

Lighting Incentives Application

Energy Solutions for Business



Baltimore Gas and Electric Company (BGE) offers incentives through its Smart Energy Savers Program® to help commercial, industrial, government, institutional and non-profit electric service customers offset the upfront costs for energy-efficient improvements. The Lighting Incentives Application covers common energy-efficient lighting and lighting control improvements in projects such as retrofits of existing inefficient lighting systems, and the installation of new lighting systems for new construction, major renovation and remodeling projects. Measures can include T5 & T8 lamps, hardwired CFLs, interior and exterior LEDs, and performance lighting designs.

Application and Instructions

Eligible Participants

Incentives are available to non-residential, commercial, industrial, government, institutional and non-profit electric service customers within the BGE service territory that fall under rate schedules G, GS, GL, P or T.

Eligible Equipment

All equipment must be new. Used or rebuilt equipment is not eligible for incentives. Existing equipment must be removed and not reinstalled within the BGE service territory.

Approval Requirements

Only retrofit lighting applications for which the incentives are less than \$5,000 do not require pre-approval. The applicant may purchase the approved equipment and submit the completed application form and supporting documentation. Qualifying equipment, not requiring pre-approval, purchased prior to submitting an application must have been purchased within 60 days of the application's submittal.

Pre-approval from BGE is required for all retrofit lighting applications where the incentives exceed \$5,000 and all new construction performance lighting applications. Prior to purchasing and installing any equipment, a completed application form and appropriate manufacturer data sheets must be submitted for review and pre-approval. After the application has been pre-approved, the applicant will be notified in writing and assigned a project identification number along with any specific instructions. Applicant must sign and return the [pre-approval letter](#). All retrofit projects are expected to be completed within six months from pre-approval and all new construction projects are expected to be completed within one year.

Program Details

Details of the program, including incentive levels and technical requirements, are subject to change without prior notice. You may go to BGESmartEnergy.com to get the most current program information, or you may call 410.290.1202.

Total incentives are limited to \$1,000,000 per Federal Tax ID per calendar year. Incentives above this level may be granted on a case-by-case basis subject to program budget limitations. BGE reserves the right to deny any application that may result in BGE exceeding its program budget.

Participation Instructions

Step 1

Verify that your project meets the eligibility requirements specified on the individual application forms. Visit the program website at BGESmartEnergy.com/business/energy-solutions-business or contact us at 410.290.1202 with any questions about eligibility.

Step 2

Download and complete the appropriate application form and lighting worksheet from BGESmartEnergy.com/business/energy-solutions-business/application-forms. Refer to the Application Checklist on page 7 to verify that all required information and documentation are included for submission to BGE. Applications not requiring pre-approval should also include the customer's authorized signature and proof of purchase (detailed invoices).

Please indicate if the incentive payment should be made payable to the customer of record or a third party, such as the installation contractor. All incentive payments require authorization from the customer of record.

IRS Form W-9 must be completed for the party receiving the incentive payment from BGE. IRS Form W-9 is available at www.irs.gov.

All elements of a completed application may be submitted by U.S. mail, fax or email, with the exception of the lighting worksheet which must be submitted by email.

Mail: ICF International
7125 Thomas Edison Drive, Suite 100
Columbia, MD 21046

Fax: 410.290.0861

Email: Business@BGESmartEnergy.com

All applications will be reviewed for eligibility and completeness. Completed applications will be reviewed in the order received. Applicants who submit incomplete applications will be notified of deficiencies. BGE may require a pre-installation inspection. BGE will notify customers if an inspection of the facility is necessary.

Step 3

Applications not requiring pre-approval will be processed for payment, subject to post-installation inspection. Applications requiring pre-approval will be processed and BGE will notify the applicant in writing when the review is complete and funds have been reserved. Upon receipt of program pre-approval, participants may purchase and install their energy-efficient equipment.

Notify BGE immediately if there are any changes to the scope of work, as this may require additional pre-approval.

Step 4

Upon project completion, please review your approved application and note any changes to the project that occurred during installation. BGE customer of record must sign and return the written [pre-approval letter](#) and provide invoices for all energy efficiency measures. BGE may require a post-installation inspection to verify compliance with program rules and verify the accuracy of project documentation and equipment operation.

BGE will authorize payment upon the application's review and approval. The incentive check will be mailed 6–8 weeks after the project's completion and payment approval.

Questions

If you have questions about the program, call 410.290.1202, email Business@BGESmartEnergy.com or visit BGESmartEnergy.com

I. CUSTOMER INFORMATION

Application Date _____ Expected Completion Date _____
 Company Name _____ BGE Electric Account # _____
 Street Address (of the facility) _____
 City _____ State _____ Zip _____
 Mailing Address (if different) _____
 City _____ State _____ Zip _____
 Contact Person _____ Title _____
 Telephone No. _____ Fax No. _____ Email _____
 Business Type (if applicable)
 Minority-Owned Business Woman-Owned Business Veteran-Owned Business
 Sector Type (select one) Note: Sector Type is the primary sector of business applicable to this application.
 Education Government Healthcare Hospitality Industrial Nonprofit
 Property Management Retail Other _____
 Building Type (select one) Note: Building Type is the primary use of the building applicable to this application.
 Office Retail School University Religious Facility Grocery
 Lodging Industrial Warehouse Health Facility Multifamily Restaurant Other _____
 Project Type (select one – see tables VII, VIII and IX for measures and incentives)
 Retrofit Lighting and/or Retrofit Lighting Controls New Construction Performance Lighting
 Square footage covered by application: _____

II. CONTRACTOR/VENDOR INFORMATION

Company Name _____
 Street Address _____
 City _____ State _____ Zip _____
 Mailing Address (if different) _____
 City _____ State _____ Zip _____
 Contact Person _____ Title _____
 Telephone No. _____ Fax No. _____ Email _____
 Business Type (if applicable)
 Minority-Owned Business Woman-Owned Business Veteran-Owned Business

III. PAYMENT INFORMATION

Payment to: Customer Contractor
 Customer Name _____ Title _____
 Customer Signature (if payment to contractor) _____ Date _____

IV. ADMINISTRATIVE USE ONLY

Date Received _____ Project # _____ Program Rep. _____
 Pre-approved Date _____ Program Manager _____ Pre-approval Incentive \$ _____
 Final Approval Date _____ Program Manager _____ Final Incentive \$ _____

V. LIGHTING TECHNICAL REQUIREMENTS

All lighting retrofit projects that will involve the replacement of 50% or more of the existing luminaires (fixtures) within a given space must meet the current lighting power standards.

General Linear Fluorescent Lamp and Ballast Requirements

- High-Performance T8 (HPT8), Reduced-Wattage T8, T5/T5HO lamps and qualifying ballasts are permitted for all measure codes unless specified otherwise in the lighting system eligibility requirements.
- 32w 4-ft T8 lamps and T8 ballasts must be listed on the Consortium for Energy Efficiency (CEE) product list or must meet CEE standards. Visit www.CEE1.org for further information.
- Reduced-wattage T8 lamps are acceptable provided they are on CEE's "Reduced-Wattage T8" list.
- 8-ft T8 and T5 lamps are not eligible for prescriptive lighting incentives.
- 17w 2-ft T8 lamps must have minimum efficacy of 75 mean lumens/watt.
- 32w U-bend T8 lamps must have minimum efficacy of 79 mean lumens/watt.

General LED Requirements

- LED replacement lamps and LED luminaires must be listed on the [Design Lights Consortium](#) or [ENERGY STAR® Qualified Products](#) list.
- LED Luminaires must be new luminaires unless retrofit kits are specifically allowed in the Technical Requirements for the Measure Code.
- Acceptable retrofit kit type LED lighting upgrades may apply using the Custom application when not allowed in an LED Measure Code.

VI. NEW CONSTRUCTION PERFORMANCE LIGHTING ELIGIBILITY REQUIREMENTS

This application can be used for new construction or major renovation projects.

All projects must meet the following additional requirements to qualify for submission of the Performance Lighting Section of this application. Otherwise, it is acceptable to submit only the Retrofit Lighting Section of this application or (if applicable) a Custom application:

- Provide maintained lighting levels in accordance with the recommendations of the Illuminating Engineering Society of North America (IESNA).
- Provide high-quality lighting achieving appropriate levels of glare control, color rendering, lighting uniformity and other lighting quality parameters deemed necessary by BGE.
- Major renovation projects must involve:
 - Removal of the entire existing lighting system and wiring, and
 - Redesign of the entire existing lighting system, and
 - Significant change to the actual function of the building through significant renovation, i.e., projects where a licensed professional architect or engineer has prepared and certified building plans for the change of use and reconstruction of an existing or vacant building or space.

All project submittals must include the following supporting documentation:

- Lighting layout plans.
- Site-specific photometric reports or point-by-point lighting calculations, if deemed necessary by BGE.
- Manufacturer's specification sheets for all luminaires, lamps and ballasts.
- Lighting fixture schedule including manufacturer, model number and rated wattage.
- Supporting calculations demonstrating installed lighting wattage.

Project submittals must contain COMCHECK or equivalent reports to substantiate Lighting Power Density (LPD) claims on the Performance Lighting Section of this application.

Incentives may be provided for reducing the LPD in watts per square foot from the baseline lighting design that complies with the Interior Power Lighting Allowance obtained from ASHRAE/IESNA 90.1 – 2010. Wattage reduction for either the space-by-space or building-area method must be at least 10% more efficient than code requirements to qualify for incentives.

VII. RETROFIT LIGHTING MEASURES AND INCENTIVES					
	Measure Code	Measure Description	Min. Watts Reduced	Incentive/ Unit	Technical Requirements
Lamp and Ballast Retrofits	11a	T12 relamp/reballast: retrofit existing T12 systems with HPT8, Reduced-Wattage T8 or T5/T5HO lamps and qualifying electronic ballast. 1–2 lamps.	10	\$15/Fixture	<ul style="list-style-type: none"> Lamp-for-lamp retrofits of existing T12 fluorescent systems Lamps and ballasts must replace existing T12 systems HPT8 lamps must be installed in conjunction with qualifying electronic ballasts
	11b	T12 relamp/reballast: retrofit existing T12 systems with HPT8, Reduced-Wattage T8 or T5/T5HO lamps and qualifying electronic ballast. 3–4 lamps.	15	\$25/Fixture	
	12a	T8 relamp/reballast: retrofit existing T8 systems with Reduced-Wattage T8 and qualifying electronic ballast. 1–2 lamps.	10	\$15/Fixture	<ul style="list-style-type: none"> Lamp-for-lamp retrofits of existing T8 fluorescent systems Lamps and ballasts may replace existing full-wattage T8 systems Reduced-wattage T8 lamps must be listed on CEE’s qualifying “Reduced-Wattage T8” list and installed in conjunction with qualifying electronic ballasts
	12b	T8 relamp/reballast: retrofit existing T8 systems with Reduced-Wattage T8 and qualifying electronic ballast. 3–4 lamps.	15	\$25/Fixture	
Permanent Delamping	15	Permanent delamping/retrofit: retrofit existing T12 or T8 systems with HPT8, Reduced-Wattage T8 or T5/T5HO lamps and qualifying ballasts. Permanent delamping is required through the use of approved retrofit and/or reflector kits.	28	\$35/Fixture	<ul style="list-style-type: none"> Delamping and retrofit of existing T12 or T8 fluorescent systems Luminaires must be permanently delamped through the use of UL / CSA-listed retrofit kits specifically for this purpose; lamps must be re-centered in luminaires Light levels may be affected; therefore, delamping may not be appropriate for all applications Reflectors, if specified, shall have a minimum reflectivity of 90% and should be used if necessary to provide proper lighting levels or quality
Commodity Fixtures	20	New commodity-grade HPT8, Reduced-Wattage T8 or T5/T5HO fixtures with qualifying electronic ballast. Includes basic troffers, strips, wraps and vapor tight fixtures.	10	\$35/Fixture	<ul style="list-style-type: none"> Installation of commodity-grade fluorescent luminaires in retrofit projects Eligible new fixtures may be surface, recessed, suspended or self-contained retrofit kits Commodity-grade fixtures include most standard troffers, strips, wraps and vapor tight
	25	New self-contained fluorescent stairwell fixture with HPT8, Reduced-Wattage T8 or T5/T5HO lamps and T8 or CFL standby lamp. Integrated occupancy control furnished by manufacturer.	N/A	\$50/Fixture	<ul style="list-style-type: none"> Installation of self-contained occupancy-based luminaires in stairwell retrofit projects Eligible fixtures contain onboard, factory-furnished occupancy controls and are designed for stairwells and other seldom-occupied spaces Standby (unoccupied) mode may be accomplished with the use of separate low-wattage fluorescent or CFL lamp or step-dimming ballast

VII. RETROFIT LIGHTING MEASURES AND INCENTIVES *continued*

	Measure Code	Measure Description	Min. Watts Reduced	Incentive/ Unit	Technical Requirements
Advanced Fixtures	41	New high-efficiency advanced recessed fixture with HPT8 or T5/T5HO; 1 or 2 lamps.	28	\$65/Fixture	<ul style="list-style-type: none"> Installation of high-efficiency advanced luminaires in place of those with higher lamp quantity in retrofit projects Overall fixture efficiency must be greater than or equal to 80%; zonal lumen percentage from 60–90 deg. ≥ 15% Eligible new fixtures may be surface, recessed, suspended or self-contained retrofit kits
	42	New 4- or 8-ft industrial fixture with reflector and HPT8 or T5/T5HO lamps.	11	\$35/Fixture	<ul style="list-style-type: none"> Installation of industrial luminaires with reflectors to direct light output to the working plane Each fixture must have new reflectors with reflectivity of 87% or greater; retrofit kits permitted Up to 20% uplight through the use of reflector slots may be included in the design
Fluorescent High Bay Fixtures	61	New Fluorescent T5HO/HPT8 High/Low Bay Fixture; Replacing ≤250w HID.	70	\$40/Fixture	<ul style="list-style-type: none"> Installation of fluorescent high/low bay luminaires in place of HID sources Reduced-wattage T8 and standard T5 lamps are not permitted with this measure code Overall fixture efficiency must be ≥ 80% Luminaires must contain 3–12 lamps and be installed ≥ to 15-ft AFF
	62	New Fluorescent T5HO/HPT8 High/Low Bay Fixture; Replacing 251w–400w HID.	70	\$55/Fixture	
	63	New Fluorescent T5HO/HPT8 High Bay Fixture; Replacing 401w–1,000w HID.	200	\$85/Fixture	
Compact Fluorescent	71	New hard-wired compact fluorescent fixture or retrofit kit; 1–2 lamps.	12	\$35/Fixture	<ul style="list-style-type: none"> Installation of hard-wired compact fluorescent fixtures in place of incandescent or HID sources Compact fluorescent fixtures must incorporate electronic ballasts with < 33% THD Fixtures and retrofit kits with 1–2 lamps are eligible; screw-in CFL lamps are not eligible
LED Exit Signs	90	LED exit signs.	10	\$25/Sign	<ul style="list-style-type: none"> Installation of LED exit signs to replace incandescent or fluorescent sources Complete signs must be installed; LED retrofit kits are not eligible for incentive
LED Strips	95	LED reach-in freezer or cooler lighting.	N/A	\$25/Lamp	<ul style="list-style-type: none"> Installation of LED strips to replace T12 and T8 sources in refrigerated display case LED strips must completely replace prior equipment; existing channel wiring may be reused
LED Integral Replacement Lamps	101	Reflector type screw-in integral LED replacement lamps, size 30 or larger.	30	\$30/Lamp	<ul style="list-style-type: none"> Installation of type PAR, BR or R integral screw-in LED lamps to replace incandescent or halogen lamps of similar nominal size Bulb size must be greater than or equal to 30 Applicant must verify compatibility with existing controls
	102	MR integral LED replacement lamps.	25	\$25/Lamp	<ul style="list-style-type: none"> Installation of MR integral LED replacement lamps to replace halogen lamps of similar nominal size Applicant must verify compatibility with existing controls and transformer

VII. RETROFIT LIGHTING MEASURES AND INCENTIVES <i>continued</i>					
LED Downlight Fixtures	Measure Code	Proposed Measure	Min. Watts Reduced	Incentive/ Unit	Technical Requirements
	105	Recessed, surface, pendant or track downlight fixtures.	35	\$60/Fixture	<ul style="list-style-type: none"> Installation of recessed, surface, pendant or track luminaires to replace incandescent, halogen, linear fluorescent or CFL luminaires Applicant must verify compatibility with existing controls New fixtures and self-contained retrofit kits are acceptable
LED Exterior Fixtures	109	Exterior parking garage or gasoline canopy fixtures.	80	\$250/Fixture	<ul style="list-style-type: none"> Installation of recessed or surface luminaires in parking garages or gasoline canopies to replace HID or linear fluorescent luminaires
	110	Exterior parking lot, area fixtures and wallpacks.	50	\$150/Fixture	<ul style="list-style-type: none"> Installation of parking lot, area or wallpack luminaires to replace HID luminaires

VIII. RETROFIT LIGHTING CONTROL MEASURES AND INCENTIVES					
Lighting Controls	Measure Code	Proposed Measure	Minimum Watts Controlled	Incentive/ Unit	Technical Requirements
	81	Occupancy Control – Wall Switch Replacement.	40	\$25/Control	<ul style="list-style-type: none"> Hardwired wall switch occupancy control; passive infrared, ultrasonic or dual technology Occupancy controls with “manual on” override are not eligible for incentives
	82	Occupancy Control – Ceiling/Wall Mount (Remote).	119	\$75/Control	<ul style="list-style-type: none"> Hardwired or wireless ceiling or wall-mounted remote occupancy control; passive infrared, ultrasonic or dual technology Occupancy controls with “manual on” override are not eligible for incentives
	83	Occupancy Control – Fixture Mounted.	40	\$25/Control	<ul style="list-style-type: none"> Hardwired fixture-mounted occupancy controls; passive infrared, ultrasonic or dual technology Controls may be furnished as new equipment by fixture manufacturer or installed on existing fixtures in retrofit applications
	85	Daylight Control – Continuous dimming – dimming ballasts.	192	\$40/Ballast	<ul style="list-style-type: none"> Hardwired photo control designed to dim lamps in response to ambient daylight Minimum of four CEE-listed dimming ballasts per control unit
	86	Daylight Control – On/off control – standard ballasts.	192	\$30/Ballast	<ul style="list-style-type: none"> Hardwired photo control designed to extinguish lamps in response to ambient daylight Minimum of four ballasts per control unit
	88	Occupancy Controls – LED Reach-in freezer or cooler lighting.	N/A	\$9/Door	<ul style="list-style-type: none"> Hardwired occupancy control designed to operate refrigerated case strips Controls may be installed at end of aisle or on individual cases

IX. NEW CONSTRUCTION PERFORMANCE LIGHTING MEASURES AND INCENTIVES

New Construction	Measure Code	Minimum Requirement	Incentive/ Watt Reduced	Technical Requirements
	Tier 1	≥ 10% below Base LPD	\$0.40 per watt*	This application can be used for new construction or major renovation projects. All Performance Lighting calculations must be performed using the Performance Lighting Worksheet found on the program website. Submit the completed electronic copy of the Performance Lighting Worksheet in accordance with the instructions on the worksheet, along with this application. LPD reference tables, with examples, are provided on the worksheet.
	Tier 2	≥ 20% below Base LPD	\$0.80 per watt*	

*Subject to a \$30/fixture cap

X. APPLICATION CHECKLIST

Please include the following items:

- Complete application (customer and payment information page and customer acknowledgment).
- Copy of customer’s BGE electric bill.
- IRS Form W-9 completed for payment recipient (available at www.irs.gov).
- Supporting documentation to include manufacturer’s specification (cut) sheets for all lamps, ballasts, fixtures and controls.
- Complete lighting worksheet (submitted by email to Business@BGESmartEnergy.com).
- Appropriate invoices (if no pre-approval required).

BGE will process applications for payment in the order received and issue incentive payment within 6–8 weeks after project completion and approval. Applicants will be notified if post-installation inspections are required prior to final payment. **Please note that failure to provide any of the above items may delay the processing of your application.**

**XI. FOR PROJECTS NOT REQUIRING PRE-APPROVAL (≤ \$5,000)
CUSTOMER ACKNOWLEDGMENT**

By signing below, I hereby certify that all statements made on this application are correct to the best of my knowledge and that I have read and agree to the **Terms & Conditions** on page 8.

Authorized Representative (*please print*) _____ Title _____
 Signature _____ Date _____

**XII. FOR PROJECTS REQUIRING PRE-APPROVAL (> \$5,000)
CUSTOMER ACKNOWLEDGMENT**

By signing below, I hereby certify that all statements made on this application are correct to the best of my knowledge and that I have read and agree to the **Terms & Conditions** on page 8.

Authorized Representative (*please print*) _____ Title _____
 Signature _____ Date _____

Note: Upon completion of project, BGE customer of record must sign and return the written pre-approval letter and provide invoices for all energy efficiency measures.

For more information about the program, go to BGESmartEnergy.com or call 410.290.1202.
 Please submit for review via one of the following: Fax 410.290.0861, email Business@BGESmartEnergy.com or
 mail to: BGE Smart Energy Savers Program®, c/o ICF International, 7125 Thomas Edison Drive, Suite 100, Columbia, MD 21046

XIII. TERMS & CONDITIONS

1. **Eligibility:** Incentives are available to industrial, commercial, government and institutional electric service Customers for the purchase and installation of qualifying energy-savings measures in the BGE service territory. BGE reserves the right to deny any application that may result in BGE exceeding its program budget. Incentives are offered on a first-come, first-served basis and are subject to project and Customer eligibility, availability of funds and distribution of incentives across the BGE Customer base. Total incentive limits per Corporate tax ID per year for all incentives (prescriptive and custom) are limited to \$1,000,000.
2. **Approval and Verification:** Pre-approval is required for all projects qualifying for a total incentive of more than \$5,000. BGE reserves the right to pre-inspect any project prior to pre-approval. No project related energy-savings measures may be contracted for, purchased or installed prior to the date of BGE's pre-approval. Projects must be completed by the date listed on the pre-approval notification letter (within 180 calendar days of project pre-approval for retrofit projects and one (1) year of pre-approval for new construction projects). All projects that require pre-approval may also require pre-inspection. BGE reserves the right to verify sales transactions and to have reasonable access to your facility to inspect the energy-savings measures installed under this initiative, prior to issuing incentives, or at a later time. BGE reserves the right, for any reasons, to stop pre-approving energy-savings measures at any time without notice. In particular, BGE is not obligated to pre-approve any application for an incentive that may result in BGE exceeding its program budget.
3. **Proof of Purchase:** This application must have complete information and be submitted with an invoice itemizing the new equipment purchased. The invoice must indicate the date of purchase, the size, type, make, model, serial number, part number and/or equipment manufacturer specification sheets. The signed application must be returned to ICF International, 7125 Thomas Edison Dr., Suite #100, Columbia, MD 21046.
4. **Compliance:** All projects must comply with all federal, state and local codes. All equipment must be new. Used or rebuilt equipment is not eligible for incentives. Existing equipment must be removed and disposed of in a proper and legal manner. BGE encourages that equipment is disposed of and/or recycled in an environmentally friendly manner. Existing equipment must meet specification requirements and be purchased and operating prior to submitting the application form. Only one incentive will be granted for each project. Incentives granted to contractors, distributors or other market providers cannot also be claimed by end-use Customers.
5. **Payment:** BGE will authorize payment upon the application's review and approval. The incentive check will be mailed 6–8 weeks after the project's completion and payment approval. Incomplete applications will be returned. The Customer may assign the incentive payment to a qualified contractor (if allowed). The benefits/payments conferred upon the Customer or their designated contractor through participation in this program may be taxable by the federal, state and local government. The Customer or its designated contractor is responsible for declaring and paying all such taxes. The party receiving the incentive payment (Customer or Contractor) must complete IRS Form W-9 and submit it to BGE with the incentive application materials.
6. **Inspection:** BGE staff or its representatives may conduct an inspection of the facility to survey the installed projects.
7. **Publicity:** BGE reserves the right to publicize your participation in this program.
8. **BGE/Program Logo:** Customers or market providers may not use the BGE or Program name or logo in any marketing, advertising or promotional materials without BGE's prior written permission.
9. **Disclaimers:** BGE does not endorse any particular market provider, manufacturer, product, labor or system design by offering this program; will not be responsible for any tax liability imposed on a Customer as a result of the payment of incentives; does not expressly or implicitly warrant the performance of installed equipment or contractor's quality of work (contact your contractor for detailed warranties); is not responsible for proper and legal disposal/recycling of any waste generated as a result of this project; and is not liable for any damage caused by the installation of the equipment or for any damage caused by the malfunction of the installed equipment.
10. **Verification:** Any Customer receiving an incentive check may be contacted by an evaluator to verify service/equipment installation or be asked to complete a written, oral or electronic Customer survey.
11. **Application Does Not Entitle Customer to Participate:** The program described in this application may be altered, suspended or canceled by BGE at any time without prior notice. Under such circumstances, the Customer is not entitled to any program benefits in excess of those approved prior to such action by BGE. Submission of a completed application does not entitle the Customer to program participation. Entitlement to program participation can only occur after BGE has signed a copy of the application and granted pre-approval if required by BGE.
12. **Removal of Equipment:** The Customer agrees, as a condition of participation in the program, to remove and dispose of the equipment being replaced by the energy-savings measures in accordance with all legal requirements. The Customer agrees to not install any of this equipment in the BGE service territory. If the installed equipment is replaced within three years, the Customer is expected to replace the equipment with equal or more efficient equipment.
13. **Evaluation Follow-up Visits:** The Customer agrees, for a period of three (3) years after the final incentive payment, to allow BGE or its assigned contractor to conduct on-site inspections to verify that the qualified measures are installed and to conduct other measurement and verification activities to assess the amount of energy savings achieved. Such activities may require the installation of energy monitoring equipment.
14. **Changes to the Program:** BGE may change the program and the Terms & Conditions at any time without notice. Pre-approved applications, however, will be processed to completion under the Terms & Conditions in effect at the time of the pre-approval by BGE.
15. **No Warranties:** BGE does not endorse, guarantee or warrant any particular manufacturer or product, and BGE provides no warranties, expressed or implied, for any products or services. The Customer's reliance on warranties is limited to any warranties that may arise from, or be provided by contractors, vendors, etc. The Customer acknowledges that neither BGE nor any of its consultants are responsible for assuring the design, engineering and construction of the Facility, or that the installation of the energy-savings measures is proper or complies with any particular laws (including patent laws), codes or industry standards. BGE DOES NOT MAKE ANY REPRESENTATIONS OF ANY KIND REGARDING THE RESULTS TO BE ACHIEVED BY THE ENERGY-SAVINGS MEASURES OR THE ADEQUACY OR SAFETY OF SUCH MEASURES, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.
16. **Limitation of Liability:** BGE's sole liability is limited to paying the properly qualified rebates specified herein. Neither BGE nor any of its affiliates shall be liable to the Customer or any other party for any indirect, consequential or incidental damages, regardless of the theory of recovery, caused by or arising from any activities associated with this program.
17. **Vendor Selection:** BGE acknowledges that the Customer may select any vendor or contractor to perform the work contemplated by this Application, even after the Application is submitted for pre-approval by BGE. Notwithstanding the foregoing, the Customer acknowledges that BGE has the right to prohibit specific vendors or contractors from program participation for any reason or no reason.
18. **Obligations Between the Parties:** Customer acknowledges that any contractor selected by the Customer is not an agent, contractor or subcontractor of BGE. BGE shall have no obligation to maintain, remove or perform any work whatsoever on the energy-savings measures installed. BGE shall have no liability for contractor's failure to perform, for failure of the energy-savings measures to function, for any damage to the Customer's premises caused by the contractor or for any and all damages to property or injuries to persons caused by the energy-savings measures.
19. **Energy Benefits:** BGE is entitled to 100% of the energy benefits associated with the energy-savings measures, excluding the value of energy cost savings realized by the Customer, but including all rights to all associated PJM Energy, Capacity and Reserves Products, and the Customer agrees to provide BGE with such further documentation as BGE may request to confirm its ownership of such benefits and products.
20. **Customer's Certification:** Customer certifies that he/she has purchased and installed the equipment listed above at the defined location. Customer agrees that all information is true and that he/she has conformed to all program and equipment requirements listed. Customer has verified that the units listed above have been installed correctly. Customer or Customer's representative has been instructed on how to operate and maintain this equipment and has received all necessary operation and maintenance manuals.