



# **Idaho Power Commercial and Industrial Energy Efficiency**

## **Procedures Manual**

**May 2016**

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# COMMERCIAL AND INDUSTRIAL ENERGY EFFICIENCY PROCEDURES

## 1. Program Overview

The Idaho Power energy efficiency program is funded through the Conservation Program Funding Charge assessed monthly to all Idaho Power customers, as approved by the Idaho Public Utilities Commission (IPUC) and the Public Utility Commission of Oregon (OPUC). The money collected through this charge is used to develop and operate energy conservation programs to help reduce the demand for electricity within the company's service area.

The Idaho Power Commercial and Industrial Energy Efficiency Program (CIP) provides a comprehensive list of incentives and services to facilitate the implementation of cost-effective energy-efficiency improvements for commercial and industrial customers. Incentives cover lighting retrofits for existing buildings, mechanical system retrofits for existing buildings, new construction and major renovation projects and custom incentives for large, complex projects. In addition, the CIP also provides technical training and energy audits of customer's facilities.

- At Idaho Power, we say, "Every kilowatt saved is one we don't have to produce."
- Energy efficiency and using energy wisely benefits everyone. It:
  - helps preserve our resources;
  - helps delay the need to build additional power facilities;
  - can help our customers save money; and
  - helps us continue to provide reliable, responsible, fair-priced energy, today and tomorrow.
- Energy efficiency continues to be the most consistent, least-cost resource.

### ***Purpose***

The purpose of this document is to convey the program rules, procedures and Terms and Conditions that govern the CIP, its administration and customer participation. It is a reference document for the Commercial and Industrial Energy Efficiency Program.

The following sections provide more information on the specific measures and program details related to the incentive offerings. All CIP information can be found on the Idaho Power website at: [idahopower.com/business](http://idahopower.com/business).

## ***Eligibility***

The CIP applies to all commercial or industrial customers. Residential and irrigation customers should check the Idaho Power website for other energy efficiency programs. Information on all Idaho Power energy efficiency programs can be found at: [idahopower.com/EnergyEfficiency](http://idahopower.com/EnergyEfficiency).

Projects NOT eligible for an incentive include the following:

- On-site electricity generation (i.e., geothermal, solar and/or wind )
- Power factor correction, power conditioning and other black box devices

Customers cannot apply for, nor receive incentives for, the same product, equipment or service from more than one program offering. Used equipment is not eligible for an incentive.

Customers are required to comply with the *Practices and Requirements for Harmonic Control in Electric Power Systems* as set forth in the current Institute of Electrical and Electronic Engineers (IEEE) Standard 519. The values indicated by IEEE Standard 519 apply at the point where the company's equipment interfaces with the customer's equipment.

Details of the CIP, including incentive levels, are subject to change without prior notice at Idaho Power's sole discretion.

## **2. Program Offerings**

The following information is a high-level overview of the CIP offerings. The CIP provides incentives for the following.

### ***Retrofits for Existing Facilities***

Prescriptive incentives are available for energy efficiency equipment upgrades and improvements, including:

- Lighting
- Heating, ventilation, and air-conditioning (HVAC)/Controls
- Variable speed drives (HVAC, kitchen ventilation hoods and potato and onion storage sheds)
- Building shell
- Food service equipment
- Other commercial equipment

**Note:** Measures or design options not on a retrofit list may qualify for a Custom Projects incentive.

More specific Retrofit program information can be found in the [Retrofits – Lighting](#) and [Retrofits – Non-lighting](#) section of this document.

### ***New Construction***

New construction projects include new buildings, an expansion to an existing building or a major renovation. Major renovations are projects involving design services, review by code authorities or a change in space usage. Energy savings are based on the current International Energy Conservation code as the baseline and pay incentives on specific offerings that save energy beyond code.

Prescriptive incentives are available for energy efficiency measures, including:

- Lighting
- HVAC
- Building shell
- Controls
- Appliances with electric water heating
- Refrigeration
- Office equipment

**Note:** Measures or design options not on the list may qualify for a custom incentive.

More specific program information can be found in the [New Construction](#) section of this document.

### ***Custom Projects***

Custom incentives are available to customers for less common or more complex energy saving measures installed in commercial or industrial applications. Project examples include ammonia refrigeration, compressed air, pumps, fans or other complex systems.

Custom incentives of \$0.18/kilowatt-hours (kWh), up to 70% of the project cost are paid based on the first-year energy (kWh) savings. Custom incentives are not available for measures covered by a prescriptive incentive of the CIP.

More specific program information can be found in the Custom Projects section of this document.

In addition, the Commercial and Industrial Energy Efficiency Program provides the following services to Idaho Power customers:

## Energy Audits

The CIP provides energy audits for our customer's facilities to help them identify areas in which they can adopt cost-effective energy efficiency improvements. Scoping and detailed audits are available to all Rate 19 and special contract customers. Rate 9 and other Idaho Power customers will be evaluated on a case-by-case basis. More specific information on energy audits can be found in the [Energy Audits](#) section of this document.

## Green Rewind Offering

A Green Rewind is an industry best practice intended to maintain the motor's original efficiency during the rewind process. If a Green Rewind is not performed, a motor is typically rewound to a lower efficiency, or the owner replaces the motor with either an EPact or NEMA Premium<sup>®</sup> efficient design.

The Green Motors Practices Group (GMPG), a non-profit organization, pioneered GREEN REWINDs via a process that ensures industry best practices are used when motors are rewound.

The CIP pays motor service centers \$2.00 per horsepower (hp) for each National Electric Manufacturers Association (NEMA) Standard Horsepower rated motor between 15 and 5,000 hp that receives a certified Green Rewind. The customer receives \$1.00 credit on their invoice. The GMPG requires all service centers sign and adhere to the current Contractor's Green Motors Practices Group Annual Member Commitment. More information on Green Motors and a list of the certified green rewind shops can be found here: [The Green Motors Practices Group](#).

## Technical Training

Technical training and education are important ways to helping Idaho Power customers identify where they may have energy efficiency opportunities within their facilities. Idaho Power sponsors both webinars and in-class training. Typical classes include lighting, compressed air, industrial refrigeration, pump systems, motors, variable speed drives, commercial refrigeration, chilled water systems, data centers and others. A schedule of training events is posted on Idaho Power's website, [idahopower.com/training](http://idahopower.com/training). Training hotline: 208-388-5099. Email: [training@idahopower.com](mailto:training@idahopower.com).

## 3. Steps to Participate

[Retrofits – Lighting](#)

[Retrofits – Non-Lighting](#)

[New Construction](#)

[Custom Projects](#)

## ***Retrofits—Lighting (Steps to Participate)***

Pre-approval is needed for lighting projects with estimated incentives of \$1,000 or more, or Complete Lighting Upgrade projects. Projects needing pre-approval should receive pre-approval from Idaho Power prior to project start.

### **Pre-Approval Application Process**

#### ***Steps to Submit a Pre-Approval Application***

1. Download the Excel [Lighting Tool](#).
2. Enter project information on the **Data Entry**, **Product Type** and **Proposed Lighting** tabs.
3. If your project incorporates controls, enter control information on the **Lighting Controls** tab.
4. Print the Pre-Approval Application from the Lighting Tool. The customer reviews, signs and dates the application.
5. Gather manufacturer specification sheets for equipment to be installed.
6. Email the above items (signed Pre-Approval Application, Lighting Tool, manufacturer specification sheets) to [lighting@idahopower.com](mailto:lighting@idahopower.com).
7. Idaho Power reviews the submitted paperwork and sends written pre-approval via email.

#### ***Inspections***

Idaho Power reserves the right to perform a site inspection. You and your contractor will be notified if your project is selected for inspection.

### **Payment Application Process**

For completed projects that did not require pre-approval, or for completed pre-approved projects, submit the payment application within 90 days of project completion.

#### ***Steps to Submit a Payment Application***

1. Download the Excel [Lighting Tool](#) (if no pre-approval was required).
2. Enter project information or update your existing Lighting Tool. (e.g., Change the status box on the **Data Entry** tab to "Payment Application," update **Project Start** and **Project Completion** dates and make any other edits to reflect the actual project as installed.)
3. Print the Payment Application from the Lighting Tool. The customer reviews, fills out the Incentive Recipient information section, signs and dates the application.
4. Gather detailed labor and material invoices.
5. For non pre-approved projects only, submit manufacturer specification sheets for installed equipment.

6. Email the above items (signed Payment Application, Lighting Tool and invoices) to [lighting@idahopower.com](mailto:lighting@idahopower.com).
7. Idaho Power reviews the submitted paperwork and processes incentive payment.

### ***Inspections***

Idaho Power reserves the right to perform a site inspection. You and your contractor will be notified if your project is selected for inspection.

### ***Third-Party Payment Process***

Third-party payments are possible at Idaho Power's sole discretion. If the incentive check is to be made payable to a third party, the customer must indicate consent on the corresponding section of the Retrofit—Non-Lighting Application. In addition, the required "payee" information must be provided on the application, including legal company name with tax identification number. While the customer understands that they will not receive the incentive check, the customer is still bound by the requirements of the program. Idaho Power reserves the right to deny third-party payment on any given project and/or issue a joint check.

## ***Retrofits—Non-Lighting (Steps to Participate)***

Pre-approval is needed for projects with estimated incentives of \$1,000 or more. Projects needing pre-approval should receive pre-approval from Idaho Power prior to project start. Equipment must meet the specifications as set forth on the applicable worksheets.

Incentives are available for energy efficiency equipment upgrades and improvements, including:

- HVAC/controls
- Variable speed drives (HVAC, kitchen ventilation hood, and onion/potato storage sheds)
- Building shell
- Food service equipment
- Other commercial equipment

### **Pre-Approval Application Process**

#### ***Steps to Submit an Application for Pre-Approval***

1. Download the applicable worksheet and enter your project's information.
2. Download, fill out, sign and date the [Non-Lighting Application](#).
3. Gather manufacturer specification sheets for equipment to be installed.
4. Email the above items (signed Non-Lighting Application, worksheet and manufacturer specification sheets) to [retrofit@idahopower.com](mailto:retrofit@idahopower.com).

## **Payment Application Process**

Submit a Non-Lighting Application within 90 days of project completion.

### ***Steps to Submit an Application for Payment***

1. If your project was not pre-approved, download the applicable worksheet and enter your project's information.
2. If your project was pre-approved, use the same worksheet you submitted at pre-approval, or edit as necessary.
3. If your project was not pre-approved, download, fill out, sign and date the [Non-Lighting Application](#).
4. If your project was pre-approved, use the application submitted for pre-approval and mark "Payment" in the box at the top of the page.
5. Gather detailed labor and material invoices.
6. For projects that did not require pre-approval, submit the manufacturer specification sheets for the installed equipment.
7. Email the above items to [retrofit@idahopower.com](mailto:retrofit@idahopower.com).
8. Idaho Power reviews the submitted paperwork and processes the incentive payment.

### ***Inspections***

Idaho Power reserves the right to perform a site inspection. You and your contractor will be notified if your project is selected for inspection.

### ***Third-Party Payment Process***

Third-party payments are possible at Idaho Power's sole discretion. If the incentive check is to be made payable to a third party, the customer must indicate consent on the corresponding section of the Retrofit - Non-Lighting Application. In addition, the required "payee" information must be provided on the application, including legal company name with tax identification number. While the customer understands that they will not receive the incentive check, the customer is still bound by the requirements of the program. Idaho Power reserves the right to deny third-party payment on any given project and/or issue a joint check.

## ***New Construction—Steps to Participate***

To ensure prompt processing of your incentive payment, complete the following steps.

### **When Considering a Project**

1. Download the [2016 Application](#).
2. Complete the preliminary application tab and email it in Excel format to [newconstruction@idahopower.com](mailto:newconstruction@idahopower.com).

3. Submit a preliminary application. A preliminary application is required prior to project completion. This process is easy and can be done before you know all the project details.
4. Share qualifying specifications with your design team. This is another critical step. If the architects, engineers and contractors know the details of what qualifies for an incentive, the proper equipment can be specified and installed. Find details in the [Program Overview](#).
5. If you have an architect or engineer working on the project, consider including them on the application process early. Their knowledge of the project and their assistance can help streamline the process. They may also be eligible for a “Professional Assistance” incentive paid directly to them for their assistance.
6. Consider consulting with the Integrated Design Lab (IDL).

**Note:** If you’re not considering daylighting with integrated photo controls, this step is optional. However, to receive an incentive for Daylight Photo Controls, you need to consult with IDL. Learn more about IDL and the services they offer, or call 208-429-0220.

### Upon Project Completion

1. Complete and sign the final application form within 90 days of project completion.
2. Send application questions to [newconstruction@idahopower.com](mailto:newconstruction@idahopower.com). An architect or engineer working on the project may be able to assist you on the final application and required supporting documentation. They may also be eligible for a “Professional Assistance” incentive paid directly to them for their assistance. ([program overview](#))
3. Provide equipment specifications or other energy performance details by email for each item you are applying for an incentive on.
4. Attach proof of performance (product cut sheets or other documentation) to show the product(s) installed meet the requirements for an incentive payment.
5. Attach billing invoices or proof of payment for each item you are applying for an incentive on. Proof of payment can be a purchase order, billing invoice or any other document that shows the quantity of goods purchased and that the amount due has been paid.
6. Attach COMcheck™ if you are applying for the Interior or Exterior Light Load Reduction incentives. Comcheck is required to show you met the building code’s lighting power density for the space type or area you are applying for and is required to show your design exceeds the code by the minimum percent required for the incentive. Get the [free COMcheck software](#).
7. Attach the daylighting review letter from IDL (if applicable).
  - a) If you’re applying for an incentive on Daylight Photo Controls, your design will need to be reviewed by IDL.

- b) Once IDL has reviewed the design and installation, IDL will provide a letter that must be submitted with your final application. This review will ensure an effective daylighting design, adequate controls and the basis to determine quantity of sensors and incentive.
8. Attach a control strategy summary.
    - a) If you're applying for an energy management control system, provide a control strategy summary. This summary can be provided by your control contractor, design engineer or anyone else familiar with the controls.
    - b) The summary should list the HVAC equipment controlled and that it meets the C1 Energy Management Controls Requirements needed to qualify

### **Professional Design Assistance**

An incentive is available for the third-party architect or engineer that supports the participant with the technical aspects of the project and required supporting documentation necessary to complete the incentive process. The professional is eligible for an incentive equal to 10% of the participant's total incentive up to a maximum amount of \$2,500.

## **4. Custom Projects**

Custom incentives are available to customers for less common or more complex energy saving measures installed in commercial or industrial applications. Project examples include ammonia refrigeration, compressed air, pumps, fans or other complex systems.

### ***Custom—Streamlined Offering***

The CIP includes a simplified, or streamlined, approach for projects that includes technical assistance and financial incentives for certain types of smaller projects.

Idaho Power (or one of its contractors) will work directly with customers, suppliers and contractors to evaluate energy-saving options, quantify costs and estimate savings and custom incentive amounts associated with potential small projects. After all of the appropriate data is gathered and submitted to Idaho Power for review, the process (and the incentive structure) follows the Custom Projects process.

### **What Kinds of Projects Fit this Approach?**

The Streamlined Custom approach focuses on four types of common projects:

- Small compressed air projects—generally under 125 hp
- Small refrigeration and controls—evaporator fan controls for walk in coolers
- Small non-HVAC variable frequency drives—generally under 100 hp
- Fast acting doors for cold storage

### ***Incentive Options***

Two incentive options are available under the Custom Incentive; the Cost-Share option or the Self-Directed Funds option. The Cost-Share option is available to all customers that meet the requirements of the Custom Incentive offering. The Self-Directed Funds option is available only to Customers taking service under Schedule 19. The maximum incentive payment will not exceed \$0.18 per first-year kilowatt-hour saved under either incentive option.

**Option 1—Cost-Share.** Financial incentives are determined under the Cost-Share option using the lesser of the following two calculations:

1. Up to \$0.18 per first-year kilowatt-hours saved
2. 70% of eligible project costs

**Option 2—Self-Directed.** The Self-Directed option is available only to customers taking service under Schedule 19. Incentives for eligible Self-Directed projects are calculated at \$0.18 per first-year kilowatt-hours saved, up to 100% of eligible project costs.

Under the Self-Directed option, the customer's contributions to the Energy Efficiency Rider are tracked starting from the latter of the following: June 2005 or the last Cost-Share project paid and funds expected to accrue for a maximum of three years from the date the pre-application is received. Customers selecting this option will have direct use of 100% of the funds for implementation of cost-effective DSM projects. Any funds not used by the customer will remain pooled with the rest of the Energy Efficiency Rider, Schedule 91, funds. Customers may combine individual account funds from multiple sites to implement cost-effective DSM projects under this option.

### ***Steps to Participate***

#### **Pre-Approval Application Process**

**Eligibility Check.** Verify your project is eligible under the Custom Projects offering and meets the project requirements as set forth for customer eligibility. If uncertain, contact Idaho Power for assistance. Pre-approval is required on all Custom Projects.

1. Determine how your equipment or process can be more energy efficient. If needed, seek advice from Idaho Power's energy efficiency engineers or use Idaho Power's energy audit services.
2. Obtain a cost estimate for modifying or installing more efficient equipment, including related labor and materials.
3. Complete the [Custom Projects Pre-approval Application](#) and submit to the CIP at [customprojects@idahopower.com](mailto:customprojects@idahopower.com).
  - a. Include any calculations and supporting documentation.
4. Idaho Power will review the application.

5. Idaho Power will work with the customer, vendors and contractors to resolve any questions related to the project and the energy savings estimates. Large or complex projects may require data logging and a pre-inspection to establish an appropriate baseline energy use.
6. Pre-approval is required on all Custom Projects. Idaho Power will send written pre-approval via email when the project is approved.

### **Project Installation**

Purchase and install the equipment following receipt of the pre-approval. Any internal labor charges must be tracked by a labor tracking (maintenance management) system.

### **Payment Application Process**

1. Assemble required documentation.
  - a. Collect copies of purchase orders, work orders, equipment specifications (including product model numbers), and paid invoices showing the costs for labor and materials for the project.
  - b. Update and complete a Custom Projects Payment Application based on the final project costs and verified energy savings. The Custom Projects Payment Application is a tab at the bottom of your original Custom Projects Pre-approval Application.
  - c. Attach all required supporting documentation including project invoices, calculations, reports, etc.
  - d. Submit the signed Custom Projects Payment Application to [customprojects@idahopower.com](mailto:customprojects@idahopower.com).

### ***Payment Application Review***

1. The CIP staff will review the Custom Projects Payment Application and the final project documentation.

**Note:** Idaho Power reserves the right to inspect all projects submitted for approval to the CIP. The Idaho Power CIP team reserves the right to inspect all projects to verify compliance with the program rules and verify the accuracy of project documentation. The inspections may include pre-approval inspections, construction inspections or post inspections. The inspections may include data collection and interviews deemed necessary to ensure compliance with program rules and verify energy savings. Some projects will require more rigorous measurement and verification (M&V) to verify the final energy savings. This work may be accomplished by Idaho Power or one of its contractors.

2. The customer must allow access to records and installation sites for a period of three years after receipt of incentive payment. See terms and conditions.

**Note:** The actual incentive amount paid will be based on review of the Payment Application and supporting project documentation of equipment installed, and will be subject to the program specifications and program terms and conditions.

3. Incentive payments will be sent within four to six weeks from the time all the documentation is received and the field inspection (including measurement and verification, if required) is completed.

### **Third-Party Payment Process**

Third-party payments are possible at Idaho Power's sole discretion. If the incentive check is to be made payable to a third party, the customer must indicate consent on the corresponding section of the Custom Projects Payment Application. In addition, the required "payee" information must be provided on the Payment Application, including legal company name with tax identification number. While the customer understands that they will not receive the incentive check, the customer is still bound by the requirements of the program. Idaho Power reserves the right to deny third-party payment on any given project and/or issue a joint check.

## **5. Energy Efficiency Audits**

Idaho Power offers two levels of energy audits for our customers

- **Scoping audits**  
Scoping audits are designed help customers identify energy savings opportunities in large commercial and industrial facilities. Scoping audits are provided at no cost to Rate Schedule 19 and Special Contract customers. Rate Schedule 9 customers will be evaluated on a case-by-case basis. Audits will be performed by either Idaho Power CIP engineers or by an approved engineering firm. Idaho Power has a variety of engineering firms under contract to assist with scoping audits.
- **Detailed audits**  
Detailed audits are designed to help the customer firm up a specific project scope, determine firmer energy saving estimates and project cost so the customer can use the information from the detailed audit to start planning and budgeting for the implementation of the specific project.

Idaho Power may reimburse the customer 75% of the cost (\$12,500 maximum) of the detailed audit. Idaho Power reserves the right to determine the eligibility of the proposed project as well as the consulting engineer to perform the audit based on qualifications, past performance and other appropriate criteria, on a per-application basis.

### ***Steps to Participate***

#### **Eligibility Check**

If the participant is not a Schedule 19 or Special Contracts customer, self-audit worksheets should be completed and submitted to [customprojects@idahopower.com](mailto:customprojects@idahopower.com) to assist in determining eligibility. These can be found at [idahopower.com/energyaudits](http://idahopower.com/energyaudits). Lighting audits are not covered.

Many electricians and lighting companies are providing free lighting audits. Contact the vendor of your choice for a lighting audit.

### **Obtain, Complete and Submit an Audit Application (Scoping Audit or Detailed Audit)**

1. Obtain a copy of the Audit Application form online at [idahopower.com/energyaudits](http://idahopower.com/energyaudits).
2. Complete all the required information as stated and submit it to [customprojects@idahopower.com](mailto:customprojects@idahopower.com).
3. Include a brief explanation of what you want to accomplish with the audit.
4. A program engineer will review the application, and if approved, will issue written approval to proceed.
5. Idaho Power will begin coordinating the audit with the customer and the consultant to receive a proposal for the scope of work.

### **Scoping Audits**

1. The consultant coordinates and completes work with the customer and provides a final report to [customprojects@idahopower.com](mailto:customprojects@idahopower.com) for review within 90 days of approval of the audit.
2. A program engineer will review the report and work with the auditor for any clarifications. After the audit report is approved, the report is forwarded to the customer.

### **Detailed Audits—Auditor Performs the Work**

A detailed audit is a contract between the consultant and the customer.

1. The consultant coordinates and completes work with the customer and provides a final report to the customer for review.
2. A program engineer will review the report and work with the consultant on any clarifications.
3. After the customer approves the audit report, a copy of the report is forwarded to Idaho Power along with a copy of the consultant's invoice for payment.
4. Idaho Power processes the Detailed Audit reimbursement and delivers the check to the customer.

## **6. Inspections, Measurement and Verification**

Idaho Power reserves the right to inspect all projects submitted for approval to the CIP. The Idaho Power CIP team reserves the right to inspect all projects to verify compliance with the program rules and verify the accuracy of project documentation. The inspections may include pre-approval inspections, construction inspections or post inspections. The inspections may include data collection and interviews deemed necessary to ensure compliance with program

rules and verify energy savings. Some projects will require more rigorous M&V to verify the final energy savings. This work may be accomplished by Idaho Power or one of its contractors.

The customer must allow access to records and installation sites for a period of three years after receipt of incentive payment. See terms and conditions.

## 7. False Information

False information on any application may lead to cancellation of this and future incentive opportunities. The Pre-Approval Application requirement may be waived at Idaho Power's sole discretion.

## 8. Satisfaction

Idaho Power strives to ensure a high level of satisfaction with all aspects of the program. However, if any problems or concerns should arise, we encourage you to notify your Idaho Power customer representative or contact Idaho Power energy efficiency staff at [idahopower.com/EnergyEfficiency/contact](http://idahopower.com/EnergyEfficiency/contact).

## 9. Contact Information

### *Program Staff*

Quentin Nesbitt, PE—Energy Efficiency Program Leader  
T: (208) 388-2519  
C: (208) 866-0643  
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[smartin@idahopower.com](mailto:smartin@idahopower.com)

Website: [idahopower.com/business](http://idahopower.com/business)

Mailing Address:

Idaho Power Company  
1221 West Idaho St  
P.O. Box 70  
Boise, ID 83707

## 10. Commercial & Industrial Energy Efficiency Program Terms and Conditions

**Tax Liability**—Idaho Power Company (Idaho Power) is not responsible for any taxes that may be imposed due to incentive payments. If incentive payments are made directly to an Idaho Power customer (Customer): a) Customer shall be responsible for any tax liability imposed as a result of such incentive payment(s); b) taxpayer identification numbers are required from each Customer; and c) incentive payments greater than \$600 shall be reported to the United States Internal Revenue Service.

**No Endorsement**—Idaho Power does not endorse any particular manufacturer, product, system design, contractor or design professional in promoting the Commercial and Industrial Energy Efficiency Program (Program). Measures on the Pre-Approval Application are not necessarily appropriate for installation in every building.

**Safety and Building Codes**—Customer represents that the project(s) for which Customer has applied to receive an incentive payment(s) under the Program (each, a Project) complies with all applicable laws, including without limitation, federal, state and local safety; building and environmental rules; ordinances; codes; regulations and accepted industry standards. All products/ equipment must be Underwriters Laboratories, Inc. (UL)-listed (or equivalent) and installed per manufacturer's instructions.

**Appropriate Waste Disposal**—Customer represents and agrees that all wastes generated as a result of their Project(s) are solely the responsibility of the Customer. Customer further agrees that any waste generated as part of their Project(s) will be managed, transported, recycled and/or disposed of in compliance with all applicable federal, state or local laws and rules. Idaho Power does not endorse any waste management, transportation, disposal or recycling options, and Idaho Power will not provide any third-party payments to waste transporters, disposal facilities or recycling facilities under these Commercial and Energy Efficiency Program Terms and

Conditions (Terms and Conditions), or the Program. The Customer should contact the appropriate state Department of Environmental Quality and/or the United States Environmental Protection Agency regarding any questions on proper disposal to ensure understanding and compliance.

**Disclaimer of Liability and Warranties**—IDAHO POWER NEITHER EXPRESSLY NOR IMPLICITLY WARRANTS THE PERFORMANCE OF INSTALLED OR UNINSTALLED EQUIPMENT, OR ANY PART OF THE PROGRAM. CUSTOMER UNDERSTANDS THAT, WHILE IDAHO POWER MAY PROVIDE AN INCENTIVE PAYMENT TO ENCOURAGE ENERGY EFFICIENCY, IDAHO POWER IS NOT LIABLE OR RESPONSIBLE FOR THE PROPER COMPLETION OF ANY WORK PERFORMED; THE PROPER PERFORMANCE OF ANY EQUIPMENT PURCHASED, PROVIDED, OR TESTED OR ANY OTHER ASPECT OF THE PROGRAM. IDAHO POWER IS NOT RESPONSIBLE IN ANY WAY FOR THE EFFECTIVENESS OR TECHNICAL PERFORMANCE OF ANY PROJECT UNDER THE PROGRAM. IDAHO POWER MAKES NO WARRANTIES WHATSOEVER THAT THE CUSTOMER WILL REALIZE ANY ENERGY SAVINGS AS A RESULT OF THE PROGRAM. CUSTOMER SHALL CONTACT ITS CONTRACTOR FOR DETAILS REGARDING EQUIPMENT WARRANTIES. IN NO EVENT SHALL IDAHO POWER BE RESPONSIBLE FOR ANY DIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL OR INDIRECT DAMAGES OF ANY NATURE OR KIND, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR UNDER ANY INDEMNITY PROVISION OR OTHERWISE RELATED TO THE PROGRAM.

**Indemnity**—Customer will indemnify, defend, reimburse and hold harmless Idaho Power from, for, and against any claims, allegations, demands, damages, liens, losses, expenses, suits, actions, proceedings, judgments, liabilities and costs of any kind whatsoever (including attorneys' fees and expert witness fees and expenses) from third parties (collectively, Claims) arising out of, or relating to, work performed by any contractor or subcontractor at any tier on behalf of the Customer, the Program, or any breach by Customer of these Terms and Conditions, provided the Claims are not the result of bodily injury to persons or damage to property caused exclusively by the sole negligence of Idaho Power.

**Waiver**—Waivers of any right, privilege, claim, obligation, condition or default shall be in writing and signed by the waiving party. No waiver of either Idaho Power or Customer of any breach of these Terms and Conditions shall be a waiver of any preceding or succeeding breach, and no waiver by either Idaho Power or Customer of any right under these Terms and Conditions shall be construed as a waiver of any right.

**Survival**—Any obligation in these Terms and Conditions, or under the Program, which may involve performance subsequent to termination of Customer's participation in the Program, or which cannot be ascertained or fully performed until after termination of Customer's participation in the Program, including without limitation, indemnification, waiver and disclaimer of liability and warranties, shall survive.

**Termination**—Idaho Power reserves the right to revise, postpone, terminate or cancel Customer's participation in the Program for any reason without prior notice to Customer and

without any payment. In the event of cancelation, suspension or termination, Idaho Power shall not be required to 1) pay Customer any incentive, 2) perform any other obligations.

**Modifications**—Idaho Power reserves the right, at its sole discretion, to modify or amend this Agreement by giving notice (which may take place in any form) to Customer. No course of dealing between or among any persons having an interest in the Program or these Terms and Conditions shall be deemed to change any part of the Terms and Conditions or any rights or obligations hereunder or under the Program.

**Miscellaneous**—Nothing in these Terms and Conditions, nor Customer’s participation in the Program, shall create any employment or agency relationship between Customer and Idaho Power, and nothing related to the Program shall be construed or interpreted to place any obligation on Idaho Power to pay Customer any amounts as a result of Customer’s participation in or expressly referenced in the Program. Neither party shall be deemed an agent, partner, joint venture or employee of the other party. Customer will comply with all federal, state and local laws in the performance of this Agreement. Enforcement and interpretation of this Agreement shall be in accordance with the laws of the State of Idaho, notwithstanding its choice of law provisions. Venue shall be in Ada County, Idaho.

## 11. Other Resources

- American Institutes of Architects: [aiaidaho.com/](http://aiaidaho.com/)
- American Council for an Energy Efficient Economy: [aceee.org/](http://aceee.org/)
- ASHRAE: [ashrae.org/](http://ashrae.org/)
- Better Bricks: [betterbricks.com/](http://betterbricks.com/)
- Building Commissioning Association: [bcxa.org/](http://bcxa.org/)
- Building Energy Codes: [energycodes.gov/adoption/states/idaho](http://energycodes.gov/adoption/states/idaho)
- Building Owners and Managers Association: [boma.org/Pages/default.aspx](http://boma.org/Pages/default.aspx)
- Commercial Buildings Energy Consumption Survey (CBECS) database: [eia.gov/emeu/cbecs/](http://eia.gov/emeu/cbecs/)
- Compressed Air Challenge: [compressedairchallenge.org/](http://compressedairchallenge.org/)
- Consortium for Energy Efficiency (CEE): [cee1.org/](http://cee1.org/)
- Department of Energy: [eere.energy.gov/](http://eere.energy.gov/)
- Energy Star: [energystar.gov/](http://energystar.gov/)
- Engineering Toolbox: [engineeringtoolbox.com](http://engineeringtoolbox.com)

- Idaho Department of Environmental Quality: [deq.idaho.gov/](http://deq.idaho.gov/)
- Idaho Division of Public Safety: [dps.idaho.gov/](http://dps.idaho.gov/)
- Idaho Office of Energy Resources: [energy.idaho.gov/](http://energy.idaho.gov/)
- Integrated Design Lab: [idlboise.com/](http://idlboise.com/)
- Intermountain Building Operators Association: [intboa.org/](http://intboa.org/)
- Lighting Design Lab: [lightingdesignlab.com/](http://lightingdesignlab.com/)
- Northwest Energy Education Institute: [nweei.org/](http://nweei.org/)
- Northwest Energy Efficiency Alliance: [neea.org/](http://neea.org/)
- Northwest Food Processors Association: [NWFPA.org](http://NWFPA.org)
- Northwest Trade Ally Network: [northwest-lighting.org/](http://northwest-lighting.org/)
- Oregon Department of Energy: [oregon.gov/energy/Pages/index.aspx](http://oregon.gov/energy/Pages/index.aspx)
- Oregon Department of Environmental Quality: [oregon.gov/deq/pages/index.aspx](http://oregon.gov/deq/pages/index.aspx)
- Regional Technical Forum: [nwcouncil.org/energy/rtf/Default.htm](http://nwcouncil.org/energy/rtf/Default.htm)
- U. S. Green Building Council: [usgbc.org/](http://usgbc.org/)

## Review/Revision History

This document has been approved and revised according to the revision history recorded below.

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<b>Review Date</b>	<b>Revisions</b>
06/06/16	Document was implemented.

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