

# Multi-Family Energy Savings Electric Incentive Application

**January 1, 2024 through December 31, 2024**

Final applications must be received within 30 days of installation or by December 31, 2024, whichever comes first.

## How To Apply

### 1 Check Project And Equipment Eligibility

- All installed equipment must meet or exceed specifications described in this application.

### 2 Confirm Eligibility Path

- If unsure about the eligibility path, please see page 2 or contact the program team by emailing **MFES@franklinenergy.com** or by calling **855-993-0940**.

### 3 Submit A Pre-Approval Application

- A pre-approval application submission is required for all projects.
- Your application must be approved and your property may need an assessment or pre- inspection by a program representative prior to starting your project.

### 4 Install Equipment Or Perform Project Work

- Upon approval of pre-approval application, the incentive funds will be reserved; however, you will have **45 days** to complete your project and submit the final application. Contact the program team if you think your project will require more than 45 days. To increase project scope, please submit an application for the additional scope. Projects must be completed by program-approved contractors. Projects cannot be installed by the customer. **The final application must be submitted within 30 days of project completion or by December 31, 2024, whichever is sooner.**

### 5 Submit A Final Application

- Submit a final application as soon as your project is completed and include the following:
  - A. Completed and signed program application.
  - B. Invoice to the program for itemized incentive amounts requested.

### 6 Receive Incentive Payment

- When the final application is approved, an incentive check will be mailed directly to the contractor or sent via ACH. Only designated contractors in good standing may receive incentive payments.

ComEd cannot issue certain incentives or rebates unless it is provided with evidence that the measures were installed by an installer certified with the Illinois Commerce Commission.

**Applications should be submitted to:**  
**Email: [MFES@franklinenergy.com](mailto:MFES@franklinenergy.com)**

**Questions?**  
**Call: 855-993-0940**  
**Email: [MFES@franklinenergy.com](mailto:MFES@franklinenergy.com)**

# Multi-Family Energy Savings Eligibility Overview

**January 1, 2024 through December 31, 2024**

To qualify for the Multi-Family Energy Savings program, the property must have three or more units and be located within ComEd service territory. Below is an overview of the remaining eligibility qualifications based on program path.

**If unsure about program path, please contact the program team by calling 855-993-0940 or by emailing [MFES@franklinenergy.com](mailto:MFES@franklinenergy.com).**

## **Income Eligible**

Eligibility is based on where your building is located (census tract) or if your tenants qualify within program income eligibility guidelines. For more information on eligibility guidelines, please contact a program representative or visit [www.comed.com/WaysToSave/ForYourHome/Pages/PropertyOwners.aspx](http://www.comed.com/WaysToSave/ForYourHome/Pages/PropertyOwners.aspx).

## **Public Housing**

Any building owned and/or managed by a Public Housing Authority in the associated utility service areas is eligible for service under the program. In addition to residential buildings with 3+ units, the following building types are also eligible:

- Common area buildings (e.g., daycare centers or administrative offices)
- Exterior spaces (e.g., parking lots)
- Single family homes, commonly known as "scattered sites" and duplexes (2-unit residential buildings)

## **Market Rate**

Buildings that are not eligible for the Income Eligible or Public Housing paths are considered Market Rate and would qualify for corresponding Market Rate incentives as detailed within this application.

# Multi-Family Energy Savings Electric Incentive Application

January 1, 2024 through December 31, 2024

DIRECTIONS: Please save a copy of this form to your computer by selecting "FILE/SAVE AS" before entering text and numbers. Then fill in your information electronically and select "SAVE." Note: This form requires Adobe Reader® version 11.0 to function properly. Download the most recent version of Adobe Reader® at <http://get.adobe.com/reader>. If assistance is needed, please contact the program team by calling **855-993-0940** or by emailing [MFES@franklinenergy.com](mailto:MFES@franklinenergy.com).

**A. Complete the PRE-APPROVAL APPLICATION CHECKLIST section below. All projects require a pre-approval application.**

<input type="checkbox"/> <b>Pre-Approval Application Checklist</b>	
<b>Pre-approval application date:</b>	<b>Estimated project completion date:</b>
<b>Estimated project cost:</b>	<b>Total incentive requested:</b>

**Attach the following documentation in order for your project's submittal to be considered for preapproval:**

- ☐ 1. Completed application checklist (page 3 of this application)
- ☐ 2. Completed applicant information (page 4 of this application)
- ☐ 3. Applicable electric measures worksheet(s) for incentives requested

**B. Complete the FINAL APPLICATION CHECKLIST section below to submit the final application for your project after work is fully completed on site.**

<input type="checkbox"/> <b>Final Application Checklist</b>	
<b>Final application date:</b>	<b>Actual project completion date:</b>
<b>Actual project cost:</b>	<b>Final incentive requested:</b>

**Attach the following (incomplete applications will not be processed):**

- ☐ 1. Completed **application checklist** (page 3 of this application)
- ☐ 2. Completed **applicant information** (page 4 of this application)
- ☐ 3. Dated and itemized **invoices** listing the type and quantity of installed equipment, including final invoices billed to the program
- ☐ 4. Applicable **measures worksheet(s)** depicting the type and quantity of installed equipment
- ☐ 5. Contractor **payment authorization** (page 4 of this application)

# Pre-Approval And Final Application Form

## Applicant Information

January 1, 2024 through December 31, 2024

### Customer Information

Company name:

Company contact name:

Title:

Telephone:

Email:

Mailing address:

City:

State:

Zip code:

Address where measures installed (if different from above):

City:

State:

Zip code:

Number of buildings:

Number of floors:

Total units:

Total indoor sq ft:

ComEd account number:

Name as it appears on your electric bill:

Natural gas account holder's first name:

Natural gas account holder's last name:

Natural gas account number:

Natural gas account holder's email:

Natural gas account holder's telephone:

Natural gas utility:

Please check the box that corresponds to the program path (see page 2 for additional guidance):

☐ Income Eligible ☐ Public Housing ☐ Market Rate

### Contractor Information And Incentive Check Payee

All rebates will be made payable to the contractor in order to lower upfront costs for the customer. The invoice must show that the rebate was deducted from the total project cost and not charged to the customer.

Contracting company:

Contractor contact name:

Title:

Telephone:

Email:

Address:

City:

State:

Zip code:

# Electric Measures And Specifications

January 1, 2024 through December 31, 2024

Customer Signature (Required)

I certify that the information provided in this application is true and correct. I have read and understand the program requirements and terms and conditions set forth in this application and agree to abide by these requirements. I verify by my signature hereto that I have authority to submit this application.

ComEd customer authorized signature:	Print name:	Date:
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Title and/or relationship to company:

I am also authorizing the payment of the incentive to the contractor named above, and I understand that I will not be receiving the incentive payment from ComEd upon completion of the work. This project was paid for by the utility account owner and the contractor has deducted the rebate amount from the project cost as indicated on the invoice.

ComEd customer authorized signature:	Print name:	Date:
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Title and/or relationship to company:

Please note: this document will require re-saving each time a digital signature is used.

Room Air Conditioner

Specifications: Room air conditioner must meet Consortium for Energy Efficiency (<https://cee1.org/>) requirements. In cases where existing equipment has been installed in the proper location (a window AC installed in a window or a through-the-wall AC installed in a through-the-wall sleeve), the new equipment must replace less efficient model and must not exceed the energy usage of the existing unit. In cases where existing equipment has not been installed in the proper location, new equipment must be installed in the proper location and the baseline will be considered a time of sale unit. Existing equipment must be removed from site and disposed of according to local ordinances. Existing room air conditioners must be at least 10 years or older to qualify for this measure.

Cooling Capacity	CEE Tier 1 w/ Louvers	CEE Tier 1 w/o Louvers	CEE Advanced Tier
≤8 MBH	12.1	11.0	12.7
>8 and ≤11 MBH	12.0	10.6	12.5
>11 and ≤14 MBH	12.0	10.5	12.5
>14 and ≤20 MBH	11.8	10.2	12.3
>20 and ≤28 MBH	10.3	10.3	10.8
>28 MBH	9.9	10.3	10.4

Measure	Units	IE/PH Incentive	MR Incentive	Qty Installed	Total Incentive
CEE Tier 1	Per MBH input	\$80.00	N/A		
CEE Advanced Tier	Per MBH input	\$105.00	N/A		

Page 5 Subtotal Incentive	\$
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# Electric Measures And Specifications

## Packaged Terminal Air Conditioners

Specifications: Applicable to existing through-the-wall or built-in self-contained PTAC units that are two tons (24,000 BTU/hr) or less. All EER values must be rated at 95°F outdoor dry-bulb temperature. Only applicable for replacement of PTAC units that provide cooling only. Replacement of PTAC units with electric resistance heating is only incentivized under PTHP replacement program. See heat pump application for PTHP incentives.

- Measure must have EER  $\geq 10.9 - (0.213 \times \text{capacity})$  or EER2  $\geq 10.4 - (0.2 \times \text{capacity})$ , with capacity using units of MBH
  - Units with cooling capacity below 7 MBH: use 7 MBH in the calculation
  - Units with cooling capacity above 15 MBH : use 15 MBH in the calculation
- The equipment must be AHRI certified, validating that the system meets the minimum efficiency requirements above. The AHRI certified reference number must be entered in the incentive application.

Measure	AHRI Reference	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
PTAC		Per MBH	\$68.00	N/A		

## Central Air Conditioner

Specifications: New equipment must replace an existing central air conditioning system.

- This incentive applies to ducted split systems with a cooling capacity that is  $\leq 65,000$  BTU/hr.
- The evaporator coil and outdoor condenser combination, in addition to the furnace, must be AHRI certified, validating that the system meets the minimum SEER requirements. The AHRI certified reference number must be entered in the incentive application.
- CEE Tier 2:  $\geq 16$  SEER or  $\geq 15.2$  SEER2
- CEE Tier 3:  $\geq 18$  SEER or  $\geq 17.1$  SEER2
- Must be controlled by a programmable or smart thermostat with setpoints following ENERGY STAR guidelines.
- Rooftop and packaged units do not qualify for the incentive.
- Existing equipment must be removed from site and disposed of in accordance with local laws. Refrigerant must be removed from the system in accordance with law.

Measure	AHRI Reference #	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
CEE Tier 2		Per ton	\$300.00	N/A		
CEE Tier 3		Per ton	\$400.00	N/A		

## Electronically Commutated Motors

Specifications: Electronically commutated motors (ECMs) must be used to drive a furnace or air handling unit fan. Motor must have a peak efficiency of at least 80%. Motor must be rated at the same horsepower as the existing fan motor. This measure only applies to existing equipment and not newly installed equipment.

Measure	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
Furnace or air handling unit with cooling capacity of $\leq 2$ tons and heating capacity $< 70$ kBtuh	Each	\$150.00	N/A		
Furnace or air handling unit with cooling capacity of $> 2$ tons or heating capacity $\geq 70$ kBtuh	Each	\$200.00	N/A		

Page 6 Subtotal Incentive

\$

# Electric Measures And Specifications

## Advanced Rooftop Controls

Specifications: Advanced control systems must be installed on existing packaged rooftop units serving constant volume HVAC systems. Existing rooftop units must be air-cooled and use direct expansion (DX) cooling. This measure is only applicable for air handling units that use electric cooling, natural gas heating, or electric resistance heating elements (it is not applicable for heat pumps).

The following are not eligible:

- Advanced control systems installed on new packaged rooftop units.
- Advanced control systems installed on existing variable-air-volume (VAV) distribution systems.
- Advanced controls installed on split DX cooling systems (the condenser and compressor are packaged separately from the evaporator).

This measure cannot be applied for in conjunction with economizer repair measures. The advanced control system must implement demand control ventilation and variable fan speed strategy. The demand-controlled ventilation modulates the outside air damper based on CO<sub>2</sub> concentration in the conditioned space. The advanced control system must run the supply fan continuously during the occupied period. This measure only applies to rooftop units with three-phase supply fan motors. The rooftop unit must be less than 12 years old, operating properly, and well maintained. The economizer and demand control ventilation functions must be controlled by the advanced controllers using sensors provided with the advanced controller package. Existing economizer controls or sensors may not be reused.

Measure	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
Advanced Rooftop Controls	Tons Controlled	\$300.00	N/A		

## Variable Frequency Drive

Specifications:

1. The VSD must be installed with automatic control technology.
2. Installation of the VSD must accompany the permanent removal or disabling of existing flow control devices.
3. VSD must be installed on a piece of equipment with varying load.
4. The following applications are not eligible:
  - Replacement of existing VSD.
  - VSD installed on equipment which operates less than 1,200 hours per year.
  - VSD installed on redundant/backup motors.
  - VSD installed in place of multi-speed flow control equipment (e.g., two-speed cooling tower fans).
  - VSD installed for the purpose of "soft-starting" motors.
  - VSD installed on pumps where affinity laws are not in effect, such as sump pumps.
5. The following VSD applications are not eligible for this incentive but may be eligible for custom incentive:
  - VSD installed in place of variable pitch blade flow control equipment.
  - VSD installed for the purpose of reducing motor speed to a single set point and not modulate.
6. VSD installation in a data center is not eligible for this incentive but may be eligible for a custom incentive.
7. If new construction, VSD's required by code are not eligible.

Measure	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
VFD on Cooling Tower Fan	Per HP	\$500.00	N/A		
VFD on CW Pump	Per HP	\$300.00	N/A		
VFD on HW Pump	Per HP	\$300.00	N/A		

Page 7 Subtotal Incentive

\$

# Electric Measures And Specifications

## Common Area Thermostats

Equipment Type and Definition: Replacement of a non-programmable thermostat in a common area with a programmable or smart thermostat, or, replacement of a programmable thermostat in a common area with a smart thermostat.

Specifications:

1. This incentive does not apply to thermostats replaced in conjunction with other HVAC measures. For non-programmable thermostats installed as part of an HVAC (e.g., furnace replacement) project, please fill out the incentive entry on the same application as the HVAC measure.
2. Thermostats cannot be installed on a three-wired hot water boiler or any steam boilers.
3. If existing thermostat contains mercury, it MUST be removed from the property. If the customer refuses the removal of the existing mercury containing thermostat from the unit, they must be informed that a new programmable thermostat cannot be installed.
4. Contractors that remove mercury containing thermostats are required by law to recycle the mercury that is contained within the thermostat ampule.
5. Space served by equipment must have at least 1,500 unoccupied hours per year.
6. Thermostat model must be approved before installation.
7. Thermostat must be capable of individual daily programming (7 day) or weekday-weekend (5-2) programming.
8. Replaced products must be permanently removed and disposed of in accordance with local codes and ordinances.
9. Thermostat must be programmed to match building activity.
10. Thermostat must be programmed with a setback temperature of at least 8°F in both heating and cooling mode.
11. Fan must be programmed to cycle on/off during unoccupied periods.
12. Thermostats must be installed in locked thermostat guard.

Please check the box below that corresponds to the current thermostat: ☐ Programmable ☐ Non-programmable

Measure	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
CA Programmable Thermostat	Each	\$100.00	\$50.00		
CA Smart Thermostat	Each	\$200.00	\$75.00		

## In Unit Thermostats

Specifications: Replacement of a non-programmable thermostat in unit with a programmable or smart thermostat, or, replacement of a programmable thermostat in unit with a smart thermostat. Must replace functioning programmable or non-programmable thermostat where a programmable thermostat is not required by code and installed in a conditioned space above 65°F. Programmable thermostats installed at the time of space heating/cooling equipment replacement do not qualify.

Must incorporate a 5°F setback during unoccupied periods. Programmable thermostats must be capable of 7 different daily schedules and retaining programming and time setting during a loss of power for at least 10 hours. Additionally, programmable thermostat controls shall have a manual override that allows temporary operation of the system for up to 2 hours; a manually operated timer capable of being adjusted up to 2 hours, or an occupancy sensor. Smart thermostats are not required to have manual override and power loss capabilities. Smart thermostats must be ENERGY STAR certified. Smart thermostats must have the capability to automatically establish a schedule of temperature set points according to driving device inputs above and beyond basic time and temperature data of conventional programmable thermostats.

Please check the box below that corresponds to the current thermostat: ☐ Programmable ☐ Non-programmable

Measure	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
IU Programmable Thermostat	Each	\$100.00	\$50.00		
IU Smart Thermostat	Each	\$200.00	\$75.00		

Page 8 Subtotal Incentive

\$



# Electric Measures And Specifications

## Residential Unit Line Voltage Programmable Thermostat

Must replace a wall-mounted non-programmable temperature control with a programmable thermostat following ENERGY STAR guidelines. All thermostats in the unit must be replaced to qualify. Existing thermostat amperage rating must be verified for each unit before installation of new equipment. New equipment amperage rating must meet the installation requirements. Existing equipment must be removed from site and disposed of according to local ordinances.

Measure	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
IU Programmable Thermostat - Line Voltage	Living unit	\$150.00	\$100.00		
CA Programmable Thermostat - Line Voltage	Each	\$150.00	\$100.00		

## Common Area - Vending Machine Controls

Equipment Type and Definition: Installation of vending miser controls on a new or existing vending machine unit. Specifications:

1. Qualifying controls must power down these systems during periods of inactivity but, in the case of refrigerated machines, must always maintain a cool product that meets customer expectations.
2. This measure cannot be applied to ENERGY STAR qualified vending machines.
3. Vending machine cannot have its own control system capable of powering down lighting and refrigeration systems during periods of inactivity.
4. Vending machine must be owned by building.

Measure	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
Vending Miser VM170	Each	\$195.00	\$150.00		
Snack Miser SM170	Each	\$195.00	\$150.00		

## Refrigerator

Specifications: Must meet or exceed ENERGY STAR criteria of total refrigerated volume between 7.75 and 39 cubic feet. Replacement refrigerator must be an equivalent size of existing unit. Refrigerators to be replaced must have been manufactured in 2014 or earlier. Existing equipment must be removed from site and disposed of according to local ordinances. Replaced units must be permanently removed and may not be sold or donated. Customers are encouraged to research product warranty information as part of the selection process. The warranty is provided by the manufacturer and not the program, and the program is not responsible if the fridge fails.

Measure	Units	IE/PH Incentive	MR Incentive	QTY Installed	Total Incentive
ENERGY STAR Certified Refrigerator	Each	\$400.00	N/A		

Page 9 Subtotal Incentive

\$

# Electric Measures And Specifications

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Total Incentive	\$

# Terms And Conditions

**January 1, 2024 through December 31, 2024**

## PROGRAM EFFECTIVE DATES

ComEd Energy Efficiency Program incentives are offered until approved funds are exhausted or December 31 of each program year, whichever comes first. The effective dates of this program year are January 1, 2024 through December 31, 2024.

## PROGRAM AND PROJECT ELIGIBILITY

The program offers cash incentives, technical services and whole-building solutions to help multi-family customers use energy more efficiently. Program incentives are available to multi-family customers with 3 units or more or buildings owned or managed by Public Housing Authorities within the ComEd service territory who pay into the Energy Efficiency and Demand Response Adjustment (Rider EDA) and receive their electricity over ComEd wires, regardless of retail electric supplier. Program incentives are paid directly to the program contractor. Funds are limited and subject to availability. Your eligibility for this offer is subject to approval by our designated program administrator.

Project requirements under the program include the following:

- ✓ Projects must involve new equipment installed at an existing facility that results in a permanent reduction in electrical energy usage (kWh).
- ✓ Equipment must be installed and operational.
- ✓ Replaced equipment must be permanently removed. All removed materials, including lamps and ballasts containing polychlorinated biphenyls (PCBs), must be permanently taken out of service and disposed of in accordance with local codes and ordinances. Resale of replaced equipment is expressly forbidden.
- ✓ Any measures installed at a facility must be sustainable and provide 100 percent of the energy benefits as stated in the application for a period of five years or for the life of the product, whichever is less. If the customer ceases to be a delivery service customer of ComEd or removes the equipment or system at any time during the five-year period or the life of the product, without having replaced the equipment or system with an equally or more energy efficient equipment or system during that time, the customer may be required to return a prorated amount of incentive funds to ComEd.

Only measures listed on pages 5-9 qualify for incentives under this program.

## INCENTIVE PAYMENT LIMITS

Measure level incentives cannot exceed the installed cost of the measure. Incentive payments are paid out based on quantity of measures installed. Program contractor may not receive additional payment from customer for measures that are fully incentivized by the program.

## PROPERTY OWNER AUTHORIZATION AGREEMENT

1. Property owner, on behalf of itself and its heirs, executors, successors, or assignees, shall not increase Tenant's monthly rent solely as the result of the improvements completed on the building as agreed to in the Installation Agreement for a period of 12 months from the date of the completion of final inspection. HUD/Section 8 annual rental restructuring increases are exempt and may still be applied as a rental increase;
2. If property owner sells, assigns, or conveys any interest of the building within 12 months from the date of final inspection of the installation of measures, property owner shall require the new owner interest holder to comply with the obligations outlined in this Authorization and Agreement.
3. If property owner is in breach of the Authorization and Agreement, property owner shall reimburse the cost of the energy efficiency improvements completed at the property address to the Offering.

## APPLICATION REVIEW PROCESS

A pre-approval application is required for all projects. Funds are reserved for the project when ComEd receives a complete pre-approval application and the program completes an energy assessment of the building and determines that the project meets the program eligibility requirements. Approval of a pre-approval application is not a guarantee that the final application will be approved, nor is it a guarantee of an incentive payment.

ComEd will review final applications for eligibility and completeness. The final application must be submitted within 30 days of project completion or by December 31 of the program year, whichever comes first. The following project documentation is required:

1. Completed and signed program application
2. Invoice to the program for itemized incentive amounts requested

ComEd reserves the right to request additional supporting documentation as deemed necessary to ensure measure eligibility and verify that the expected energy savings will occur. All customer information will be held in confidence. Requested information could include equipment purchase dates, installation dates, proof that the equipment is operational, manufacturer specifications, and warranty information.

Any program contractor who submits an incomplete application will be notified of deficiencies upon review of the application; the application will not be processed until all information is received. Contractors are encouraged to call the program hotline at 855-993-0940 if they have any questions about documentation requirements.

# Terms And Conditions

January 1, 2024 through December 31, 2024

## PROGRAM DISCRETION

Rebates are available on a first-come, first-served basis. Rebate amounts and offerings are subject to change or termination without notice at the discretion of ComEd.

## INSPECTIONS

ComEd reserves the right to inspect all contractor installation projects to verify compliance with program rules and the accuracy of project documentation. This may include pre-installation and/or post-installation inspections, detailed lighting layout descriptions, metering, data collection, interviews and utility bill data analyses. Upon reasonable notice by ComEd, the customer must allow access to project documents and the facility where the measures were installed for a period of five years after receipt of an incentive payment by ComEd.

## TAX LIABILITY

Incentives may be subject to federal and/or state income tax reporting. ComEd is not responsible for providing legal or accounting advice regarding any taxes that may be imposed on your business as a result of your receipt of a contractor partner installation incentive. Customer should consult with its tax accountant or advisor regarding potential tax liability.

## DISPUTES/GOVERNING LAW

This application shall be exclusively governed by and interpreted in accordance with the laws of the State of Illinois. Any litigation between the parties shall be prosecuted only in the state or federal courts located in Cook County, Illinois.

## TOXIC MATERIALS

Neither ComEd, nor its consultants, contractors and/or subcontractors, shall have any responsibility for the discovery, presence, handling, removal, disposal of, or exposure to hazardous materials of any kind in connection with customer's facility, including without limitation, asbestos, asbestos products, PCBs or any other toxic substances.

## LOGO USE

Customers or contractors may not use the ComEd company and program names or logos in any marketing, advertising or promotional material without written permission.

## LIMITATIONS OF LIABILITY

The customer shall independently evaluate any advice or information offered by ComEd related to estimates of electricity savings or program costs and is solely responsible for the selection and implementation of Energy Conservation Measures (ECMs).

IN NO EVENT WILL ComEd, ITS CONSULTANTS, CONTRACTORS AND/OR SUBCONTRACTORS, BE LIABLE FOR THE CUSTOMER'S FAILURE TO ACHIEVE A SPECIFIED AMOUNT OF ENERGY SAVINGS, THE OPERATION OF CUSTOMER'S

FACILITIES, OR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES OF ANY KIND IN CONNECTION WITH THIS AGREEMENT OR THE IMPLEMENTATION OF ENERGY CONSERVATION MEASURES AT CUSTOMER'S FACILITIES. IN NO EVENT WILL ComEd BE LIABLE TO YOU FOR ANY LOST PROFITS, LOST SAVINGS OR INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES, ARISING OUT OF YOUR PARTICIPATION IN THIS PROGRAM.

Each party hereby agrees to defend, indemnify and hold harmless the other party, its consultants, contractors and subcontractors, and their respective officers, employees, agents, assigns, and successors-in-interest ("Indemnified Parties") from and against any third-party claims, damages, losses, liability, costs (including attorney's fees and expenses) for bodily injury to any person (including death resulting therefrom) and property damage arising out of or in connection with the program, except to the extent such claims, damages, losses, liability and costs are caused by the other party.

## DISCLAIMER

ComEd, in its sole discretion, may change any of the terms and/or conditions of this program upon 30 days written notice to customer and/or contractor.

ComEd does not guarantee that certain energy savings will be achieved and does not make any warranties associated with the measures eligible for incentives under this program.

ComEd has no obligations regarding, and does not endorse or guarantee any claims, promises, representations, or work made or performed, or equipment furnished or installed by any contractors, subcontractors, or vendors that sell or install energy efficiency measures.

The customer shall be entitled to the energy cost savings realized by the customer that result from the installation of Energy Conservation Measures at the customer's site. In consideration of the services provided by ComEd as part of this program, the customer agrees that ComEd is entitled to 100 percent of the rights and benefits associated with the measures, including without limitation PJM products and all other attributes, credits or products associated therewith under any regional initiative or federal, state or local law, program or regulation, and customer waives, and agrees not to seek, any right to the same.

## VERIFICATION

Any Customer receiving a rebate may be contacted by an evaluator to verify service/equipment installation through an onsite inspection, or Customer may be asked to complete a survey about their experience with the rebate program.