



## NEW JERSEY BOARD OF PUBLIC UTILITIES

### ELECTRIC POWER and/or NATURAL GAS SUPPLIER

#### **ANNUAL INFORMATION UPDATE FORM INSTRUCTIONS**

**A license shall not expire so long as the licensee pays to the board, within 30 days before the anniversary date of the last approved licensing application, a license renewal fee accompanied by an annual information update form. Nothing shall limit the authority of the Board to deny, suspend, or revoke a license at any time, consistent with the provision of P.L.1999, c.23 (N.J.S.A. 48:3-49 et seq.)**

- 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 licensee 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.
- Failure to provide annual information update forms or updates required pursuant to N.J.A.C. 14:4 et. seq. will lead to penalties and possible suspension, and/or revocation of license.
- All annual information update forms submitted to the New Jersey 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 or the answer is none, please type or print “N/A” only when instructed.
- Any question that is answered "yes" requires a detailed explanation. Attach a separate schedule providing details. Failure to provide adequate information will lead to penalties and possible revocation of license.
- The annual information update form 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.**

- Provide the continuation certificate for the original perfected surety bond [or other authorized security] in the minimum amount of \$250,000 that has been maintained throughout the period for which the license is valid.
- Pursuant to N.J.A.C. 14:4-7.4(d), the State of New Jersey requires that “[t]he TPS shall comply with all FTC [Federal Trade Commission] telemarketing rules.” The attached Do Not Call Certification under Oath must be completed and returned along with the annual information update form. This certification applies ONLY to those entities that will be telemarketing to residential customers in the State of New Jersey.
- Enclose certified checks or money orders made payable to Treasurer, State of New Jersey, c/o the New Jersey Board of Public Utilities, in the amount of :
  - Electric Supplier Renewal Fees (Non-Refundable)                      \$500.00
  - Natural Gas Supplier Renewal Fees (Non-Refundable)                      \$400.00
- All BPU correspondence with licensed Third Party Suppliers are sent to the NJ office address on file. This address is to be provided on page 1 of the Annual Information Update Form. According to the N.J.A.C. 14:4-5.2, in order to be licensed a Third Party Supplier the required New Jersey office must maintained and be suitable to do the following:
 

The office in New Jersey shall be for the purposes of accepting service of process, maintaining the records required under this subchapter and ensuring the licensee's accessibility to State agencies, consumers and gas and electric public utilities. To satisfy this requirement, an applicant shall:

  - a) Lease or own space in a building in New Jersey. The space shall be sufficient to house all records required to be kept under this subchapter. The records may be kept in electronic form; and
  - b) Provide the street address of the New Jersey office. A post office box, rented mail-receiving space at a mail service store, or a corporate services location shall not constitute a New Jersey office.
- **Licensees are required to notify the Board of certain pertinent changes throughout the year, as per N.J.A.C. 14:4-5.5(g)-(h).**
  - (g) A licensee or registrant shall notify Board staff in writing no later than 10 days after any changes in contact information, including the name of the regulatory contact, the New Jersey mailing address, email and phone numbers of company representatives and regulatory contacts.
  - (h) A licensee or registrant shall notify Board staff in writing within 30 calendar days after any material change in the organizational structure or operation of a licensee's or registrant's business or at the time prescribed in N.J.A.C. 14:4-7.10A whichever is earlier. If the change affects compliance with this chapter or any other Board rule or order, Board staff shall require the licensee or registrant to file an update describing the change, for approval by Board staff.
  - (i) If a licensee or registrant reorganizes, restructures, merges with another entity, acquires another company or is acquired by another company, the following requirements shall apply:
    - 1. If the name of the resulting company remains the same, the licensee or registrant shall submit a licensing update within 30 calendar days after the change, including any information about the new entity that is necessary for Board staff to

evaluate the entity's compliance with this chapter, including information regarding any changes in the company's services or customer population;

2. If the resulting company does not retain the name of the original licensee or registrant, the new entity shall submit an application for a new license or registration in accordance with this subchapter within 30 calendar days after the reorganization, restructuring, merger, or acquisition, and shall meet all of the requirements that would apply if the entity had never held a license or registration, including application fees and, for licensees and energy consultants, the issuance of a new surety bond; and

3. A licensee or registrant shall continue to serve its existing customers pending the Board's final decision on the license or registration update or application, unless otherwise directed by Board staff.

- Return completed annual information update form to:

**New Jersey Board of Public Utilities  
Attn: Licensing and Registration Unit  
Division of Audits  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
P.O. Box 350  
Trenton, NJ 08625-0350**

- For questions, please contact the Division of Audits at 609-913-6258 or via email at [Audits.Licensing@bpu.nj.gov](mailto:Audits.Licensing@bpu.nj.gov).

**DO NOT CALL CERTIFICATION UNDER OATH**

*Must be completed and signed by a corporate officer, partner, sole proprietor, or other authorized legal representative of the Third Party Supplier.*

1. I \_\_\_\_\_, hereby certify that I am the \_\_\_\_\_ of \_\_\_\_\_, a Third Party Supplier licensed by the New Jersey Board of Public Utilities (hereinafter the "Company").
2. I hereby certify that I am aware that the Company must comply with all the standards, rules and regulations applicable to its license and must meet all reliability standards in accordance with N.J.S.A. 48:3-49 et seq. or as may be established by any applicable regulatory authority.
3. I hereby certify that as such, the Company must comply with N.J.A.C. 14:4-7.4, which provides, among other things, that all Third Party Suppliers must comply with the FTC Telemarketing Sales Rule at 16 C.F.R. § 310.4 (b) (1).
4. I hereby certify that the Company is aware of the requirements provided under 16 C.F.R. § 310.4 including, but not limited to, the restrictions on contacting persons on the "do-not-call" registry.
5. I hereby certify that the Company is in complete compliance with the regulations provided under 16 C.F.R. § 310.4.
6. I hereby certify that the Company ensures complete compliance with 16 C.F.R. § 310.4 through the following affirmative actions taken on behalf of the Company:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional pages if necessary)

7. I hereby certify that the Company     DOES         DOES NOT     (check one that applies) employ and/or utilize agents, telemarketers, brokers and/or other third parties for marketing purposes.
8. I hereby certify that if the Company employs and/or utilizes agents, telemarketers, brokers and/or other third parties for marketing purposes, a complete and accurate list of the names, addresses, e-mails and phone numbers of any and all contact personnel of all such entities is attached hereto and made a part hereof.
9. I hereby certify that if employing and/or utilizing agents, telemarketers, brokers

and/or other third parties for marketing purposes, the Company ensures that such entities are in compliance with 16 C.F.R. § 310.4 via the following affirmative actions taken on behalf of the Third Party Supplier:

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(Attach additional pages if necessary)

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the above statements are willfully false, I am subject to punishment.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_.  
(month) (year) (location)

Signature: \_\_\_\_\_

**NOTARIZATION:**

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