

Energy Solutions for Business and Multifamily: Prescriptive and Custom Application Instructions, Terms and Conditions — Program period ending June 30, 2024

Multifamily Prescriptive and Custom Application

Measure Descriptions

Prescriptive incentives are available for high efficiency natural gas fired equipment and related controls as set forth in the chart contained herein. Incentive rates are pre-determined based on the size and efficiency of the new equipment. Incentive levels for prescriptive measures can be found on the following page.

Custom incentives are available for non-standard equipment and specialized technologies not included in the prescriptive offering. Custom measure incentives are determined based on an energy savings analysis and incremental project cost provided by the applicant. The project must pass a benefit cost test to be eligible for incentives.

Application Instructions

1. Application pre-approval is required prior to purchase and installation of any prescriptive and custom measures.
 2. Ensure the facility is eligible to participate. Review a recent natural gas bill to confirm service is supplied under a New Jersey Natural Gas non-residential utility bill rate code.
 3. For prescriptive and custom projects, submission of the entire natural gas utility bill is required. For custom, if the project has both natural gas and electric energy savings, submission of both an entire natural gas and electric utility bill are required.
 4. For prescriptive projects, review all measure requirements to confirm that the equipment to be purchased meets efficiency criteria, thus ensuring incentive eligibility.
 5. For custom projects, an energy savings analysis comparing existing or baseline condition to proposed conditions based on standard engineering methodology is required. For end of useful life measures, the baseline must reference current code efficiencies or standard practice. A proposed project cost breakdown (material, labor, etc.) must be submitted. If a code or standard practice baseline is required, baseline project cost breakdown must be submitted.
 6. Complete the Prescriptive or Custom Measure Workbook as applicable for the project.
 7. Collect equipment supporting documentation as listed in the pre-approval checklist.
 8. Submit the Energy Solutions for Business and Multi-Family: Prescriptive and Custom Application either by mail or through the online application portal (use only one method):
 - a. **Email:** Complete and sign the application and submit along with supporting documentation listed in the Pre-Approval Checklist to
- OR**
- b. **Online:** Complete and digitally sign the application and upload the supporting documentation listed in the Pre-Approval Checklist through the appropriate portal:
 - i. [Prescriptive](#) (_____njng.com)
 - ii. [Custom](#) (_____njng.com)
9. The application submission will be reviewed. If questions arise, we will communicate with the designated contact(s) via email to obtain any additional information required.
 10. A project pre-approval letter will be emailed to the designated contact(s) indicating project number, approval date, measures being implemented, estimated incentive amount and expiration date.
 11. If the project scope changes, contact the Program Administrator to determine if a revised pre-approval is necessary.
 12. Upon project completion, submit documentation as listed in the Final Approval and Payment checklist via email or portal.

NON CONDENSING NATURAL GAS FIRED BOILERS / BOILER TUNE UP

Code	Equipment Type	Capacity (MBh)	Efficiency Requirement	Incentive Rate
B1	Hot Water	< 300	85% AFUE, CEE Tier 0	\$0.95/ MBh; Min \$400/unit
B2	Hot Water	300 to ≤ 1,500	85% Thermal Efficiency	\$1.75 / MBh
B3	Hot Water	300 to ≤ 2,500	85% Thermal Efficiency	\$1.50 / MBh
B4	Hot Water	> 2,500 to < 4,000	85% Thermal Efficiency	\$1.30 / MBH
B5	Steam, all except natural draft	< 300	82% AFUE	\$2.00 / MBh
B6	Steam, all except natural draft	300 to ≤ 1,500	81% Thermal Efficiency	\$2.00 / MBh
B7	Steam, all except natural draft	> 1,500 to ≤ 2,500	81% Thermal Efficiency	\$2.00 / MBh
B8	Steam, all except natural draft	> 2,500 to < 4,000	81% Thermal Efficiency	\$2.00 / MBh
B9	Steam, natural draft	< 300	82% AFUE	\$1.00 / MBh
B10	Steam, natural draft	300 to ≤ 1,500	81% Thermal Efficiency	\$1.00 / MBh
B11	Steam, natural draft	> 1,500 to ≤ 2,500	81% Thermal Efficiency	\$1.00 / MBh
B12	Steam, natural draft	> 2,500 to < 4,000	81% Thermal Efficiency	\$1.00 / MBh
BT-U	Boiler Tune-up	All Sizes	N/A	\$100 / unit

CONDENSING NATURAL GAS FIRED BOILERS / UNIT HEATER / BOILER TUNE UP

Code	Equipment Type	Capacity (MBh)	Efficiency Requirement	Incentive Rate
B13	Hot Water Boiler	< 300	> 90% AFUE	\$750 / unit
B14		300 to ≤ 1,500	88% Thermal Efficiency, CEE Tier 1	\$3.00 / MBh
B15		> 1,500 to ≤ 2,500	88% Thermal Efficiency, CEE Tier 1	\$3.00 / MBh
B16		> 2,500 to < 4,000	88% Thermal Efficiency, CEE Tier 1	\$3.00 / MBH
B17		< 300	> 95% AFUE, ENERGY STAR®	\$850 / unit
B18		300 to ≤ 1,500	>94% Thermal Efficiency, ENERGY STAR®	\$3.50 / MBh
B19		> 1,500 to ≤ 2,500	>94% Thermal Efficiency, ENERGY STAR®	\$3.50 / MBh
B20		> 2,500 to < 4,000	81% Combustion Efficiency, ENERGY STAR®	\$3.50 / MBh
UHI	Unit Heater	All Sizes	90% AFUE	\$750 / unit

NATURAL GAS FIRED FURNACES / FURNACE TUNE UP

Code	Equipment Type	Efficiency Requirement)	Criteria	Incentive Rate
F1	Furnace	≥ 95% AFUE	ENERGY STAR®	\$650 / unit
F2		≥ 97% AFUE		\$750 / unit
FT-U	Furnace Tune-up	N/A	Furnace Tune-up	\$150 / unit
MUA	Make-up Air Unit	90% Thermal Efficiency	Make-up Air Unit	\$8 / MBH

NATURAL GAS FIRED LOW INTENSITY INFRARED HEATING

Code	Equipment Type	Capacity (MBh)	Criteria	Incentive Rate
LHI1	Furnace	≤ 100	Indoor Installation Only, UL or OSHA NRTL	\$750 / unit
LHI2		> 100		\$500 / unit

NATURAL GAS FIRED BOILER CONTROLS

Code	Control Type	Boiler Capacity (MBh)	Criteria	Incentive Rate
BE1	Economizer Controls	≤ 800	Individual boiler installation, UL or OSHA NRTL, Existing Equipment or New Replacement Units without Control	\$1,200 / control
BE2		> 800 to ≤ 1,600		\$1,500 / control
BE3		> 1,600 to ≤ 3,000		\$1,800 / control
BE4		> 3,000 to ≤ 3,500		\$2,100 / control
BE5		> 3,500 to ≤ 4,000		\$2,400 / control
BE6		> 4,000		\$2,700 / control
BR 1	Reset Controls	All Sizes	N/A	\$150 / control

INTEGRATED NATURAL GAS FIRED CONDENSING BOILER / WATER HEATER				
Code	Capacity (MBh)	Efficiency Requirement	Criteria	Incentive Rate
IBHW1	< 300	≥ 90% AFUE	ENERGY STAR®	\$1,300 per unit
IBHW2	≥ 300	≥ 94% Thermal Efficiency		\$1,500 per unit

NATURAL GAS COOLING				
Code	Equipment Type	Capacity (Tons)	Efficiency Requirement	Incentive Rate
GAC1	Absorption Chiller	< 100	> 1.1 Full Load COP	\$450 / ton
GAC2		100 to 400		\$230 / ton
GAC3		> 400		\$185 / ton
GEDC1	Gas Engine Driven Chiller	All Sizes	N/A	\$350 / ton

NATURAL GAS KITCHEN / FOOD SERVICE EQUIPMENT				
Code	Commercial Dishwasher Type	Criteria	Efficiency Requirement	Incentive Rate
DLTUC	Under Counter	Low Temperature	Commercial, ENERGY STAR®, or CEE	\$400 / unit
DLTD	Door Type			\$700 / unit
DLTSTC	Single Tank Conveyor			\$1,000 / unit
DLTMTC	Multi Tank Conveyor			\$1,500 / unit
DHTUC	Under Counter	High Temperature		\$400 / unit
DHTD	Door Type			\$700 / unit
DHTSTC	Single Tank Conveyor			\$1,000 / unit
DHTMTC	Multi Tank Conveyor			\$1,500 / unit
Code	Commercial Cooking Equipment Type	Criteria	Efficiency Requirement	Incentive Rate
CCO	Conveyor Over	N/A	Commercial, ENERGY STAR®	\$1,500 / unit
CRO	Rack Over	Single, Double	Commercial, ENERGY STAR® V2.2	\$1,000 / unit
CCVO	Convection Oven	N/A	Commercial, ENERGY STAR®	\$750 / unit
CCOS	Combination Oven / Steamer	N/A	Commercial, ENERGY STAR®	\$2,000 / unit
CFF	Fat Fryer	N/A	Commercial, ENERGY STAR®	\$750 / unit
CG	Griddle	N/A	Commercial, ENERGY STAR®	\$500 / unit
CSC	Steam Cooker	N/A	Commercial, ENERGY STAR®	\$2,000 / unit
Code	Commercial Cooking Equipment Type	Criteria	Efficiency Requirement	Incentive Rate
PRSV	Pre-Rinse Sprat Valve	N/A	N/A	\$25 / unit

NATURAL GAS WATER HEATING / APPLIANCES / PIPE WRAP / FLOW DEVICES				
Code	Water Heater Type	Capacity (MBh)	Efficiency Requirement	Incentive Rate
WHS1	Storage	< 75 / < 55 Gallons	> 0.67 EF or 0.64 UEF, ENERGY STAR®	\$350/unit
WHS2		< 75 / < 55 Gallons	> 0.81 UEF, ENERGY STAR®	\$500/unit
WHS3		75 to 105	> 82% Thermal Efficiency, ENERGY STAR®	\$750/unit
WHS4		75 to 105	> 94% Thermal Efficiency, ENERGY STAR®	\$1,000/unit
WHS5		> 105	> 82% Thermal Efficiency, ENERGY STAR®	\$500/unit
WHS6		> 105	> 94% Thermal Efficiency, ENERGY STAR®	\$750/unit
WHI1	Instantaneous	≤ 200	> 90% Thermal Efficiency, ENERGY STAR®	\$750/unit
WHI2		> 200	> 90% Thermal Efficiency, ENERGY STAR®	\$1,000/unit
Code	Pipe Wrap	Capacity	Efficiency Requirement	Incentive Rate
PW1	0.5 inch or less pipe diameter	N/a	Must provide insulation thickness, R-value and pipe thickness	\$1 / linear foot
PW2	Larger diameter			\$2 / linear foot
Code	Commercial Appliance	Capacity	Efficiency Requirement	Incentive Rate
CW1	Commercial Clothes Washer – Tier1	N/A	ENERGY STAR®	\$100 / unit
CW2	Commercial Clothes Washer – Tier2		ENERGY STAR® Most Efficient	\$200 / unit

NATURAL GAS WATER HEATING / APPLIANCES / PIPE WRAP / FLOW DEVICES CON'T

Code	Residential Appliance (Commercial Building)	Capacity	Efficiency Requirement	Incentive Rate
RCW1	Residential Clothes Washer – Tier 1	N/A	ENERGY STAR®	\$150 / unit
RCW2	Residential Clothes Washer – Tier 2		ENERGY STAR® Most Efficient	\$200 / unit
RCD1	Residential Clothes Dryer – Tier 1		ENERGY STAR®	\$200 / unit
RCD2	Residential Clothes Dryer – Tier 2		ENERGY STAR® Most Efficient	\$150 / unit
Code	Flow Devices	Capacity	Efficiency Requirement	Incentive Rate
LFA1	Low Flow Aerator – Tier 1	N/A	Water Sense	\$1.00 / unit
LFA2	Low Flow Aerator – Tier 2			\$2.00 / unit
LFS1	Low Flow Showerhead – Tier 1			\$1.00 / unit
LFS2	Low Flow Showerhead – Tier 2			\$2.00 / unit

CUSTOM

Code	Item	Criteria	Efficiency Requirement	Incentive Rate
N/A	Existing Building	Must pass benefit cost test	Meet or exceed minimum requirements as outlined by ASHRAE 90.1-2016	Less of: <ul style="list-style-type: none"> • First Year Savings: \$1.60 / therm and \$0.16 kWh • 50% of Project Incremental Cost • Buydown to 1-year payback
B2	Hot Water	300 to ≤ 1,500	If ASHRAE 90.1-2016 is not applicable, other criteria such as CEE, ENERGY STAR®, standard practice or other established resources may be considered for baseline analysis purposes	



Program Application

Energy Solutions for Business and Multifamily: Prescriptive and Custom

CUSTOMER INFORMATION

Company Name (as listed on utility bill)

Legal Company Name

Customer Name (Name/Title)

Phone Number

Email Address

Customer Type

Federal Tax ID #

State Tax ID #

Mailing Address

City

State

Zip

Type of Project

How did you hear about the program?

FACILITY AND PROJECT INFORMATION

Facility Address

City

State

Zip

Gas Account Number

Electric Account Number (Customonly)

County

Facility Type

Anticipated Install Start Date

Site Contact for Inspection Scheduling (Name/Title)

Site Contact Phone

Site Contact Email

CONTRACTOR/VENDOR/TRADE ALLY INFORMATION

Company Name

Contact Person (Name/Title)

Mailing Address

City

State

Zip

Phone Number

Email Address

PAYEE INFORMATION

Company Name

Contact Person (Name/Title)

Incentive Check Mailing Address

City

State

Zip

Phone Number

Email Address

Federal Tax ID #

Tax Information

CUSTOMER AUTHORIZATION AND SIGNATURE

I agree to the terms and conditions of the Energy Solutions for Business and Multifamily: Prescriptive and Custom and the specific program requirements for this measure.

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.

By signing this application, the signatories agree to comply with the provisions of the New Jersey Prevailing Wage Act, N.J.S.A. 34: 11-56.26 et seq. (Act), if and to the extent that Act may apply to the work covered by this application.

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

By participating in the NJNG's energy efficiency and peak demand reduction programs, customers agree their electric utility will maintain ownership of all Capacity Rights from electric savings measures, which refers to the demand reduction associated with any energy efficiency and peak demand reduction measure for which incentives were provided by NJNG. Your electric utility will aggregate these energy efficiency demand reduction attributes into the PJM capacity market as appropriate, with proceeds being used to reduce customers' costs for the programs.

I certify that all information provided above is correct to the best of my knowledge, and I give the New Jersey Board of Public Utilities, and participating electric and gas utilities and contractors permission to: 1) share the information I have provided above with all parties planning to do work on the facility I represent or evaluate its energy usage; 2) use, at no charge, any description or pictures relating to the work performed at this facility for the purposes of program administration, training and presentations; and 3) have reasonable access to this facility to inspect the work performed. I understand that all work is guaranteed for a period of one year.

Customer Signature

Date

Printed Name

Title

Applications signed by someone other than the customer requires a letter of authorization.

Application Pre-Approval Checklist

The following documentation must be included with all applications. Pre-approval is required prior to purchase and installation of equipment.

1. Completed signed application.
2. A recent copy of an entire gas utility bill showing societal benefits charge and commercial billing code. For custom projects, which include electric savings, an entire electric utility bill must also be submitted.
 - Name and account # of the customer listed on the application must match the name of the customer and account # listed on the utility bill.
 - For projects where a utility account has not yet been established, the utility bill is not required with the initial application submission, however, the customer will be required to submit a utility bill prior to receiving incentive payment.
3. Manufacturer's specification sheets for the equipment to be installed. The specification sheet should indicate model, size and efficiency of type of equipment.
4. Equipment certification screen shot from ENERGY STAR®, Air Conditioning, Heating and Refrigeration Institute (AHRI) and/or relevant certification.
5. Prescriptive or Custom Measure Workbook with all applicable tabs completed.

Please indicate all gas measures being applied for:

- | | |
|--|--|
| <input type="checkbox"/> Non-Condensing Natural Gas Fired Boilers | <input type="checkbox"/> Boiler or Furnace Tune-up |
| <input type="checkbox"/> Condensing Natural Gas Fired Boilers Natural | <input type="checkbox"/> Boiler Controls |
| <input type="checkbox"/> Gas Fired Furnaces | <input type="checkbox"/> Natural Gas Absorption or Engine Chillers |
| <input type="checkbox"/> Natural Gas Fired Low Intensity Infrared Units Integrated | <input type="checkbox"/> Domestic Water System Pipe Wrap Natural Gas |
| <input type="checkbox"/> Natural Gas Fired Boiler / Water Heater Natural Gas Fired | <input type="checkbox"/> Appliances |
| <input type="checkbox"/> Water Heaters | <input type="checkbox"/> Natural Gas Fired Kitchen Equipment Flow |
| Custom | Devices |

Application Final Approval and Payment Checklist

Please include the following documentation for final approval and incentive payment. Please note, a post inspection may be required prior to incentive being processed:

1. Revised Prescriptive or Custom Measure Workbook, if project scope has changed.
2. Material Invoice
 - Invoice should include the model number of the equipment installed, quantity, and unit price.
3. Labor Invoice
 - Labor / installation price must be listed separately from material price.
 - Self-installed projects must include customer documentation indicating start / end dates of installation.
4. Tax Clearance Certificate obtained from NJ Division of Taxation
 - A valid Tax Clearance Certificate dated after the application pre-approval must be obtained. Certificates are valid for 180 days. Customer name and tax ID number must align with the customer name listed on the utility bill provided and the application.
 - Apply for the certificate at https://www16.state.nj.us/NJ_PREMIER_EBIZ/jsp/home.jsp
5. W9 form, ST-4 or ST-5 Form. This form must be completed by the entity receiving incentive payment.
6. Signed completion document (provided as an email at the time of project pre-approval).

Certain private business entities may hold a "Sales Tax Exempt Organization Certificate (Form ST-5)." This form applies solely to purchases of tangible personal property or services and does not exempt the entity from the requirement to submit the Tax Clearance.

NJNGs SAVEGREEN Energy Solutions for Business & Multi-Family: Prescriptive & Custom Program

ELIGIBILITY

1. This application package must be received by the Program Administrator on or before June 30, 2022 in order to be eligible for the fiscal year 2022 (July 1, 2021 to June 30, 2022) incentives. All participating customers are required to submit the most current application form.
2. All submissions will be reviewed based on the current program requirements and incentive levels approved by the New Jersey Board of Public Utilities. Program Incentives are available to non-residential NJNG commercial, industrial and multi-family customers, who pay a Societal Benefit Charge. Multi-family customers are defined as three or more units. Customers who have not contributed to the utility Societal Benefits Charge are not eligible for incentives offered through this program.
3. NJNG requires a complete, separate application for each customer utility account. Projects for the same utility account and the same technology being done at the same time should be submitted on one application.
4. All applicants are required to obtain the Program Administrator's pre-approval and incentive commitment prior to purchasing equipment and commencing installation or construction. Customers implementing projects without the Program Administrator's approval do so at their own risk, including, among other things, the risk of having their project deemed ineligible for incentives.
5. 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.
6. Applications signed by someone other than the customer require a letter of authorization.
7. Project invoices should list both the labor and material costs separately. The invoice should include a description of the equipment installed, quantity, and unit price.
8. For projects that are self-installed by the participating customer, in addition to the material invoices listing the equipment installed, quantity, and unit price, written documentation from the participating customer must be provided in lieu of a labor invoice attesting to the start and end dates of the self-installation.
9. Energy-Efficient Measures must be installed in buildings located within NJNG's service territory and designated on the participating customer's incentive application.
10. Program incentives are available for qualified Energy-Efficient Measures as listed and described in Program materials and incentive applications.
11. The participating customer must ultimately own the equipment through an up-front purchase. Equipment procured by participating customers through other programs offered by NJNG, as applicable, are not eligible for incentives through this program.
12. Incomplete application submissions, applications requiring inspections and unanticipated periods of high volume may cause processing delays.

Incentive Amounts

1. Program Incentives will not exceed the lesser of:
 - a. The approved Program incentive amount, or
 - b. The total project cost of the Energy-Efficient Measure.
 - i. Project cost is the expense directly associated with the Energy Efficient Measure, excluding NJ state sales tax.
2. Products offered at no direct cost to the participating customer are ineligible.
3. Program Incentives are limited to \$250,000 per utility account in a fiscal year.
4. Buildings (a) owned or operated by Municipalities, Counties, K-12 Public Schools, (b) located in UEZs or OZs zones or (c) that constitute Affordable Housing may be eligible for enhanced incentives but are subject to a cap of the applicants cost for the project (material and labor).

INSPECTIONS

Pre- and Post-Inspections:

1. Projects are subject to the Program's random inspection selection process.
2. The Program must have reasonable access to participating customer's facility to post inspect the Energy-Efficient measures installed under this Program.

Deficient Applications

1. If an application package is incomplete, information is missing or deemed insufficient, the customer (or customer's representative) will be contacted via email. The information or documentation requested on the email must be received by the Program Administrator within 30 days of the date of the request. If additional deficiencies are still noted, there will be a follow-up email sent.
2. If a participating customer fails to respond to information requests within 30 days the application will be rejected. If an application is rejected, participating customers may re-apply under the program incentives and requirements in place at the time of re-application.

Expirations

1. Pre-approved projects are given a one-year approval in which the proposed measures are to be installed and operational. An email is sent 30 days prior to project expiration. 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 Administrator 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 the time of re-submittal.

Change in participating customer name/payee after pre-approval

1. To initiate a change to the participating customer name or payee on an approved application, the following documentation must be provided:
 - a. Documentation from the participating customer authorizing the change
 - b. A new, fully signed application reflecting the updated participating customer or payee name.
 - c. For name change of the applicant/customer, a utility bill in the name of the new participating customer is required.
 - d. All such change requests are subject to Program Administrator approval.
 - e. Certain requests may require additional information to be submitted as defined by the Program Administrator.

TAX LIABILITY

The Program Administrator and NJNG 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 Administrator on the application form in order to receive a Program Incentive.

PREVAILING WAGE

Participating projects with a contract at or above current prevailing wage contract threshold amount set pursuant to the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.) are required to pay no less than prevailing wage rate to workers employed in the performance of any construction undertaken in connection with New Jersey Board of Public Utilities financial assistance, or undertaken to fulfill any condition of receiving New Jersey 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 New Jersey 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. By signing the application, the signatories agree to comply with the provisions of the New Jersey Prevailing Wage Act, N.J.S.A. 34: 11-56.25 et seq., (Act), if and to the extent that Act may apply to the work covered by the application. More information can be found at https://www.nj.gov/labor/wagehour/regperm/public_contracts_general.html

ENDORSEMENT

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

WARRANTIES

THE PROGRAM ADMINISTRATOR AND NJNG DO NOT WARRANT THE PERFORMANCE OF INSTALLED EQUIPMENT, AND/OR SERVICES RENDERED ASPART 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 QUALIFY. 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 Administrator and NJNG, except the receipt of the Program Incentive. Participating Customers agree that the Program Administrator and NJNG' liability, in connection with this Program, is limited to paying the Program Incentive specified. Under no circumstances shall the Program Administrator and NJNG, its representatives, or subcontractors, 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 Administrator or NJNG under this Program shall be individual, and not joint and/or several.

TERMINATION

NJNG 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 his/her 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 Administrator permission to share records with the NJNG, and contractors it selects to manage, coordinate or evaluate the NJ Smart Energy Partners Program including the release of electric and natural gas utility billing information, as well as make available to the public any and all information required by the Open Public Records Act and/or other applicable laws.

DEFINITIONS

"Energy-Efficient Measures" is defined as any device eligible to receive a program incentive payment through the program. "Participating Customers" is defined as NJNG customers and multi-family customers who pay a Societal Benefit Charge. "Multi-family customers" are defined as three or more units.

"Product Installation" or "Equipment Installation" are defined as Installation of the energy-efficient measures.

"Program" is defined as Energy Solutions for Business and Multifamily: Prescriptive and Custom Program

"Program Administrator" is defined as Applied Energy Group (AEG)