



Funding Opportunity Announcement (FOA) FY22 Commercial Clean Energy Rebate Program

Program Description: The State of Maryland provides Clean Energy Rebates through the Commercial Clean Energy Rebate Program (“C-CERP”) to businesses, nonprofits, local governments, and State of Maryland government agencies and departments that install eligible clean energy systems within the State.

Program Type: Awards are made on a first-come, first-served basis.

Application Deadline: Applications will be accepted on an ongoing basis throughout the fiscal year (July 1, 2021 – June 30, 2022); however, issuance of a rebate cannot be assured after the Program Budget has been exhausted.

Eligible Applicants: A Maryland business, nonprofit organization, local government, or State of Maryland government agency can apply for an eligible system installed, or to be installed, on its eligible property.

Eligible Activities: Rebates are provided for the installation of solar PV, solar thermal, and geothermal technologies by eligible Applicants via purchase or third-party owned system. To be eligible, the installed technologies must comply with the defined capacity limits in the Award Formula section below.

- Leased systems and systems installed via a power purchase agreement (PPA) will be collectively referred to as third-party owned (TPO) systems.

Program Budget: \$400,000

Note: If the amount of eligible applications received for the Program exceeds the Program budget, MEA will create a wait-list in case additional funding becomes available in the future. Funding, as well as the award amount by technology, is **not** guaranteed for any application on the waitlist.

**Program Minimum
Criteria:**

To be eligible for an award, an application must meet the following minimum criteria:

- The Applicant business or nonprofit organization must be registered to do business in the State of Maryland.
- A business or nonprofit organization must own the property on which the clean energy system is installed.
- Local governments and State of Maryland government agencies or departments with owned- or leased-facilities are permitted to receive Clean

Energy Rebates.

- The installation property must be located within the State of Maryland.
- Clean Energy Rebates cannot be awarded to projects which are deemed to create an adverse impact on the historical significance of an historical property, or historic district, as determined by the Maryland Historical Trust. Prominent installations of clean energy systems on historic properties or properties within historic areas will not qualify for this Rebate program.
- All required permits have been issued from the Authority Having Jurisdiction (normally city or county).
- All permitting inspections have been satisfactorily passed and documented.
- The utility has issued a "Permission to Operate".
- The system has been documented as paid in full.
- Photographic documentation showing the installed clean energy system has been provided.
- The application is complete, signed by the Applicant, system installer, and system owner (if applicable), dated, and contains the Applicant's federal tax ID number.
- The application is submitted within 12 months from the date the system was installed.¹
- If a PV installation, a NABCEP PV Installation Professional was involved in the design or installation of the solar System.
- If a third-party owned system, the Lessor/Provider of the third-party owned system must be registered to do business in the State of Maryland.

Review Process:

An application to the Commercial Clean Energy Program will first be reviewed for completeness. A complete application, or complete completion certificate,² is then checked against the minimum criteria and if found to satisfy the criteria, the application, or completion certificate, is sent for a historical preservation review.

- If the project has already been completed and the historical preservation review does not result in an "adverse effect", the completion certificate for the project will be approved, invoiced and paid.
- If the project has not been completed and the historical preservation review does not result in an "adverse effect", a commitment letter is issued to the Applicant by MEA. After issuance of a commitment letter, the Applicant will have six (6) months to complete the project and submit all necessary documentation, including the completion certificate, to MEA.
 - An extension beyond the six month time period outlined in the commitment letter can be requested in writing by the Applicant but is not guaranteed by MEA. Extensions of time will only be granted by MEA for good cause and as allowed based on available Program budgets.
- If the project has already been completed and was determined to have an "adverse effect" on historic property, the Applicant will be notified in writing by MEA that the project is not eligible for an award.

¹ The date of installation is normally the latter of the following dates: the system is paid in full, the system passes its final inspection, the system receives Permission to Operate from the utility, or system construction is complete.

² For any commercial clean energy project where a Commercial Clean Energy Rebate Program Commitment Letter is **not** being sought **prior** to construction, the Applicant should not submit the Application form but instead just fill out the Completion Certificate documentation.

- If the project has not been completed and it has been determined that, as designed, the proposed project would have an “adverse effect” on historic property, the Applicant will be notified in writing by MEA that the installation, as proposed, is not eligible for a CERP award.

Award Formula:

To be eligible, a commercial Solar PV, Solar Thermal, or Geothermal system must be within the Eligible System Size ranges listed in the table below. A system that falls below the minimum or exceeds the maximum size will not qualify for a Clean Energy Rebate.

Clean Energy Technology	Eligible System Capacity Range	Rebate Amount
Solar Photovoltaic (PV)	1-8 kW-dc	\$1,000
	8-108 kW-dc	\$1,000 + \$150/kW x (capacity – 8 kW)
	108-250.0 kW-dc	\$16,000 + \$100/kW x (capacity – 108 kW), \$20,000 maximum*
	Roof-mounted systems only: 250.1 -375 kW-DC**	\$20,000 + \$80/kW x capacity, \$30,000 maximum (roof-mounted systems only)
Solar Thermal (Water Heating)	10-2,000.0 sq. ft.	\$20/sq. ft., \$12,000 maximum
Geothermal	1-10 tons	\$3,000
	10-50.0 tons	\$3,000 + \$400 x (capacity – 10 tons), \$12,000 maximum

*Incentives for ground-mounted arrays are capped at systems 250kW or lower in size, with a maximum award of \$20,000.

**The incentive for 250.1kW-DC – 375kW-DC is only available for roof-mounted systems solar installations.

Partial awards: A partial award is possible if insufficient funds remain in the Program to fully fund an eligible application on a first-come, first-served basis.

Required Application Documents:

An application must be submitted with the following documents:

- the signed and dated application;
- documentation showing a passed final inspection for all permits, as required by the local authority having jurisdiction;
- documentation showing the project has been paid for in full;
- photographic documentation showing the installed system;
- documentation showing the business is in good standing with the State of Maryland (i.e., a screenshot from the [Maryland Business Express Registration and Filings website](https://egov.maryland.gov/BusinessExpress/EntitySearch))³; and,
- an Internal Revenue Service (IRS)’s W-9 form⁴ completed by the Applicant.

Additional information is provided in the Program Specific Section.

³ <https://egov.maryland.gov/BusinessExpress/EntitySearch>.

⁴ Insert a hyperlink to the correct W9 form used by MD.

Submission

Instructions: Applications, including all supporting documents, may be mailed to MEA at the following address:

**Maryland Energy Administration
Attn: Commercial Clean Energy Rebate Program
1800 Washington Blvd. Suite 755
Baltimore, MD 21230**

In addition, and if desired by the Applicant, the Applicant can work with the Program Manager to email the application securely via an encrypted email portal called Virtru.

An applicant can track the receipt and status of an application by checking the Commercial CERP Weekly Status Report (Excel spreadsheet) on the [Commercial CERP](#)⁵ webpage.

Rebate Program

General Provisions: The Commercial Clean Energy Rebate Program was previously called the Commercial Clean Energy Grant Program. Despite the change in name, both names refer to the same program and are covered by the same set of regulations. The Rebate Applicant, the clean energy system, and the information provided on this application must adhere to all requirements of the Clean Energy Grant Program Regulations. These regulations are found in the Code of Maryland Regulations, Title 14, Subtitle 26, Chapter 04 ([COMAR 14.26.04](#)).⁶

Program-specific requirements

1. Clean Energy Technology Requirements

A. Solar Photovoltaic (“PV”) Systems - Solar Photovoltaic systems must be installed and operated in compliance with the requirements of the local codes and the following national safety certification systems:

(1) Underwriters Laboratories (UL) - Solar PV system hardware must be in compliance with all applicable performance and safety standards, including UL 1741, Standard for Inverters, Converters, Controllers, and Interconnection System Equipment for Use with Distributed Energy Resources, and UL 1703, Standard for Flat-Plate Photovoltaic Modules and Panels.

(2) Maryland Net Energy Metering Law & Local Electric Utility - Solar PV systems must comply with the Maryland Net Energy Metering Law and the requirements of the local electric utility.

(3) Institute of Electrical and Electronics Engineers (IEEE) - Solar PV systems must meet the requirements of IEEE 1547, Standard for Interconnecting Distributed Resources with Electric

⁵ <https://energy.maryland.gov/business/Pages/incentives/cleanenergygrants.aspx>

⁶ www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=14.26.04

Power Systems with applicable requirements of local electrical codes and the National Electric Code (NEC).

B. Geothermal Heat Pumps - Geothermal Heat Pumps must meet the ENERGY STAR standards specified on the ENERGY STAR website:

https://www.energystar.gov/products/heating_cooling/heat_pumps_geothermal/key_product_criteria.

C. Solar Water Heating (SWH) Systems - Solar Water Heating (SWH) Systems must meet the requirements of the local codes and possess the Solar Rating and Certification Corporation OG-100 Certification, as specified in the following website:

<https://codes.ICCSafe.org/content/ICC9012015/toc>

2. Eligible Property Requirements

To be eligible for a Commercial Clean Energy Rebate, the property on which the clean energy system has been installed must meet the following requirements:

A. The property on which the clean energy system is installed must be owned by a Maryland resident, business, or non-profit and must be located within the State of Maryland.

B. A property leased by an Applicant is ineligible, unless the property is leased by the State or a local government. If leased, MEA may request proof of formal permission from the property owner for the clean energy system.

C. Commercial Clean Energy Rebates are limited to one Rebate per qualifying clean energy technology per property. If the capacity of a clean energy system on the same property that has already received a Commercial Clean Energy Rebate is increased, an additional Commercial Clean Energy Rebate shall not be issued to the system for the increase in capacity.

D. Maryland Historical Trust (MHT) - A Clean Energy Rebate will not be awarded to a project that is deemed to have an adverse effect on a historical property, or district, as determined by the Maryland Historical Trust. A prominent installation of a clean energy system on a historic property or property within a historic area will not qualify for this Rebate program. Applicants can visit **Maryland's Environmental Resources and Land Information Network** ("[MERLIN Online](#)"^[1]) to see if a property is recorded in the Maryland Inventory of Historic Properties, the National Register of Historic Places, or a Maryland Historical Trust Preservation Easement. For a building that falls within these boundaries, pre-coordination with the Maryland Historical Trust (410) 697-9591) or MEA's historic preservation specialist (410-537-4083 or fred.shoken@maryland.gov) should be conducted before installing a prominent clean energy system. Buildings that are older than 45 years old must also go through historic preservation screening. **MEA recommends that for buildings that are 45 years in age (or older), or located in a historic district, Rebate Applicants provide a photo of the front of the building taken from the street ("street view") and sidewalks to help expedite the historical review process.** The age of a property can be found in the State Department of Assessments and Taxation (SDAT) [Real Property database](#)^[2]. For new geothermal systems in a historic district, a diagram showing the location of the well field is also required.

3. Application Requirements

A. MEA Rebate Commitment Letter and Completion Certificate – Subject to funding availability, if an Applicant submits an eligible, complete Application prior to the commencement of a project, the Applicant will be issued a MEA Rebate Commitment Letter. When the project is completed, the Applicant must then submit the Completion Certificate along with all required documentation.

- If an MEA Rebate Commitment Letter is not being sought prior to construction, the Applicant should not submit the Application form. Instead, the Applicant should only submit the Completion Certificate along with all required documentation. In this case, the Completion Certificate will serve as the Rebate Application.

B. Application Timeframe - A Commercial Clean Energy Rebate Completion Certificate shall be submitted only **after** the clean energy system has been installed, paid in full, and has passed all final inspections required by the County or local permitting authority. Completion Certificates submitted for incomplete systems will not be considered.

C. Supporting Documentation - The following attachments must be included with the Commercial Clean Energy Rebate Completion Certificate and meet the specified requirements:

(1) Final Inspection Documentation - Documentation of passed final inspection for all permits required by the County or local permitting authority must be provided. Acceptable documentation includes photos or copies of final inspection stickers, copies of inspection reports, copies of certificates of use and occupancy, and printouts from online permit inquiry systems provided by County or local permitting authorities. **Applicants are responsible for contacting the County or local permitting office for the jurisdiction in which you reside to obtain permitting requirements.**

(2) Payment Documentation - Documentation that the clean energy system has been paid in full by the Applicant must be provided. Acceptable documentation is in the form of \$0.00 balance itemized invoices from installation contractors and vendors. If a \$0.00 balance itemized invoice is not available, MEA will accept receipts or letters from installation contractors and vendors indicating a \$0.00 balance, with itemized proposals. For systems financed through the installer, a "payment-in full" document is still required from the installation arm of the installer. A loan from the finance arm of the installer (or other financial institution) is considered a separate transaction, and does not negate a "payment in full" document from the installer.

(3) Photo Documentation of the Clean Energy System - Photo documentation of the completed clean energy system must be provided. Please see the list below for photo requirements for each clean energy technology:

(a) Solar PV Systems: Photos of all panels in the system, the inverters (unless the system utilizes microinverters), and the meter must be provided. Additional photos may be required to facilitate the historical review.

(b) Geothermal Systems: Photos of the heat exchanger(s), air distribution system, and outdoor location of the ground/pond loops must be provided. Replacement geothermal system applications do not require photos of the outdoor location of the ground/pond loops. If any part of the system may be seen from the street or sidewalk, additional photos may be required to facilitate the historical review.

(c) Solar Water Heating (SWH) Systems: Photos of the collectors and hot water tank(s) must be provided. Additional photos may be required to facilitate the historical review.

(4) Property Ownership Documentation

- (a) **Businesses and Nonprofits:** A copy of the State Department of Assessments and Taxation (SDAT) Real Property Data information from the SDAT website indicating that the Rebate Applicant is a listed property owner for the property must be provided. **This form is not the same as a Real Property Tax bill.** A copy of the necessary information may be printed from the SDAT website at:

<http://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx>.

- (b) **Local governments and State government agencies/departments leasing property:** If the Rebate Applicant is a local government or State government agency that has leased the installation property, documentation indicating that the property owner has permitted the installation of the clean energy system must be provided. Documentation shall be determined by MEA on a case-by-case basis. To discuss the needed documentation, please contact MEA at (410) 537-4000 or via email at CERP.mea@maryland.gov.

- (5) **Business W-9 Form–** A copy of the [Internal Revenue Service \(IRS\) Form W-9](#) for the entity receiving the rebate. The name listed on the W-9 form must match the name on the application, and if applicable, the completion certificate.

D. Application Deadline - For any clean energy system project for which a commitment letter is not being sought prior to construction, a Commercial Clean Energy Completion Certificate must be submitted to MEA no more than twelve (12) months from the date that the clean energy system is installed, paid-in-full, and has passed all final inspections required by the County or local permitting authority. This date is considered the Project End Date.

E. ****MISSING INFORMATION POLICY****

- In the course of reviewing an application for eligibility, MEA may request additional clarifying, or supporting, documentation related to the required application documents or the program requirements.
- If required information or attachments are missing from a Commercial Clean Energy Rebate application, or the application or attachments present information which requires further clarification, MEA will notify the Rebate Applicant in writing (by email or letter).
- If a response from the Rebate Applicant or the Applicant's Installation Contractor is not received within fourteen (14) calendar days of the date on the MEA correspondence, MEA will send a second, final notice requesting the missing information.
- If no response from the Rebate Applicant or Installation Contractor is received within fourteen (14) calendar days of the date on the final warning letter, the application for a Commercial Clean Energy Rebate will be cancelled. Rebate Applicants whose applications are cancelled for lack of response may reapply, provided the new application is submitted within twelve (12) months of the Project End Date.

4. Use of Personal Information

A. In accordance with Section 4-501(c)(3) of the General Provisions Article of the Annotated Code of Maryland, MEA is required to advise Applicants of the following:

- (1) The information being requested by the Application is necessary to document the completion of the project and to ensure installation of a qualifying system.
- (2) Failure to provide all required information will result in cancellation of your Rebate application and ends any obligation to you under this program.
- (3) Upon submission for payment, some of this information will be provided to other agencies of the State to process the payment of the Rebate.
- (4) Project information (e.g. technology, system capacity), the name of the commercial Applicant, award amount, and the status of the Rebate request may be publicly accessible on our website.
- (5) Unless otherwise provided by law or court order, portions of the information provided by a company may be subject to disclosure upon request for inspection under Maryland's Public Information Act. To the extent permitted by law, confidential information will not be disclosed except for the purpose of processing your Rebate application.
- (6) As set forth in Sections 4-502 of the General Provisions Article, you have the right to inspect, amend, or correct your personal record as maintained by the Clean Energy Rebate Program.

5. Tax Status of Commercial Clean Energy Rebates

MEA does not provide tax information or tax advice. Questions on this topic should be directed to a qualified tax professional.

6. Adherence to Clean Energy Rebate Program Regulations

The Rebate Applicant, the clean energy system, and the information provided on this application must adhere to all requirements of the Clean Energy Rebate Program Regulations. These regulations are found in the Code of Maryland Regulations, Title 14, Subtitle 26, Chapter 04 (COMAR 14.26.04). They can be found online at:

www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=14.26.04

7. Eligible System Installers

A. Maryland Authorized Business - Any contractor utilized to perform a clean energy system installation must be registered to do business in the State of Maryland, possess all licenses and certifications required by all applicable Federal, State, and local laws and regulations, and be in good standing with the Maryland State Department of Assessments and Taxation.

B. North American Board of Certified Energy Practitioners (NABCEP) - Solar PV installation contractors with a staff of 49 or fewer individuals must maintain at least one staff member who possesses a NABCEP PV Installation Professional Certification. Solar PV installation contractors with a staff of 50 or more individuals must maintain one staff member who possesses a NABCEP PV Installation Professional Certification for every 25 non-administrative employees. Solar PV installation contractors that have been registered to do business in the State of Maryland less than twelve (12) months prior

to the submission of a Commercial Clean Energy Rebate Application are exempt from this requirement.

8. New Requirements pursuant to the Clean Energy Jobs Act of 2019:

A. American Manufactured Goods – A rebate to a county or local government must comply with section 9-20B-05(m)(1) of the State Government Article, Annotated Code of Maryland, which includes a provision referencing the American Manufactured Goods provisions in §§ 14-416 and 17-303 of the State Finance and Procurement Article.

B. Project Location – For projects receiving an MEA Rebate Commitment Letter prior to construction and for which the rebate recipient will employ the workers installing the project: Section 9-20B-05(m)(2) of the State Government Article, Annotated Code of Maryland requires that at least 80% of workers participating in a project or program that receives money from the SEIF reside within 50 miles of the project or program. As the SEIF funds a statewide program, MEA will determine compliance based on whether at least 80% of workers participating in a SEIF-funded project reside in Maryland, or within 50 miles of Maryland's borders. Therefore, Applicants who have received an MEA commitment letter and have directly employed workers for the project will be required to retain records and certify compliance with this requirement before Rebate funds are disbursed.

10. Disclaimer

Any statement made by an individual or entity that is not an employee of MEA regarding eligibility requirements, Rebate amounts, or any other information that does not appear in this FOA document, on the Commercial Clean Energy Rebate Application form, or on MEA's website is not endorsed by MEA and should not be taken as fact. Only MEA may authorize a Clean Energy Rebate after properly reviewing the Application Package. If you believe that an individual or entity has made false claims about the Clean Energy Rebate Program, or any other Rebate programs provided by MEA, please notify MEA by calling (410) 537-4000 or sending an email to DLInfo_MEA@maryland.gov.

11. Additional Requirements:

Rebates are allocated on a first-come, first-served basis across technologies to eligible applications and are subject to change in amount and existence based on funding availability. Rebate funds are provided only after installation of the system is complete and approved by MEA.

Please be advised of the following:

- A. Multiple projects on contiguous parcels of property will be considered one project.
- B. A project may not receive more than one Rebate.
- C. Installations must be located in Maryland.

[1] <http://dnrweb.dnr.state.md.us/MERLIN/>

[2] <https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx>

Questions can be directed to:

Abigail Antonini, Energy Program Manager

abigail.antonini@maryland.gov

410-537-4063 (w)

410-371-6381 (c)