

**CLARIFICATIONS TO ENERGY AGENT/CONSULTANT  
APPLICATION AND INSTRUCTIONS  
(as of April 25, 2000)**

The following information is provided to answer common inquiries which the agency has received from prospective applicants, and to clarify certain filing requirements. This information may be updated as additional inquiries are received. If you have a specific question regarding an application which has not yet been submitted, please call (973) 648-2775, or (973) 648-4450. If you have already submitted an application, you will be notified of its receipt and given the name and telephone number of the reviewer. All questions should then be directed to that individual. Thank you.

**INSTRUCTIONS**

**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.

**Certification Under Oath**

- ? If the applicant is a corporation, any officer authorized to certify the application may do so.

**Surety Bond**

- ? Bond must be submitted with application
- ? Bonds should be dated to coincide with the period of Registration (1 year)
- ? Obligee is "Treasurer, State of New Jersey"
- ? Suggested language for bond(s):

**DRAFT SURETY BOND – ENERGY CONSULTANT**

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 Required