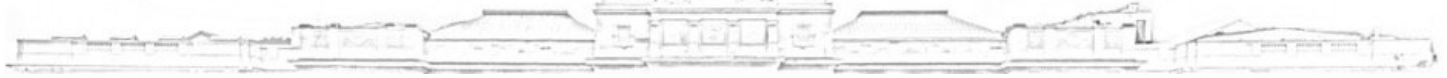




ADMINISTRATIVE RULES OF MONTANA



17.85.111 APPLICATION EVALUATION PROCEDURE

- (1) The department shall review each application for completeness and program eligibility. The department shall notify an applicant of a deficiency or ineligible project within 30 days after receiving an application and allow an applicant to correct a deficiency.
- (2) For each loan application that meets the eligibility criteria in ARM 17.85.105 and 17.85.106, the department shall evaluate the application independently of other applications and determine whether the application meets the following technical criteria:
 - (a) equipment must be proven reliable and be commercially available;
 - (b) equipment and installation must meet all applicable certifications and standards, such as local building codes and utility interconnection requirements; and
 - (c) systems must use an alternative energy source.
- (3) The department, or a third party designated by the department, shall evaluate whether an applicant whose application met the criteria in (2) meets the financial criteria in (4). If the evaluation is performed by a third party, that party shall advise the department whether to approve or deny credit.
- (4) The evaluation must be consistent with the standard practices of financial institutions and must consider for each loan requested:
 - (a) the type, size, risk, repayment period, and complexity;
 - (b) the financial capacity of the borrower to repay; and
 - (c) any other factor the department believes is necessary to meet the loss ratio required in Title 75, chapter 25, part 1, MCA.
- (5) When the loan fund reaches a point where there are applications for more money than is available, the department shall prioritize applications based on the following criteria, which are not necessarily listed in the order of priority:
 - (a) the amount of energy produced;
 - (b) the diversity of technology in the portfolio;
 - (c) the return on investment;

- (d) the use of a process, a system, or equipment generally available in Montana;
 - (e) the geographical diversity of the project portfolio;
 - (f) the diversity of borrowers in the project portfolio; and
 - (g) any other criterion the department deems appropriate at the time the action is taken.
- (6) The department shall post the ranking of the criteria listed in (5) on the loan program web site and refer to the web site on printed program materials when it becomes necessary to prioritize the award of available funds.
- (7) If the department approves an application pursuant to these rules, the department shall indicate its decision to issue a loan by authorizing loan documents.

Authorizing statute(s): 75-25-102, MCA

Implementing statute(s): 75-25-102, MCA

History: NEW, 2003 MAR p. 233, Eff. 2/14/03; AMD, 2006 MAR p. 3075, Eff. 12/22/06; AMD, 2013 MAR p. 670, Eff. 4/26/13.