



Business Program



Rev07PY4AmerenIllinoisBusinessCUSTOM

Clarifications for this PDF (Hard Copy) version of the Custom project guide for the Ameren Illinois ActOnEnergy® business program

This project guide is valid through May 31, 2012*

This application is also available in an Excel format from the ActOnEnergy.com web site. This PDF version must be printed and completed by hand (the Excel version can be completed electronically). Select the format that you are most comfortable using.

To determine if your facility and/or project are eligible, and for directions on how to fill out this application, see the next page.

The "TABS" referenced on the next page (Read Me Page) refer to pages in this document, as outlined below:

- Read Me Tab (next page - includes directions)
Customer and Ally Info ("Green Tab") - must be submitted with pre-approval application
Application for Pre-approval ("Green Tab") - must be submitted with pre-approval application
Required Documentation (for pre-approval) ("Green Tab") - must be submitted with pre-approval application
Large Incentive Request ("Green Tab") - REQUIRED for all Custom projects, must be submitted with pre-approval application
Incentive Payment Request ("Yellow Tab") - must be submitted with your final paperwork, when the project is complete
Terms and Conditions (last page)

The page/tab "name" is indicated in the bottom right-hand corner of the footer of the printed version of this document, and also in the blue bar just under the page header.

The "supplemental" documentation ("blue tabs") includes:

- Landlord Consent Form (required if you are a tenant)
Payment Release Authorization (required if the incentive is to be paid to someone other than the Ameren customer listed on the application)
Electric and Gas Calculations pages (optional for your pre-approval application).

These "supplemental" documents can be found on the ActOnEnergy.com web page in the forms library. http://www.actonenergy.com/for-contractors/act-on-energy-forms-library/

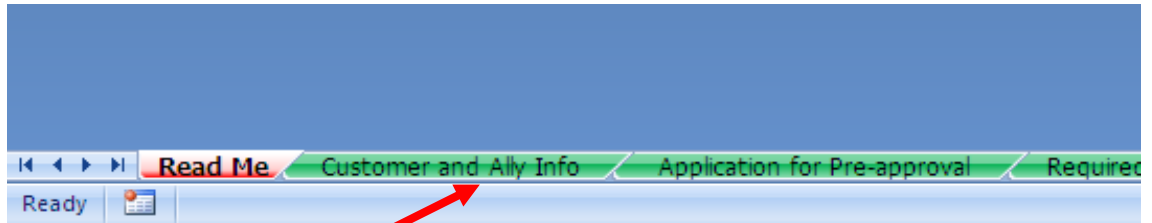
*Newer versions posted to the web site supersede all previous versions. The revision number is listed just below the Ameren Illinois logo on each page ("Rev##....."). If you received pre-approval, the version of the application that was available at the time you submitted your pre-approval application will apply. If you did not obtain pre-approval, the version of the application that corresponds with the invoice dates of your equipment purchases will apply.

Mail/Fax/E-mail Incentive Application and Payment Request to: Ameren Illinois, ActOnEnergy Business Program 300 Liberty Street, Peoria, IL 61602 • Fax: 1.309.677.7950 • ActOnEnergyProjects@Ameren.com Questions: call toll free: 1.866.800.0747 • ActOnEnergyBusiness@Ameren.com • ActOnEnergy.com

This workbook contains the **Custom** project guide for the **Ameren Illinois** ActOnEnergy® business program

This project guide is valid through **May 31, 2012***

	Green tabs must be completed when submitting an application for pre-approval (<i>Customer and Ally Info, Application, LIRF and Required Documentation</i>)
	Yellow tab - contains the directions, and paperwork to submit when your project is complete (<i>Incentive Payment Request</i>)
	Blue tabs may or may not be required with your pre-approval application - check each tab for requirements (<i>Elec Calc Table, Gas Calc Table, Landlord Consent, Payment Release</i>)



The colored tabs are located at the bottom of the page

There is also a PDF version of this project guide available on the web site - if you prefer not to use this Excel version

FOUR Easy Steps to receive your Ameren Illinois cash incentive:

1. Is your facility eligible?

- Equipment must be new and installed at a business or commercial/industrial building – including Not-for-Profit organizations.
- Public buildings such as units of local government, municipalities, public school districts, and community colleges are not eligible under this program but should contact the Illinois Department of Commerce and Economic Opportunity (DCEO) (illinoisenergy.org) to apply through their program.
- You may apply for up to \$600,000 of incentive money for electric saving projects, and up to \$200,000 for gas saving projects per program year (June 1st through May 31st), per facility (see the Terms and Conditions).
- Building tenants are eligible for incentive money, as long as the building owner signs the Landlord Consent form.
- Applicants for **electric** incentives must be a non-residential electric customer of Ameren Illinois (electric delivery service rates DS-2, DS-3, DS-4, or DS-5) and have a Rider EDR surcharge on their Ameren Illinois bill (DS-5 customers are only eligible for exterior lighting measures, and only if their exterior lighting is not Ameren owned.).
- Applicants for **gas** incentives must be a non-residential gas customer of Ameren Illinois (gas delivery service rates GDS-2, GDS-3, GDS-4, or GDS-5) and have a Rider GER surcharge on their Ameren Illinois bill.

2. Is your project eligible?

- Projects eligible for incentives under the Custom Incentive Program include electric or gas energy-efficiency measures not incentivized under the Standard Programs (Lighting, HVAC, Refrigeration, VFD, Grocery, Lodging, Commercial Kitchens, or Agriculture). Typical Custom projects may include compressed-air improvements, new construction, process steam improvements, heat recovery applications, VFD control of process motors, exterior lighting, signage, Energy Management Control Systems (EMCS), and Building-Automation and Control Systems.
- Eligible projects must reduce gas or electric use or energy intensity (energy per unit produced) over existing equipment.

CUSTOM INCENTIVES SUMMARY

Energy Savings	Incentive
Lighting	\$0.06/kWh saved/year*
All other electric measures	\$0.08/kWh saved/year*
Gas measures	\$1.20/therm saved/year*

Minimum Payback Period	1 year
Maximum Payback Period	7 years

* For the Custom Program, Ameren Illinois will pay no more than the approved fraction (maximum of 50%) of the incremental cost to the Customer of purchasing the Energy-Efficiency Measure (EEM), or the pre-approved incentive amount, whichever is less. Ameren Illinois may, at its sole discretion, recognize incremental installation labor costs (for the Custom Incentive Program) that are unique to the proposed EEM to the extent that they are reasonable, verifiable, and actually incurred by the Customer. Also, see the Terms and Conditions for annual incentive limits per facility.

3. Complete and submit this Application for PRE-APPROVAL (green tabs)

Approval from Ameren Illinois is REQUIRED BEFORE any commitment to project installation or purchase is made (including generating POs) for all Custom applications. See the Terms and Conditions of this project guide for details.

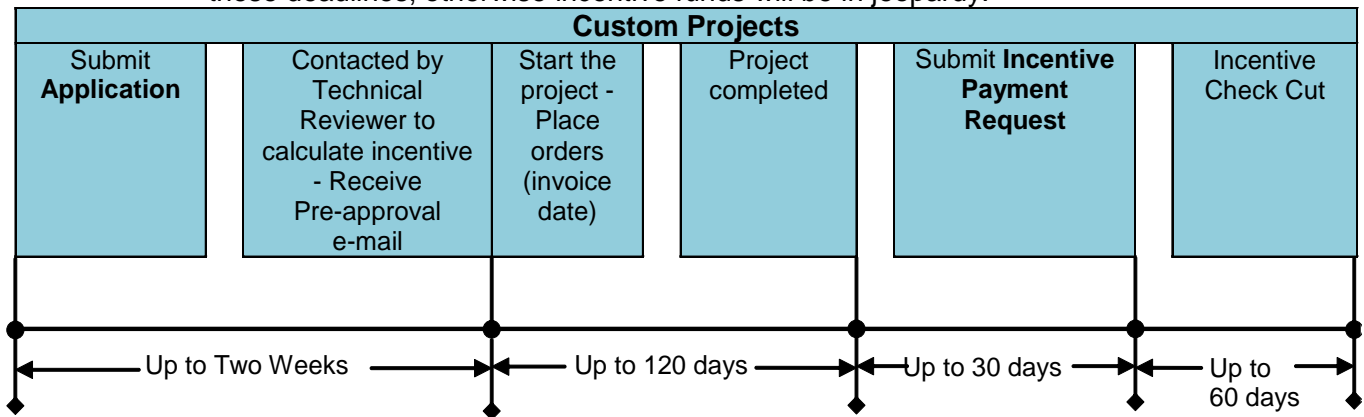
- The tables on the blue tabs of this workbook may or may-not be required with your application - please check each tab. The calculations tabs are provided for your information only. An ActOnEnergy Technical Reviewer will work with you, after you submit your application, to finalize your incentive request amount.
- Anyone may fill out the application, but the signature of the Ameren Illinois customer is required on the "Application for Pre-approval" and the "Incentive Payment Request" tabs.
- Submit this workbook (electronic or hard copy) with all the required information from the green tabs, and any of the blue tabs that are required by your project, via fax, e-mail or U.S. mail (addresses are at the bottom of this worksheet).
- Include summary design documents and/or manufacturer's technical specification sheets ("cut sheets") for each type of eligible equipment purchased (see "Required Documentation" tab for listing of minimum requirements).
- You will receive an e-mail confirming we received your application.
- After we receive your Application for Pre-Approval one of our Technical Reviewers will contact you to review your project, and assist you with the calculations of your incentive.

4. Submit Incentive Payment Request documentation upon project completion (yellow tabs)

- After you have completed your project (installed and operational), return a copy of the Incentive Payment Request (yellow tab) and the required documents, as indicated on the forms, to ActOnEnergy.
- Upon receipt of completion documentation (which is due within 30 days of your project Completion Date – as specified in your pre-approval letter), ActOnEnergy staff may conduct a post-installation inspection for verification purposes.

Typical Custom Application Timeline

NOTE: It is up to the customer to notify ActOnEnergy if there is anticipation of missing any of these deadlines, otherwise incentive funds will be in jeopardy.



Custom Projects may exceed the ActOnEnergy allotted maximum 120-days for project completion, and may also extend into the next program year – please contact us so we can discuss your project requirements.

*Newer versions posted to the web site supersede all previous versions. The revision number is listed just below the Ameren Illinois logo on each page ("Rev##....."). If you received pre-approval, the version of the project guide that was available at the time you submitted your pre-approval application will apply. If you did not obtain pre-approval, the version of the project guide that corresponds with the invoice dates of your equipment purchases will apply.

Mail/Fax/E-mail Incentive Application and Payment Request to:

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 300 Liberty Street, Peoria, IL 61602 • Fax: 1.309.677.7950 • ActOnEnergyProjects@Ameren.com
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CUSTOMER AND PROJECT INFORMATION

AMEREN ILLINOIS CUSTOMER INFORMATION

(in the electronic version, complete all the yellow cells)

Company Name:		Tax Status:		Ameren Illinois Electric Acct #:		Ameren Illinois Gas Acct #:	
		<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Exempt		-----		-----	
Tax ID (SSN/FEIN):							
Mailing Address (check mailed to):		City:		State:		Zip Code:	
Contact Name/Title:							
E-mail Address:			Telephone:		Extension:		Fax:
Physical Installation Address (if different from above):			City:			Zip Code:	
Check one: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant (If tenant, complete the Landlord Consent Form (Landlord Consent tab))							
Name of the person(s) who referred you to the ActOnEnergy incentive application for this energy-efficient project:							
Name of Referring Ameren Illinois or Act On Energy employee:				Name of Referring Contractor/Program Ally:			

CONTRACTOR/PROGRAM ALLY INFORMATION - if you are using one

Company Name:		Contact Name/Title:					
Mailing Address:		City:			State:		Zip Code:
E-mail Address:		Telephone:		Extension:		Fax:	

FACILITY/PROJECT DESCRIPTION

Facility Type (check ONE, where the work is to be done.): <input type="checkbox"/> Office <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Medical <input type="checkbox"/> Retail/Service <input type="checkbox"/> Restaurant <input type="checkbox"/> Manufacturing/Industrial <input type="checkbox"/> Grocery <input type="checkbox"/> Hotel/Motel <input type="checkbox"/> School/College <input type="checkbox"/> Multiple <input type="checkbox"/> Other (Specify, below) Specify: _____		If Manufacturing/Industrial, specify type: <input type="checkbox"/> Food Processing <input type="checkbox"/> Automotive/Transportation/Infrastructure <input type="checkbox"/> Other (specify below) (Specify "other") _____	
Facility Size (interior square feet of the whole facility under this account number) _____		Project Description (check one): <input type="checkbox"/> Replacement of Failed Equipment <input type="checkbox"/> Replacement of Operating Equipment (retrofit) <input type="checkbox"/> Process Improvement	

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APPLICATION FOR PRE-APPROVAL

To submit your Custom application complete and submit all the items in this checklist, and fill out the fields on this APPLICATION FOR PRE-APPROVAL form

- All fields in the *Customer and Ally Information* tab
- Required Project Documentation (as specified on the Requirement Documentation tab)
- Manufacturer's cut sheets for the energy saving equipment you are installing (as required)

SUPPLEMENTAL DOCUMENTATION

- Landlord Consent Form (required, if you are a tenant)
- Incentive Payment Release authorization (required if the incentive should be paid to someone other than you)
- Large Incentive Request Form required with all applications.
- The Electric and Gas Calculations Tabs (you may complete them for your own information - they are not required with your pre-approval application).

After we receive your Initial application one of our Technical Reviewers will contact you to review your project, and assist you with the calculations of your incentive.

Due to the nature of this program and the incentive dollars ActOnEnergy has committed, it is important we verify the project begins in a timely fashion, the work is proceeding as planned, and the project finishes on time. Because of this, ActOnEnergy has established the following requirements:

ALL CUSTOM PROJECTS

- Immediate contact with a member of the ActOnEnergy team should project scope, equipment, cost structure, projected energy savings, or estimated completion date change.

CUSTOM PROJECTS WITH AN INCENTIVE REQUEST GREATER THAN \$100,000

- Return the signed pre-approval letter within 14 days of receipt.
- A pre-installation inspection completed by a member of the ActOnEnergy team, including a site inspection, a client contact meeting, and project review, will be conducted.
- Completion and submission to ActOnEnergy of a letter of notice, signed by a corporate officer, that the company is proceeding with the project – due within 14 days of the project pre-approval.
- Submission of documentation clearly demonstrating the project has commenced. This documentation may include, but is not limited to, purchase requisitions, purchase orders, invoices, sales contracts, etc., for equipment and/or services – due within 60 days of pre-approval letter (contact us if this is a problem).
- Monthly contact (no later than the end of each calendar month) with a member of the ActOnEnergy team to discuss the project plan, scope, and timeline –until the project is complete and the final Incentive Payment Request is submitted.

Project estimated completion date ___ / ___ / ___ (mm/dd/yy) - include "-" or "/"

Estimated lead time for major equipment _____ weeks

Company Name (Ameren Illinois customer): _____

Contact Person (print/type): _____

Customer Contact Signature: _____

(checking the box below, and typing your name here constitutes a valid electronic signature)

- By checking this box and signing above, I indicate that I have read, understand, and agree with the Terms and Conditions.**
(Applications will not be accepted as "complete" unless this box is checked.)

Date signed: ___ / ___ / ___ (mm/dd/yy) - include "-" or "/"

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REQUIRED PROJECT DOCUMENTATION

Ameren Illinois requires sufficient project documentation to verify the savings estimates provided in the application. The following serves as guidelines for the minimum required documentation that must accompany your pre-approval application.

PROJECT SUMMARY

- Include a summary of proposed measures (briefly describe why you are proceeding with this project and what will be done.)

EQUIPMENT DOCUMENTATION

- A list of equipment and components to be installed, including manufacturers' catalog/model number.
- Manufacturers' specification sheets for all major components.

ENERGY PERFORMANCE AND OPERATIONAL SEQUENCE REQUIREMENTS

- Provide calculations documenting the predicted energy consumption of the existing (or base) and proposed design using the appropriate analytical tools and clearly stated assumptions. Calculations may be performed by "hand" but spreadsheet or computer modeling analysis is preferred, and may be supplied in electronic format.
- All assumptions such as operating hours, existing and proposed equipment, and operational details must be presented.
- List of system requirements (pressure, flows, etc.), operating hours, and control strategies (attach separate sheets).

OTHER REQUIREMENTS AND COMMENTS

- Provide any further documentation that helps to demonstrate the performance characteristics of the project and the project's ability to demonstrate and promote energy efficiency in the Ameren Illinois service territory.
- Please provide any measured data wherever possible.
- Copy of bids to show how project cost was determined (outside labor and materials).

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Large Incentive Request Form (LIRF)
(required for ALL Custom applications, and all other projects with incentive (survey) requests greater than \$25,000)

ActOnEnergy works with eligible Ameren Illinois non-public business customers to install cost-effective energy-efficiency projects. The program intent is to subsidize the up-front costs of energy-efficiency projects that would not have been completed without the Ameren Illinois assistance.

Please take a moment to document how the requested financial incentive from ActOnEnergy is critical to the success of your project. Completion of this form does not guarantee the award of an incentive. If you would like assistance in completing this form, please feel free to contact ActOnEnergy. Mail, fax, or e-mail to the address on the bottom of the page.

The top section of this form can be completed by the customer, ally, or ActOnEnergy Energy Advisor.

Customer Contact Information

Company Name:		Contact:	
Facility Address:		Phone:	
E-mail:			

Ally/RSP Contact Information

Service Provider Company Name:		Contact:	
Service Provider Address:		Phone:	
E-mail:			

Project Data

Brief Description of Project:	
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PROJECT CALCULATIONS AND INFORMATION			
A	Project Cost*	Cost of materials + cost of labor (do not include internal labor)	
B	Requested Incentive	From the "Incentive Calculation" tab	
C	Estimated Annual Savings (Electric and/or gas)	(Reduced annual kWh / electric rate) + (Reduced annual therms / gas rate)**	
D	Estimated Payback Before Incentive	Project Cost (A) / Savings (C)	years
E	Estimated Payback After Incentive	(Project Cost (A) - Incentive (B)) / Savings (C)	years

*Please provide a copy of a proposal or quotation to validate these numbers.

** Electric rate = \$/kWh, gas rate = \$/therm.

○

The section below this line must be completed by the Ameren Illinois customer

Impact Questionnaire: The project described above would not be completed without the requested ActOnEnergy incentive money because:

--

Barriers to Implementation - ActOnEnergy understands that energy savings is just one of the many potential benefits of a project. Please identify the primary barriers (check UP TO FOUR) that prevented action on this opportunity prior to involvement by ActOnEnergy.

- Unaware of the opportunity or possible solutions.
- Lacked confidence in potential savings.
- Lack of interest or support from company decision-makers.
- Business conditions were not suitable.
- Project payback was too long.
- Other projects or job responsibilities took priority.
- Project implementation costs were too high.
- Lack of capital or access to financing.
- Insufficient internal staffing to manage and advance projects.

Other (specify) _____

ActOnEnergy Assistance - For identified barriers, select UP TO FOUR areas where ActOnEnergy personnel provided assistance to help you overcome the barrier.

- Unaware of the opportunity or possible solutions.**
 - Provided suggestion / support via phone or email
 - Conducted site assessment
 - Customer received mailing / email information from ActOnEnergy
 - Provided support to customer's energy team
 - Customer participated in ActOnEnergy training
 - Provided vendor contacts for project scoping
 - ActOnEnergy vendor ally provided suggestions
- Lacked confidence in potential savings.**
 - Assisted with savings calculations
 - Reviewed vendor's project estimates
 - Refining a previously identified opportunity
 - Provided Incentive for Feasibility Study
 - Offered possibility of ActOnEnergy measurement & verification
 - Provided customer with a case study
- Lack of interest or support from company decision-makers.**
 - Provided "ballpark" savings & Incentive to decision-makers
 - Met with decision-makers to discuss project & ActOnEnergy assistance
- Business conditions were not suitable.**
 - Revised ActOnEnergy incentive to address market conditions
- Project payback was too long.**
 - ActOnEnergy incentive reduced project payback to acceptable range
- Other projects or job responsibilities took priority.**
 - Provided savings estimate showing project value
 - Provided support to customer's energy team
 - Provide Staffing Incentive
 - Provided vendor contacts for project scoping
- Project implementation costs were too high.**
 - Provide project incentive to reduce implementation costs
 - Worked with vendors to refine project scope / costs
- Lack of capital or access to financing**
 - Provide project incentive to reduce implementation costs
- Insufficient internal staffing to manage and advance projects.**
 - Provided Staffing Incentive

Customer Factors - Please check the box if the answer to the questions regarding this project is yes.

- Does your company have a designated Energy Manager who was involved in this project?
- Was this project part of a regulatory mandate? (If yes, please provide an explanation of why incentive money was needed.)

- Was this project part of a "green" goal or specified energy reduction goal? (If yes, please provide an explanation of why incentive money was needed.)

- Is this project the same or similar to a project previously implemented by your company?
- Would you have undertaken this project in the near future even without assistance from ActOnEnergy?
- Would you consider this project or technology to be typical within your industry? (If no, please elaborate in the "Impact Questionnaire" text box above.)
- Are other project benefits more important than energy savings? (If yes, please provide an explanation of what other benefits are.)

- Other (specify) _____

Customer Signature

(your typed name here constitutes a valid signature)

(your title)

(Name of ActOnEnergy personnel who assisted you)

Date

(mm/dd/yy) - include "-" or "/"

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INCENTIVE PAYMENT REQUEST

When your project is complete (operational) submit this form to request your incentive payment.

If you are considering changes to your scope of work it is imperative that you contact your Technical Reviewer. The ActOnEnergy representative will provide information on how these changes will impact your savings/incentive and the necessary steps required to request incentive changes.

- Submit a copy of invoices showing the date, place of purchase, model/part numbers of the equipment installed, and the costs.
- If there were any changes to your project since your incentive was calculated by an ActOnEnergy Technical Reviewer, submit a summary of the changes made, and why.
- Submit this completed INCENTIVE PAYMENT REQUEST form, and send it to ActOnEnergy at one of the options listed below.

By signing below, I acknowledge the upgrades at the facility location (as specified in the Application) have been completed and are operational.

Company Name (Ameren Illinois customer): _____

Project number (from pre-approval letter): _____

Project completion date ____ / ____ / ____ (mm/dd/yy) - include "-" or "/"
(Completion date is defined as the date the newly installed equipment is operational.)

Customer Contact Signature: _____

(typing your name here constitutes a valid electronic signature)

Date signed: ____ / ____ / ____ (mm/dd/yy) - include "-" or "/"

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ELECTRIC PROJECT CALCULATIONS AND INFORMATION			
This table is OPTIONAL for your pre-approval application - you may use this table to calculate an estimate of energy savings and potential incentives, in addition to running calcs to determine eligibility.			
Make copies of this page if more than one measure is being implemented. For the electronic version, Input data in yellow cells.			
		EXISTING EQUIPMENT	NEW EQUIPMENT
A	Description of Measure <i>(e.g., compressed air, exterior lighting, VFD, or process improvement)</i>		
B	Electrical Load (total)	kilowatts (watts ÷ 1,000)	Kilowatts (watts ÷ 1,000)
C	Estimated Hours (per year) of Operation	hours/year	hours/year
D	Estimated kWh/year Used <i>(Row B x Row C)</i>	kWh/year	kWh/year
		INSTRUCTIONS	ANSWER
E	Reduced kW	(difference between the two numbers in Row B)	kW
F	Reduced kWh per year	(difference between the two numbers in Row D)	kWh
G	Your Electric Rate	(money spent on electricity for a year) divided by (kWh used in a year)	\$/kWh
H	Annual Energy Cost Savings	Row F x Row G	
	Type of Project (pick one)	<input type="radio"/> lighting <input type="radio"/> non-lighting	
I	Incentive (Custom Program)	Row F x \$0.06 (for lighting) Row F x \$0.08 (for all other measures)	
J	Cost of Materials *		
K	Cost of Labor – do not include internal labor *		
L	Project Cost	Row J + Row K	
M	Payback Period Before Incentive <i>(must be between one and seven years - if the cell turns red you have not met this criteria)</i>	Cost / Savings (Row L) divided by (Row H)	years
N	Payback Period After Incentive <i>(must be between one and seven years -- if the cell turns red you have not met this criteria)</i>	(Cost-Incentive) / Savings (Row L – Row I) divided by Row H	years
O	Incentive is What Percent of the Job Cost <i>(ineligible if less than 10%, capped at 50% - the cell will turn red if this calculates less than 10%)</i>	(Row I) divided by (Row L) x 100	

*Please provide copy of a proposal or quotation to validate these numbers



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GAS PROJECT CALCULATIONS AND INFORMATION			
This table is OPTIONAL for your pre-approval application - you may use this table to calculate an estimate of energy savings and potential incentives, in addition to running calcs to determine eligibility.			
Make copies of this page if more than one measure is being implemented. For the electronic version, Input data in yellow cells.			
		EXISTING EQUIPMENT	NEW EQUIPMENT
A	Description of Measure <i>(e.g., Steam system, process heat system, heat recovery, other process improvements)</i>		
B	Natural Gas Load (total therms per hour)	therms (Btu ÷ 100,000)	therms (Btu ÷ 100,000)
C	Estimated Hours (per year) of Operation	hours/year	hours/year
D	Estimated therms/year Used <i>(Row B x Row C)</i>	therms/year	therms/year
		INSTRUCTIONS	ANSWER
E	Reduced therms	(difference between the two numbers in Row B)	therms
F	Reduced therms per year	(difference between the two numbers in Row D)	therms
G	Your Natural Gas Rate	(money spent on gas for a year divided by therms used in a year)	\$/therm
H	Annual Natural Gas Cost Savings	Row F x Row G	
I	Incentive (Custom Gas Program)	Row F x \$1.20 (for all gas measures)	
J	Cost of Materials*		
K	Cost of Labor – do not include internal labor*		
L	Project Cost	Row J + Row K	
M	Payback Period Before Incentive <i>(must be between one and seven years -- if the cell turns red you have not met this criteria)</i>	Cost / Savings (Row L) divided by (Row H)	years
N	Payback Period After Incentive <i>(must be between one and seven years -- if the cell turns red you have not met this criteria)</i>	(Cost-Incentive) / Savings (Row L – Row I) divided by Row H	years
O	Incentive is What Percent of the Job Cost <i>(ineligible if less than 10%, capped at 50%)</i>	(Row I) divided by (Row L) x 100	

*Please provide copy of a proposal or quotation to validate these numbers

TERMS AND CONDITIONS

1. DEFINITIONS: In addition to terms defined elsewhere herein, when any one of the following terms is used in these Terms and Conditions, wherein the first letter is written with a capital letter, then that term shall have the following definition. Words importing persons include corporation, and words importing only the singular include the plural and vice versa when the context requires.

- a) **"Ameren Illinois"** shall mean Ameren Illinois Company d/b/a Ameren Illinois.
- b) **"Application"** shall mean the completed portion of the "Project Guide" used to apply for cash incentives.
- c) **"Competitive Large Project Incentive"** shall mean incentives applied for by submitting the Competitive Large Project Incentive Application. Those applications will go through a competitive bidding process to determine which projects will be awarded incentives.
- d) **"Customer"** shall mean an Eligible Customer who has submitted an Application for incentive money using their account number. The Customer shall become a party to the agreement upon acceptance of Customer's Application by Ameren Illinois.
- e) **"Custom Programs"** shall mean those projects associated with incentives not listed in the Standard Programs (further defined in Section 1-1 below, in these Terms and Conditions).
- f) **"EEM"** shall mean energy efficiency measures.
- g) **"Eligible Customers"** shall mean non-residential electric and/or gas Customers of Ameren Illinois. Each program has different eligibility requirements for Delivery Service rates (DS# for electric, GDS# for gas) to be eligible for that program. Refer to the specific program project guides to determine if your business is eligible for that program. The Ameren Illinois incentive payments are awarded only to Eligible Customers for equipment that is owned by them and installed in the Ameren Illinois service area at the location that corresponds with the Ameren Illinois account number listed in the Application. All Eligible Customers are ultimately responsible for compliance with these Terms and Conditions.
- h) **"Facility"** shall mean a single premise that, in general, consists of a contiguous tract of land separated by nothing more than a street, alley, or railroad right-of-way, where all buildings and/or energy-consuming devices are owned by a single Customer.
- i) **"New Construction"** shall include new construction, remodels, and building additions, as specified on the New Construction project guide.
- j) **"Pre-approval"** shall mean written notification to Customer of a maximum pre-approved incentive amount through a Pre-approval Letter, which Ameren Illinois issues after review of the Customer's Application.
- k) **"Project Guide"** shall mean the downloadable file (Excel or PDF format) that includes: directions for completing the application, eligibility criteria, the application forms to be completed that are used to apply for incentive money, program Terms and Conditions, and any other appropriate application-specific documentation.
- l) **"Qualifying Energy Efficiency Measures (EEMs)"** shall mean either (i) Standard gas or electric EEMs (measures found on any of the Standard Programs project guides: *Lighting, VFD, HVAC, Refrigeration, Lodging, Agriculture, Grocery, and Commercial Kitchens*); or (ii) measures eligible under the Custom Program (including the *Feasibility Study* incentives) approved by Ameren Illinois; (iii) measures found in the *retro-commissioning program*, including *Steam Trap Leak Survey and Repair*, as identified in official program materials found on the ActOnEnergy website; or (iv) measures eligible under the *New Construction* program approved by Ameren Illinois. Technologies that purport to save energy through reduction of voltage, demand, or power conditioning are not Qualifying EEMs. EEMs that displace electrical energy use or natural gas to another fuel (i.e., fuel switching proposals) are not Qualifying EEMs. Other than geothermal projects, renewable energy projects (solar, wind power, etc.) are also not eligible for incentives under this program. Unless explicitly pre-approved, EEMs must be new and covered by warranties. The HVAC and refrigeration tune-up program eligibility requirements are specified in their respective project guides. Natural Gas (gas) incentives do not include propane or butane measures.
- m) **"Standard Programs"** shall mean those projects associated with Standard gas or electric EEMs. Standard Programs include the following: *Lighting, VFD, HVAC, Refrigeration, Grocery/Convenience, Lodging, Commercial Kitchen, Steam Trap, and/or Agriculture*. See the ActOnEnergy website for project guides for these programs (ActOnEnergy.com).

2. OWNERSHIP OF CAPACITY AND/OR ENVIRONMENTAL CREDITS:

- a) EEMs purchased and installed in part through incentives provided by this program are the property of the Customer, subject to any limitations contained within these Terms and Conditions.
- b) Notwithstanding the above, unless otherwise requested in writing by the Customer prior to installation of the EEMs, Ameren Illinois holds sole rights to any system capacity credits and environmental credits that may be associated with EEMs for which incentives from Ameren Illinois were received, and Ameren Illinois can dispose of these credits in any manner authorized by law or regulation.
- c) In no event shall activity associated with any energy or environmental credits noted in Section 2(b) result in interference with the Customer's sole discretion to operate EEMs as approved in his/her incentive award.

3. PRE-APPROVAL

For all Applications, Ameren Illinois is not obligated to award any incentive payment unless Pre-approval is granted. Further, Ameren Illinois will not pay incentives for any EEMs ordered or PO generated prior to the date of the Pre-approval Letter, UNLESS, the requested incentive is less than \$10,000 on any Standard Program Application. Pre-approval reserves incentive funds for a period of 120 days from the date of the Pre-approval Letter. After 120 days Ameren Illinois may revoke the Pre-approval Letter and associated incentive funds, if in sole judgment of Ameren Illinois, satisfactory project progress has not been made. Custom and New Construction projects may be given leniency with this 120 days, but only if ActOnEnergy staff are notified well in advance that additional time may be needed.

4. POST-INSTALLATION VERIFICATION: Ameren Illinois is not obligated to make any incentive payment until it has performed a satisfactory post-installation verification. This provision may be waived at the sole discretion of Ameren Illinois.

5. INCENTIVE PAYMENT AMOUNTS:

- a) Incentive caps (per program year (June 1 through May 31), for a facility) are defined as follows:
- Standard and Custom applications (including the Feasibility Study), combined: Electric incentives are capped at \$600,000 with first \$200,000 paid out at 100% and the remaining, up to \$600,000, paid out at 50%. Gas incentives are capped at \$200,000 with a \$100,000 per project cap.
 - Incentives awarded under the Competitive Large Project Incentive (CLPI), are capped at \$500,000 for electric incentives, and \$100,000 for gas incentives – although, these numbers could be increased by up to 15% if you qualify for the early completion bonus. See the application for further criteria. These incentives do not count toward any of the other program incentive caps.
 - Incentives awarded under the Staffing Incentives for Energy Efficiency Project Manager can be up to \$80,000, but are capped at 40% of the value of the expected annual energy savings from the implemented projects. See the Program Staffing Incentive Application for further criteria. These incentives do not count toward any of the other program incentive caps.
 - New Construction – Lighting incentives are capped at \$100,000. These incentives do not count toward any of the other program incentive caps.
 - Retro Commissioning (includes Leak Survey and Repair) incentives are capped at \$600,000 per facility, per program year. These incentives do not count toward any of the other program incentive caps.
- b) Ameren Illinois reserves the right to adjust and/or negotiate the incentive amount, based upon its independent assessment of appropriate savings or cost estimates.
- c) Once an incentive Application is approved, Ameren Illinois will pay no more than the approved incentive amount.
- d) ActOnEnergy reserves the right to cap incentives at \$10,000 for Standard projects that did not obtain pre-approval.

6. MONITORING AND EVALUATION FOLLOW-UP VISITS: Ameren Illinois and any of its contracted parties, reserves the right to make follow-up visits or surveys to a Customer's facility during the 36 months following the completion date of the project at a time convenient to the Customer.

7. CHANGES IN/CANCELLATION OF THE PROGRAM:

- a) Ameren Illinois may change the program requirements, incentives, or these Terms & Conditions at any time without notice, including suspending acceptance of Applications, denial of Applications already received, or terminating the program.
- b) In the event of program change, Applications, which have been granted Pre-approval will be processed to completion under the Terms & Conditions in effect at the time of Pre-approval by Ameren Illinois.
- c) Cash incentives under the Ameren Illinois programs are offered on a first-come, first-served basis and are subject to project and Customer eligibility, and the availability of funds.

8. LIMITATION OF LIABILITY AND INDEMNIFICATION:

- a) The Ameren Illinois total liability to customer under these terms and conditions, or any other requirement of customer's application or condition of incentive award shall be limited to paying the incentive payments specified in the application or pre-approval letters. Ameren Illinois, its parent, affiliates and subsidiaries, and their directors, officers, employees, or agents shall not be liable to the customer or for any damages in tort (including negligence) caused by any activities associated with this application; loss of profits or revenue; loss of use of customer's property, equipment or power system; increased costs of any kind, including but not limited to capital cost, fuel cost and cost of purchased or replacement power; or any special, indirect, consequential or incidental damages whatsoever. *By participating in the Ameren Illinois program, customer agrees to waive any claims and fully releases Ameren Illinois from any damages, of any kind.*
- b) The customer shall defend, protect, indemnify, and hold harmless Ameren Illinois, its parent, affiliate and subsidiaries, and their representative directors, officers, employees, and agents from and against all liabilities, losses, claims, damages, judgments, penalties, costs and expenses (including, without limitation, attorney's fees and expenses) with respect to all demands, claims, suits, causes of action, and/or judgments for injuries, including death, to any person, of third parties, and for property damage incurred by or assessed against Ameren Illinois arising out of or relating to customer's application.

9. NO WARRANTIES: Ameren Illinois does not guarantee the energy savings and its parent, affiliates, employees, and agents do not make any representations or warranties of any kind regarding the results to be achieved by the EEMs or the adequacy or safety of such measures. Ameren Illinois and its parent, affiliates, employees, and agents do not endorse, guarantee, or warrant any particular manufacturer, contractor or product, and it provides no warranties, expressed or implied, including any implied warranty of merchantability or implied warranty of fitness for any product or services. Ameren Illinois has no obligations regarding and does not endorse or guarantee any claims, promises, work, or equipment made performed or furnished by any contractors or equipment vendors that sell or install EEMs.

10. CUSTOMER SHALL PAY ALL TAXES: Incentive payments received by the Customer under this Agreement may be taxable by the federal, state, and local government. The Customer is responsible for declaring and paying all such taxes.

- a) Except as expressly provided herein, if either Ameren Illinois or the Customer desires to modify these Terms and Conditions, the modification must be in writing and signed by an authorized representative of the party against which enforcement of the modification is sought.
- b) Resolution of disputes concerning these Terms and Conditions, or any other requirement of this project guide or condition of incentive award, resolution will be governed in all respects by the laws, statutes, and regulations of the State of Illinois.
- c) Ameren Illinois and customer hereby irrevocably and unconditionally waive any right either such party may have to a trial by jury or to initiate or become a party to any class action claims in respect of any action, suit or proceeding directly or indirectly arising out of or relating to this project guide or the transactions contemplated by this project guide.