

# DISTRIBUTED GENERATION REBATE TERMS AND CONDITIONS

Valid through December 31, 2019

The Rider DG REBATE – Renewable Energy Distributed Generation Rebate (“Rider DG REBATE”) program, offers qualifying retail customers a \$250 rebate per kilowatt (“kW”) of nameplate generating capacity for an eligible project. The DG Rebate Program serves ComEd’s non-residential customers that take service under the provisions of ComEd’s Rider POGNM - Parallel Operation of Retail Customer Generating Facilities with Net Metering. The DG Rebate Program is also available to retail customers taking service under Rider POGCS – Parallel Operation of Retail Customer Generating Facilities Community Supply as a CS Project, CS Beneficiary or CS Subscriber. Service under the DG Rebate Program is not restricted to retail customers that obtain electric power and energy supply from ComEd. Residential customers taking service under POGCS as a CS Subscriber or CS Beneficiary are not eligible for the DG Rebate Program if the CS Project owner or operator collected the rebate amount for the CS Project in whole. Check with your CS Project administrator regarding your Rider DG Rebate eligibility prior to submitting this application. Additional Rider DG Rebate program qualification information regarding the size, location, and renewable generation requirements can be found in the Terms & Conditions of this DG Rebate Application Form.

A qualified distributed generation facility includes;

- For a retail customer taking service under Rider POGNM - the retail customer must own or operate solar, wind, or other electric generating facilities powered by solar electric energy, wind, dedicated crops grown for electricity generation, agricultural residues, untreated and unadulterated wood waste, landscape trimmings, livestock manure, anaerobic digestion of livestock or food processing waste, fuel cells or microturbines powered by renewable fuels, or hydroelectric energy, provided such generating facilities;
    - (a) have a total rated capacity that does not exceed 2,000 kW,
    - (b) are located on the retail customer’s premises, and
    - (c) are intended to offset the retail customer’s electric power and energy requirements. For the proposed generation to be considered to primarily offset a customer’s own electrical requirements, the estimated annual electricity production in kilowatt-hours (kWh) of the generator cannot be greater than 110% of the most recent 12 monthly billing periods of kWh usage at the account where the generator interconnection is proposed.
- If an account does not have 12 months of usage history, ComEd will estimate the customer’s usage based on the average kWh of the customer’s respective Delivery Service class until such time that 12 months of customer data is available.
- For a retail customer taking service under Rider POGCS – a retail customer that owns or operates a renewable generating facility;
    - (a) with a nameplate or rated capacity that does not exceed 2,000 kilowatts (kW),
    - (b) that is located in the Company’s service territory and interconnected to the Company’s distribution system under rules adopted by the Illinois Commerce Commission (ICC), and
    - (c) is powered by solar energy, wind, dedicated crops grown for electricity generation, agricultural residues, untreated and unadulterated wood waste, landscape trimmings, livestock manure, anaerobic digestion of livestock or food processing waste, fuel cells or microturbines powered by renewable fuels, or hydroelectric energy, provided such hydroelectric energy does not involve construction or significant expansion of hydropower dams.
  - Retail customers who begin taking service under Rider POGNM or Rider POGCS after June 1, 2017 must have a smart inverter associated with the distributed generation facility in order to be eligible for a rebate.
  - Nonresidential retail customers taking service under Rider POGNM prior to June 1, 2017 must be interconnected to ComEd’s distribution service. Such retail customers are not required to have a smart inverter installed to qualify for the rebate.

A retail customer taking service under Rider POGCS that is a CS Beneficiary, CS Project or a CS Subscriber, as those terms are defined in the Definitions section of the rider, are eligible for a DG Rebate as follows;

- a CS Beneficiary is a retail customer, residential or nonresidential, that has an interest in the electric power and energy produced by a CS Project that is not a community renewable generation project, as defined in Section 1-10 of the Illinois Power Agency (IPA) Act, with such interest expressed as a portion of the total nameplate or rated capacity of the CS Project and sized primarily to offset part or all of such retail customer’s electric power and energy requirements. NOTE: Such CS Beneficiary is NOT eligible for a DG Rebate

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whenever the owner or operator of the CS Project that the CS Beneficiary has an interest in previously applied for and received a DG Rebate for the CS Project.

- a CS Project is a renewable generating facility that is a nonresidential retail customer that includes
  - (a) properties owned or leased by multiple retail customers that contribute to the operation of a renewable generating facility through an ownership or leasehold interest of at least 200 watts in such facility, such as a community-owned wind project, a community-owned biomass project, a community owned solar project, or a community methane digester processing livestock waste from multiple sources, provided that the facility is also located within the utility's service territory;
  - (b) individual units, apartments, or properties located in a single building that are owned or leased by multiple retail customers and collectively served by a common renewable generating facility, such as an office or apartment building, a shopping center or strip mall served by photovoltaic panels on the roof; or
  - (c) a community renewable generation project as defined in Section 1-10 of the IPA Act.
- a CS Subscriber is a retail customer, residential or nonresidential, that has an interest in the electric power and energy produced by a CS Project that is a community renewable generation project, as defined in Section 1-10 of the IPA Act, with such interest expressed as a portion of total nameplate or rated capacity of the CS Project and sized primarily to offset part or all of such retail customer's electric power and energy requirements. NOTE: Such CS Subscriber is NOT eligible for a DG Rebate whenever the owner or operator of the CS Project that the CS Subscriber has an interest in previously applied for and received a DG Rebate for the CS Project.

Equipment must be installed in compliance with state codes. You must be a current ComEd delivery service customer. Commonwealth Edison Company (ComEd) is offering a distributed generation rebate (DG Rebate) under the ComEd RIDER DG REBATE tariff in accordance with the provisions of the Public Utilities Act, Section 16-106.7. The DG Rebate is available to: 1) nonresidential retail customers taking service under ComEd's net metering tariff, Rider POGNM – Parallel Operation of Retail Customer Generating Facilities with Net Metering, or 2) retail customers taking service as a Community Supply (CS) Project, CS Beneficiary or a CS Subscriber under ComEd's Community Supply tariff, Rider POGCS - Parallel Operation of Retail Customer Generating Facilities Community Supply. NOTE: CS Beneficiary and CS Subscriber customers may not be eligible for the DG Rebate under circumstances where the CS Project they have entered into an agreement with has already received the DG Rebate. Check with your CS Project administrator regarding your DG Rebate eligibility prior to submitting this application. Service is not restricted to retail customers that obtain electric power and energy supply from ComEd. Retail customers obtaining electric power and energy supply from alternative retail electric suppliers are also eligible. The DG Rebate is not available to residential retail customers receiving net metering service under ComEd's Rider POGNM.

- The applicant warrants that it 1) has not assigned any rights associated with the rebate and 2) has the right to allow the Company to operate and control and Smart Inverter(s) associated with such distributed electric renewable generating facility for purposes of contributing to grid support during excursions from normal operating conditions, including, but not limited to, voltage and frequency, operating conditions utilizing the Smart Inverter functionality and conforming to the requirements in the DG Rebate Required Smart Inverter Settings Informational Sheets of the Company's Schedule of Rates, as applicable.

## PROGRAM EFFECTIVE DATES

DG Rebates are offered in accordance with ComEd's tariffs, RIDER DG REBATE – RENEWABLE ENERGY DISTRIBUTED GENERATION REBATE and RIDER DG REBATE ADJUSTMENT – RENEWABLE ENERGY DISTRIBUTED GENERATION REBATE ADJUSTMENT. The effective date of the DG Rebate is December 12, 2018 and will continue to be available as provided for in RIDER DG REBATE. In the event of a conflict between the tariffs and the information provided herein, the tariffs prevail.

## PROGRAM AND PROJECT ELIGIBILITY

Project requirements under the ComEd DG Rebate program include the following:

- Equipment must be installed in a property owned by the applicant, or the applicant must receive permission from the property owner to install the equipment. Submission of an application indicates that the tenant has obtained this permission.

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## **PARTICIPATION RELEASE**

If receiving a DG Rebate from ComEd, the customer authorizes the release of any application data, including customer name and address, to any contractor or other vendor providing services or support under this program.

## **APPLICATION PROCESS**

Completed and customer-signed applications must be accompanied by an itemized contractor invoice(s) or proof of purchase receipt(s), which contains all of the required information as listed on page 1 of the application. Failure to complete the rebate application in full and provide the required supporting documentation will either delay the payment process or result in the application being denied.

## **INSTANT REBATE REQUIREMENTS**

If the customer is releasing payment of the rebate to the installing contractor for an instant rebate, the contractor must submit a customer-signed copy of the customer job order/invoice showing the full and correct rebate amount deducted from the total purchase price and labeled as a ComEd rebate. It is the installing contractor's sole responsibility to verify customer, equipment and installation eligibility prior to providing an instant rebate. Contractor assumes all liability by providing the instant rebate.

## **LANDLORD APPLICATION REQUIREMENTS**

A landlord with a tenant who holds the property's ComEd account may receive a DG Rebate payment for a qualifying installation paid for by the landlord and completed in a property owned by the landlord. The customer may release payment of the DG Rebate to the landlord in the application and include a copy of the contractor invoice signed by the purchaser (i.e. the landlord).

## **INSPECTIONS**

ComEd reserves the right to inspect all rebated equipment to verify compliance with program rules and the accuracy of project documentation. This may include post-installation inspections or participant interviews. Upon reasonable notice by ComEd, the customer must allow access to project documents and the installed equipment for a period of one year after receipt of a DG Rebate payment by ComEd. Customer also agrees that by receiving a DG Rebate, he or she may be contacted by an evaluator to complete a customer survey. Replaced equipment must be permanently removed and disposed of in accordance with local codes and ordinances. Resale of replaced equipment is expressly forbidden. Resale equipment, new parts installed in existing equipment, or equipment that is leased, rebuilt, rented, received from insurance claims, received from a warranty, received with rewards points or won as a prize do not qualify.

## **TAX LIABILITY**

Rebates may be taxable under federal and state tax codes and, if more than \$600, will be reported to the IRS unless the customer provides acceptable proof that it is exempt from payment of such applicable taxes. In any event, ComEd is not responsible for any taxes that may be imposed as a result of your receipt of a DG Rebate, or for providing legal or accounting advice regarding such. 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 home or business, including, without limitation, asbestos, asbestos products, PCBs or any other toxic substances.

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## 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 installation of generation equipment.

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 negligence or willful misconduct of the other party.

## DISCLAIMER

ComEd does not guarantee that certain energy savings will be achieved and does not make any warranties associated with the generation facilities eligible for rebates 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 distributed generation facilities. The customer shall be entitled to the energy cost savings realized by the customer that result from the installation of distributed generation at the customer’s site.

## RELEASE OF LIABILITY

ComEd program administrators and implementers disclaim any and all liability, loss or damage and make no guarantees related to:

- Participation in the program, including use or installation of the equipment.
- Loss or delay of rebate check in the mail.