



NEW JERSEY BOARD OF PUBLIC UTILITIES

ENERGY AGENT and/or PRIVATE AGGREGATOR INITIAL REGISTRATION INSTRUCTIONS

- 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.
- Type or print all answers. Do not leave any questions unanswered. If a question is not applicable to you or if the answer is "none," please type or print N/A or NONE.
- 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.
- Attach a copy of the Certificate of Incorporation or Certificate of Formation bearing the New Jersey Secretary of State's dated filing stamp. Foreign (out-of-state) corporations must attach a copy of the Certificate of Authority to Do Business in New Jersey bearing the New Jersey Secretary of State's dated filing Stamp. An entity utilizing a trade name must attach a copy of their trade name certificate bearing the dated filing stamp of the County Clerk's Office in the county of which their business is to be located.
- Attach a copy of the registration of fictitious corporate name bearing the New Jersey Secretary of State's dated filing stamp if the entity uses a "doing business as/alternative" name. If such a name is used, it must be included on line 1 of the application.
- 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:
 - Corporate president and secretary, 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.

- Corporate seal or a facsimile of same must be affixed in the case of a corporate applicant. 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.

For Energy Consultant Only

In addition to the foregoing, provide a perfected surety bond in the minimum amount of \$10,000 that will be maintained throughout the period of registration.

Return completed form to:

**New Jersey Board of Public Utilities
Attn: Licensing and Registration Unit
Division of Audits
44 S. Clinton Ave., 9th Fl.
P.O. Box 350
Trenton, New Jersey 08625**

**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 call (609) 292-1681 or (609) 292-0637.**

New Jersey Principal Business Office Requirement - 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.

Certification under Oath

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

Surety Bond (energy consultant) N.J.A.C. 14:4-5.11(b)2

- 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"
- Required language for bond(s):

SURETY BOND – REQUIRED LANGUAGE (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