



RAILROAD COMMISSION OF TEXAS

Alternative Energy Division

LP-Gas Operations

LPG FORM 1

APPLICATION FOR LPG LICENSE OR LICENSE RENEWAL

Please Type or Print

Applicant's Company Name: _____ (Exact Legal Name of Company)

(dba) _____ (dba) _____

(Doing Business As - please include a copy of the assumed name certificate required to be filed with the respective county clerk's office and/or the Secretary of State's office.)

OFFICIAL RAILROAD COMMISSION COMMUNICATIONS ARE TO BE MAILED TO:

(Name of Contact Person) (Area code and Telephone No.) (Area code and Fax No.)

(Mailing Address) (Physical Address)

(City) (County) (State) (Zip Code)

(Email Address) 24-hr Emergency Contact Phone Number
(Required for all licensees engaging in LP-gas product activities)

CHECK APPROPRIATE BOX

Applicant is: Sole Proprietor Partnership Corporation Limited Liability Company

NOTE: Limited partnerships, registered limited liability partnerships, corporations and limited liability companies must be registered with the Secretary of State.

Is the applicant registered with the Secretary of State and authorized to do business in Texas? YES NO

If the applicant is a corporation or limited liability company (LLC), please provide the following:

Texas Taxpayer ID: _____ Charter Number: _____

Subject to franchise tax? YES NO

Please list owner in sole proprietorship, partners for a partnership, or officers for a corporation or limited liability company:

Name _____ Title _____

Name _____ Title _____

(Attach additional sheets if necessary)

PLEASE CHECK THE APPROPRIATE BOX TO INDICATE THE TYPE OF LICENSE THAT YOU ARE APPLYING FOR OR RENEWING:

LPG: A B C D E F
G H I J K L
M N O P

Please provide the name of your company representative(s) below. A company representative must comply with all applicable requirements of Section 9.17 of the LP-Gas Safety Rules.

Name Social Security Number Telephone Number

Name Social Security Number Telephone Number

Name Social Security Number Telephone Number

NOTICE: Both pages of this form must be completed, and a signature must be included on the second page.

ANSWER EACH OF THE FOLLOWING QUESTIONS AS THEY PERTAIN TO YOUR COMPANY'S OPERATIONS
ATTACH THE APPROPRIATE FORMS, IF NEEDED

- YES NO Does your company have an outlet? If YES, submit LPG Form 1A.
- YES NO Does your company operate any bobtails, transports, or cylinder delivery units? If YES, submit LPG Form 7.
- YES NO Does your company operate any LPG bulk storage containers, cylinder filling plants or service station containers that were transferred from another licensee? If YES, submit LPG Form 19.
- YES NO Are you applying for a Category A license? If YES, submit copy of your current ASME certificate of authorization and/or DOT authorization.
- YES NO Are you applying for a Category B or O license? If YES, submit LPG Form 505.
- YES NO Has your company's ownership or type of business entity changed (e.g., sole proprietor, corporation, LLC, LP)?

CERTIFICATION: The undersigned person understands the requirements of all Railroad Commission of Texas rules, and of the Texas Natural Resources Code relating to the duties of a licensee, will comply with each provision, and will furnish any and all information requested by the Commission pursuant to its regulatory authority. The undersigned agrees that any change in ownership, or change in name, will be reported to the Commission by Registered Mail prior to the change in ownership, change in name, or prior to operating as a dealership under new ownership or under a changed name. I declare, under penalties prescribed in Sections 91.143 and 113.232 of the Texas Natural Resources Code that I am authorized to sign this form and bind the applicant for license; that this form was prepared by me, or under my supervision and direction; and that the statements made are true and correct, and complete to the best of my knowledge. By filing this application via facsimile transmission, the licensee stipulates and agrees that the filed facsimile copy may be treated as an original document for all purposes in any court or administrative proceeding.

If this application is submitted for a license renewal, the person signing this form is notifying the Commission that no changes have occurred with regard to ownership, type of business entity or insurance coverage.

NAME OF LICENSEE: _____

BY: _____ (Signature) _____ (Date)

Printed Name: _____ Title: _____

Return to:
Railroad Commission of Texas
Alternative Energy Division
LP-Gas Operations
P.O. Box 12967
Austin, Texas 78711-2967
(800) 64-CLEAR
Fax (512) 463-7292

Rev. July 2012

RAILROAD COMMISSION OF TEXAS

ALTERNATIVE ENERGY DIVISION

LP-Gas Operations

INSTRUCTIONS FOR COMPLETING LPG FORM 1

1. Applicant's Company Name: Please list the exact legal name of the company. Be sure to include any suffix initials such as "Inc.", "LLC", or "L.P." if applicable. Please note that all business organizations in Texas must be organized under the statutes of the [Texas Business Organizations Code](#) before the Commission may issue a license.

2. dba: "doing business as" (also referred to as assumed name filing). In addition to the legal name of the company, please list any additional names under which jurisdictional activities are or may be performed. All dba's must be registered as stated in item #4, and a copy of this registration must be submitted with the license application.

If the business entity is a sole proprietorship or a general partnership, an Assumed Name Certificate listing each assumed name must be on file with the county clerk in each county where a business premise will be maintained. If no business premise will be maintained, the Assumed Name Certificate must be filed in each county where business will be conducted.

If the business entity is a corporation, a limited partnership, or a limited liability company, an Assumed Name Certificate listing each assumed name must be filed with both the Texas Secretary of State and each county where the business will have an office.

Please keep in mind that Assumed Name Certificates are valid for a specific amount of time (usually 10 years) and must be renewed periodically. For additional information concerning the steps required to establish a business entity, please contact the [Governor's Office, Division of Economic Development and Tourism](#).

3. Name and Address of Contact Person: Please list the name, mailing address, physical address and telephone number of the principal person we can contact if we have any questions concerning your license or activities. All official communications from the Railroad Commission will be mailed to this person at this address. This person may or may not be a company representative listed elsewhere on Form 1. It is recommended that this person be a principal decision-maker within the company.

4. Type of Business Entity

Sole Proprietorship. License is non-transferable. If the sole proprietor leaves or dies, the license immediately expires and all jurisdictional activity must cease pursuant to section 9.22 of the *LP-Gas Safety Rules*. A sole proprietorship with an assumed name must be registered with the county.

Partnership. License is non-transferable. If a partner leaves or dies, the partnership is immediately dissolved. A new license is required to add or delete a partner. General partnerships are registered with the county. Limited partnerships and registered limited liability partnerships with assumed names are registered with both the Secretary of State and the county.

Limited Liability Company. License is non-transferable. LLC's are treated much like sole proprietorships, except that an assumed name is registered with the Secretary of State.

Corporations. License is transferable through sale of corporation, provided that the corporation remains active and registered with the Secretary of State. The two types of corporations are domestic and foreign. Domestic corporations are chartered by the Texas Secretary of State. Foreign corporations are chartered in states other than Texas or in other countries. The Secretary of State must register both types of corporations before a Railroad Commission LP-gas license may be issued.

5. Company Ownership

Sole Proprietorship: List name and address of owner.

Partnership: List name and address of all partners. Partners may be individuals or business entities such as corporations or other partnerships. If partnership is classified as a Limited Partnership, please identify all general partners and limited partners.

Limited Liability Company: List the name and address of the owners.

Corporations: List the names and addresses of all corporate officers.

6. Type of License: [LP-Gas Safety Rule §9.6](#) list the various categories of license and the activities that each allows. You may check one or more categories of license. However, your company representative or representatives must be management-level qualified for all categories of license checked. Additionally, multiple licenses require multiple license fees.

7. Company Representative: Each license category (except LP-Gas Category P and licensed plumbers and air conditioning and refrigeration contractors specified in [LP-Gas Safety Rule §9.13](#)) requires at least one employee who has passed the management-level examination for that category of license. It is recommended that more than one employee be qualified as a company representative. All jurisdictional activities must immediately cease if the company no longer employs a company representative and there is not another employee who has passed the applicable management-level examination.

8. "Does your company have an outlet?" The definition of an outlet in the *LP-Gas Safety Rules* is "a site operated by an LP-gas licensee from which any regulated LP-Gas activity is performed." An outlet includes such operations as a retail store, storage facility, cylinder filling station, or service and repair facility. Sites with multiple functions may be grouped into a single outlet. Each outlet must be assigned to a manager who has passed the management-level examination. This individual is to be listed on the LPG Form 1A, as applicable. Managers may be listed at more than one location, provided that each location also has a certified employee assigned to it as provided in [LP-Gas Safety Rule §9.17\(a\)\(3\)](#).
9. "Does your company operate any bobtails, transports, or cylinder delivery units?" The Railroad Commission requires the registration of LPG transportation units in Texas by the operating licensee. Units that have never been registered in Texas must have the USDOT Certificate of Compliance and copies of the most current applicable USDOT periodic inspections.
10. LPG bulk storage containers, cylinder filling plants or service stations. Any of these containers that were previously registered with the Railroad Commission may be transferred from the former owner to the new owner by completion of an [LPG Form 19](#). A container that has never been registered with the Railroad Commission or that has been out of service for any period of time must be recertified by a testing firm authorized to submit an [LPG Form 8](#).
11. Are you applying for a Category A LPG license? This question applies to container manufacturers and/or fabricators and requires that a copy of their American Society of Mechanical Engineers (ASME) or U.S. Department of Transportation (DOT) certificate of authorization be submitted with the license application.
12. Are you applying for a Category B or O LPG license? This question applies to a licensee who is registered with either the ASME or DOT to perform specific testing procedures on containers.
13. Is the license applicant a corporation or limited liability company? If yes, please provide the following: Texas taxpayer ID and Charter Number (if issued one). Check Subject To or Exempt.