYSERDA Loan Installments charges billed which are not reported by NYSERDA to the Utility as being in dispute.
- 4. Upon final resolution of the complaint, the customer will be required to pay the amount no longer considered in dispute.
- 5. If the resolution of the complaint results in a change in the amount of NYSERDA Loan Installment charges to be billed to the customer in the future, NYSERDA will report this to the Utility through the Change in Terms File as described in Appendix A.

T. Utility customer billing and payment history

In some instances, customers may be required to provide billing and payment histories to
the Loan Originator to qualify for financing. Each utility shall establish a process by which
customers can obtain this information directly, or can consent in writing to allowing the Loan
Originator to request and obtain this information directly from the utility on the customer's
behalf using a process and schedule to be mutually agreed between the Utility, NYSERDA,
and the Loan Originator.

U. Change Process

- 1. This document shall be filed with the Public Service Commission in Case No. 12-M-0007.
- 2. NYSERDA or any Utility may seek amendments or additions to this document.
- 3. In such event, the party seeking such amendment or additions shall convene a conference call or meeting of the working group responsible for developing this document, including individuals representing NYSERDA, each Utility and DPS staff, or such additional staff as may be identified by each of the parties.
- 4. The parties shall discuss the proposed amendment or addition and use best efforts to come to a resolution concerning the proposal.
- 5. Any changes to this document must be made by agreement of all of the Utilities and NYSERDA.
- 6. In the event that the parties agree to such changes in the manner set forth above, then a revised document, reflecting such changes, shall be filed with the Commission in Case No. 12-M-0007.

V. Notices

As specified in this document, notices shall be communicated in the following manner:

For NYSERDA/Loan Servicer notices to Utility:

DETERMINE THE HOUSE OF THE HOUSE OF CHIRTY.				
<u>Utility</u>	Contact			
Central Hudson	Lisa Cerone			
	<u>lcerone@cenhud.com</u> (845) 486-5812			
Con Edison	obrloans@coned.com			
LIPA	Joe Gehm			
	joseph.gehm@nationalgrid.com (315) 460-7233			
National Grid	Susan Dopp			
	Susan.dopp@nationalgrid.com (315) 460-7673			
	For billing adjustments resulting from suspended charges:			
	Gregory.Ladd@nationalgrid.com;			
	Nancy.Fiaccone@nationalgrid.com			
NYSEG	NYSERDAloanNYSEG@nyseg.com			
Orange & Rockland	dl-NYSERDALoan@coned.com			
RG&E	NYSERDAloanRGE@rge.com			

For Utility notices to NYSERDA:

Treasurer (Jeff Pitkin)	with copy to:
17 Columbia Circle, Albany, NY 12203-6399	General Counsel (Hal Brodie)
(518) 862-1090 x3223	17 Columbia Circle, Albany, NY 12203-6399
jjp@nyserda.org	(518) 862-1090 x3280
	hb1@nyserda.org

For Utility notices to Loan Servicer to resolve data communication and loan payment issues:

Concord Servicing Corporation, 4725 N. Scottsdale Rd, Ste 300, Scottsdale, AZ 85251

Attn: Carrie Jones, (800)685-8736 x1211, cjones@concordservicing.com or: Isaac Sirrine, (800)685-8736 x1257, isirrine@concordservicing.com

The address to which notices shall be given by any party may be changed by written notice given by such party to the other parties.

Appendix A **Data Exchange Protocols**

Introduction

Electronic files will be exchanged that provide information on Utility customer accounts with NYSERDA Loan Installments: the status of Utility accounts with NYSERDA Loan Installments; and remittance information as described below. Authorization to exchange necessary customer information between utilities and NYSERDA/Loan Servicer will be granted through customer signed financing agreement and via Commission approval of Utility tariffs (which will authorize exchange of information regarding current and successor customers).

Security

Concord Servicing Corporation provides for secure data transfer which is Payment Card Industry Data Security Standard (PCI-DSS) compliant.

Concord will establish a secure FTP server site for each participating Utility for two-way file sharing for on-bill recovery loans issued to the Utility's customers under the Green Jobs-Green New York program. The internet facing portion of the FTP system is located in a DMZ and no data is stored on that server at any time. Data files will be encrypted using PGP encryption for Central Hudson.

All connections to the server must be made from one or more pre-approved IP address for each Utility. A static IP address(es) is required on the client-side network and must be provided to Concord and configured on its system to allow access.

Concord will provide a login username and password to the authorized agent via telephone.

Three invalid login attempts will cause the username and IP Address to be blocked.

There are 2 options for connecting to Concord's secure FTP site:

Via the Web through Secure HTML (SSL Encryption) Option 1:

Address: https://secureftp.concordservicing.com

Requirements:

Allowed IP Address

Username Password

Option 2: **Via Secure FTP (SSH Encryption)**

Address: secureftp.concordservicing.com

Port: 22

Requirements:

Allowed IP Address

Username

Password or Public/Private Key Exchange

Concord can accept the client's public key for authentication in lieu of a

password.

Data File Transmission Procedures

Each Utility shall post the required files to the designated FTP site, based on the frequency noted below. Once posted, Concord shall access the files from the FTP site for processing in its system. Concord will also post files to the FTP site based on the frequency noted below, and each Utility shall access the files from the FTP site for processing.

Following is a summary of files to be transmitted:

File Name *	<u>Description</u>	Frequency**	Date Due
Posted by Utilities to FTP site:			
Openings_YYYMMDD.txt	Utility Account Opening File Confirms utility processing of NYSERDA Loan Establishment File and reports any exceptions		
Closings_YYYYMMDD.txt	Utility Account Closing File Reports accounts closed with remaining installments, and also accounts where service has been suspended for seasonal turnoff	Weekly	No later than Wed 5:00pm of following
Successors_YYYYMMDD.txt	Utility Successor Account File Reports establishment/re-establishment of service at the property after the account has been reported in Closings file		week
Inventory_YYYYMMDD.txt	Utility Inventory File Provides monthly listing of all accounts other than those which have been fully satisfied or have been returned to NYSERDA (after being reported in at least one report cycle)		
Remittance_YYYYMMDD.txt	Utility Remittance File Provides details of customer account collections for NYSERDA Loan Installments	Monthly	No later than15 days
Transfers_YYYYMMDD.txt	Utility Transfer of Uncollected Payment File Reports arrears balances on closed accounts which do not re-establish service with Utility within 45 days	Monthly	after month end
Changes_YYYYMMDD.txt	Utility Change of Account Number File Reports change in Utility account number for any active account		
Posted by Concord to FTP site	:		
Loans_YYYYMMDD.txt	NYYSERDA Loan Establishment File Used to report new loans to utility for utility to commence installment charges	Weekly	No later than Wed 5:00pm
TermChanges_YYYYMMDD.txt	NYSERDA Change in Terms File Reports a change in the number or remaining installments due from customer as a result of partial or full prepayment by customer		of following week
Fees_YYYYMMDD.txt	NYSERDA Fee Remittance File Reports fees payable to utility	Monthly	No later than15 days after month end

^{*} YYYYMMDD will reflect the date the file has been created by Utility/Concord.

If the Utility or Concord has no transactions to report for a reporting period, a file will be posted to the FTP site for such period with just a trailer record reporting 0 records.

Once files have been accessed by Concord, the files will be moved to an Archive site maintained by Concord, but these will not be accessible on the FTP server. Utilities may establish their own systems for archiving files posted to the Concord FTP site.

^{**} Weekly files shall report transactional activity from <u>Sunday through Saturday only</u> of each week. Monthly files shall report transactional activity <u>during the calendar month</u>.

Prior to posting new files to the FTP Server, Concord will move any prior files to an Archive site maintained by Concord, but these files will not be accessible on the FTP servicer. Utilities may establish their own systems for archiving files posted by Concord to the FTP site.

File Formats

All files will be pipe delimited. The last field of each record will not be followed by a delimiter. Numeric fields will have leading negative signs as appropriate and may have leading zeroes suppressed.

All Files will include a 2-digit Utility Code identifier. The codes shall be as follow:

- 01 Central Hudson Gas and Electric
- 02 Consolidated Edison
- 03 Long Island Power Authority
- 04 National Grid
- 05 New York State Electric and Gas Corporation
- 06 Orange and Rockland Utilities
- 07 Rochester Gas & Electric (RG&E)

Each file will contain a trailer record with two columns – "99" followed by record count for file. See Appendix B for file and field layouts

Testing Schedule/Procedures

Each Utility shall identify one primary contact and one alternate contact individual for communications with Concord for testing, and shall communicate the name, email, and telephone numbers of these individuals to Concord (<u>isirrine@concordservicing.com</u> and <u>cjones@concordservicing.com</u>).

Concord's primary contact and alternate contact are:

Isaac Sirrine <u>isirrine@concordservicing.com</u> (800) 685-8736 x1257 Carrie Jones <u>cjones@concordservicing.com</u> (800) 685-8736 x1211

File Transfer Process

Two rounds of basic connectivity testing will be conducted, to take into consideration different stages of readiness for utilities. Each Utility will notify Concord's primary contact and alternate contact via email as to which round of testing they will participate in. Concord shall provide test files with sample data to test connectivity.

Due Date	Procedure
Davis d 4	
Round 1	
2/1/2012	Utilities to provide network IP addresses and contact information of authorized
	representative.
2/8/2012	Concord to setup FTP server sites.
	Concord to provide FTP site credentials to authorized representative.
	Concord to upload a test (empty) text document.
2/15/2012	Utilities to confirm successful login and download of test document.
	Utilities to upload their own test document.

2/15/2012	Concord to confirm successful retrieval of Utility test document.
Round 2	
3/1/2012	Utilities to provide network IP addresses and contact information of authorized representative.
3/8/2012	Concord to setup FTP server sites. Concord to provide FTP site credentials to authorized representative. Concord to upload a test (empty) text document.
3/15/2012	Utilities to confirm successful login and download of test document. Utilities to upload their own test document.
3/15/2012	Concord to confirm successful retrieval of Utility test document.

File Processing

Two rounds of data transmission and processing will be conducted, to take into consideration different stages of readiness for utilities. Each Utility will notify Concord's primary contact and alternate contact via email as to which round of testing they will participate in. Concord will work with the Utility to establish test files and testing scenarios with sample data to test processing.

Due Date	Procedure
Round 1	
	Concord/Utilities to exchange sample data files, one of each type, including a representative number of sample records in each file (5-10). Concord/Utilities to validate received file layouts (naming, delimitation,
April	order of fields, footer, data types, expected values).
2012	**Concord/Utilities to exchange sample data files, one of each type, coordinating record IDs and timing with each other to preserve the order of processing (e.g. loan establishment file → account opening file).
	**Concord/Utilities to load sample records into testing environment, confirm desired effect on existing sample records and subsequent output files.
Round 2	
	Concord/Utilities to exchange sample data files, one of each type, including a representative number of sample records in each file (5-10).
	Concord/Utilities to validate received file layouts (naming, delimitation, order of fields, footer, data types, expected values).
May	**Concord/Utilities to exchange sample data files, one of each type,
2012	coordinating record IDs and timing with each other to preserve the order of
	processing (e.g. loan establishment file → account opening file).
	**Concord/Utilities to load sample records into testing environment,
	confirm desired effect on existing sample records and subsequent output
	files.

^{**}TBD, may prove inefficient; alternative is to test internally and confirm desired effect in testing scrum upon receipt of initial production files.

All testing shall be completed no later than May 23, 2012

The first "live" communication exchange will commence on May 30, 2012, which shall include the NYSERDA Loan Establishment File for all loans initiated to date. Each Utility shall make

provisions to provide that loan installment charges for this initial set of loans shall be included in the first billing period which starts on or after June 1, 2012.

After this initial data communication, the program will use the normal Frequency and Due Date for data files as noted above.

File Transmission Error Processing

Loan Servicer/Concord will use the following contact information to resolve data communication issues:

Utility	Contact			
Central Hudson	Suzette Mazurowski			
	smazurowski@cenhud.com (845) 486-5812			
Con Edison	obrloans@coned.com			
LIPA	Dan Parillo			
	Daniel.Parillo@nationalgrid.com (631) 755-4768			
National Grid	Prasannavenkatesan Mohan			
	Prasannavenkatesan.m@nationalgrid.com (315) 428-6302			
	Elorita Martinez			
	Elorita.martinez@nationalgrid.com (781) 907-2600			
NYSEG	CCSBusinessSupport@NYSEG.com			
Orange & Rockland	Jeff Deagostino			
	deagostinoj@oru.com (845) 577-3821			
	Mike Eddy			
	eddymic@coned.com (845) 577-3330			
RG&E	CCSBusinessSupport@NYSEG.com			

Utilities will use the following contract information to resolve data communication issues:

Concord Servicing Corporation, 4725 N. Scottsdale Rd, Ste 300, Scottsdale, AZ 85251

Attn: Carrie Jones, (800) 685-8736 x1211, cjones@concordservicing.com Isaac Sirrine, (800) 685-8736 x1257, isirrine@concordservicing.com

The address to which notices shall be given by any party may be changed by written notice given by such party to the other party.

Data File Layouts

Each file will contain a trailer record to be used in processing to confirm the completeness of the file with two columns – "99" followed by record count for file.

Field ID	Length	Field Name	Туре	Format	Field Value	Comments
UTILITY	Y ACCOUNT	OPENING FILE				
Accoun	nt Openings	Detail Record				
1	2	Utility Code	N			
2	11	Concord Loan Number	Α			
3	14	Utility Account	A			Treated in all cases as alphanumeric. Leading Zeroes will not be truncated
4	80	Name	Α			
5	10	NYSERDA Monthly Installment Charge	N	1234567.89		
6	3	NYSERDA No Monthly Payments	N	999		
7	1	Bi-monthly Schedule Indicator	Α		B' bi-monthly/ 'M' monthly	
8	10	Next Scheduled Meter Reading Date	A	CCYY-MM-DD		The next date the account reading is scheduled to occur, or estimated to occur. *
9	1	Rejected Indicator	Α		R' if rejected	or estimated to occur.
10	30	Rejected Reason	Α			
reported following account	d to the Utility g for a bi-mo t) in its service	ely the utility statement billing cycle in which the first in in the NYSERDA Loan Establishment File, so the first inthly account). The Loan Servicer will update the loan sing system to be the 15 th day of the 2 nd calendar moning of CLOSING FILE	st utility billing	cycle will be presumed	to be the same day of the follow	ing month (or two months
Accour	nt Closings	Detail Record				
1	2	Utility Code	N			
2	11	Concord Loan Number	Α			
3	14	Utility Account	Α			
4	80	Name	Α			
5	10	Closing Date	Α	CCYY-MM-DD		
6	3	Unbilled Monthly Installments	N	999		
7	1	Public Assistance Indicator	A		"Y" or blank	" Y" if account closure is due to customer going onto Direct Voucher/ Utility Guarantee arrangement (for those utilities who establish new account number in these instances); otherwise blank.
UTILITY	SUCCESS	OR ACCOUNT FILE				matances), otherwise blank.
Succes	sor Accoun	t Detail Record				
1	2	Utility Code	N			
2	11	Prev Concord Loan Number	Α			
3	14	New Utility Account	Α			
4	80	Name	A			
5	30	Mailing Address 1	A			
6	30	Mailing Address 2	A			
7	30	Mailing Address 3	A			Central Hudson are unable to separate city and state.CONCORD may have to parse programmatically from mailing address line
8	28	City	A			
9	2	State	А			
10	5	Zip 5	N			
11	4	Zip 4	N			
12	10	Date established	Α	CCYY-MM-DD		

Field ID	Length	Field Name	Туре	Format	Field Value	Comments
13	10	Next Scheduled Reading Date	A	CCYY-MM-DD		
14	1	Public Assistance Indicator	A		"Y" or blank	"Y" if account is new account number assigned for customer going onto Direct Voucher/ Utility Guarantee arrangement (for those utilities who establish new account number in these instances); otherwise blank.
	INVENTOR			1	1	1
1	2	Utility Code	N			
2	11	Concord Loan Number	A			
3	14	Utility Account	A			May be blank for a record with Loan Status NS if no Utility service yet established or new account number awaiting confirmation
4	80	Name	A			May be blank for a record with Loan Status NS if no Utility service yet established
5	10	NYSERDA Monthly Installment Charge	N	1234567.89		Not required for Loan Status NS
6	3	Unbilled Monthly Installments	N	999		Not required for Loan Status NS
7	2	Loan Status	A		A/S/I/AR/R/NS	(A)Active – actively billing installments (S)Satisfied – No unbilled installments and loan arrears satisfied for the account listed (additional installments may be due for a successor customer). (I)Inactive - to be used by Utility dependant on how each billing system handles scenarios where unbilled installments are not actively being billed, where the account has not closed (i.e. disputed and seasonal off). (AR)Arrears – No unbilled installments, but arrears outstanding. (R)Returned - Accounts where all outstanding arrears have been "charged back" to NYSERDA. (NS)No Successor - Premise is vacant, or occupied awaiting successor loan establishment from NYSERDA. Also used to report accounts on Direct Voucher/ Utility Guarantee arrangement.
reporting Note (2)	Loan Statu : Records r	with Loan Status of NS, there will two records reported is of NS (this record will have the Concord Loan Numble eported with Loan Status code S or R only need be rep	er) and may n	ot yet have a Utility Acco	ount Number	
	REMITTAN	Detail Record		1	T	T
Otility R	emittance i	Utility Code	N			
2	11	Concord Loan Number	A	1		
3	14	Utility Account	A			
4	80	Name	A			
5	11	Charges Collected	N	-1234567.89		Transactional
6	10	Posting Date	A	CCYY-MM-DD		
		R OF UNCOLLECTED PAYMENT FILE		1	1	
UTILITY	TRANSFE	OF UNCOLLECTED PATIVIENT FILE				
		cted Payment Detail Record				
			N			
Transfe	r of Uncolle	ected Payment Detail Record	N A			
Transfe	r of Uncolle	ected Payment Detail Record Utility Code				

Field ID	Length	Field Name	Туре	Format	Field Value	Comments
5	30	Last Known Mailing Address 1	A			
6	30	Last Known Mailing Address 2	А			
7	30	Last Known Mailing Address 3	A			
8	28	City	A			
9	2	State	Α			
10	5	Zip 5	N			
11	4	Zip 4	N			
12	11	Unitemized Charged Back Amount	N	1234567.89		
13	1	Public Assistance Indicator DF ACCOUNT NUMBER FILE	A		"Y" or blank	Used to identify arrears or monthly loan installments charged back to NYSERDA due to the customer being on a Direct Voucher or Utility Guarantee arrangement.
	of Accoun				1	1
1			N			
2	2	Utility Code Concord Loan Number	A			
3	14	Old Utility Account	A			
4	14	New Utility Account	A			
5	80	Name	A			
		STABLISHMENT FILE	^			
	sh Loan De			T	1	
1	2	Utility Code	N			
2	11		A			
		Concord Loan Number				
3	14	Utility Account	A			
4	80	Name	A			
5	30	Service Address 1	A			
6	30	Service Address 2	Α			
7	30	Service Address 3	Α			
8	28	City	Α			
9	2	State	A			
10	5	Zip 5	N			
11	4	Zip 4	N			
12	10	NYSERDA Monthly Installment Charge	N	1234567.89		Amounts to explicitly state cents.
13	3	NYSERDA No. Monthly Payments	N	999		
14	1	Successor Indicator	Α		S' if successor	
		E IN TERMS FILE		·		·
Change		Detail Record				
1	2	Utility Code	N			
2	11	Concord Loan Number	Α			
3	14	Utility Account	А			
4	80	Name	Α			
5	3	NYSERDA No. Monthly Payments	N	999		0 if fully satisfied
NYSERDA FEE REMITTANCE FILE						
Fee Remittance Detail Record						
1	2	Utility Code	N			
2	11	Concord Loan Number	А			
3	10	Loan amount	N	1234567.89		
4	10	Date of loan	А	CCYY-MM-DD		

Field ID	Length	Field Name	Туре	Format	Field Value	Comments
5	10	NYSERDA No. Monthly Payments	N	999		
6	10	Fixed fee amount	N	1234568.89	100.00	Fee calculated at \$100/loan
7	10	Fee amount	N	1234568.89		Fee calculated to 1% of loan amount