

### **530-X-2-.12 Class A Permit Applicants – Specific Requirements**

- (1) Class A permit applicants must comply with all requirements of *Alabama Administrative Code 530-X-2-.10 Time Limits For Submitting LP-Gas Permit Applications*.
- (2) New Class A permit applicants not holding another Class A permit in Alabama shall not begin any business activities until their permit is approved by the board and advised in writing by the Administrator. Business activities include, but are not limited to, advertising, construction, sales, or deliveries.
- (3) Class A permit applicants must submit evidence of financial responsibility of at least SEVEN HUNDRED FIFTY THOUSAND (\$ 750,000) dollars through one of the following methods:
  - (a) Cash or cash equivalent
  - (b) Irrevocable letter of credit from a bona fide lending institution
  - (c) A financial report prepared by a Certified Public Accountant (CPA) in accordance with generally accepted accounting practices (GAAP) and verified in a letter from the accountant.
  - (d) Current published and certified annual report for publically traded companies.
- (4) New applicant(s) shall appear before the board at such time as their application is considered. Persons other than the person(s) whose signature appears on the application may be required to appear before the board in consideration of the application. All persons required to appear shall be expected to explain and support their application and experience in any manner which members of the board deem relevant to carry out their responsibility to protect the health and safety of the public. Application, attachments, and board hearings shall attempt to resolve the question of the applicant's qualifications to enter the retail LP-gas business. Factors to be considered are as follows:
  - (a) Applicant's experience and knowledge of the LP-gas industry.
  - (b) Applicant's knowledge, technical ability, and adherence to safety standards adopted by the board.
  - (c) Applicant's proposed facilities and equipment.
  - (d) Other factors the board may deem important and relevant in qualifying persons as LP-gas dealers.
- (5) Any person may testify at board hearings on pending applications. Persons desiring to testify should notify the board administrator in writing at least twenty-four (24) hours prior to the board meeting in which the application is to be heard.

If any part of this regulation is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Author: Leonard Pakruda, Mark Nelson

Statutory Authority: Code of Ala. 1975, §9-17-105.

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