



Business Program



Rev08PY4AmerenIllinoisBusinessPS/ST

Clarifications for this PDF (Hard Copy) version of this "Standard" 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)
Application for Pre-approval ("Green Tab") - must be submitted with pre-approval application
Customer and Ally Info ("Green Tab") - must be submitted with pre-approval application
Eligibility Criteria ("Green Tab") - lists measures that fall under the Standard Process Steam/Steam Trap program, and their eligibility criteria
Log Sheet ("Green Tab") - Must be completed with all Incentive Payment Request applications
Incentive Calculation ("Green Tab") - form to use to determine the incentive money for your project - must be submitted with your application
Required Documentation ("Yellow Tab") - must be submitted with your final paperwork, when the project is complete
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)
- Large Incentive Request Form (required if your incentive request is greater than \$25,000).

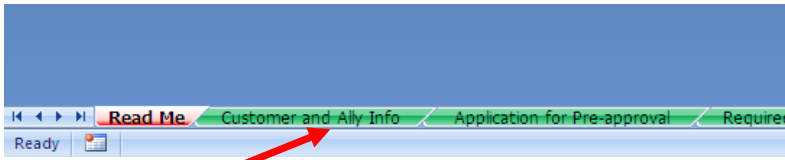
These "supplemental" documents can be found on the ActOnEnergy.com web page in the forms library. http://www.actonenergy.com/for-contractors/act-on-energy-forms-library/

*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
Standard Process Steam/Steam Trap 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, Incentive Calculation, Tune-up Certification</i>)
	Yellow tab - contains directions and paperwork to submit when your project is complete (<i>Incentive Payment Request, Required Documentation</i>)
	Blue tabs may or may not be required with your application - check each tab for requirements (<i>Landlord Consent, Payment Release, Large Incentive Request Form</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 **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?**
- * The Incentives are intended to support projects that are energy-efficient designs or install new premium-efficiency, high-performance equipment.
 - * Equipment must meet the eligibility criteria listed on the "Eligibility Criteria" tab.
 - * Project completion date must be on or after June 1, 2011, and before June 1, 2012.
- (NOTE: The Industrial Process/Steam Trap program was first introduced on June 23rd, 2011, therefore only projects that were started after June 22rd 2011 are eligible for these incentives. Applications with information indicating the project was started prior to June 23rd (determined by (but not limited to) invoices dates, contract dates, and/or purchase orders) will be denied.

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 projects with incentive requests greater than \$10,000. See the Terms and Conditions of this project guide for details.

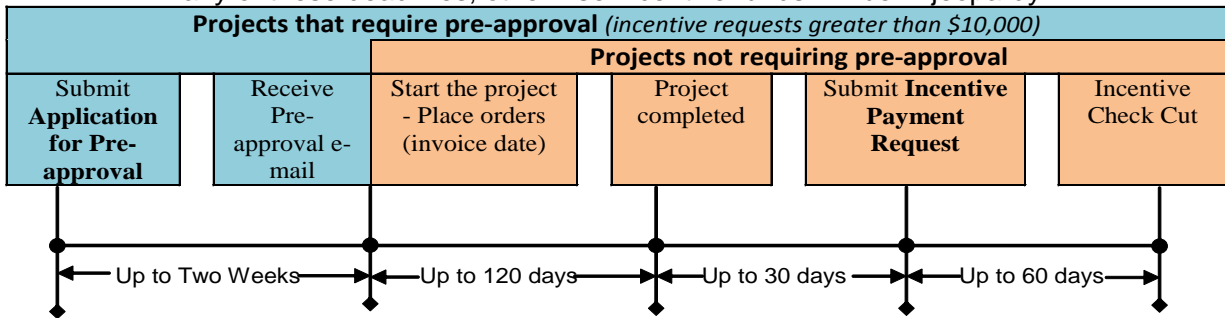
- * The information requested on the blue tabs of this workbook may or may-not be required with your application - please check each tab.
- * Anyone may fill out the application, but the signature of the Ameren Illinois customer is required on the "Application for Pre-approval" and the "Incentive Payment 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 each 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 your Pre-Approval application has been approved you will receive an e-mail to notify you may begin work.

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

- * After you have completed your project (installed and operational), return a copy of the "Incentive Payment Request" form (yellow tab), and the required documents, as indicated on that form, 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 Timeline for “Non-Custom” Projects

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.



Standard (non-Custom) applications that have incentive requests under \$10,000 are not required to obtain pre-approval. However, if you are submitting to reserve funds (and your incentive request is less than \$10,000), the application **will not** undergo a technical review. Rather, your application will be reviewed at an administrative level and an acknowledgement e-mail with an Estimated Incentive Letter will be issued. It is up to you to confirm your project meets the eligibility criteria. If you have specific questions about eligibility, please call us and we will assist you.

*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.

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Business Program
Standard Process Steam/Steam Trap Application

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APPLICATION FOR PRE-APPROVAL

Pre-approval is only required for Standard projects with incentive requests that are greater than \$10,000. If your incentive request is less than \$10,000 you may submit a "pre-approval" application to reserve funds but the application will not undergo a technical review. Rather, your application will be reviewed at an administrative level and an acknowledgement e-mail with an Estimated Incentive Letter will be issued. It is up to you to confirm your project meets the eligibility criteria.

To **submit your Standard application for pre-approval**, complete and submit all the items in this checklist, complete the fields below, and "sign" the form. Submit your application via any of the options listed on the bottom of the page.

- Complete all fields in the *Customer and Ally Information* tab
- Complete applicable fields in the *Incentive Calculation* 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 if your incentive request is greater than \$25,000).

It could take up to two weeks to process this pre-approval application. Do not make any purchases or commitments to purchase equipment until you receive your pre-approval e-mail.

If you are considering changes to your scope of work (after receiving pre-approval) 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.

Requested incentive amount
(per the incentive calculation tab)

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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CUSTOMER AND PROJECT INFORMATION			
AMEREN ILLINOIS CUSTOMER INFORMATION <i>(in the electronic version, complete all the yellow cells)</i>			
Company Name:	Tax Status: <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Exempt	Ameren Illinois Electric Acct #: -----	Ameren Illinois Gas Acct #: -----
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 ActOnEnergy 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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Business Program Standard Process Steam/Steam Trap Project Guide

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INCENTIVES AND ELIGIBILITY REQUIREMENTS (incentives are based on the new equipment being installed, not the equipment removed)				
Measure	Code	Eligibility Criteria for Equipment to be Replaced*	Eligibility Criteria for New Equipment	Unit Incentive**
Steam Traps (HVAC)				
Steam-Trap Survey (HVAC)	BPST1 (NEW)	<ul style="list-style-type: none"> Traps must be in service to be eligible for incentives 	<ul style="list-style-type: none"> Survey incentive is available for all tested traps. No incentive will be given for traps that are out of service. If external labor is used then the incentive cannot be greater than the invoice cost. 	<=15 psig \$30/trap
Steam Trap Repair/ Replacement (HVAC)	BPST2 (NEW)	<ul style="list-style-type: none"> Traps must be malfunctioning and leaking steam to be eligible Repair incentive is not available for traps that are failed closed or are plugged. 	<ul style="list-style-type: none"> Leaking traps must be repaired or replaced The incentive cannot be greater than the invoice cost (project costs include parts and external labor). 	<=15 psig \$100/trap
Mass Replacement of Steam Traps (no survey conducted) - (HVAC)	BPST3 (NEW)	<ul style="list-style-type: none"> Traps must be in service to be eligible for incentives 	<ul style="list-style-type: none"> If replacement is done without a survey, the program will assume that 30 percent of the traps were leaking and will pay a repair incentive on 30% of the total number of traps replaced. The incentive cannot be greater than the invoice cost (project costs include parts and external labor). 	<=15 psig \$100/trap (total number of traps replaced X \$100 X 30% (to incentivize only the 30% that are assumed failed))
Steam Traps (Process Steam)				
Steam-Trap Survey (Industrial Process)	BPST4 (NEW)	<ul style="list-style-type: none"> Traps must be in service to be eligible for incentives 	<ul style="list-style-type: none"> Survey incentive is available for all tested traps. No incentive will be given for traps that are out of service. If external labor is used then the incentive cannot be greater than the invoice cost. 	<=15 psig \$30/trap >15 psig \$50/trap
Steam Trap Repair/ Replacement (Industrial Process)	BPST5 (NEW)	<ul style="list-style-type: none"> Traps must be malfunctioning and leaking steam to be eligible Repair incentive is not available for traps that are failed closed or are plugged. 	<ul style="list-style-type: none"> Leaking traps must be repaired or replaced The incentive cannot be greater than the invoice cost (project costs include parts and external labor). 	<50 psig \$100/trap 50-125 psig \$200/trap 126-225 psig \$300/trap >225 psig \$400/trap
Mass Replacement of Steam Traps (no survey conducted) (Industrial Process)	BPST6 (NEW)	<ul style="list-style-type: none"> Traps must be in service to be eligible for incentives 	<ul style="list-style-type: none"> If replacement is done without a survey, the program will assume that 30 percent of the traps were leaking and will pay a repair incentive on 30% of the traps replaced. The incentive cannot be greater than the invoice cost (project costs include parts and external labor). 	<50 psig \$100/trap 50-125 psig \$200/trap 126-225 psig \$300/trap >225 psig \$400/trap (total number of traps replaced X incentive listed above (based on psig) X 30% (to incentivize only the 30% that are assumed failed))

*Municipal steam systems (i.e., "city steam") are not a qualifying utility.

**PSIG measured at the trap

These incentives are available only one per steam system per 12-month period.

Other Energy-Efficient Upgrades to Consider

There are many other eligible energy-efficient measures that are not listed here – those measures might be eligible under the ActOnEnergy **Standard Incentive Programs**, the **On-line Store**, or the **Custom Program**. Additional opportunities include projects such as:

- Lighting upgrades
- Controls and occupancy sensors for lighting systems
- Variable Frequency Drives (VFDs)
- Energy Management Systems
- HVAC equipment
- Addition of any new energy-efficient equipment
- New construction that includes energy-efficient equipment

Please call us to discuss the eligibility.

ActOnEnergy On-line Store

Another option is to purchase energy-efficient lighting (and other) equipment directly through the ActOnEnergy.com on-line store. <http://www.actonenergy.com/for-my-business/business-incentive-programs/online-store/> (these significantly reduced prices cannot be combined with the incentive programs offered through ActOnEnergy).

Products available include:

- LED Exit Signs
- CFL Lamps
- T8 Lamps and Ballasts
- Motion Sensors
- LED Bulbs
- Power Strips

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

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Questions: call toll free: 1.866.800.0747 • ActOnEnergyBusiness@Ameren.com • [ActOnEnergy.com](http://www.actonenergy.com)

Business Program Standard Process Steam/Steam Trap Application

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STEAM TRAP PROJECT CALCULATIONS AND INFORMATION					
Steam Traps (customer may apply for Survey and/or Repair/replacement incentives)					
(NOTE: The Industrial Process/Steam Trap program was first introduced on June 23rd, 2011, therefore only projects that were started after June 22rd 2011 are eligible for these incentives. Applications with information indicating the project was started prior to June 23rd (determined by (but not limited to) invoices dates, contract dates, and/or purchase orders) will be denied.					
Customers applying for pre-approval should complete this form using a good faith estimate to determine the estimated incentive amount. If your estimate changes as you complete your project, contact your technical reviewer to discuss the updated project/incentive amount.					
General Heating (i.e., HVAC) Steam System					
HVAC Steam Trap Survey					
Code	Description	Project Cost (If external labor was used enter total of parts and labor. Enter 0 if internal labor was used.)	Quantity of Steam Traps (A)	Unit Incentive (B)	Total Incentive (A X B) ¹
BPST1	Steam Trap Survey (HVAC)	\$ -	<= 15 psig	\$30/trap	\$ -
	Do you intend to repair (or replace) the leaking traps identified in this survey	<input type="checkbox"/> Yes <input type="checkbox"/> No	If you don't intend to repair/replace them now, when?		
HVAC Steam Trap - Repair / Replacement					
Code	Description	Project Cost ^{1,2}	Quantity of Steam Traps (A)	Unit Incentive (B)	Total Incentive (A X B) ¹
BPST2	Steam Trap Repair/Replacement (HVAC)	\$ -	<= 15 psig	\$100/trap	\$ -
Code	Description	Project Cost ^{1,2}	Total Steam Traps in the System (leaking, or not) (A)	Unit Incentive (B)	Total Incentive (A X B) ¹
BPST3	Mass Replacement of Steam Traps (no survey conducted) - (HVAC)	\$ -	<= 15 psig	\$100 per trap X 30%	\$ -
Industrial Process Steam System					
Industrial Process Steam Trap Survey					
Code	Description	Project Cost (If external labor was used enter total of parts and labor. Enter 0 if internal labor was used.)	Quantity of Steam Traps (A)	Unit Incentive (B)	Total Incentive (A X B) ¹
BPST4	Steam Trap Survey (Industrial Process)	\$ -	<= 15 psig >15 psig	\$30/trap \$50/trap	\$ -
	Do you intend to repair (or replace) the leaking traps identified in this survey	<input type="checkbox"/> Yes <input type="checkbox"/> No	If you don't intend to repair/replace them now, when?		
Industrial Process Steam Trap - Repair / Replacement					
Code	Description	Project Cost ^{1,2}	Quantity of Steam Traps (A)	Unit Incentive (B)	Total Incentive (A X B) ¹
BPST5	Steam Trap Repair/Replacement (Industrial Process)	\$ -	<50 psig	\$100/trap	\$ -
			50-125 psig	\$200/trap	
			126-225 psig	\$300/trap	
			>225 psig	\$400/trap	
Code	Description	Project Cost ^{1,2}	Total Steam Traps in the System (leaking, or not) (A)	Unit Incentive (B)	Total Incentive (A X B) ¹
BPST6	Mass Replacement of Steam Traps (no survey conducted) - (Industrial Process)	\$ -	<50 psig	\$100/trap X 30%	\$ -
			50-125 psig	\$200/trap X 30%	
			126-225 psig	\$300/trap X 30%	
			>225 psig	\$400/trap X 30%	
GRAND TOTAL OF REQUESTED INCENTIVE					\$ -

1. The Incentive for repair/replacement measures cannot be greater than the project cost (project costs include parts and external labor). If only a survey was done and internal labor was used, there is no cap on the incentive.
2. Repair/replacement project costs do not include survey labor.

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REQUIRED PROJECT DOCUMENTATION

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

STEAM TRAP SURVEY

- A completed copy of the "Log" (located on the "Log Sheet" tab) must be included
- If external labor was used a copy of the paid invoice of completed work specifying the labor used and the date the work was completed.
- If internal labor was used, no invoice is needed.
- Include with survey, a report of the findings and the recommendations, AND a cost-summary report that provides a listing of the cost of steam loss due to defective traps, cost estimates of repairing or replacing defective traps and economical payback period

STEAM TRAP REPAIR/REPLACEMENT

- A completed copy of the "Log" (located on the "Log Sheet" tab) must be included.
- A copy of the paid invoice of completed work, including an itemized list of parts used, cost of parts and labor (external labor only), and the date the work was completed.
- Project cost includes only the replacement and/or repair parts and associated labor (external labor only). Survey labor cannot be included in this total.

STEAM TRAP MASS REPLACEMENT - NO SURVEY CONDUCTED

- A summary report on the system, to include (at a minimum): the number of traps (indicating: total number of traps in the system, how many of those are "out-of-service" (which are not included in the incentive calculation), and of those that are "in service" the quantity, broken out by pressure and orifice size (enter into the Log Tab).
- A copy of the paid invoice of completed work, including an itemized list of parts used, cost of parts and labor (external labor only), and the date the work was completed.

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INCENTIVE PAYMENT REQUEST

To request your incentive payment you must return the following to ActOnEnergy after you have completed your project (equipment is operational):

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.

Select one of the following three scenarios and submit paperwork as requested:

- 1) IF YOU RECEIVED PRE-APPROVAL FOR YOUR PROJECT (your incentive request was **greater** than \$10,000)
 - If there were any changes to your project since pre-approval, submit a summary of the changes made, and why.
 - Documentation required in the "For All Projects" section below
- 2) IF YOU RECEIVED PRE-APPROVAL FOR YOUR PROJECT (your incentive request was **less** than \$10,000 - You received an "Estimated Incentive Letter")
 - If there were any changes to your project since pre-approval, submit a summary of the changes made, and why.
 - Any information and/or paperwork from the "Application for Pre-approval" tab not already submitted.
 - Documentation required in the "For All Projects" section below
- 3) IF YOU DID NOT RECEIVE PRE-APPROVAL FOR YOUR PROJECT
 - A completed copy of the "Application for Pre-approval" tab, and all required documentation required for pre-approval.
 - Documentation required in the "For All Projects" section below

For all projects:

- Submit a copy of invoices showing the date, place of purchase, model/part numbers of the equipment installed, and the costs.
- Submit required project documentation (as specified on the Project Documentation tab).
- 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 "Customer and Ally Info") 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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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:
 - i) 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.
 - ii) 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.
 - iii) 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.
 - iv) New Construction – Lighting incentives are capped at \$100,000. These incentives do not count toward any of the other program incentive caps.
 - v) 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.