



NEW JERSEY BOARD OF PUBLIC UTILITIES

ENERGY AGENT, PRIVATE AGGREGATOR, and/or ENERGY CONSULTANT INITIAL REGISTRATION INSTRUCTIONS

- Sections of the form designated as “**Internal Use Only**” will not be publicly posted on the Board’s website via the Public Document Search tool but may be released through an Open Public Records Act (“OPRA”) request. If a registrant considers any information provided in the “Internal Use” sections to be confidential, a request for confidential treatment must be made in accordance with N.J.A.C. 14:1-12.
 - In accordance with N.J.A.C. 14:4-5.1(k), “Financial statements, unless already publicly available Federally or in other states or jurisdictions” shall not be deemed as public information. Filers are not required to submit a confidentiality claim for this information. Please review the rules and regulations for more information regarding OPRA exemptions.
- All applications submitted to the Board of Public Utilities must be completed and include all fees, documents, schedules and attachments. One original and two copies must be submitted.
- Return completed application to:

**New Jersey Board of Public Utilities
Attn: Licensing and Registration Unit
Division of Audits
44 South Clinton Avenue,
9th Floor, P.O. Box 350
Trenton, NJ 08625-0350**
- Type or print all answers. Do not leave any questions unanswered. If a question is not applicable or the answer is none, please type or print “N/A” only when instructed.
- Any question which is answered “yes” requires a detailed explanation. Attach a separate schedule providing details. Failure to provide adequate information will cause a delay in processing the renewal application.
- Insert on line 1 the complete name of the corporation, or limited liability company (LLC) exactly as it appears on the Certificate of Incorporation or Formation papers filed with the New Jersey Secretary of State. If a Sole Proprietor or Partnership, insert the person’s name or the name of the partnership.
- No special consideration can be given to applicants who may have payroll, leases or other obligations to satisfy while the application is being processed. Therefore, all applications should be submitted well in advance of any date the applicant intends to commence business.

- Applications must be properly sworn to, signed and dated by:
 - Authorized corporate officer if a corporation;
 - Member of the partnership and a witness if a partnership; or
 - The sole proprietor and a witness if a sole proprietorship, in the spaces provided for attestation.
- **Signatures must be witnessed by a notary or attorney.**
- Applicant may be required to complete a criminal history request form for all key operating personnel, officers, directors, partners or owners. The Board will notify applicants when such a form is required.
- Enclose certified check or money order payable to Treasurer, State of New Jersey, c/o the New Jersey Board of Public Utilities, in the amount of: Registration Fee - \$500.

The following information is provided to answer common inquiries which the agency has received from prospective applicants.

If you have a specific question regarding an application which has not yet been submitted, please contact the Division of Audits at (609) 913-6258 or Audits.Licensing@bpu.nj.gov.

Energy Consultant Information

Background: The BPU also registers energy consultants that are energy agents with the added authority to obtain customer energy usage electronic data through EDI from utility companies. Electronic Data Interchange (EDI) is the direct computer-to-computer exchange and processing of standard business forms from one business application to another. The main elements of EDI are data exchange, message translation and processing and integration into various applications.

Fees

- There is no additional fee required to register as an Energy Consultant, as long as the applicant has applied or is already registered as an Energy Agent.

New Jersey Office Requirement (For Energy Consultants ONLY) - N.J.A.C. 14: 4-5.11(b)3

Pursuant to the licensing standards adopted by the Board, energy consultants must maintain an office within New Jersey (an energy agent is excluded from this requirement). The registrant must acquire and maintain office space through ownership by the registrant, or through a lease, in its name. The purpose of this office is for accepting service of process, maintaining the summary records related to energy contracts or transactions entered into with New Jersey customers or services provided by the energy consultant to New Jersey customers and ensuring the registrant's accessibility to State agencies, consumers and electric and gas public utilities. The records related hereto may be kept in electronic form; including electronic access for records maintained out of state. **A post office box or rented mail-receiving space shall not constitute a New Jersey office.**

Surety Bond (For Energy Consultants ONLY) - N.J.A.C. 14:4-5.11(b)2

- Bond must be submitted with application
- Bonds must be posted for a term that will extend for at least as long as the Energy Consultant registration remains in effect, including any time during which the registration term is extended under N.J.A.C 14:4-5.9(a).
- Obligee is "Treasurer, State of New Jersey"
- Required language for bond(s):

SURETY BOND – REQUIRED LANGUAGE (ENERGY CONSULTANT)

Bond No. _____

STATE OF _____

COUNTY OF: _____

Bond required by N.J.S.A. 48:3-78 (c) (4) **and/or** N.J.S.A. 48:3-79 (c) (4) to register as an Energy Agent in the subcategory of Energy Consultant to arrange the sales of electricity or natural gas or electric or natural gas related services in New Jersey.

KNOW ALL PEOPLE BY THIS DOCUMENT, that

we _____, hereinafter referred to as the Principal, with principal offices and place of business located at _____ and _____

_____ a corporation organized and existing under the laws of the State of _____, and authorized to do business in the State of New Jersey, hereinafter referred to as Surety, are held and firmly bound unto TREASURER, STATE OF NEW JERSEY, hereinafter referred to as Obligee, for the use and benefit of all persons establishing legal rights hereinunder, in the sum of TEN THOUSAND AND NO/100 (\$10,000) lawful money of the United States of America, to the payments of which sum, well and truly to be made, we bind ourselves, our executors, administrators, successors, and assigns, firmly by this document.

WHEREAS, the Principal as an Energy Consultant desires to receive customer usage information electronically pursuant to applicable Board of Public Utilities ("Board") Orders and

WHEREAS, pursuant to the Board of Public Utilities' Order of March 1, 2000 (Docket Nos. EX94120585Y et.al), the Principal is required to maintain a bond to insure against misuse of customer information.

NOW, THEREFORE, if the Principal shall faithfully provide independent advice to customers for the purchase of retail electricity or electric related services, or retail gas supply or gas related services in New Jersey and shall maintain customer information in accordance with applicable confidentiality laws, rules, regulations and Board Orders and not file for bankruptcy or for similar protection under law, then this obligation shall be void, otherwise to remain in full force and effect as security for the use of the State of New Jersey and/or Board of Public Utilities and/or any person or entity who is damaged or suffers any loss by failure to observe applicable confidentiality laws, rules, regulations and Board Orders by this Principal.

The aggregate liability of the Surety is limited to the foregoing sum which sum shall be reduced by any payment made in good faith hereunder.

The term of this bond is for the period beginning (_____) and terminating (_____), and may be continued for an annual period by a Continuation Certificate signed by the Principal and Surety, a copy of which must be served by registered mail upon the Secretary of the Board of Public Utilities.

In order to draw funds on this Bond, the Secretary of the New Jersey Board of Public Utilities shall present the following document to the Surety:

Affidavit sworn to and signed by the Secretary of the New Jersey Board of Public Utilities, stating that at its public agenda meeting of _____(date), the Board of Public Utilities determined that _____(principal) has not satisfactorily performed its obligations to a person or entity, who has been damaged or suffered a loss by means of the misuse of confidential customer information, or by reason of breach of contract or violation of regulations, rules, Standards or Board Orders promulgated pursuant thereto.

SIGNED, SEALED AND DATED this _____ day of _____

(Principal)

By: _____

(Surety)

(Address of Surety)

By: _____

NOTARIZATION:
