



GUIDE ON THE APPLICATION FOR ELIGIBILITY REVIEW AS AN ENERGY SERVICE COMPANY

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1. PURPOSE

The purpose of this Guide is to provide details on the application process for any company to apply for—

- (i) an eligibility review by the Commission to be an Energy Service Company; and
- (ii) reassessment for the eligibility as the Energy Service Company.

2. INTERPRETATION

2.1 In this Guide, the following terms shall bear the following meanings:

“Act” means the Energy Efficiency and Conservation Act 2024 [*Act 861*];

“eligibility recognition” means a written recognition given by the Commission to a company recognising its eligibility as an Energy Service Company;

“Commission” has the meaning assigned to it under the Energy Commission Act 2001 [*Act 610*];

“Electrical Power And Energy Data Logger” means an instrument used to measure, record and log electrical parameters including voltage, current, power, energy consumption, power factor and demand over a time for the purpose of assessing electrical energy usage during an energy audit;

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“eligibility review”	means a review conducted by the Commission on the eligibility of a company to be an Energy Service Company;
“ESCO”	means a company which holds an eligibility recognition;
“Flow Data Logger”	means an instrument used to measure and record the flow rate of fluids or gases, such as water, steam, or air, over a period of time for the purpose of evaluating energy consumption and system performance during an energy audit;
“REA”	means the registered energy auditor under the Energy Efficiency and Conservation Act 2024 [Act 861]; and
“Thermal Energy Data Logger”	means an instrument used to measure and record thermal parameters such as temperature, heat energy, or thermal performance over time for the purpose of assessing thermal energy usage during an energy audit.

2.2 Subject to paragraph 2.1 and unless expressly indicated to the contrary or unless the context otherwise requires, terms adopted and used in this Guide shall bear the same meaning as they are defined in the Act.

3. ELIGIBILITY REVIEW

3.1 Any company may apply to the Commission for an eligibility review.

3.2 An ESCO may carry out the following scope of work which includes but not limited to:

(a) supply of energy efficient devices and equipment;

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- (b) consultancy services;
- (c) contract works;
- (d) energy audit;
- (e) design engineering;
- (f) project financing;
- (g) management of EPC contract;
- (h) commissioning and services;
- (i) operation and maintenance of equipment or energy efficiency installation;
and
- (j) inspection of energy efficiency improvement projects.

3.3 Requirements for the eligibility review application

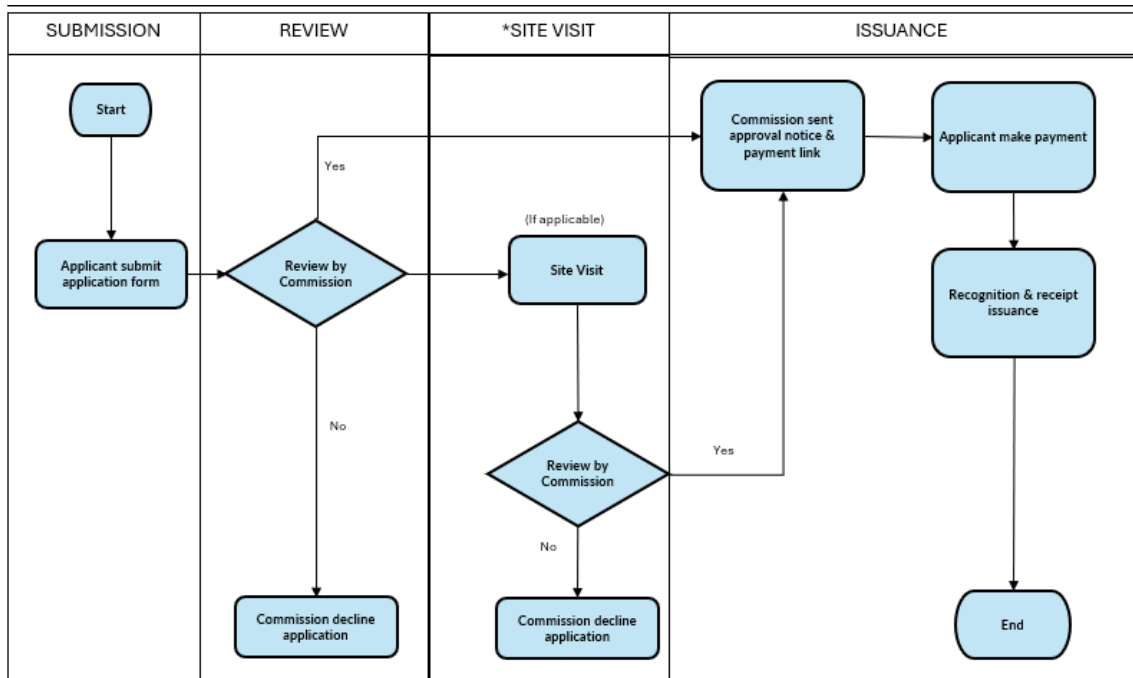
- (a) the applicant is a company, limited liability partnership, firm, society, or other body of persons incorporated or established under any written law;
- (b) the applicant owns or rents its registered office or principal place of business;
- (c) the applicant has the ability to own or rent any equipment used for the purpose of conducting energy audit, which includes, but not limited to the following:
 - (i) Electrical Power and Energy Data Logger;
 - (ii) Thermal Energy Data Logger; and
 - (iii) Flow Data Logger;
- (d) the applicant has at least one REA, who is permanently or contractually employed by the company and holds a valid certificate of registration and a practicing certificate as a REA to conduct energy audit;
- (e) the applicant has a minimal paid-up capital of at least RM30,000; and

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(f) the applicant has not been convicted of an offence involving fraud, dishonesty, or corruption under any written law.

3.4 Failure to fulfil any of the requirement as referred to in paragraph 3.3 may cause the Commission to refuse the application for the eligibility review.

3.5 The method to apply for the eligibility review is as follows:



*If applicable

Application Process for the eligibility review.

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PROCESS	DESCRIPTION
SUBMISSION	
Applicant submit application	<p>1. Applicant to submit to the Commission the following documents:</p> <p>(a) application form as per Appendix A; and</p> <p>(b) supporting document to Appendix A such as follows:</p> <p style="padding-left: 40px;">(i) documents in relation to its establishment referred to in paragraph 3.3 (a) ; and</p> <p style="padding-left: 40px;">(ii) any other document as may be required by the Commission.</p>
REVIEW	
Review by Commission	<p>2. Upon receiving the complete application, the Commission shall review the application.</p> <p>3. During review, the Commission may decide that the submission is complete or incomplete.</p> <p>4. If the submission is incomplete, the Commission may request the applicant to furnish additional documents within fourteen (14) days from the date of the notice. Failure to do so may result in the Commission declining the application without further notice and without affecting the right of the applicant to make a fresh application.</p>
SITE VISIT (if applicable)	
Site visit session	<p>5. The Commission may require a site visit to ascertain the eligibility of the company by giving a two weeks' notice to the applicant.</p> <p>6. The applicant is required to prepare the original supporting documents during the site visit session with the Commission.</p> <p>7. The site visit may consist of a physical interview with the Commission and site visit to the premises and equipment inspection as listed in the application form.</p>
Review by Commission	<p>8. The Commission may decide to refuse the application if the applicant does not fulfil the application requirements.</p>
ISSUANCE	
Commission sends the approval notice	<p>9. The Commission shall notify the applicant on the approval of the application.</p>

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PROCESS	DESCRIPTION
	<p>10. Upon receiving the notification, the applicant shall pay a sum of RM1,000 as the charges for the eligibility review application.</p> <p>11. The payment shall be made within fourteen (14) days from the date of the notice. Failure to do so may result in the application being rejected.</p> <p>12. There shall be no refund on any payment made by the applicant.</p>
Eligibility recognition	<p>13. Upon receiving the payment of charges, the Commission shall give an eligibility recognition of as per Appendix C.</p> <p>14. The eligibility recognition may be subjected to any term and condition as may be notified by the Commission from time to time.</p> <p>15. The eligibility recognition shall be valid within the period specified in such recognition.</p>

means a written recognition given by the Commission to a company recognising its eligibility as an Energy Service Company;

3.6 The responsibility of ESCO who holds the eligibility recognition are as follows:

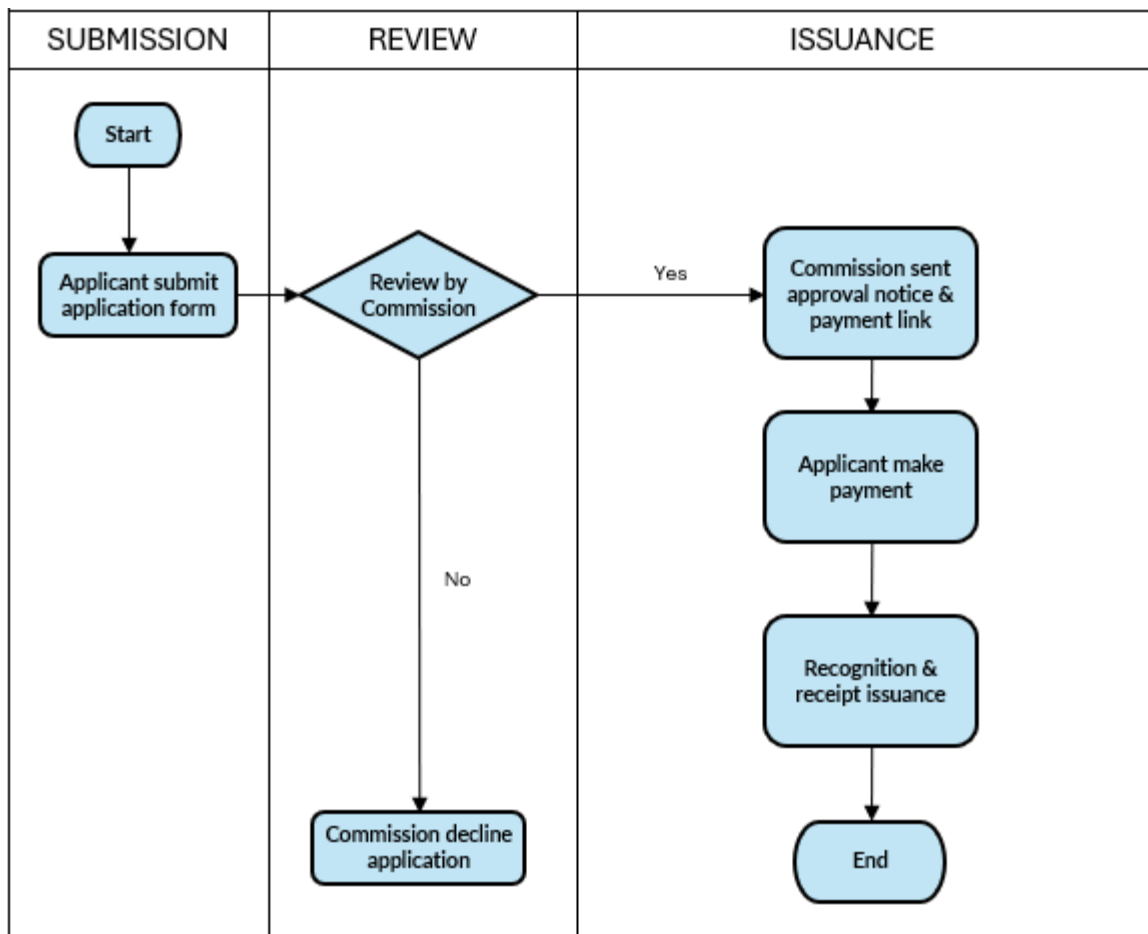
- (a) The ESCO shall ensure that the eligibility recognition has the same validity period with the practicing certificate of the employed REA, and the practicing certificate of such REA is valid for a minimum of six (6) months from the date of the ESCO's application;
- (b) The ESCO shall ensure that the employed REA holds a valid practicing certificate throughout the period of eligibility recognition; and
- (c) The ESCO shall notify the Commission immediately of any changes in the status of the employed REA, including the appointment of a new REA to ensure continuous compliance with the requirements of eligibility recognition.

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3.7 Failure to fulfil any of the requirement referred to in paragraph 3.6 may cause the Commission to refuse the application of reassessment of the eligibility as an ESCO.

4. REASSESSMENT OF THE ELIGIBILITY AS AN ESCO

The method to apply for the reassessment of eligibility as an ESCO is as follows:



Process of reassessment of eligibility as an ESCO

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PROCESS	DESCRIPTION
SUBMISSION	
Applicant Submit Application	<p>1. Applicant to submit to the Commission:</p> <p>(a) Application form as per Appendix B; and</p> <p>(b) supporting documents as may be required by the Commission.</p>
REVIEW	
Review by Commission	<p>2. Upon receiving the complete application, the Commission shall review the application.</p> <p>3. During review, the Commission may decide that the submission is complete or incomplete.</p> <p>4. If the submission is incomplete, the Commission may request the applicant to furnish additional supporting documents within fourteen (14) days from the date of the notice. Failure to do so may result in the Commission declining the application without further notice and without affecting the right of the applicant to make a fresh application.</p> <p>5. The Commission may decide to refuse the application if the applicant does not fulfil the application requirements.</p>
ISSUANCE	
Commission Sent Approval Notice	<p>6. The Commission shall notify the applicant on the approval of the application.</p> <p>7. Upon receiving the notification, the applicant shall pay a sum of RM 500.00 as the charges for the reassessment of the eligibility as an ESCO application.</p> <p>8. The payment shall be made within fourteen (14) days from the date of the notice. Failure to do so may result in the application being rejected.</p> <p>9. There shall be no refund on any payment made by the applicant.</p>
Eligibility Recognition	<p>7. Upon receiving the payment of the charges, the Commission shall update in the Register and give the eligibility recognition as per Appendix C.</p> <p>8. The eligibility recognition may contain updated terms and conditions to comply, if any.</p>

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PROCESS	DESCRIPTION
	9. The eligibility recognition shall be valid within the period specified in such recognition.

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5. APPENDIX

Appendix A – Application form for the eligibility review

Appendix B – Application form for reassessment of eligibility as an ESCO.

Appendix C – Eligibility recognition.

Appendix A – Application Form for the Eligibility Review

New application for the eligibility review can be submitted online to the Commission at <https://mystee.st.gov.my>.

Appendix B – Application Form for Reassessment of Eligibility as an ESCO

Application for reassessment of the eligibility as an ESCO can be submitted online to the Commission at <https://mystee.st.gov.my>.



PENGIKTIRAFAN KELAYAKAN SEBAGAI SYARIKAT PERKHIDMATAN TENAGA (ESCO)

INI ADALAH UNTUK MENGIKTIRAF BAHAWA

NAMA SYARIKAT :
NO. PENDAFTARAN SYARIKAT :
NO. KELULUSAN SEMAKAN :

Telah disemak dan didapati telah memenuhi kehendak dan keperluan untuk diiktiraf sebagai Syarikat Perkhidmatan Tenaga tertakluk kepada syarat-syarat yang telah dinyatakan di bawah:

- (a) Tarikh mula pengiktirafan :
- (b) Tarikh tamat pengiktirafan :
- (c) mempunyai sekurang-kurangnya seorang pemegang Perakuan Amalan sebagai Juruaudit Tenaga Berdaftar yang sah untuk menjalankan fungsi dan tugas sebagai Juruaudit Tenaga Berdaftar di bawah Akta Kecekapan dan Konservasi Tenaga 2024 [Akta 861].

Tarikh dikeluarkan:

Suruhanjaya Tenaga
Energy Commission



SURUHANJAYA TENAGA