

Multi-Family Energy Savings Heat Pump 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.
- Incentives may be available for properties with natural gas or other fossil fuel baseline equipment. Reach out to the program using the contact information below for more information.

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.
- Please also submit the following: customer signature, specification sheets and/or AHRI certificate for proposed equipment, and the completed application.

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 within 30 days of project completion or by December 31, 2024, whichever is sooner, and include the following:
 - A. Completed and signed program application
 - B. Invoice to the MFES program for itemized incentive amounts requested.
 - C. Any receipts for the purchase of heat pump equipment. Heat pumps purchased through other ComEd Energy Efficiency programs are ineligible for this offering.
 - D. Serial numbers for all installed internal and external heat pumps
 - E. Customer final signature

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

Questions?

Call: 855-993-0940

Email: 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.

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.

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 Heat Pump 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.

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

<input type="checkbox"/> Pre-Approval Application Checklist	
Pre-approval application date:	Estimated project completion date:
Estimated project cost:	Total incentive requested:
Please also include: customer signature, specification sheets and/or AHRI certificate for proposed equipment, and complete application.	

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

- ☐ 1. Submit the following: customer signature, specification sheets and/or AHRI certificate for proposed equipment, and the completed 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"/> Final Application Checklist	
Final application date:	Actual project completion date:
Actual project cost:	Final incentive requested:
Please also include: completed and signed program application, invoice to the program for itemized incentive amounts requested, and any receipts for the purchase of heat pumps (heat pumps purchased through other ComEd Energy Efficiency programs are ineligible for this offering).	

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. **Serial numbers** for both internal and external units.
- ☐ 6. 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

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:

Customer Signature

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:

Heat Pump Measures And Specifications

In Unit Air Source Heat Pump

Specifications:

- Air source heat pump rated at or below 65,000 BTU per hour.
- New equipment installed must be more efficient than existing equipment.
- The condenser and evaporator coil combination must be AHRI certified validating that the system meets the minimum HSPF requirements.
- An AHRI certificate is required for all heat pumps. **The AHRI certified reference number must be entered in the incentive application in the field below.** If the AHRI certificate shows that the system has an HSPF less than the minimum efficiency requirements, the system is not eligible for the incentive.
- Existing equipment must be removed from site and disposed of in accordance with local laws. In cases where new equipment does not include backup heating the existing equipment must remain for backup heating purposes. Refrigerant must be removed from the system in accordance with law.
- New equipment must meet or exceed Consortium for Energy Efficiency (CEE) requirements including:
 - A. CEE Tier 1, Split: ≥ 8.5 HSPF and ≥ 15 SEER or ≥ 7.7 HSPF2 and ≥ 14.3 SEER2
 - B. CEE Tier 1, Packaged ≥ 8.2 HSPF and ≥ 15 SEER or ≥ 7.5 HSPF2 and ≥ 14.3 SEER2
 - C. CEE Tier 2, Split: ≥ 9.0 HSPF and ≥ 16 SEER or ≥ 8.2 HSPF2 and ≥ 15.2 SEER2
 - D. CEE Tier 2, Packaged: ≥ 8.2 HSPF and ≥ 16 SEER or ≥ 7.5 HSPF2 and ≥ 15.2 SEER2
 - E. CEE Tier 3, Split: ≥ 10.0 HSPF and ≥ 18 SEER or ≥ 9.1 HSPF2 and ≥ 17.1 SEER2
- Must have a COP of ≥ 1.75 at 5°F outside air temperature

Measure	AHRI Reference #	Units	IE/PH ¹ Incentive	Qty Installed	Total Incentive
CEE Tier 3		Per Heat Pump	\$975.00		
CEE Tier 2		Per Heat Pump	\$500.00		
CEE Tier 1		Per Heat Pump	\$300.00		
CEE Tier 3, Electric Resistance Baseline		Per Heat Pump	\$6,400.00		
CEE Tier 2, Electric Resistance Baseline		Per Heat Pump	\$6,150.00		
CEE Tier 1, Electric Resistance Baseline		Per Heat Pump	\$5,900.00		

¹ IE = Income Eligible ¹ PH = Public Housing

Page 6 Subtotal Incentive

\$

Heat Pump Measures And Specifications

In Unit Ductless Heat Pump

Specifications:

- Ductless heat pumps can be used to replace the following equipment: furnaces with electric resistance heating elements, ducted air-source heat pumps, packaged terminal heat pump, central AC equipment, electric resistance baseboards, and existing ductless heat pumps.
- The ductless mini-split heat pump requires an AHRI certification of the condenser and evaporator coil. If the AHRI certificate shows that the system has an HSPF or SEER value less than the minimum requirement, the system is not eligible for the incentive.
- CEE Tier 1: ≥ 8.5 HSPF and ≥ 15 SEER or ≥ 7.7 HSPF2 and ≥ 14.3 SEER2
- CEE Tier 2: ≥ 9.0 HSPF and ≥ 16 SEER or ≥ 8.2 HSPF2 and ≥ 15.2 SEER2
- Must have a COP of ≥ 1.75 at 5°F outside air temperature.
- Existing equipment must be removed from site and disposed of in accordance with local laws. In cases where new equipment does not include backup heating the existing equipment must remain for backup heating purposes. Refrigerant must be removed from the system in accordance with law.

Measure	AHRI Reference #	Units	IE/PH Incentive	Qty Installed	Total Incentive
CEE Tier 1		Per Heat Pump	\$400.00		
CEE Tier 2		Per Heat Pump	\$450.00		
CEE Tier 1, Electric Resistance Baseline		Per Heat Pump	\$5,500.00		
CEE Tier 2, Electric Resistance Baseline		Per Heat Pump	\$6,300.00		

In Unit Packaged Terminal Heat Pump/Packaged Terminal Air Conditioner

Specifications: Applicable to existing through-the-wall or built-in self-contained PTHP/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.

Packaged Terminal Heat Pump	Packaged Terminal Air Conditioner
<ul style="list-style-type: none"> • Measure must have EER ≥ 10.9 - (0.213 X capacity) or EER2 ≥ 10.3 - (0.2 X capacity), with capacity using units of MBH 	<ul style="list-style-type: none"> • Measure must have EER ≥ 10.8 - (0.213 X capacity) or EER2 ≥ 10.3 - (0.2 X capacity) with capacity using units of MBH • Measure must have COP ≥ 3.0 - (0.026 x capacity), with the capacity using units of MBH

- Units with cooling capacity below 7 MBH: use 7 MBH in the calculations above
- Units with cooling capacity above 15 MBH: use 15 MBH in the calculations above
- Existing equipment must be removed from site and disposed of in accordance with local laws. In cases where new equipment does not include backup heating the existing equipment must remain for backup heating purposes. Refrigerant must be removed from the system in accordance with law.

Measure	AHRI Reference #	Units	IE/PH Incentive	Qty Installed	Total Incentive
Heat Pump Baseline		Per MBH Cooling Capacity	\$90.00		
Electric Resistance Baseline		Per MBH Cooling Capacity	\$150.00		

Page 7 Subtotal Incentive

\$

Heat Pump Measures And Specifications

In Unit Heat Pump Water Heater

Specifications:

- Heat pump water heater rated at or below 12 kW.
- Heat pump water heaters can be used to replace the following equipment: water heaters with electric resistance heating elements.
- Existing equipment must be removed from site and disposed of in accordance with local laws.
- New equipment must have a UEF of 2.75 or greater.
- New equipment must be ENERGY STAR® certified.

Measure	AHRI Reference #	Units	IE/PH Incentive	Qty Installed	UEF	Total Incentive
In Unit Heat Pump Water Heater		Per Water Heater	\$3,000.00			

Common Area Air Source Heat Pump

Specifications:

- Air source heat pump rated above 65,000 BTU per hour.
- New equipment installed must be more efficient than existing equipment.
- The condenser and evaporator coil combination must be AHRI certified validating that the system meets the minimum HSPF requirements.
- An AHRI certificate is required for all heat pumps. **The AHRI certified reference number must be entered in the incentive application in the field below.** If the AHRI certificate shows that the system has an HSPF less than the minimum efficiency requirements, the system is not eligible for the incentive.
- Existing equipment must be removed from site and disposed of in accordance with local laws. In cases where new equipment does not include backup heating the existing equipment must remain for backup heating purposes. Refrigerant must be removed from the system in accordance with law.
- New equipment must meet or exceed Consortium for Energy Efficiency (CEE) requirements including:
 - A. Tier 1: ≥ 3.6 COP and ≥ 15 IEER
 - B. Tier 2: ≥ 3.9 COP and ≥ 16 IEER
 - C. Tier 3: ≥ 4.3 COP and ≥ 18 SEER
- Must have a COP of ≥ 1.75 at 5°F outside air temperature.

Measure	AHRI Reference #	Units	IE/PH Incentive	Qty Installed	Total Incentive
CEE Tier 3		Per MBH Cooling Capacity	\$45.00		
CEE Tier 2		Per MBH Cooling Capacity	\$20.00		
CEE Tier 1		Per MBH Cooling Capacity	\$12.00		
CEE Tier 3, Electric Resistance Baseline		Per MBH Cooling Capacity	\$165.00		
CEE Tier 2, Electric Resistance Baseline		Per MBH Cooling Capacity	\$160.00		
CEE Tier 1, Electric Resistance Baseline		Per MBH Cooling Capacity	\$155.00		

Page 8 Subtotal Incentive

\$

Heat Pump Measures And Specifications

Common Area Ductless Heat Pump

Specifications:

- Ductless heat pumps can be used to replace the following equipment: furnaces with electric resistance heating elements, ducted air-source heat pumps, packaged terminal heat pump, central AC equipment, electric resistance baseboards, and existing ductless heat pumps.
- The ductless mini-split heat pump requires an AHRI certification of the condenser and evaporator coil. If the AHRI certificate shows that the system has an HSPF or SEER value less than the minimum requirement, the system is not eligible for the incentive.
- CEE Tier 1: ≥ 8.5 HSPF and ≥ 15 SEER or ≥ 7.7 HSPF2 and ≥ 14.3 SEER2
- CEE Tier 2: ≥ 9.0 HSPF and ≥ 16 SEER or ≥ 8.2 HSPF2 and ≥ 15.2 SEER2
- Must have a COP of ≥ 1.75 at 5°F outside air temperature.
- Existing equipment must be removed from site and disposed of in accordance with local laws. In cases where new equipment does not include backup heating the existing equipment must remain for backup heating purposes. Refrigerant must be removed from the system in accordance with law.

Measure	AHRI Reference #	Units	IE/PH Incentive	Qty Installed	Total MBH Cooling Per Heat Pump	Total Incentive
CEE Tier 1		Per Heat Pump	\$400.00			
CEE Tier 2		Per Heat Pump	\$450.00			
CEE Tier 1, Electric Resistance Baseline		Per Heat Pump	\$5,500.00			
CEE Tier 2, Electric Resistance Baseline		Per Heat Pump	\$6,300.00			

Common Area Packaged Terminal Heat Pumps/Packaged Terminal Air Conditioner

Specifications: Applicable to existing through-the-wall or built-in self-contained PTHP/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.

Packaged Terminal Heat Pump	Packaged Terminal Air Conditioner
<ul style="list-style-type: none"> • Measure must have EER ≥ 10.9 - $(0.213 \times \text{capacity})$ or EER2 ≥ 10.3 - $(0.2 \times \text{capacity})$, with capacity using units of MBH 	<ul style="list-style-type: none"> • Measure must have EER ≥ 10.8 - $(0.213 \times \text{capacity})$ or EER2 ≥ 10.3 - $(0.2 \times \text{capacity})$ with capacity using units of MBH • Measure must have COP ≥ 3.0 - $(0.026 \times \text{capacity})$, with the capacity using units of MBH

- Units with cooling capacity below 7 MBH use 7 MBH in the calculations above
- Units with cooling capacity above 15 MBH: use 15 MBH in the calculations above
- Existing equipment must be removed from site and disposed of in accordance with local laws. In cases where new equipment does not include backup heating the existing equipment must remain for backup heating purposes. Refrigerant must be removed from the system in accordance with law.

Measure	AHRI Reference #	Units	IE/PH Incentive	Qty Installed	Total Incentive
Heat Pump Baseline		Per MBH Cooling Capacity	\$90.00		
Electric Resistance Baseline		Per MBH Cooling Capacity	\$150.00		

Page 9 Subtotal Incentive

\$

Heat Pump Measures And Specifications

Common Area Heat Pump Water Heater

Specifications:

- Heat pump water heater rated at or below 12 kW.
- Heat pump water heater can be used to replace water heaters with electric resistance heating elements.
- Existing equipment must be removed from site and disposed of in accordance with local laws.
- New equipment must have a UEF of 2.75 or greater.

Measure	AHRI Reference #	Units	IE/PH Incentive	Qty Installed	UEF	Total Incentive
Common Area Heat Pump Water Heater		≤ 50 Gallons	\$3,000.00			
Common Area Heat Pump Water Heater		≥ 51 Gallons	\$4,500.00			

Page 6 Subtotal Incentive	\$
Page 7 Subtotal Incentive	\$
Page 8 Subtotal Incentive	\$
Page 9 Subtotal Incentive	\$
Page 10 Subtotal Incentive	\$
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:

- ✓ Equipment must be sized and installed in accordance with local code requirements.
- ✓ 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 6-10 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
3. Any receipts for the purchase of heat pumps. Heat pumps purchased through ComEd discount programs are ineligible for this offering

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.