

sign a contract with Green Cities to perform the installations while customer contact and paperwork are handled through Green Cities.

5. During the Market Manager's review of applications submitted to the REIP Program by Green Cities, it identified instances of alleged misconduct by Green Cities of which the Market Manager became aware on or about December 10, 22, and 30, 2010.
6. On or about December 10, 2010, the Market Manager received a phone call from Mrs. Debbie Patterson, stating that she suspected that some documents in the NJCEP project file contained a false signature. She requested that the Market Manager send her a copy of her file for review. On January 4, 2011, Mrs. Patterson contacted the Market Manager and confirmed that she had not signed her name on certain documents provided by Green Cities.
7. On or about December 22, 2010, Mr. Brian Nastase, President of New Generation Electric, informed the Market Manager that he suspected that Green Cities was submitting documents without his permission or knowledge. New Generation Electric is an installer who works or worked with Green Cities. The Market Manager forwarded documents to Mr. Nastase for his review. Upon reviewing the documents, Mr. Nastase confirmed that he had not signed his name on certain documents submitted by Green Cities.
8. On or about December 30, 2010, Mr. Drew Costroff, President of C&F Green Construction, LLC, contacted the Market Manager. C&F Green Construction is or was an installer who worked with Green Cities. During that conversation the Market Manager informed Mr. Costroff that the renewable energy program received a signed interconnection agreement application for the Timber Creek Plaza project. Mr. Costroff informed the Market Manager that he declined to work on that project and that he did not sign any interconnection application agreement for that project.
9. On or about January 23, 2011 NJCEP issued a notice of proposed suspension to Green Cities. It informed Green Cities that it identified several incidents of alleged fraudulent signatures on the program paperwork submitted by Green Cities, as described, supra. NJCEP also informed Green Cities that the submittal of fraudulent signatures on the program paperwork is considered intentional misconduct and is subject to Level 4 sanctions under the Contractor Remediation Procedures, including a one-year suspension.
10. On or about March 15, 2011, the Market Manager and Green Cities met to discuss the alleged infraction. The Market Manager subsequently concluded that certain facts remained in dispute and referred the matter to the Board with a recommendation to impose a Level 4 sanction. The Market Manager advised Green Cities of its recommendation to the Board on or about May 18, 2011.
11. The Contractor Remediation Procedures describe a Level 4 infraction as intentional misconduct, including "[e]vidence of theft, larceny, fraud, drugs/alcohol abuse, forged-faked invoices, or other misconduct intended to be outside the program procedures." The penalty for such infraction is a one year suspension. In the Matter of Comprehensive Energy Efficiency and Renewable Energy Resource Analysis for the 2009-2012: Contractor Remediation Procedures, Docket No: EO07030203 (October 5, 2010).
12. Pending Board action on the Level 4 recommendation, the Office of Clean Energy directed the Market Manager to provide additional oversight of Green Cities. This included closely

monitoring general quality of Green Cities' work and performance and requiring Green Cities to provide certifications regarding the authenticity of signatures on its submissions. Such oversight was within the scope of Level 1 Contractor Remediation Procedures.

Therefore, the Board **HEREBY ORDERS** respondents to **SHOW CAUSE** before the Board, at a time and place to be designated:

Why a Final Order should not be issued, imposing a Level 4 Sanction and suspending Green Cities from participating in any NJCEP program for one year.

It is **FURTHER ORDERED** that the respondents are to file within 15 days of service of this Order to Show Cause (1) an answer to the Order to Show Cause in accordance with N.J.A.C. 1:1-6.1 and N.J.A.C. 14:1-6.2, and (2) exhibits which the respondent intends to rely upon in opposition to the relief sought in this Order to Show Cause, by serving the same upon the Secretary of the Board, Two Gateway Center, Newark, New Jersey 07102 and Deputy Attorney General Marisa Slaten, Department of Law and Public Safety, Division of Law, P.O. Box 45029, 124 Halsey Street, Newark, New Jersey 07101. Failure to file an answer may result in a Final Order being issued by the Board consistent with the relief sought herein.

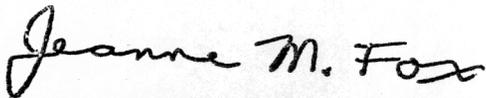
It is **FURTHER ORDERED** that any interested party may file a brief in this matter within 10 days after service of the answer, by serving the same upon the Secretary of the Board, Two Gateway Center, Newark, New Jersey 07102 and Deputy Attorney Marisa Slaten, Department of Law and Public Safety, Division of Law, P.O. Box 45029, 124 Halsey Street, Newark, New Jersey 07101.

It is **FURTHER ORDERED** that a copy of the answer shall be served the respective individuals whose signatures are alleged to be fraudulent.

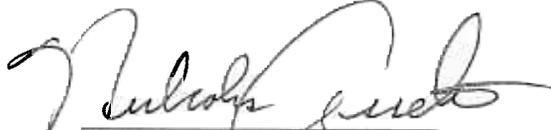
DATED: 7/14/11

BOARD OF PUBLIC UTILITIES
BY:


LEE A. SOLOMON
PRESIDENT

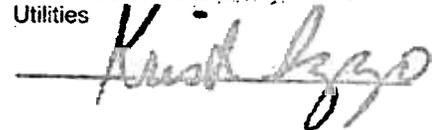

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities

ATTEST: 
KRISTI IZZO
SECRETARY



IN THE MATTER OF GREEN CITIES ENERGY, LLC – ORDER TO SHOW CAUSE NEW
JERSEY CLEAN ENERGY PROGRAM (NJCEP) RENEWABLE ENERGY INCENTIVE
PROGRAM (REIP)

DOCKET NO. ES11060377V

SERVICE LIST

Kristi Izzo, Secretary
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Joseph Polidoro
President
Green Cities Energy, LLC
717 South Columbus Blvd. - Suite 522
Philadelphia, PA 08051

Andrew Dembia
Div. Economic Development & Energy Policy
Board of Public Utilities
P.O. Box 350
Trenton, NJ 08625-0350

Joseph Genello
Operations Manager
Honeywell Utility Solutions
5 Stow Road – Suite E
Marlton, NJ 08053

Michael Winka
Office of Clean Energy
Board of Public Utilities
P.O. Box 350
Trenton, NJ 08625-0350

Eric G. Fikry, Esq.,
Blank and Rome, LLP
301 Carnegie Center – 3rd Floor
Princeton, NJ 08540

Rachel Boylan
Office of Clean Energy
Board of Public Utilities
2 Gateway Center
Newark, NJ 07102

Peter Bowers, Esq.
The Miller Building, Suite 201
441 North 5th Street
Philadelphia, PA 19123

Allison E. Mitchell
Office of Clean Energy
Board of Public Utilities
P.O. Box 350
Trenton, NJ 08625-0350

Michael Ambrosio
Applied Energy Group, Inc.
317 George Street – Suite 400
New Brunswick, NJ 08901

Benjamin Scott Hunter
Office of Clean Energy
Board of Public Utilities
P.O. Box 350
Trenton, NJ 08625-0350

Robert J. Pandola, Sr.
Senior Investigator
Office of Consumer Affairs
Shady Lane Complex
254 County House Road
Clarksboro, New Jersey 08020