

1.1.1 Commercial/Industrial Projects

1.1.1.1 *Payment Assignments*

Commercial/industrial projects may request payments be made to another entity. While the contractor ~~must~~ may identify the payee at the time of application or any time during the project development phase, NYSERDA will only allow the Payee assignment immediately at the time of application or before the prior to submitting an invoice for the commercial operation payment or during their one-time full assignment request. A Payee assignment should only be submitted once the final payee is confirmed, and the EIN information is a match with the IRS. Payment assignments, including any eligible incentive adders, will only be made to another entity in the amount of the entire incentive. The Payee identified on a NY-Sun contract with an associated ICSA contract or an associated Expanded Solar for All Category B contract must be the same entity for both contracts. Once NYSERDA approves a payee ~~assignment has been identified~~, no additional payee assignments will be allowed. The contractor, customer, and payee must sign the project application agreeing to the Payee assignment.

Contractors shall have the ability to identify a payee at the time of application, however all awards will be made to the Contractor. A payee's information will only be confirmed during the payee assignment request or during a Full Assignment request.

All rights and responsibilities will remain with the contractor. Payees will not have access to the project application portal.

1.1.1.2 *Full Assignments*

The Contractor may request a one-time full assignment for an approved project to another approved contractor. During the full assignment request a new payee may be identified if necessary. If the NY-Sun Contract is associated with an ICSA contract or an associated Expanded Solar for All Category B contract than both contracts must be assigned to same contractor and the same payee. An assignment request must be submitted via the portal. This request must be made before the commercial operational payment is requested. NYSERDA reserves the right to deny a full assignment request and may ask for additional documentation before approving the request. The Contractor is responsible for notifying NYSERDA when a project has been sold to another entity. The Contractor of record is responsible for all program requirements until a formal assignment has been approved by NYSERDA, regardless of who owns the project prior to approval of the assignment.

The contractor must provide the following to submit a request:

- New Contractor must be an approved contractor in the program and be in good standing.
- Email confirmation from utility of 100% interconnection upgrade payments made.
- Assignment Document signed by the old contractor and new contractor.

Redlined Document for Feedback Purposes Only

- New Project Application signed by old contractor, new contractor, customer, and payee (if applicable).
- If a payee was ~~already~~ identified ~~and the entity name is remaining the same, the payee must re-register with NYSERDA in order to confirm the Federal Tax ID and update contact information. at the time of application and will remain the same for the payee assignment, the payee must register after the full assignment request is submitted.~~ If a new payee is to be identified, the contractor must update the role in the portal, and the payee must register for the payee assignment after the full assignment request is submitted.

~~The contractor must also identify the payee at the time of full assignment request. If a payee was already selected the contractor must notify NYSERDA before moving forward with the request in the portal. If the contractor does not identify a new payee,~~ no payee assignments will be allowed after the full assignment has been executed by NYSERDA. Payment assignments, including any eligible incentive adders, will only be made to another entity in the amount of the entire incentive. The current contractor will be responsible for the project until the assignment has been executed.