

Prescriptive Lighting Application

FY19 July 1, 2018 – June 30, 2019

MEASURE DESCRIPTION



Prescriptive Lighting incentives are available for simple, one-for-one replacements of existing fixtures with most common interior and exterior LED bulbs, retrofit kits and fixtures in commercial and industrial facilities. Incentive rates are pre-determined based on the LED category type as listed by Design Lights Consortium or Energy Star. Applications must be reviewed and approved prior to installation of any new light fixtures to remain eligible for the incentive.

Ground-up new construction and major renovations of existing buildings are not eligible for Prescriptive Lighting incentives and should pursue incentives using the Performance Lighting application. For fixtures that are Energy Star or DLC listed under a category not appearing on this application may be provided incentives through the SmartStart Custom application. Please contact us to discuss the Custom application as additional requirements apply.

INSTRUCTIONS FOR PRE-APPROVAL

1. **New to SmartStart?** Download the [SmartStart Program Guide](#) or contact us at (866) NJSMART with questions.
2. **Pre-approval is required** for Prescriptive Lighting applications.
3. Ensure that the facility is eligible for participation in the program by reviewing a recent electric utility bill to confirm that Societal Benefits Charges are paid to an investor-owned utility under a commercial rate code.
4. Review all measure requirements to confirm that the LED fixtures you are purchasing are eligible for an incentive. Identify the measure code associated with each proposed fixture type based on the product's Energy Star or DLC category. If you need assistance with development of a scope of work or do not know what type of fixtures you need, consult the [Trade Ally List](#) to find a contractor who can assist you.
5. You or your contractor must complete the separate [Prescriptive Lighting Incentive Worksheet](#) with existing and proposed fixture type and quantity per location. Room-by-room breakdown of fixture quantity is required.
6. Submit this form along with all supporting documentation listed in the Application Checklist to the program for review and pre-approval through any of the methods below. An electronic version of this application is available through the online application portal. Please submit the application through a single method (online, email, mail, or fax).
7. We will review the submittal for completeness and contact you and your contractor via email to retrieve any missing information or documentation. A pre-inspection site visit may be completed prior to approval of the application.
8. An approval letter will be emailed indicating the approval date and estimated incentive amount set aside for your project.

Online application portal: njcleanenergy.com/forms

Email for new application submissions only. Call (866) NJSMART with questions. NJApps@njcleanenergy.com

Mail: New Jersey's Clean Energy Program
c/o TRC Energy Services
900 Route 9 North
Suite 404
Woodbridge, NJ 07095

Fax: (732) 855-0422

APPLICATION CHECKLIST

The following documentation must be attached to the completed, signed application for pre-approval:

[Prescriptive Lighting Incentive Worksheet](#) completed with room-by-room fixture location detail.

A complete copy (all pages) of a recent electric utility bill for the account number and service address listed on the application showing payment of the Societal Benefits Charge (SBC).

Manufacturer's specification sheets for proposed lighting equipment. For specification sheets with multiple model numbers or configurations, please circle or highlight the specific model number that you plan to install.

Proof of applicable qualified product listing. Attach a printout or screenshot from the DesignLights Consortium® or ENERGY STAR® qualified product list showing the specific manufacturer name and model number that you plan to install. The DLC®/ENERGY STAR® logo appearing on a specification sheet is not considered sufficient proof of current listing.

For Multi-Site Submittals only:

Download and complete the separate [Multi-Site Incentive Worksheet](#) in place of the Prescriptive Lighting Incentive worksheet linked above.

Attach a **site map, building layout lighting plan** or other supporting documentation to assist an inspector with locating areas where work will be performed.

MULTI-SITE SUBMITTALS

Customers may submit a single application to apply for Prescriptive Lighting projects occurring at multiple locations or buildings through the new *Multi-Site Submittal* path. To apply, check the box on the form indicating Multi-Site Submittal within the Facility and Project Information section and attach the separate Multi-Site Incentive worksheet.

This path is a good fit for initiative-based lighting retrofits in chain retail locations and garden apartment common areas, but is not limited to these specific project types.

A multi-site submittal is defined as two (2) or more Prescriptive Lighting projects with similar project scope occurring at roughly the same time in different buildings owned by a single entity.

An entity is defined as a company with a single tax ID number. A building is defined as a separate and distinct electric utility account. The name on each utility bill must align with the name of the main entity.

APPLICATION PROCESS FOR PAYMENT

All Prescriptive Lighting applications must be submitted to the program for review and receive pre-approval before work begins in order to remain eligible for the incentive. After project completion, please be advised that the following documentation will be required in order to issue payment.

You will be advised in the form of an emailed approval letter that your project has been approved and the incentive amount that has been set aside for your project. Instructions for where to submit this documentation will be provided directly on the project approval letter. A post-installation inspection may occur prior to approval of the payment.

1. If the project “as built” is different than what was approved, please include an explanation and revised documentation as appropriate (e.g. manufacturer specification sheets, revised application worksheets, etc.).

Please be aware, any work not pre-approved by the program will be ineligible for incentives. Changes to equipment manufacturer/model are permitted with accompanying documentation confirming the equipment meets the program requirements. Increases in equipment counts within a specific area or overall will not be eligible for incentives unless pre-approved by the program before installation.

2. Material invoice
 - The invoice should include the model number of the equipment installed, quantity, and unit price.
 - Equipment may be purchased up to one year prior to TRC’s receipt of the application.
3. Labor Invoice
 - Labor/installation price must be listed separately from material price.
 - For projects installed by in-house staff for which there is no invoice, provide a signed letter on customer letterhead clearly indicating the start and end dates of the self-installation.
4. Tax Clearance Certificate obtained from NJ Division of Taxation
 - Instructions on applying for the certificate can be found at www.njcleanenergy.com/TCC.
 - No incentive will be paid without receipt of a valid Tax Clearance Certificate. Certificates are valid for 180 days and must be valid on the date TRC signs off on the incentive. The name of the customer and tax ID number appearing on the tax clearance must align with the customer name listed on the provided utility bill and application.

PRESCRIPTIVE LIGHTING MEASURE REQUIREMENTS

General Requirements

1. The Prescriptive Lighting application path is intended only for simple, one-for-one replacements of existing fixtures in existing commercial and industrial buildings only.
2. Gut-rehab projects and ground-up new construction do not qualify for Prescriptive Lighting incentives. Incentives for these projects should be pursued through the Performance Lighting application.
3. LED installations must result in energy savings on a one-for-one replacement basis. Each line item in the Prescriptive Lighting Survey Worksheet must result in energy savings to be eligible for an incentive.
4. For all prescriptive lighting, fixture or lamp must be listed by UL or other OSHA approved Nationally Recognized Testing Laboratory (NRTL) in accordance with applicable US standards.

LED Requirements

1. Incentives for LED measures are available for replacements of existing HID, incandescent/halogen or fluorescent lighting only.
2. Each LED fixture, bulb or lamp must appear on either the *most current* DesignLights Consortium® (DLC®) or ENERGY STAR® product list **and** be categorized under one of the Primary Use Categories or Fixture Types in the Incentive Rates section of this application in order to be eligible to receive an incentive.
3. The manufacturer name and model number listed on the specification sheet must be an exact match to the DLC or EnergyStar listing for the product.
4. LED products which are listed by DLC® or ENERGY STAR® under a category *not* appearing on this application form may be eligible for Custom Electric incentives. Please contact us to discuss the Custom application for these fixture types.
5. Products listed by DLC under a Specialty category do not qualify for the Primary Use designation.
6. The Primary Use Category of the fixture must align with the manner in which the product is installed as per the category definitions set by DLC® found on <https://www.designlights.org/solid-state-lighting/qualification-requirements/product-eligibility/>. For example, a fixture designated by DLC® under the primary use category Outdoor Full-Cutoff Wall-Mounted Area Luminaires will not receive an incentive when installed in an interior space.

Ineligible Measures

1. LED screw-in/plug-in bulb incentives are available for replacement of, CFL, incandescent or halogen bulbs only. When replacing HID bulbs, LED screw-in or plug-in bulbs are not eligible for incentives.
 - o Exemptions: Pin-based CFL to DLC qualified pin-based LEDs and HID to Mogul-based LED lamps.
2. Incentives will not be provided for the installation of screw-in or plug-in lighting measures in non-permanent and non-hardwired fixtures. For example, screw-in or plug-in lamps installed in refrigerator, oven, floor or desk lamps are not eligible for incentives.
3. Lighting measures installed for use as retail display lighting do not qualify for incentives.
4. Additional fixture or lamp installations which are not a direct, one-for-one replacement are not eligible for incentives.

FY2019 INCENTIVE RATES

DesignLights Consortium® Primary Use Category Qualified Product List: www.designlights.org/search		Measure Code	Incentive Rate
LED TUBES	2' Linear Replacement Lamps (UL Type A, Type B, Type C)	PL1	\$3/tube
	3' Linear Replacement Lamps (UL Type A, Type B, Type C)	PL2	\$5/tube
	4' Linear Replacement Lamps (UL Type A, Type B, Type C)	PL3	\$5/tube
	8' Linear Replacement Lamps (UL Type A, Type B, Type C)	PL4	\$10/tube
	U-Bend Linear Replacement Lamps (UL Type A, Type B, Type C)	PL5	\$5/tube

DesignLights Consortium® Primary Use Category Qualified Product List: www.designlights.org/search		Measure Code	Incentive Rate	
INTERIOR FIXTURES	1x4 Luminaires for Ambient Lighting of Interior Commercial Spaces	<i>Includes Integrated-Style Retrofits and Linear-Style Retrofits</i>	PL6	\$15/fixture
	2x2 Luminaires for Ambient Lighting of Interior Commercial Spaces		PL7	\$15/fixture
	2x4 Luminaires for Ambient Lighting of Interior Commercial Spaces		PL8	\$25/fixture
	High-Bay or Low-Bay Luminaires for Commercial and Industrial Buildings - <i>Incentive is based on LED fixture wattage</i>	≤125W	PL9	\$50/fixture
		>125W to ≤250W	PL10	\$75/fixture
		>250W	PL11	\$150/fixture
	High-Bay Aisle Luminaires - <i>Incentive is based on LED fixture wattage</i>	≤125W	PL12	\$50/fixture
		>125W to ≤250W	PL13	\$75/fixture
		>250W	PL14	\$150/fixture
	Linear Ambient Luminaires - <i>Includes Indirect, Indirect/Direct, Direct/Indirect and Direct</i>	2' Length	PL15	\$20/fixture
		3' Length	PL16	\$30/fixture
		4' Length	PL17	\$45/fixture
		6' Length	PL18	\$60/fixture
		8' Length	PL19	\$75/fixture
	Retrofit Kit for Direct Linear Ambient Luminaires	2' Length	PL20	\$15/fixture
		4' Length	PL21	\$15/fixture
		8' Length	PL22	\$25/fixture
	Shelf-Mounted Display and Task Lights		PL23	\$15/fixture
Stairwell/Passageway Luminaires		PL24	\$40/fixture	
Track or Mono-Point Directional Luminaires		PL25	\$30/fixture	
Wall-Wash Luminaires		PL26	\$30/fixture	
4-Pin Based (G24q- and GX24q-base) LED Lamps replacing 4-Pin CFL Lamps		PL27	\$5/lamp	

FY2019 INCENTIVE RATES (CONTINUED)

DesignLights Consortium® Primary Use Category Qualified Product List: www.designlights.org/search		Measure Code	Incentive Rate
EXTERIOR LIGHTING	Architectural Flood and Spot Luminaires	PL28	\$50/fixture
	Bollards	PL29	\$50/fixture
	Fuel Pump Canopy Luminaires	PL30	\$100/fixture
	Outdoor Wall-Mounted Area Luminaires <i>(Includes Full-Cutoff, Non-Cutoff and Semi-cutoff)</i>	PL31	\$100/fixture
	Outdoor Pole/Arm-Mounted Area and Roadway Luminaires <i>(Includes Retrofit Kits)</i>	PL32	\$100/fixture
	Outdoor Pole/Arm-Mounted Decorative Luminaires <i>(Includes Retrofit Kits)</i>	PL33	\$50/fixture
	Parking Garage Luminaires	PL34	\$100/fixture
	Retrofit Kits for Large Outdoor Pole/Arm-Mounted Area and Roadway Luminaires	PL35	\$150/fixture

DesignLights Consortium® Primary Use Category Qualified Product List: www.designlights.org/search		Measure Code	Incentive Rate
MOGUL BASE	Mogul (E39) Screw-Base LED Lamps for existing HID Retrofit (Exterior/Interior) - <i>Incentive is based on new LED lamp wattage</i>	≤125W	PL36 \$50/lamp
		>125W to ≤250W	PL37 \$75/lamp
		>250W	PL38 \$150/lamp

DesignLights Consortium® Primary Use Category Qualified Product List: www.designlights.org/search		Measure Code	Incentive Rate
REFRIGERATION	Display Case Luminaires	PL39	\$30/case
	Refrigerated Case Luminaires (Horizontal or Vertical)	4' Fixture	PL40 \$30/fixture
		5' Fixture	PL41 \$42/fixture
		6' Fixture	PL42 \$65/fixture

FY2019 INCENTIVE RATES (CONTINUED)

ENERGY STAR® Certified Bulbs Qualified Product List: https://www.energystar.gov/productfinder/product/certified-light-bulbs/results		Measure Code	Incentive Rate
LED BULBS	ENERGY STAR® Certified LED Light Bulb - Includes all ENERGY STAR® LED bulb types	PL43	\$1/bulb

ENERGY STAR® Fixtures and Bulbs Qualified Product List: https://www.energystar.gov/productfinder/product/certified-light-fixtures/results		Measure Code	Incentive Rate
ENERGY STAR FIXTURES	Bath Vanity	PL44	\$5/fixture
	Ceiling Mount	PL45	\$10/fixture
	Close to Ceiling Mount	PL46	\$10/fixture
	Cove Mount	PL47	\$5/fixture
	Decorative Candle: Other	PL48	\$5/fixture
	Decorative Pendant	PL49	\$10/fixture
	Decorative: Other	PL50	\$5/fixture
	Downlight Pendant	PL51	\$5/fixture
	Downlight Recessed	PL52	\$5/fixture
	Downlight Solid State Retrofit	PL53	\$5/fixture
	Downlight Surface Mount	PL54	\$5/fixture
	Inseparable SSL - Other	PL55	\$10/fixture
	Other	PL56	\$5/fixture
	Outdoor Porch Wall Mount	PL57	\$5/fixture
	Outdoor Post-Mount	PL58	\$5/fixture
	Porch (Wall Mounted)	PL59	\$5/fixture
	Portable Floor Task Light	PL60	\$5/fixture
	Security	PL61	\$10/fixture
	Torchiere	PL62	\$5/fixture
	Wall Sconces	PL63	\$10/fixture
Wrapped Lens	PL64	\$10/fixture	

Prescriptive Lighting Application

FY19 July 1, 2018 – June 30, 2019



For Office Use Only

Date: _____ App #: _____

CUSTOMER INFORMATION

_____ Company Name as listed on utility bill		_____ Formal Legal Name of Company listed on utility bill			
_____ Company Type	_____ Federal Tax ID #	_____ State Tax ID # (if different)			
_____ Customer Contact Name	_____ Customer Contact Title	_____ Customer Phone Number			
_____ Customer Mailing Address	_____ Suite/Apt#	_____ City	_____ State	_____ ZIP	
_____ Customer Contact Email Address	_____ How did you hear about the program?		_____ NAICS Code		

FACILITY AND PROJECT INFORMATION CHECK HERE IF MULTI-SITE SUBMITTAL

_____ Facility Address	_____ City	_____ State	_____ ZIP
_____ Electric Utility Serving Facility	_____ Electric Account Number		
_____ Facility Type	_____ Anticipated Installation Start Date		
_____ On-Site Contact Name for Inspection*	_____ On-Site Contact Title	_____ On-Site Contact Phone Number	
_____ On-Site Contact Email Address	*On-site contact will be notified via email of any proposed inspection date/time.		

CONTRACTOR/VENDOR INFORMATION

_____ Contractor Company Name	_____ Contractor Contact Name	_____ Contractor Contact Title		
_____ Contractor Contact Email Address	_____ Contractor Contact Phone Number			
_____ Contractor Mailing Address	_____ Suite/Apt#	_____ City	_____ State	_____ ZIP

PAYEE INFORMATION

Payee Company Name	Payee Contact Name	Payee Contact Title		
Payee Contact Email Address	Payee Contact Phone Number			
Incentive Check Mailing Address	Suite/Apt #	City	State	ZIP
Payee Federal Tax ID				

ESIP DECLARATION

Check this box if an Energy Savings Improvement Program (ESIP) is a source of funding. ESIP allows government agencies to pay for energy related improvements using the value of the resulting energy savings.

CUSTOMER AUTHORIZATION AND SIGNATURE

I have read, understood and agree to the terms and conditions of the SmartStart Buildings Program and the Specific Program Requirements for this measure. I understand that pre-approval is required prior to installation of Prescriptive Lighting measures in order to remain eligible for the incentive.

I agree that this document and all notices and disclosures made or given relating to this document may be created, executed, delivered and retained electronically and that the electronic signatures appearing on this document and any related documents shall have the same legal effect for all purposes as a handwritten signature.

The information, statements, and documents I have provided in and with this document are true and accurate to the best of my knowledge. I am aware that if any of them are willfully false, I am subject to punishment.

If applicable, I authorize payment of the incentive to the third party listed in the Payee Information field of this application.

Customer Signature	_____	Date	_____
Printed Name	_____	Title	_____

NJ SmartStart Buildings® Program Terms and Conditions FY2019 (July 1, 2018 – June 30, 2019)

Eligibility

1. This application package must be received by the Program Manager on or before June 30, 2019 in order to be eligible for the fiscal year program (July 1, 2018 - June 30, 2019) incentives. All participating customers are required to submit the most current application form. All submissions will be reviewed based on the current program requirements and incentive levels approved by the Board of Public Utilities.
2. Program Incentives are available to non-residential retail electric and/or gas service participating customers of a New Jersey Utilities. A participating customer must pay Societal Benefits Charges under a New Jersey Utility account serving the fuel type (electric or gas) applicable to the specific Energy-Efficient Measure. Participating customers who have not contributed to the Societal Benefits Charge of the applicable New Jersey Utility are not eligible for incentives offered through this program. New Jersey Utilities include Atlantic City Electric, Jersey Central Power & Light, Rockland Electric Company, New Jersey Natural Gas, Elizabethtown Gas, PSE&G and South Jersey Gas.
3. Each utility account requires a complete, separate application. Projects for the same utility account and the same technology being done at the same time should be submitted on one application.
4. For all Prescriptive measures with the exception of Prescriptive & Performance Lighting, Lighting Controls and Custom measures, pre-approval is not required prior to installation, however any participating customer and/or agent who purchases and installs equipment without Program Manager approval does so at his/her own risk.
5. For completed projects that do not require program pre-approval (excluding Prescriptive Lighting, Prescriptive Lighting Controls, Performance Lighting and Custom Measures) the application must be submitted to the Program Manager within 12 months of equipment purchase. Sufficient documentation must be provided confirming the date of equipment purchase (material invoice, purchase order, etc.).
6. In order to be eligible for program incentives, a participating customer, or an agent (contractor/vendor) authorized by a participating customer, must submit a properly completed application package that is signed by the participating customer. A complete application package should include all documentation listed in the checklist section of the application.
7. Project invoices submitted after installation should list both the labor and material costs separately. The invoice should include a description of the equipment installed, quantity, and unit price. For projects that are self-installed by the participating customer, a signed letter on participating customer letterhead may be provided in lieu of a labor invoice attesting to the start and end dates of the self-installation.
8. Energy-Efficient Measures must be installed in buildings located within a New Jersey Utilities' service territory and designated on the participating customer's incentive application.
9. Program Incentives are available for qualified Energy-Efficient Measures as listed and described in the Program materials and incentive applications.
10. The participating customer must ultimately own the equipment through an up-front purchase. Equipment procured by participating customers through another program offered by New Jersey's Clean Energy Program or the New Jersey Utilities, as applicable, are not eligible for incentives through this program.
11. Incomplete application submissions, applications requiring inspections and unanticipated periods of high volume may cause processing delays.

Incentive Amounts

1. Program Incentives will not exceed:
 - a. the approved Program Incentive amount, or
 - b. total project cost of the Energy-Efficient Measure, whichever is less, excluding NJ state sales tax as determined by the Program Manager. Project costs include the expenses directly associated with the Energy-Efficient Measure.
2. Products offered at no direct cost to the participating customer are ineligible.
3. Program Incentives are limited to \$500,000 per utility account in a fiscal year.

Inspections

1. The Program Manager reserves the right to conduct a pre-inspection of the facility prior to the installation of equipment for Prescriptive Lighting, Performance Lighting, Lighting Controls and Custom Measures applications. Pre-inspections will be performed prior to the issuance of the approval letter. Work must not begin prior to formal program approval.
2. All projects are subject to post-inspection to confirm equipment installation prior to payment.
3. The Program Manager reserves the right to verify sales transactions and to have reasonable access to Participating Customer's facility to inspect pre-existing product or equipment (if applicable) and the Energy-Efficient Measures installed under this Program, prior to issuing incentives or at a later time.
4. The applicant allows reasonable access to the property to inspect the installation and performance of the technologies and installations that are eligible for incentives under the guidelines of New Jersey's Clean Energy Program.

Tax Clearance Certificate Requirements

1. Participating customers must provide a Tax Clearance Form (entitled "Business Assistance or Incentive Clearance Certificate") for Board of Public Utilities use.
2. The name of the customer listed on the certificate must match the participating customer name listed on the utility bill and the application.
3. The participating customer tax ID listed on the application must agree with the tax ID listed on the Certificate.
4. Certificates are valid for 180 days and must be valid on the date the Program Manager signs off on the incentive.

Deficient Applications

1. If an application package is incomplete, information is missing or deemed insufficient, a deficiency notice will be sent to the participating customer requesting additional information via e-mail. The information or documentation requested on the letter must be received by the Program Manager within 30 days of the date of the request. If additional deficiencies are still noted, there will be up to two additional notifications issued with the same time frames.
2. If a participating customer fails to respond to a deficiency request within 30 days or exceeds the three attempts provided, the application will be cancelled. If a project is cancelled, participating customers may re-apply under the program incentives and requirements in place at that time.

Expirations

1. Pre-approved projects are given a one year approval in which the proposed measure is to be installed and operational. When a project has expired the participating customer will have 30 days to either submit a request for an extension OR submit final project paperwork. If no response is received within 30 days of expiration, the project will be cancelled.
2. Extension requests must be in writing from the participating customer and include the circumstances that led to the extension request, and the percentage of the project completed.
3. Extension requests may be granted for a period no longer than six (6) months. The Program Manager may provide up to two, six month extensions from the original approval expiration date.
4. Upon expiration, if the project has not started and the participating customer is still interested in installing the equipment, the existing application will be cancelled and a new application package must be submitted, which will be reviewed under the program incentives and requirements in place at that time.

Change in participating customer name/payee after pre-approval

To initiate a change to the participating customer name or payee on a pre-approved application, the following documentation must be provided:

1. A signed letter on participating customer letterhead authorizing the change
2. A new signed application reflecting the updated participating customer or payee name
3. For name change - a utility bill in the name of the new participating customer

All name changes requests are subject to Program Manager approval. Certain requests may require additional information to be submitted as defined by the Program Manager.

Tax Liability

The Program Manager will not be responsible for any tax liability that may be imposed on any participating customer as a result of the payment of Program Incentives. All Participating Customers must supply their federal tax identification number or social security number to the Program Manager on the application form in order to receive a Program Incentive.

Prevailing Wage

Projects with a contract threshold of \$15,444 are required to pay no less than prevailing wage rate to workers employed in the performance of any construction undertaken in connection with Board of Public Utilities financial assistance, or undertaken to fulfill any condition of receiving Board of Public Utilities financial assistance, including the performance of any contract to construct, renovate or otherwise prepare a facility, the operations of which are necessary for the receipt of Board of Public Utilities financial assistance. By submitting an application, or accepting program incentives, applicant agrees to adhere to New Jersey Prevailing Wage requirements, as applicable.

Endorsement

The Program Manager and Administrator do not endorse, support or recommend any particular manufacturer, product or system design in promoting this Program.

Warranties

THE PROGRAM MANAGER AND ADMINISTRATOR DO NOT WARRANT THE PERFORMANCE OF INSTALLED EQUIPMENT, AND/OR SERVICES RENDERED AS PART OF THIS PROGRAM, EITHER EXPRESSLY OR IMPLICITLY. NO WARRANTIES OR REPRESENTATIONS OF ANY KIND, WHETHER STATUTORY, EXPRESSED, OR IMPLIED, INCLUDING, WITHOUT LIMITATIONS, WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE REGARDING EQUIPMENT OR SERVICES PROVIDED BY A MANUFACTURER OR VENDOR. CONTACT YOUR VENDOR/SERVICES PROVIDER FOR DETAILS REGARDING PERFORMANCE AND WARRANTIES.

Limitation of Liability

By virtue of participating in this Program, Participating Customers agree to waive any and all claims or damages against the Program Manager or the Administrator, except the receipt of the Program Incentive. Participating Customers agree that the Program Manager's and Administrator's liability, in connection with this Program, is limited to paying the Program Incentive specified. Under no circumstances shall the Program Manager, its representatives, or subcontractors, or the Administrator, be liable for any lost profits, special, punitive, consequential or incidental damages or for any other damages or claims connected with or resulting from participation in this Program. Further, any liability attributed to the Program Manager under this Program shall be individual, and not joint and/or several.

Termination

The New Jersey Board of Public Utilities reserves the right to extend, modify (this includes modification of Program Incentive levels) or terminate this Program without prior or further notice.

Participating Customer's Certification

Participating Customer certifies that he/she purchased and installed the equipment listed in their application at their defined New Jersey location. Participating Customer agrees that all information is true and that he/she has conformed to all of the Program and equipment requirements listed in the application.

Acknowledgement

The applicant gives the Program Manager permission to share records with the New Jersey Board of Public Utilities, and contractors it selects to manage, coordinate or evaluate the New Jersey SmartStart Buildings Program including the release of electric and natural gas utility billing information, as well as make available to the public non-sensitive information.

Definitions:

Energy-Efficient Measures – Any device eligible to receive a Program Incentive payment through the NJ Clean Energy Commercial and Industrial Program (New Jersey SmartStart Buildings).

New Jersey Utilities – The regulated electric and/or gas utilities in the State of New Jersey:

1. Atlantic City Electric
2. Jersey Central Power & Light
3. Rockland Electric Company
4. New Jersey Natural Gas
5. Elizabethtown Gas
6. PSE&G
7. South Jersey Gas

Administrator – New Jersey Board of Public Utilities, Office of Clean Energy.

Participating Customers – Those non-residential electric and/or gas service customers of the New Jersey Utilities who participate in this Program.

Product Installation or Equipment Installation – Installation of the Energy-Efficient Measures.

Program – The Commercial and Industrial Energy-Efficient Construction Program (New Jersey SmartStart Buildings) offered herein by the New Jersey Board of Public Utilities, Office of Clean Energy pursuant to state regulatory approval under the New Jersey Electric Discount and Energy Competition Act, NJSA 48:3-49, et seq.

Program Incentives – Refers to the amount or level of incentive that the Program provides to Participating Customers pursuant to the Program offered herein (see description under "Incentive Amount" heading).

Program Manager – TRC Energy Services.