



Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

Public Service Commission

Rory M. Christian

Chair and

Chief Executive Officer

James S. Alesi

David J. Valesky

John B. Maggiore

Uchenna S. Bright

Denise M. Sheehan

Commissioners

April 26, 2024

Daniel Amar
Solar Pro Inc.
68-61 147th Street
Flushing, NY 11367
daniel@solarprony.com

NOTICE OF APPARENT VIOLATION

Dear Daniel Amar,

The New York Public Service Commission's Uniform Business Practices for Distributed Energy Resource Suppliers (UBP-DERS), Section 3.A.D, requires each Distributed Energy Resource (DER) Provider to submit annually, by March 31st, a statement that the information and attachments in the DER Provider's initial registration form are still current and accurate (Annual Compliance Statement).¹ Additionally, the UBP-DERS, Section 3F.B, requires each DER Provider to file an annual report by March 31st containing customer information from the previous calendar year (Annual Compliance Report).² As of today's date, the Department of Public Service Staff (DPS Staff) has not received a 2024 Annual Compliance Statement that the

¹ UBP-DERS Section 3.A.D.1 states, "CDG Providers and On-Site Mass Market DG Providers shall submit by March 31 of each year (March 31 Statement): a. A statement that the information and attachments in its Registration Form and registration package are current, or b. A description of revisions to the Registration Form and registration package along with a copy of the revised portions."

² UBP-DERS Section 3F.B states "Each Provider shall file an annual report by March 31 containing information for the previous calendar year including aggregate number of customers served, a summary of services provided, and information on the number and classification of complaints received in a format to be established by the Department, to assist the Department in monitoring CDG and On-Site Mass Market DG markets."

information and attachments in the DER Provider's initial registration form are still current and accurate or a 2023 Annual Compliance Report, which is the required Annual Compliance spreadsheet that has been developed by Staff, from your company. Therefore, DPS Staff is issuing Solar Pro Inc. this Notice of Apparent Violation (NOAV) letter and directing your company to: (1) acknowledge receipt of this NOAV letter within five business days and (2) provide a 2024 Annual Compliance Statement and a 2023 Annual Compliance Report, to remedy the current non-compliance, or a letter withdrawing DER Provider registration.

DPS Staff has already contacted your company on several occasions to remind it of the UBP-DERS compliance deadline. First, your company was notified via the regulatory e-mail addresses provided by your company within your DER Provider Registration Form on March 1, 2024, to remind your company that the filing was due March 31, 2024. On April 5, 2024, DPS Staff sent your company's Executive and Regulatory contacts Overdue Notices, notifying you of your non-compliance and directing you to file by April 12, 2024. DPS Staff then conducted an outbound calling campaign between Thursday, April 18, 2024 and Monday April 20, 2024 to any remaining non-compliant DER Providers. Your company failed to respond to any of DPS Staff's requests.

To remedy the aforementioned non-compliance, Solar Pro Inc. shall provide the following:

1. An updated DER Provider Registration Form containing updated contact information for executive, regulatory, and marketing contacts and a completed DER Provider Annual Compliance spreadsheet containing all required information therein; or
2. A letter withdrawing DER Provider registration.

If DPS Staff finds that your reply to this NOAV letter is insufficient, or in any way evidences your company's failure to comply with the UBP-DERS, DPS Staff will seek an Order to Show Cause from the Commission to commence an enforcement proceeding. If DPS Staff finds that your company has in this, or any other manner, failed to abide by the UBP-DERS, DPS Staff will proceed with further remedies, including recommending to the Commission revocation of your company's eligibility to operate as a DER Provider in the State of New York.

DPS Staff requests that you acknowledge receipt of this NOAV letter within five business days by contacting John Sheevers at John.Sheevers@dps.ny.gov, Rebecca Sweeney at

rebecca.sweeney@dps.ny.gov, or Adam Polmateer at adam.polmateer@dps.ny.gov. All responses to this NOAV letter should be submitted in DMM Matter Number 24-00877 within 10 business days. If you have specific questions, please contact DPS Staff listed above.

Regards,

A handwritten signature in black ink, appearing to read "Richard Berkley". The signature is fluid and cursive, with the first name "Richard" and last name "Berkley" clearly distinguishable.

Richard Berkley
Consumer Advocate and Director
Office of Consumer Services

cc: Dennis DiBari, Managing Attorney