

Custom Incentives Application

January 1, 2026 through December 31, 2026

DIRECTIONS: Please save a copy of this form to your computer by selecting "FILE/SAVE AS" before entering text and numbers. Then fill in your information electronically and select "SAVE." Note that this form requires the current Adobe Reader® version to function properly. Download the most recent version of Adobe Reader® at <https://get.adobe.com/reader/>.

The ComEd Energy Efficiency Program offers incentives to help facilities save energy and money by improving the efficiency of their equipment. Eligible customers can receive custom incentives up to 100% of the project cost for energy efficiency improvements that are not covered by other program incentives.

Your incentive is based on actual kWh saved, as verified by the ComEd Energy Efficiency Program team after the installation is complete. **Please follow the steps below to apply for incentives for your project.**

(Please note: Custom lighting projects should be submitted using the [Specialty New Construction Lighting Incentives Worksheet](#).)

STEP 1: Submit Your Custom Incentive Application with Requested Documentation

- Complete pre-application sections on pages 2-6.
- Baseline energy and savings calculations are optional. If you choose to submit calculations, download the [Calculating & Documenting Energy Savings](#) guide for information on calculating and measuring the energy savings associated with your project.
- You will need to provide manufacturer's specification sheets for the equipment you will be installing.
- If you need assistance completing this application, email BusinessEE@ComEd.com or call 855-433-2700. We are here to help!

STEP 2: Receive Approval via Reservation Letter

Wait until you receive an incentive reservation notification before purchasing equipment. The notification will include the total estimated incentive reserved for your project. Failure to wait for the reservation letter will result in the forfeit of requested incentives.

STEP 3: Purchase and Install New Equipment

The incentive reservation allows one year to complete your project and finalize your application. Contact the program team if you think your project will require more than one year. Measurement and Verification (M&V) may be required.

STEP 4: Inform ComEd that Installation is Complete

- Inform your ComEd contact that installation is complete.
- You will need to provide specification sheets for the equipment you installed, as well as the invoices for all materials and labor for this project.
- Submit, if required, measurement and verification (M&V) data as requested.

STEP 5: Review and Sign Final Application

ComEd will email the completed application form containing the final savings and incentive. You will need to review and sign the document (page 7), which will confirm to whom the incentive is being paid.

STEP 6: Receive Incentive Payment

- When your final application is approved by the program team, an incentive check will be mailed to you or your Energy Efficiency Service Provider (who must be in good standing at the time the reservation letter is issued and at the time of the incentive payment to receive incentive payments).
- ComEd cannot issue certain incentives or rebates unless it is provided with 1) certification that measures were self-installed by the ComEd customer, or 2) applicable measures were installed by an installer certified with the Illinois Commerce Commission.

For More Information

Email: BusinessEE@ComEd.com

Call: **855-433-2700**

Custom Pre-Application Section

SECTION 1: Customer Information

Customer/Primary Contact Name:	Customer/Primary Contact Title:
Organization/Company Name:	Customer/Primary Contact Phone #::
Customer/Primary Contact Email:	

SECTION 2: Project Information

Project Name:			
Account Number (if applicable):		Electric Choice ID Number (optional):	
Building Area (for new construction or large renovation):			
Address:	City:	State:	ZIP Code:
Primary Building Type (select all that apply):			
☐ Education ☐ Hospital/Healthcare ☐ Hospitality ☐ Industrial ☐ Multi-Family ☐ Office ☐ Retail/Service ☐ Warehouse			
☐ Other:			
Eligible Project Type (select one): ☐ Major Renovation ☐ Addition/Expansion ☐ New Construction			
Preliminary Drawings or Scope of Work Documents available? ☐ Yes ☐ No			
Estimated Project Cost for Energy Efficiency Measures:			
Estimated Design Completion Date:		Estimated Permit Date:	
Estimated Project Start Date:		Estimated Project Completion Date:	
Public Sector Project? ☐ Yes ☐ No			

Public Sector Customers Only (Select ONE)

- | | | | |
|---|--|--|-----------------------------|
| ☐ Community College | ☐ K-12 School (Public) | ☐ Police | ☐ State |
| ☐ Federal | ☐ Library | ☐ Public University | |
| ☐ Fire | ☐ Park District | ☐ Unit of Local Government (Municipal or County) | |

Energy Efficiency Service Provider (Contractor primary point of contact; leave this section blank if you are self-installing your project)

Contracting Company:			
Contractor Name:		Title:	
Email:		Phone Number:	
Address:	City:	State:	ZIP Code:

Custom Pre-Application Section

SECTION 3: Project Description

Please provide the following information about your project to the best of your ability. You do not have to complete every field, but the more information that you share with us, the better we can assist you with your project.

Was this project identified in a ComEd Energy Efficiency Program assessment or study? ☐ Yes ☐ No

Assessment/Study Completion Date:

Probability the Project Will Happen (%):

What is the current phase of your project?

☐ Pre-Design ☐ Schematic Design ☐ Design Development ☐ Construction Documentation ☐ Equipment Purchased

If in design development phase, how complete is your design? (%):

SECTION 4: Project Installation Information

Prior to any incentive or rebate payout, the ComEd Energy Efficiency Program is responsible for verifying that an Energy Efficiency Service Provider or installing contractor is certified and recertified by the ICC by June 1 each year, for the installation of applicable measures. This does not apply to customers who choose to self-install the applicable measure(s). Information certification and recertification requirements, instructions and rules can be found at: [ICC EE Installer Certification](https://icc.illinois.gov/authority/energy-efficiency-measures-installer).

Please complete the required information on this page and sign page 6.

☐ I acknowledge that pursuant to Section 16-128B of the Illinois Public Utilities Act, ComEd cannot issue certain incentives or rebates unless it is provided with:

- Certification that measures were self-installed by the ComEd customer, or
- Evidence that applicable measures were installed by an installer certified with the Illinois Commerce Commission (icc.illinois.gov/authority/energy-efficiency-measures-installer).

Select how your project will be installed and complete the installer information:

☐ I will use my own staff to self-install my project (leave the Installer Information below blank).

☐ I will use an ICC Certified Energy Efficiency Service Provider, contractor or subcontractor to install my project where the incentive per measure is \$300 or greater.

☐ Installer is the same Energy Efficiency Service Provider.

Installer Information (Please provide complete details for ALL installers involved in your project. Insert additional if needed.)

Installer Company:

Contact Name:

Email:

Phone Number:

Measures:

Installer Company:

Contact Name:

Email:

Phone Number:

Measures:

Installer Company:

Contact Name:

Email:

Phone Number:

Measures:

Custom Pre-Application Section

Baseline or Existing System Summary

Installation date of baseline/existing equipment:

Please provide an overview of the current condition of the affected equipment. For IT projects, include the IT load (kW).

Proposed New System

Provide a detailed description of the proposed system. Include the following information: proposed system description, existing equipment affected, operating efficiencies for new equipment, material costs, labor costs and expected useful life. For IT projects, include the IT load (kW). Attach additional sheets if needed. A meeting may be requested between the customer, the contractor and the ComEd Energy Efficiency Program team to better understand the project scope.

Baseline Calculations – OPTIONAL

Baseline calculations can be complicated, requiring assistance from ComEd's engineers. You may choose to submit the application without calculations and leave the following section blank.

Calculation Methodology – OPTIONAL

If applicable, describe the method used to calculate energy savings (including spreadsheets and any other applicable data sources that support methodology). Attach additional sheets as required.

Custom Pre-Application Section

If calculations are provided, please complete table.

Custom lighting projects should be submitted using the [Specialty/New Construction Lighting Worksheet](#).

	Custom (Includes CHP) \$0.18 per kWh	New Construction IT Projects \$0.04 - \$0.15* per kWh	Specialty/New Construction Lighting \$0.10 per kWh
Annual Energy Savings (kWh)			
Estimated Annual Energy Savings (dollars)			
Requested Incentive			
Estimated Demand Reduction (kW)			
Are there natural gas savings associated with this project? O Yes O No			
Total Incentive Requested (\$):			

Please note: Wastewater treatment-aeration improvements associated with Blowers with dissolved oxygen controls are incented at \$0.21/kWh.

*Incentive Tiers:

- <10% PUE improvement or UPS-only: \$0.04/kWh
- 10–20% PUE improvement: \$0.07/kWh
- 20–30% PUE improvement: \$0.10/kWh
- >30% PUE improvement: \$0.15/kWh

Improvement Calculation:

- $(\text{Baseline PUE} - \text{Achieved or proposed PUE}) / (\text{Baseline PUE} - 1.0)$

A qualification interview may be conducted to confirm fit for participation.

For more information on New Construction IT projects, please visit the [data center fact sheet](#) webpage.

Your gas company may offer an additional incentive for your project. Visit [NicorGas.com](#), [PeoplesGasDelivery.com](#) or [NorthShoreGasDelivery.com](#) for more information.

Total incentive paid cannot exceed 100% of the incremental measure cost or 100% of the total project cost.

Next Steps

In addition to this signed application, please provide:

- Scope of Work
- Spec Sheets
- Install Photos
- Quote if greater than \$15,000
- W9 for incentive payee

Note: A common delay in paying out incentives is collecting invoices. Invoices can be collected and sent to ComEd contact at any time during the process.

Custom Pre-Application Section

SECTION 5: Customer Information

I certify that the information provided in this application is true and correct. I have read and understand the program requirements and terms and conditions set forth in this application and agree to abide by these requirements. I verify by my signature hereto that I have authority to submit this application.

ComEd Customer Authorized Signature:	Title:
Relationship to Company:	
Printed Name:	Date:

Payment Information

IRS Form W-9 must also be submitted. Payee name must match the name on IRS Form W-9. Payment to a third party may be authorized by completing the section below.

Payee Name:	Payee Contact Name:		
Attn To:			
Payee Address	City:	State:	ZIP Code:
Payee Email:	Accounting Contact Email:		
Payee Phone Number:			

Authorization of Payment to Energy Efficiency Service Provider – OPTIONAL

ComEd offers the option to assign your project's incentive payment to an eligible Energy Efficiency Service Provider. Please complete the Energy Efficiency Service Provider incentive payment authorization below and submit it with your final application if you are interested in this option.

I am authorizing the incentive payment to the Energy Efficiency Service Provider named in the Energy Efficiency Service Provider section (page 2), and I understand that I will not be receiving the incentive payment from ComEd. I also understand that my release of the incentive payment to an Energy Efficiency Service Provider does not exempt me from the program requirements outlined in the terms and conditions.

If the contractor is not an Energy Efficiency Service Provider in good standing, the Energy Efficiency Program incentive payment will be sent to the ComEd customer.

Name of Energy Efficiency Service Provider that will receive incentive payment (must match information on page 2):	
Signature:	Title and/or relationship to company:
Printed Name:	Date:

Applications should be submitted by ONE of the following methods

Email: BusinessEE@ComEd.com

Fax: **630-480-3436**

Mail: **The ComEd Energy Efficiency Program
700 Commerce Drive, Suite 330
Oak Brook, IL 60523**

Custom Final Application

This final application is to be completed by ComEd once final savings are calculated and verified, and will be emailed to the Primary Contact for review and signature.

SECTION 1: Completed Project Information

Customer:	Date:	Project ID:	
Project Name:			
Project Address:	City:	State:	ZIP Code:
Verified Annual Savings (kWh):	Incentive Amount:		

SECTION 2: Payment Information

IRS Form W-9 must also be submitted. Payee name must be ComEd account holder and must match the name on IRS Form W-9. Payment to a third party may be authorized by completing the section below.

Payee Name:	Payee Contact Name:		
Attn To:			
Payee Address:	City:	State:	ZIP Code:
Payee Email:	Accounting Contact Email:		
Payee Phone Number:			

SECTION 3: Incentive Payment to a Third Party (only use this section if the payee listed above is not the ComEd account holder)

As the ComEd customer, I am authorizing the payment of the incentive to a third party named above, and I understand that I will not be receiving the incentive payment from ComEd. I also understand that my release of the payment to a third party does not exempt me from the program requirements outlined in the terms and conditions found in the application.

Authorized By (ComEd Customer Signature):	Print Name:	Date:
ComEd Customer Company:	Customer Email:	Customer Phone:

SECTION 4: Customer Signature – Upon Completion of Project

As an eligible ComEd customer, I acknowledge that I have read and agree to the terms and conditions found in the application, I verify that I have authority to submit this completion form, confirm that the information is correct, and request incentives for the above project.

Customer Signature:	Print Name:	Date:
Customer Company:	Customer Email:	

Custom Incentives Application

Terms and Conditions

January 1, 2026 through December 31, 2026

Commonwealth Edison Company (ComEd) is offering incentives under the ComEd Energy Efficiency Program to facilitate the implementation of cost-effective energy efficiency improvements for eligible non-residential customers (commercial, industrial, local governments, municipal corporations, public school districts, community college districts, public universities, state and federal facilities). Custom incentives are incentives for making energy efficiency improvements not covered by the prescriptive incentives. New construction and major renovation projects are also eligible for incentives through Nicor Gas, Peoples Gas and North Shore Gas.

Program Effective Dates

Incentives for applicable projects are offered until December 31, 2026, or until approved funds are exhausted. The effective dates and application submittal requirements are as follows:

- Program year budgets and plans will be made available toward the end of the existing program year. At the current time, incentives are available through December 31, 2026.
- Projects with estimated completion dates beyond December 31, 2026, will be considered on a case-by-case basis. Projects that are accepted will be required to document progress on design and construction to maintain and extend incentive reservation.

Application Review Process

An application is required for all projects. Funds are reserved for the project when ComEd receives a complete application, determines that the project meets the program eligibility requirements, project design is complete and has been reviewed by ComEd to calculate project savings and incentives. A reservation letter does not guarantee an incentive; your projects final incentives are determined after submission and approval of your final application.

ComEd will review completed projects for eligibility and completeness. Project documentation, including dated invoices for the purchase and installation of the measures and product specification sheets, is required. To qualify for 2026 incentives, projects must be completed and final application signed by December 31, 2026. The location or customer name on the invoice must be consistent with the application information. The project invoice must provide sufficient detail to separate the project cost from the cost of other services, such as repairs and building code compliance. ComEd reserves the right to request additional supporting documentation as deemed necessary to ensure measure eligibility and verify that the expected energy savings will occur. I acknowledge and understand that it is necessary for ComEd to store, use and share the information contained in this application, as well as information collected in connection with this project. Therefore, I hereby authorize ComEd to collect, store and consider customer data for its internal and Program purposes and to share the customer data with third-party vendors/contractors who are doing work on ComEd's behalf. Requested information could include equipment purchase dates, installation dates, proof that the equipment is operational, manufacturer specifications, warranty information and proof of customer co-payment. Any customer who submits an incomplete application will be notified of deficiencies upon review of the application; the application will not be processed until all information is received. Customers are encouraged to call the program hotline at 855-433-2700 if they have any questions about documentation requirements.

Incentive And Project Eligibility

Financial incentive "stacking," or receipt of multiple financial incentives for identical energy efficiency upgrades from more than one utility program, is not allowed. Incentives are available through the custom offering to nonresidential customers within the ComEd service territory who pay into the Energy Efficiency and Demand Response Adjustment (Rider EDA) and receive their electricity over ComEd wires, regardless of retail electric supplier. Funds are limited and subject to availability. Restrictions apply.

All accounts that an eligible large private energy customer has chosen to and been approved to opt out of the ComEd Energy Efficiency Program for the period beginning January 1, 2026 may not contribute to or participate in the ComEd Energy Efficiency Program as of January 1, 2026.

Project Requirements Under the ComEd Energy Efficiency Program Include the Following:

- Projects must involve measures that result in a permanent reduction in electrical energy usage (kWh) due to an improvement in system efficiency. All projects must meet ComEd's cost-effectiveness requirements.
- Equipment must be installed and operational before incentive payment can be issued.
- Equipment must be new (not used or rebuilt, and not for resale) and used at the address for which savings are claimed.
- Replaced equipment must be permanently removed. All removed materials, including lamps and ballasts containing polychlorinated biphenyls (PCBs), must be permanently taken out of service and disposed of in accordance with local codes and ordinances. Resale of replaced equipment is expressly forbidden.
- Any measures installed at a facility must be sustainable and provide 100% of the energy benefits as stated in the application for a period of five years or for the life of the project, whichever is less. If the customer ceases to be a delivery service customer of ComEd or removes the equipment or systems at any time during the five-year period or the life of the project, the customer may be required to return a prorated amount of incentive funds to ComEd.

- Custom projects must involve measures that result in a reduction in electric energy usage due to an improvement in system efficiency. Projects that result in reduced energy consumption without an improvement in system efficiency are not eligible for a custom incentive. However, projects that involve an automated control technology, such as energy management system programming, may be eligible for an incentive.

Projects that are NOT eligible for an incentive include, but are not limited to, the following:

- Fuel switching from electric to gas
- On-site electricity generation (except as part of a qualifying combined heat and power project)
- Projects involving gas-driven equipment in place of electric equipment (such as a chiller)
- Projects using energy savings devices that do not demonstrate measurable and verifiable energy and/or demand savings, including power conditioning (power factor correction, harmonic current reduction, transient voltage protection, lighting voltage regulation or other power-conditioning measures such as interruptible power supplies, rectifiers, etc.) or black box solutions (software, hardware, system or material in which the efficiency is not supported with ComEd accepted certified test results)
- Projects that involve peak-shifting (and not kWh savings)
- Renewables
- Projects that repair or replace existing equipment with like equipment
- Projects for the sole purpose of implementing demand response measures
- Projects receiving funding for the same equipment through any other Energy Efficiency Portfolio (EEP) programs offered by ComEd or Ameren
- Custom projects with simple paybacks greater than the equipment life
- Used and/or refurbished equipment
- Type A and Type B linear LED lamps that are DLC® listed; you may receive incentives only through Instant Discounts
- Customers who receive an instant discount incentive through a participating distributor for HID LEDs are not eligible to receive a streetlighting incentive or vice versa

Incentive Payments

Customers without a Federal Employer Identification Number (FEIN) are ineligible for incentives.

Incentive Payment Limits - For custom incentives, the total incentive paid cannot exceed 100% of the incremental measure cost or 100% of the total project cost. If additional incentives are provided to the project from other public sources (such as the State Energy Program (SEP) or Illinois Clean Energy Community Foundation (ICECF), the combined ComEd and other public source incentives cannot exceed 100% of the total project cost. For custom incentives, contractor labor costs can be considered in the project cost. Internal customer labor costs cannot be included in the project cost. The definition of incremental measure cost depends on whether the measure being installed is considered to be a replacement or a retrofit. For replacement measures, the incremental measure cost is defined as the cost to purchase and install the energy efficient equipment minus the cost to purchase and install similar equipment that would meet federal and local energy standards but not qualify for an incentive under this program. For retrofit measures, the incremental measure cost is simply the cost to purchase and install the qualifying measures.

Customers may receive up to \$2 million in customer incentives paid per calendar year per ComEd account from the ComEd Energy Efficiency Program for the following program offerings:

- Standard
- Custom
- Industrial Systems
- Retro-Commissioning (RCx)
- Strategic Energy Management (SEM)
- Non-residential New Construction

This maximum calendar year incentive cap is not based per project, but rather applies to any combination of incentive funding from the offerings noted above (excluding Energy Efficiency Service Provider fee payments) received in the calendar year from the ComEd Energy Efficiency Program on the same account. Incentive cap may be waived at ComEd's discretion.

Measure Incentive Reservation

Issued to the project owner, a measure incentive reservation is an estimate of energy savings; and the resultant estimated incentives for which the project will qualify if implemented according to team recommendations. The reservation form must be signed and returned within 30 days of issue.

Funds are reserved for the project when a signed, measure incentive reservation is received. Applicants are encouraged to call 855-433-2700 if they have any questions about documentation requirements.

Requirements For Custom Project: Electricity Savings Calculation

If the applicant chooses to provide baseline energy and savings calculations, the annual electricity savings must be calculated for custom projects using industry-accepted engineering algorithms or simulation models. The applicant must estimate the annual electricity usage of both the existing and proposed equipment based on the current operation of the facility. If the existing equipment is at the end of its useful life, the applicant must substitute equipment that would meet the applicable federal and local energy codes when calculating the annual energy savings.

The applicant must be able to clearly describe the method used to calculate the savings. The applicant must provide all assumptions used in the calculations and document the source for these assumptions.

The method and assumptions used by the applicant to calculate the annual savings will be reviewed by ComEd. ComEd is solely responsible for the final determination of the annual energy savings to be used in calculating the incentive amount. ComEd also reserves the right to require specific measurement and verification activities including monitoring both before and after the retrofit and to base any resulting incentive payment on the results of these activities.

The customer must allow access to project documents and the facility where the measures were installed for a period of five years after receipt of an incentive payment by ComEd.

Requirements For New Construction Project Electricity And Gas Savings Calculations

The customer will be responsible for repayment of incentives if program terms and conditions are violated as determined by ComEd. The team is solely responsible for the final determination of the annual energy savings to be used in calculating the incentive amount. The annual electricity and gas savings will be calculated using industry-accepted engineering algorithms or simulation models. The applicant must provide the new construction team with requested information necessary to calculate potential savings.

Inspections

ComEd reserves the right to inspect all custom projects to verify compliance with program rules and the accuracy of project documentation. This may include pre-installation and/or post-installation inspections, detailed lighting layout descriptions, metering, data collection, interviews and utility bill data analyses. Upon reasonable notice by ComEd.

Measure Installation Confirmation

Upon project completion and verification of installed measures, a measure installation confirmation will be issued listing final savings and incentive amounts. Prior to issuance of the measure installation confirmation, the team reserves the right to request additional supporting documentation as deemed necessary to ensure project eligibility and to verify that the expected energy savings will occur. Requested information could include: plans, specifications, manufacturer's information, scope of work documents, invoices and purchase orders. Project invoices should provide sufficient detail to separate the project cost from the cost of other services such as repairs and building code compliance. All customer information will be held in confidence.

The location or business name on the invoice must be consistent with the information listed on the measure installation confirmation. The confirmation and all required supporting documentation should be received by November 15, 2026 to be applicable for the 2026 calendar year.

Evaluation, Measurement And Verification

The ComEd Energy Efficiency Program is evaluated annually by an independent third-party evaluator, as required by law. The customer's completed project may be selected for evaluation. Depending on the nature of the project, evaluation may include measurement and verification (M&V), the process of monitoring, measuring and/or verifying data related to equipment operation and electrical consumption. Upon reasonable notice, the customer agrees to participate fully in the evaluation process by allowing access to the facility where the project took place and providing information and access to data required for M&V to the program's evaluator.

Tax Liability

Incentives may be taxable under federal and state tax codes and, if more than \$600, will be reported to the IRS unless the customer provides acceptable proof that it is exempt from payment of such applicable taxes. In any event, ComEd is not responsible for any taxes that may be imposed on your business as a result of your receipt of a custom incentive, or for providing legal or accounting advice regarding such. Customer should consult with its tax accountant or advisor regarding potential tax liability.

Disputes/Governing Law

This application shall be exclusively governed by and interpreted in accordance with the laws of the State of Illinois. Any litigation between the parties shall be prosecuted only in the state or federal courts located in Cook County, Illinois.

Toxic Materials

Neither ComEd, nor its consultants, contractors and/or subcontractors, shall have any responsibility for the discovery, presence, handling, removal, disposal of, or exposure to hazardous materials of any kind in connection with customer's facility, including without limitation, asbestos, asbestos products, PCBs or any other toxic substances.

Limitations Of Liability

The customer shall independently evaluate any advice or information offered by ComEd related to estimates of electricity savings or program costs and is solely responsible for the selection and implementation of Energy Conservation Measures (ECMs).

IN NO EVENT WILL COMED, ITS CONSULTANTS, CONTRACTORS AND/OR SUBCONTRACTORS, BE LIABLE FOR THE CUSTOMER'S FAILURE TO ACHIEVE A SPECIFIED AMOUNT OF ENERGY SAVINGS, THE OPERATION OF CUSTOMER'S FACILITIES, OR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES OF ANY KIND IN CONNECTION WITH THIS AGREEMENT OR THE IMPLEMENTATION OF ECMs AT CUSTOMER'S FACILITIES. IN NO EVENT WILL COMED BE LIABLE TO YOU FOR ANY LOST PROFITS, LOST SAVINGS OR INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES, ARISING OUT OF YOUR PARTICIPATION IN THIS PROGRAM. THE STATE OF ILLINOIS EXEMPTS ITSELF FROM ANY CLAIMS, DEMAND, AND ACTIONS BASED UPON OR ARISING OUT OF ANY SERVICES PERFORMED FOR THE PROGRAM.

Each party hereby agrees to defend, indemnify and hold harmless the other party, its consultants, contractors and subcontractors, and their respective officers, employees, agents, assigns, and successors-in-interest ("Indemnified Parties") from and against any third party claims, damages, losses, liability, costs (including attorney's fees and expenses) for bodily injury to any person (including death resulting therefrom) and property damage arising out of or in connection with the program, except to the extent such claims, damages, losses, liability and costs are caused by the other party.

Disclaimer

ComEd, in its sole discretion, may change any of the terms and/or conditions of this program upon thirty (30) days written notice to customer and/or Energy Efficiency Service Provider.

ComEd does not guarantee that certain energy savings will be achieved and does not make any warranties associated with the measures eligible for incentives under this program. ComEd has no obligations regarding, and does not endorse or guarantee, any claims, promises, representations, or work made or performed, or equipment furnished or installed by any contractors, subcontractors, or vendors that sell or install energy efficiency measures.

The customer shall be entitled to the energy cost savings realized by the customer that result from the installation of ECMs at the customer's site. In consideration of the services provided by ComEd as part of this program, the customer agrees that ComEd is entitled to 100% of the rights and benefits associated with the measures, including without limitation PJM products and all other attributes, credits or products associated therewith under any regional initiative or federal, state or local law, program or regulation, and customer waives, and agrees not to seek, any right to the same.