



## **Addendum to NY-Sun Program Manual**

*Applies to projects in Upstate, Con Ed and Long Island regions*

In response to the New York State on PAUSE Executive Order, NYSERDA is making the following changes to the NY-Sun Programs:

### ***Project Completion Deadline Extension***

NYSERDA has extended all NY-Sun project completion deadlines by six (6) months for the Residential & Nonresidential and Commercial & Industrial programs, including the PSEG Long Island Residential Solar Plus Energy Storage Incentive. This includes all projects submitted prior to March 30, 2020 and will extend to projects submitted through the end of the effective date of the NY on PAUSE Executive Order and any subsequent amendments. Where applicable, the CESIR milestone (proof of full interconnection payment to the utility) is also extended for six months. Additionally, any project that makes its interconnection payment and wishes to submit documentation for the CESIR milestone can still do so.

If a project extension confirmation email is required for documentation purposes, contractors can do so by using the “Request Extension” option in the Portal. This step is not required to receive the extension and no projects will be canceled during this period due to the previous deadlines displayed in the Portal.

### ***Two-Payment Option***

The NY-Sun Residential & Nonresidential Program will allow projects in Approved status that were submitted no later than March 30, 2020 to request the project incentive in two installments. Contractors may choose to submit an invoice for 50% of the incentive value for each eligible project in the NYSERDA portal. This request must be made prior to the end of the effective date of the NY on PAUSE Executive Order and any subsequent amendments. Contractors may alternatively elect to continue to receive project incentives in a single installment upon project completion, as described in the [Program Manuals](#). Project modification requests resulting in an incentive decrease below what was already paid out will be subject to reimbursement through a supplier debit.

#### **For Residential projects:**

##### **To receive the initial 50% incentive payment, the project invoice must include:**

- The initial incentive payment, 50% of the total approved incentive for the project, will be available for all projects in Approved status that were submitted no later than March 30, 2020. Projects receiving the PSEG Long Island Residential Solar Plus Energy Storage Incentive are not eligible for the two-payment option.

##### **To receive the final 50% incentive payment, the project invoice must include:**

- Utility interconnection permission to operate (PTO) letter.

For Nonresidential projects:

The initial incentive payment, equal to 50% of the total approved incentive for the project, will be paid upon invoice and approval of required documentation for projects where all approved system components were delivered to a customer's site no later than March 30, 2020 and all permits and approvals have been obtained.

**To receive the initial 50% incentive payment, the project invoice must include:**

- Building permit
- Proof construction has commenced for nonresidential projects:
  - Timestamped photo documentation that inverters and modules have been delivered to the project site; and
  - Paid invoices for the project inverters and modules; or
  - Other documentation deemed acceptable by NYSERDA.

**To receive the final 50% incentive payment, the project invoice must include:**

- Utility interconnect permission to operate (PTO) letter; and
- Electrical inspection certificate.

**Contractors who elect to utilize the two-payment option are required to abide by the language below:**

Any (residential or nonresidential) Project that received an initial partial incentive payment as a result of NYSERDA's response to the NY on PAUSE Executive Order, is required to strictly comply with the terms and conditions of the Participation Agreement and the Program Rules. For the Project that fails to meet the project completion timeline as established by the Participation Agreement and the Program Rules (inclusive of the extension provided in this Addendum), NYSERDA reserves the right to withhold the balance of the incentive for that Project or any other project submitted by the Project Contractor, and the Project Contractor may be suspended or terminated from program participation. Upon determining that the Project has in fact failed to meet the project completion timeline, NYSERDA may exercise the authority under Section 18 of the State Finance Law, to invoice the Project Contractor, in addition to the amount paid in upfront incentive, the greater of: (a) interest on the amount due accruing from 5 days after the Invoice Date, computed at the underpayment rate charged by the Commissioner of Taxation and Finance pursuant to subsection (e) of section 1096 of the State Tax Law less four percentage points; or (b) a late payment charge of \$10.00 dollars. NYSERDA is also authorized to charge a collection fee, not to exceed 22% of the invoice amount, to cover the cost of processing, handling and collecting the invoice amount if not paid within 95 days of the invoice date. If the invoice is not paid by the established due date, NYSERDA is authorized to refer the account to a private collection agency or the New York State Attorney General for collection. Further, Section 171-f of the State Tax Law authorizes NYSERDA to certify past-due legally enforceable debt to the New York State Department of Taxation and Finance for collection by offset of tax overpayments or other payments due from the State. Section 19 of the State Finance law allows NYSERDA to charge a \$20.00 fee for dishonored checks.