

2019 PROGRAM MANUAL

# Small Commercial Solutions Program

El Paso Electric Company

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## PROGRAM OVERVIEW

### Program Objectives

The El Paso Electric (EPE) Small Commercial Solutions Program (Program) is a market transformation program that assists Small Commercial Customers and Participating Contractors within EPE's Texas service territory and to those who pay into the Energy Efficiency Cost Recovery Factor (EECRF) by offering direct support, tools and training necessary to:

- Identify, evaluate and undertake energy efficiency improvements
- Determine which efficiency improvements will have the greatest impact on energy use, cost, comfort, the useful life of equipment, business and facility operations
- Understand how to leverage energy saving measures to implement demand savings

**The Program and all associated services are available to Participants at NO COST.**

Contractors and Small Commercial Customers enrolled in the Program, referred to as Participants, may receive both cash and non-cash incentives. Technical and energy management assistance is provided to help Participants make decisions about cost effective investments for facility energy efficiency upgrades. Cash incentives are available for projects that incorporate qualifying energy efficiency measures in both new construction and retrofit projects. In addition, Participants may receive communications support to publicize the benefits of their successful energy efficiency projects. The Program works with Participants to help determine the most effective energy efficient measures to implement to meet Customers' long-term needs.

While the Program does provide technology recommendations, it does not require specific technologies or end uses. This provides a framework through which Participants can receive incentives for implementing and installing a wide range of measures at their sites. EPE is the final authority on measure eligibility for incentive payments. Participants may terminate their participation at any time, for any reason, without liability. Similarly, the Program may be canceled by EPE at any time, for any reason, without liability.

The Program involves the Program Sponsor which is El Paso Electric (EPE) and the Program Implementer which is CLEAResult. The roles and responsibilities of each are defined in the "Program Roles & Responsibilities" section below.

### NOTES

EPE will not directly market any energy efficiency-related products or services to its customers. Entering into an agreement with EPE does not imply EPE's endorsement or approval of any products or services. EPE makes no representation of the benefits of any particular technology or energy

efficiency measure eligible for incentives under this Program. The selection of an energy efficiency measure is at the discretion of the individual customer.

## **PROGRAM ELIGIBILITY**

The 2019 Small Commercial Solutions Program is currently being offered to small commercial facilities within EPE's Texas service territory and to those who pay into the EECRF. The Customer must be non-residential with a maximum demand of less than 100 kW at any one facility or a total demand of less than 250 kW at all facilities owned by the same customer. A Customer is defined by a single Tax ID number. Multiple locations of one organization are thereby considered a single customer, regardless of how many EPE account numbers they may have.

EPE and/or CLEAResult will work with Participants to confirm customer eligibility. Commercial customers that meet the less than 100 kW maximum demand and or less than 250 kW aggregate maximum demand requirements are eligible to participate in EPE's Small Commercial Solutions Program.

Customers who are in the public K-12, higher education, or local government sectors are excluded from this Program and may participate in the EPE SCORE Program. To participate in the 2019 Small Commercial Solutions Program or other EPE Energy Efficiency Programs, please see the "Program Enrollment/Contacts" section at the end of this manual.

## **PROGRAM ROLES & RESPONSIBILITIES**

### **Program Sponsor**

EPE is responsible for:

- Conducting and/or assigning formal on-site pre- and post-installation inspections of eligible projects
- to approve peak demand (kW) and energy savings (kWh) and incentive amounts
- Authorizing and issuing incentive payments for completed projects
- Overseeing the Program Implementer

### **Program Implementer**

CLEAResult was selected by EPE to serve as the Program Implementer for the 2019 Small Commercial Solutions Program. CLEAResult is responsible for:

- Determining project kW savings, as well as incentive amounts to reserve
- Conducting outreach to potential Participants
- Approving eligibility and enrollment for Participants
- Quantify potential peak demand reduction, energy savings kWh, and monetary incentives
- Reviewing and approving Incentive Forms and Project Submittals
- Making recommendations for high efficient measure options

- Conducting pre- and post-inspections of projects
- Providing some or all of the following services based on the specific Participant's needs, as assessed by EPE and CLEAResult: education, training, energy performance, benchmarking, energy master planning, technical assistance, and PR/communications support.

## **Program Participant**

Program Participant will be asked to fulfill a combination of the following requirements, determined in conjunction with CLEAResult:

- Commit to the terms of the Program Letter of Intent (LOI) (see "Program Enrollment/Contacts" section for additional details)
- Demonstrating a willingness and ability to adopt energy efficiency best practices
- Educating customers on the demand reduction intent of the Program and the associated incentive award that contributes towards reducing project costs
- Adhering to the requirements addressed in the "Insurance, Licensing and Permitting Requirements" section of this program manual
- Submit required documentation to enable the Program to process incentive payments, which include and may not be limited to:
  - Incentive Form and new construction plans and supporting documentation
  - Signed Final Customer Invoice (showing "El Paso Electric Incentive")
  - Required Date and Time Stamped Photographs (if applicable)
  - Affidavit – when a Participating Contractor uses a subcontractor
- Exert its best efforts to approve, fund, and install cost-effective energy efficiency projects identified through the program by November 30th
- Notify and schedule post-inspections with CLEAResult when projects are completed
- Provide access to project facilities and ample lead time both before and after project completion for inspection of the baseline and post-retrofit condition. New construction projects do not require any inspections prior to project completion.

## NOTES

EPE will not reimburse Participants for any costs it may incur by participating in the Program. EPE strives to achieve a diversified measure mix within its program portfolio. The Program reserves the right to distribute funds based on Program funding and cost effectiveness constraints. Financial incentives for demand savings are paid to Participants upon verification and approval of completed energy efficiency projects.

## **INCENTIVES**

There are several Program incentives available to Participants in order to assist with identification, evaluation, and implementation of eligible energy efficiency projects. Program incentives include a mix of cash and non-cash incentives as described below. CLEAResult will collaborate with enrolled

Participants to determine the appropriate non-cash incentives to provide in addition to assisting with identification and development of projects that may be eligible for cash incentives.

## Non-Cash Incentives

**TECHNICAL ASSISTANCE & PROJECT IDENTIFICATION** – The Program provides technical support to help Participants identify and evaluate energy efficiency opportunities in order to determine which projects are viable. Similarly, the Program can assist in defining energy efficient new construction, renovation, and retrofit bid specifications.

**TRAINING** – The Program can provide Participants with training on energy efficient technologies and Program processes.

**COMMUNICATIONS & PUBLIC RELATIONS SUPPORT** – The Program provides press releases and other communications support to inform the community about steps their public schools and local governments are taking to improve the energy performance of their facilities, to reduce operating costs, and use budget dollars more efficiently.

**ADMINISTRATIVE SUPPORT** – The Program helps Participants to manage the process of applying for and receiving cash incentives under the Program.

## Cash Incentives

The Program provides financial incentives based on reductions in peak electric demand resulting from the implementation of eligible energy efficiency projects at a Participant's facility. For more information on what defines a project, including a list of eligible measures, please see the "Project Eligibility" section.

The cash incentives help Participant to "buy down" the incremental cost of purchasing more energy-efficient equipment and are meant to encourage adoption of construction and maintenance practices which will reduce energy operating costs.

**The incentive for eligible energy efficiency measures is \$400 per peak kW reduced (see "Funding Limitations" section for additional details).**

**Retrofit projects** - Participants receive financial incentives from the Program once all energy efficiency measures for a site have been completed, verified, and approved. **Participating Contractors are to pass on 100% of Program incentives to the Customer.** To ensure Program transparency, each project submission is required to include the Customer's Signed Invoice, showing the "EPE Incentive" as a line item deduction. The incentive amount listed on the invoice must match the amount shown on the final calculated Incentive Form.

**New construction projects** - **Cash incentives are paid directly to the business/facility owner.** Project submissions must include construction documents so CLEAResult can determine the project's eligibility, estimated demand savings and incentive amount.

Cash incentives are awarded on a first-come, first-served basis by the date the Program Implementer, CLEAResult, approves an Incentive Form (or new construction project) from the Participant. EPE is not liable for Participants who fail to meet the requirements of the Program. EPE has the right to terminate participation of any Participant who fails to meet the requirements of the Program.

## Incentive Basis

Funding is available to pay incentives for eligible energy efficiency projects that are approved by the Program and result in a reduction of peak electric demand (kW).

Demand savings will be calculated on the maximum one-hour average reduction in demand on the utility system throughout the utility system's peak period. The summer peak period consists of the hours from 1 p.m. to 7 p.m. during the months of June through September, excluding weekends and Federal holidays. The winter peak period consists of the hours of 6 a.m. to 10 a.m. and 6 p.m. to 10 p.m. during the months of December through February, excluding weekends and Federal holidays.

Cash incentives received through the Program will be based on a project's reductions in peak electric demand, as determined pursuant to this Program Manual and the Texas Technical Resource Manual (TRM). Demand and energy savings are calculated using one of three Measurement & Verification (M&V) approaches:

1. **Deemed or Stipulated Savings:** Deemed savings refer to a savings estimation approach that does not require short-term testing or long-term metering. Instead, demand savings are stipulated based on evaluation data from past DSM programs or other publicly available industry data. The data is used to make assumptions about typical operating characteristics, manufacturer's nameplate efficiency data, and types of equipment likely to be installed. The deemed savings M&V approach is appropriate for energy efficiency measures where savings are relatively certain, including lighting efficiency and some cooling equipment retrofits.
2. **Simplified Measurement and Verification (Simple M&V):** A simple M&V approach may involve short-term testing or simple long-term metering, but relies primarily on manufacturer's efficiency data and pre-set savings calculation formulas. Simplified methods can reduce the need for some field monitoring or performance testing. For example, chiller energy and demand savings can be determined using the simple approach by comparing rated efficiencies of high-efficiency equipment to standard equipment, and using post-installation kW spot-metering.

Project measures must meet project specific criteria to determine savings using a simplified M&V approach.

3. **Measured Savings or Full M&V:** Full M&V approaches estimate demand and energy savings using a higher level of rigor than the deemed or simplified M&V approaches through the application of end-use metering, billing regression analysis, or computer simulation. All measures that do not meet the criteria for a more simplified approach must follow full,

industry-standard M&V procedures. All Full M&V methods should be developed in accordance with the current International Performance Measurement and Verification Protocol (IPMVP).

The savings methodologies described above differ in terms of detail and rigor and some are chosen based upon the predictability of equipment operation, availability of evaluation data from previous programs, and benefits of the chosen measurement and verification approach relative to its cost.

Please note that Participants may be responsible for the arrangement of and costs associated with M&V activities for a project if either Simplified or Full M&V approaches are selected. These activities and costs may NOT be required for Participants for all projects, but may be justified for specific projects.

**Projects that require either Simplified or Full M&V methodologies MUST be  $\geq 20$  kW in peak electric demand savings to qualify for Program incentives.**

## Incentive Reservation

### Participant Reservation Process

- Complete a Project Application Form detailing the scope and timelines for their energy efficiency projects
- Submit the Project Application Form, with all necessary supporting project documentation, to CLEAResult through the Contractor Portal (see "Project Definition & Requirements" within the "Project Eligibility" section of this manual)
- CLEAResult will review submitted Project Application Forms and approve eligible projects on a project-by-project basis, within 3 business days of project submission to the Contractor Portal. Program Incentives will be reserved for 45 days on a first-come, first-serve basis, determined by the date CLEAResult approves and signs the Project Application Form.

The initial incentive reservation amount may be adjusted during the program year, depending upon changes to a project's estimated demand savings. CLEAResult will inform Participants of significant changes to a project's reserved incentive amount. EPE is not required to pay Participants 100% of a project's reserved incentive if the Program is fully subscribed and funds are limited or unavailable, at the time of project completion. For more information, please see the "Funding Limitations" section below.

More detailed information about the Project Application process for reserving cash incentives from the Program is provided in the "Project Eligibility" section.

## Incentive Payment

Any cash incentives received through the Program are paid directly to the Participant after the project is completed, a post-installation inspection is conducted, and demand savings are verified. In most cases, the Participant is a Participating Contractor installing energy efficiency measures as a

participant in the Program. The Participating Contractor is required to discount and line item the "EPE Incentive" on their service invoice to the Customer. To ensure Customer protection and Program transparency, the Customer is required to sign the Incentive Form before it is submitted to the Program Implementer for review. The Contractor is then reimbursed for the eligible and approved incentive amount based on submission of the Incentive Form and associated documentation.

For all projects excluding new construction, the following must be submitted for the Program to process incentive payments:

- Customer Acknowledgement Form
- Customer Signed Final Invoice (showing "EPE incentive")
- Required Date and Time Stamped Photographs (if applicable)
- Supporting Documentation (i.e. Construction Plans, Specifications, and Submittals)
- Affidavit (if applicable)

Funds will be delivered upon the project's completion, verification and approval. For projects that are utilizing either simple or full M&V savings methodologies, incentive payments will be made upon completion of all verification activities.

## **Funding Limitations**

EPE strives to achieve a diversified Participant and measure mix within its Program portfolio. The Program reserves the right to distribute funds based on Program funding available and cost effectiveness constraints. The incentives offered through the Program are limited. It is possible that the Program budgets might not accommodate the number of projects submitted by Participants throughout a Program year. Program Incentives will be reserved for 45 days on a first-come, first-serve basis, determined by the date CLEAResult approves and signs the Project Application Form. Cash incentives from the Program must be less than 100% of the project cost.

In the event that incentive reservations meet or exceed the Program's budget for incentives, the Program is considered fully or over-subscribed. Project Applications that are submitted to the Program after the Program is fully subscribed will be added to a project wait list. Any additional Program funding will be released based on project cost effectiveness, participation levels, and measure mix. Any Participant submitting projects that are unable to receive cash incentives in the current Program year due to over-subscription may choose to continue with their installation without incentives or delay the project and reapply for incentive funds during the next Program year when funds become available.

## **PROJECT ELIGIBILITY**

### **Project Definitions & Requirements**

A project, for this Programs purpose, is defined as one or more proposed peak demand savings measure at one (1) small commercial facility. Comprehensive projects that include a range of

measure types are encouraged and Participants should make every effort to complete multiple projects in any given program year.

All measures must meet the following requirements:

- Must result in a measurable and verifiable electric demand reduction on the utility system throughout the utility system's peak periods defined as:
  - Summer Peak - the hours from 1 p.m. to 7 p.m. during the months of June, July, August, and September, excluding weekends and Federal holidays.
  - Winter Peak - the hours of 6 a.m. to 10 a.m. and 6 p.m. to 10 p.m. during the months of December, January, and February, excluding weekends and Federal holidays.
- Must produce electric demand savings through an increase in energy efficiency.
- New equipment must exceed minimum equipment efficiency standards as outlined in the Texas TRM applicable to the current Program year/measure.

Comprehensive projects which include a range of measure types at one facility are encouraged. Participants are encouraged to pursue multiple projects at various facilities.

**Eligible Measures**

The energy efficiency measures in the list below are measurable by deemed savings calculations and are eligible in the Program. Savings based on the deemed savings approach apply where no unusual conditions exist. Deemed savings measures require no short-term testing or long-term metering. Baseline specifications for retrofit and new construction projects can be found in the Texas TRM applicable to the current Program year/measure.

<b>Eligible Deemed Savings Measures</b>	
<b>Lighting Efficiency</b>	<ul style="list-style-type: none"> <li>• Lamp and ballast replacements</li> <li>• High-intensity discharge (HID) fixture replacements</li> <li>• LED lighting</li> </ul>
<b>DX Air Cooled Equipment</b>	<ul style="list-style-type: none"> <li>• Unitary air conditioner</li> <li>• Unitary heat pumps</li> </ul>
<b>Water Chilling Equipment (Chillers)</b>	<ul style="list-style-type: none"> <li>• Screw – air cooled</li> <li>• Reciprocating – air cooled</li> <li>• Reciprocating – water cooled</li> <li>• Rotary/screw/scroll – water cooled</li> <li>• Centrifugal – water cooled</li> </ul>
<b>Building Envelope</b>	<ul style="list-style-type: none"> <li>• Energy Star Qualified Roofing</li> <li>• Window Treatment</li> </ul>
<b>Refrigeration</b>	<ul style="list-style-type: none"> <li>• Solid &amp; Glass Door Reach-Ins</li> </ul>

	<ul style="list-style-type: none"> <li>• Electronic Defrost Controls</li> <li>• ECM Evaporator Fan Motors</li> <li>• Evaporator Fan Controls</li> <li>• Cooler Night Covers</li> <li>• Strip Curtains</li> <li>• Zero-Energy Doors</li> <li>• Door Heater Controls</li> </ul>
<b>ENERGY STAR® Measures</b>	<ul style="list-style-type: none"> <li>• Electric Convection Ovens</li> <li>• Electric Combination Ovens</li> <li>• ENERGY STAR® Dishwashers</li> <li>• ENERGY STAR® Steam Cookers</li> <li>• ENERGY STAR® Fryers</li> <li>• ENERGY STAR® Hot Food Cabinets</li> <li>• ENERGY STAR® Pool Pumps</li> </ul>
<b>Lighting &amp; HVAC Controls</b>	<ul style="list-style-type: none"> <li>• VFDs on Air Handlers</li> <li>• Lighting Demand EAFs</li> <li>• Occupancy Controls (Lighting &amp; HVAC)</li> <li>• HVAC Equipment Controls</li> </ul>

\*Other measures may be eligible if they provide measurable and verifiable peak demand savings but require submission and implementation of an M&V plan. Please refer to the previous section, "Incentives Basis", for further information preparing and implementing an M&V plan.

## PROJECT PROCESS

Once a Participant has joined the Program by signing an LOI, they may begin submitting projects via a Project Application Form to apply for incentives. There is no financial commitment required to apply for incentives in the Program.

The Participant is required to submit all relevant retrofit, new construction documents and submittals to determine potential incentives, demand and energy savings. CLEAResult will provide written approval of reserved projects on a project-by-project basis. Below is a step-by-step process:

### Project Submissions

For retrofit projects, Participants must submit a completed Customer Acknowledgement Form for CLEAResult to review. For new construction projects, Participant must submit electronic copies of plans/drawings for CLEAResult to review.

Participating Contractors are to submit the Project Application Form, plans, drawings and submittals via the Contractor Portal:

<https://epe-portal.clearesult.com/contractor>

Small Commercial Customers are to submit the Customer Acknowledgment Form by email or fax:

[epeincentives@clearesult.com](mailto:epeincentives@clearesult.com)

**(866) 379-5583**

Hard copies or CDs with electronic files should be sent to the following address:

**EPE Small Commercial Solutions Program**

**c/o CLEAResult**

**Attn: Delilah Spignardo**

**5822 Cromo Dr Ste 201**

**El Paso, TX 79912**

Please contact CLEAResult for online portal access access or any issues with uploading project information:

Delilah Spignardo  
Sr. Energy efficiency Program Consultant  
5822 Cromo Dr Ste 201  
El Paso, TX 79912  
[Delilah.Spignardo@CLEAResult.com](mailto:Delilah.Spignardo@CLEAResult.com)

**Retrofit Projects:**

1. Participant submits a Letter of Intent (and required documentation to include: contractor license, proof of liability insurance, Form W-9 (Rev. 10/2018), and an optional ACH Direct Deposit Form).
  - a. Participant may be required to register in EPE's Supplier Data Base
2. CLEAResult educates the Participant on the elements of the Program.
3. Participant collects required information at the building site and conducts the following:
  - a. Completes the applicable Project Application Form
  - b. Discloses incentive amount to the facility owner
  - c. Uploads project documentation (i.e. Project Application Form, Construction Documentation and submittals) to the contractor portal and schedules pre-inspection with CLEAResult
  - d. Takes required date and time stamped photographs of the system prior to equipment removal
  - e. If the Participant is a small commercial customer, they will contact CLEAResult and CLEAResult will handle the above listed steps
4. Participant completes product installation and/or service
5. Incentive is deducted on the service invoice to reduce out of pocket expense to the customer, as a result the Participating Contractor will receive the incentive from EPE.

6. Within 45 days from the day CLEAResult approves and signs the Customer Acknowledgment Form; reserving project funds Participant must submit the following documents:
  - a. Project Application Form
  - b. Project Invoices (i.e. itemized material invoice, labor and material invoice, etc.)
    - i. Participating Contractor must submit a Customer Signed Invoice (showing EPE incentive amount)
  - c. Date and Time Stamped Photos (if required)
  - d. Affidavit (if required)
  - e. Schedule Required post-inspections
7. CLEAResult reviews submitted documentation and approves or denies. If denied, CLEAResult will contact the Participant regarding requirements for approval.
8. Once approved, CLEAResult will inform the Participant of the final incentive amount. Final incentive amount must match on the signed Customer Acknowledgment Form and Customer Signed Invoice.
9. CLEAResult provides EPE with incentive invoice, EPE processes incentive invoice and direct deposits or issues a one time check to the Participant. Participants who anticipate completing multiple projects or measures within a program year are encouraged to enroll in direct deposit.

EPE and CLEAResult have the authority to conduct pre- and post-installation inspections, as needed. The Program will require full pre- and post-installation inspections on the first three projects conducted by all Participants annually.

Participants are subject to "spot" inspections of their subsequent projects. Discrepancies in documentation submitted or items noted during the inspection process will be monitored. The "Probation Policies and Procedures" document in the Appendix details specifics.

### **Pre-Installation Inspection**

This section is only applicable for retrofit projects. For new construction projects, there are no pre-installation inspections required.

Before a Participant begins a retrofit project, they must conduct a pre-installation inspection at the site to collect data on existing equipment and/or conduct a diagnostic analysis. The Participant must include the pre-installation inspection information in the Project Application Form, and ensure that required photographs are taken of the equipment prior to equipment removal. The Participant must provide a knowledgeable representative to accompany CLEAResult on the post-installation inspection, as well as provide any access equipment needed to verify installed measures (e.g. ladder for use in lighting inspections).

Random pre-installation inspections will be conducted by CLEAResult and/or EPE throughout the agreement. Inspections will take place at a frequency to be determined by CLEAResult and/or EPE

and will be modified, if appropriate, to ensure Participants are conducting inspections correctly. CLEAResult will conduct 100% pre-installation inspections for enrolled Small Commercial Customers.

### **Post-Installation Inspection**

Once energy efficiency measures have been installed, the Participant will use the Customer Acknowledgment Form to capture post-installation information. Required photographs will be taken (in the same manner as the pre-installation inspection) once equipment has been installed.

Random post-installation inspections will be conducted by CLEAResult and/or EPE throughout the agreement. Inspections will take place at a frequency to be determined by CLEAResult and/or EPE and will be modified, if appropriate, to ensure that Participants are conducting inspections correctly. CLEAResult will conduct 100% post-installation inspections for enrolled Small Commercial Customers.

- o For new construction projects, CLEAResult will coordinate with Participant to schedule a post-installation inspection to verify that the equipment has been installed as indicated. The Participant must provide a knowledgeable representative to accompany CLEAResult on the post-installation inspection, as well as provide any access equipment needed to verify installed measures (e.g. ladder for use in lighting inspections).

### **New Construction Projects:**

- 1) Small commercial facility owner serves as the Program Participant and submits a Letter of Intent indicating participation in the Program.
  - a. To participate, small commercial facility must meet eligibility requirements<sup>1</sup>.
- 2) CLEAResult educates the Program Participant on the elements of the Program.
- 3) Participant must submit a full set of stamped construction drawings (A/M/E/P) and equipment specifications/submittals in electronic PDF file format to CLEAResult for review. These drawings and specifications are the supporting documentation for new construction projects.
  - a. Construction drawings shall be a minimum of 70% complete for review by CLEAResult
  - b. CLEAResult cannot reserve incentive funds without this complete set of drawings and equipment specifications/submittals for review.
  - c. CLEAResult communicates findings to Program Participant.
- 4) For new construction projects, a Participant may proceed with project installation once plans have been reviewed, equipment has been selected, and a Project Application Form has been submitted.
- 5) During installation, or construction, the Participant must notify CLEAResult of any changes to the project scope, equipment selection, or timeline.
- 6) After project energy efficiency measures are installed, the Participant must:
  - a. Notify CLEAResult of the project's completion

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<sup>1</sup> To be eligible, businesses must not exceed 100 kW (single facility) or 250 kW (multiple facilities owned by same individual)

- b. Work with CLEAResult to confirm, and update if necessary, the supporting documentation:
  - i. Lighting: If quantity, fixture type, etc. differ from original Lighting Survey Form, update form accordingly
  - ii. HVAC: If equipment type (SEER rating) differs from originally submitted information, update accordingly
- 7) Coordinate with CLEAResult to schedule a post-installation inspection to verify that the equipment has been installed as indicated. The Participant must provide a knowledgeable representative to accompany CLEAResult on the post-installation inspection, as well as provide any access equipment needed to verify installed measures (e.g. ladder for use in lighting inspections)
- 8) Once approved, CLEAResult verify's the project's peak demand savings based on the post-installation inspection and informs the Participant of the final incentive amount.
  - a. The Program is not under any obligation to pay additional incentives in excess of the the amount originally reserved on the Project Application Form.

CLEAResult provides EPE with incentive invoice, EPE processes incentive invoice and direct deposits or issues a one time check to the Participant.

### **Quality Assurance/ Quality Control & Probation**

To preserve program integrity, CLEAResult and/or EPE will conduct scheduled and random inspections throughout the Program period. Inspections will confirm the accuracy of the Incentive Forms and ensure that Participants are accurately representing the Program on behalf of EPE.

Pre- and post-installation inspections will be conducted on 100% of the first three (3) projects for each Participating Contractor, and randomly thereafter. For new construction projects, CLEAResult will conduct post-installation inspections on all completed projects. CLEAResult has the right to modify the QA protocol for some or all Participants based upon inspection results.

If any of the following occur, Participants may be placed on a 30-day "probationary period":

- Misrepresent the relationship and/or misuse of the El Paso Electric logo
- Fail to schedule onsite inspections
- Have more that 25% of project submitted that have discrepancies between the Incentive Form, photographs, and/or invoice, or
- Any other issue calling into question the integrity of the program

When placed on "probation", the Participant will receive a Probationary Letter. The Participant placed on probation will then be required to rectify any issues immediately, as well as perform the next five projects without any discrepancies. If these requirements are not met, the Participant will be placed on suspension for 45 days, during which time no projects will be accepted into the program. A Participant can be on probation no more than twice in one year.

CLEAResult will monitor that Participants are performing work in a professional manner that reflects the intent of the Program. Repeated inspection failures may result in termination of the Participant from the Program.

### **Project Completion Deadline**

Projects submitted to the Program are approved under the condition that project installations will be completed by **November 30<sup>th</sup>** of the program year. Projects must be completed by **November 30<sup>th</sup>** to allow Program staff adequate time to complete necessary QA requirements and to process incentive payments.

### **PROGRAM ENROLLMENT**

To enroll in the Program, the contractor executes a Letter of Intent (LOI) and submits it to CLEAResult. For most projects, a contractor/service provider signs the LOI and commits to the terms. For new construction and self sponsor projects, the facility/business owner signs an alternate version of the LOI and commits to the terms of participation.

#### **Electronic copies of the signed LOI may be sent to:**

EPE Small Commercial Solutions Program c/o CLEAResult

Attn: Delilah Spignardo

5822 Cromo Dr Ste 201

El Paso, TX 79912

[Delilah.Spignardo@CLEAResult.com](mailto:Delilah.Spignardo@CLEAResult.com)

Toll-Free Fax: (866) 379-5583

### **Contractor Qualifications & Experience**

El Paso Electric Company and CLEAResult require Participating Contractors to demonstrate their financial, technical, and managerial qualifications and experience as part of the application process to help ensure that projects will be successful in delivering the estimated energy savings.

The following requirements must be met for contractors to participate in the Program:

- Evidence that the Participating Contractor and any subcontractors possess all applicable licenses
- Certificates of insurance demonstrating the required coverage and policy endorsements (see "Insurance Requirements," section below)

### **Insurance, Licensing & Permitting Requirements**

At all times during the term of the Letter of Intent, the Participating Contractor must adhere to all permitting and licensing requirements as set forth by the local Authority Having Jurisdiction (AHJ), as well as acquire and maintain [at Participating Contractor's sole cost and expense] the following:

- General liability insurance coverage of at least \$1 million;
- Business automobile liability coverage including owned, non-owned, and hired vehicles; and
- Workers' compensation and employer's liability coverage
- Adhere to the following requirements, set forth by the local AHJ; For Example:
  - To Remove or replace a ballast, light fixture or electrical circuit, the worker must:
    - Be a holder of, at minimum, a Maintenance electricians license and be under the supervision of a Master Electrician

Each policy of insurance referenced in this section shall be endorsed to (i) provide EPE not less than thirty (30) days advance written notice of the expiration, termination, cancellation, or modification of such policy, (ii) waive subrogation of all claims against EPE (provided that the requirement prescribed by this Clause and (iii) if providing commercial general liability or business automobile liability coverage, name EPE as an additional insured.

The Participating Contractor shall provide CLEAResult with certificates of insurance evidencing the coverage, policy endorsements and required licenses numbers as described in this section. Additionally, Participating Contractor shall provide CLEAResult with a copy of each policy endorsement upon issuance by the applicable insurer. Certificates of insurance submitted to CLEAResult by any person other than the Participating Contractor's insurance company will not be accepted.

### **Follow-Up To The Letter Of Intent**

Upon a contractor's submission of the Letter of Intent, CLEAResult will contact the contractor to discuss potential project identification and energy solution consultation needs. CLEAResult may offer trainings to provide Participants with resources that assist the contractor in the identification of energy efficiency opportunities, delivery of value propositions to customers, and the evaluation of effective technologies and diagnostic equipment.

### **PROGRAM CONTACTS**

For additional information about the Program, please contact one of the following Program representatives:

Don Johnson  
Sr. Program Coordinator  
El Paso Electric Company  
PO Box 982  
El Paso, TX 79960  
(915) 351-4237  
[Don.Johnson@epelectric.com](mailto:Don.Johnson@epelectric.com)

Delilah Spignardo  
Sr. Program Consultant  
CLEAResult  
5822 Cromo Dr St 201  
El Paso, TX 79912  
(915) 255-4286  
[Delilah.Spignardo@CLEAResult.com](mailto:Delilah.Spignardo@CLEAResult.com)

## DISCLAIMERS

### Confidentiality

The Program is subject to oversight by the Public Utility Commission of Texas (PUCT). The PUCT may request a copy of any program materials received by CLEAResult or EPE. A Participant's sensitive company and project information submitted to the Program, such as financial statements and project costs, will be treated confidentially to the fullest extent possible and will not be provided directly to outside parties other than the PUCT. Neither CLEAResult nor EPE will be liable to any Participant or other party as a result of public disclosure of any submittals.

### False, Misleading or Incorrect Information

CLEAResult will discontinue its evaluation of all submittals from any Participant who submits false, misleading or incorrect information. If an evaluation is discontinued under these circumstances, CLEAResult will return all of the Participant's submittals.

### Formal Complaints

Please contact EPE to raise any issues/concerns that have arisen during participation in the Program:

Don Johnson  
Sr. Energy Efficiency Program Coordinator  
100 N. Stanton  
El Paso, TX 79901  
(915) 351-4237  
Don.Johnson@epelectric.com

A formal complaint may also be submitted to the PUCT at any time by using the following address and contact information:

Public Utility Commission of Texas  
Office of Customer Protection  
P.O. Box 13326  
Austin, TX 78711-3326  
phone: (512) 936-7120, or in Texas (toll-free) 1-888-782-8477  
fax: (512) 936-7003  
e-mail: [customer@puc.state.tx.us](mailto:customer@puc.state.tx.us)  
internet address: [www.puc.state.tx.us](http://www.puc.state.tx.us)  
Relay Texas (toll-free) 1-800-735-2988

**Disclaimer Of Warranties**

Participant acknowledges and agrees that any review or inspection by EPE or CLEAResult of Participating Contractor's facilities/premises or of the design, construction, installation, operation or maintenance of the energy efficiency equipment installed or to be installed in connection with the Program is solely for the information of EPE. In performing any such inspection or review or in accepting the installed equipment for the award of incentives, Participant acknowledges and agrees that EPE or CLEAResult makes no guarantee, representation or warranty whatsoever as to the economic or technical feasibility, capability, safety or reliability of the equipment, its installation by a project contractor or its compatibility with Participant's facilities.

**Program Implementer Is An Independent Contractor**

CLEAResult is an independent contractor and is not authorized to incur obligations on behalf of EPE. EPE is not responsible for the truth or validity of any representation not contained in the Program Manual or LOI.

## DEFINITIONS

**Deemed Savings** – a set of pre-determined, validated estimates of energy and peak demand savings attributable to energy efficiency measures in particular types of application that an electric utility may use instead of energy and peak demand savings determined through measurement and verification activities

**Demand Savings (kW)** – peak demand savings that have been approved using one of the eligible measurement and verification protocols as set forth in this Program Manual

**Letter of Intent** – non-binding agreement signed and submitted by Participant, stating their intent to participate in the Program

**Participant** – Contractors and Small Commercial Customer facilities within EPE's Texas service territory and to those who pay into the EECRF. The Customer must be non-residential with a maximum demand of less than 100 kW at any one facility or a total demand of less than 250 kW at all facilities owned by the same customer.

**Peak demand** – electrical demand at the times of highest annual demand on the utility's system

**Peak demand reduction** – reduction in demand on the utility system throughout the utility system's peak period

**Peak period** – consists of the hours from 1:00 PM to 7:00 PM, during the months of June through September, excluding weekends and Federal holidays.

**Post-Installation Inspection** – inspection performed after installation of new equipment. Post installation inspection verifies actual installed measure(s) to verify resulting deemed or measured and verified demand and energy savings

**Pre-Installation Inspection** – inspection performed prior to any replacement of existing equipment, device, or structural energy efficiency measures (windows, window film, roof coatings, etc). to validate and collect data on existing equipment and measures

**Customer Acknowledgment Form** – in order to apply for financial incentives through the Program, Participant must complete and sign this document, which details the location, scope, and start/completion dates for each retrofit/replacement project that is being submitted. This form is NOT required for new construction projects.

## FREQUENTLY ASKED QUESTIONS (FAQS)

1. What is the Small Commercial Solutions Program?

The Small Commercial Solutions Program is an energy efficiency program designed to assist EPE's Small Commercial Customers with the implementation of energy efficient measures to reduce peak electric demand and annual energy usage by providing access to technical knowledge, energy assessments, and financial incentives.

2. Who is eligible to participate in the Small Commercial Solutions Program?

The Program is offered to Small Commercial Customers in EPE's Texas service territory and the contractors who service these facilities. For additional information, please see the "Program Eligibility" section of this Program Manual.

3. What does the Small Commercial Solutions Program cost?

The services provided by CLEAResult are of no charge to the Participant. EPE provides the support and qualified incentives for the Program. The financial investment any Participant makes is for eligible energy efficiency measures installed within facilities.

4. What incentives are available through the Small Commercial Solutions Program?

The Program offers both cash and non-cash incentives to Participants to assist with the implementation of energy efficient measures. Financial incentives of \$400 per kW reduction may be available for qualified energy efficiency projects, depending on program funding at the time of Project Application Form submission. Other Program services, such as Technical assistance and communications support, are available according to the needs of each Participant.

5. How does a potential Contractor enroll in the Small Commercial Solutions Program?

A Contractor or Small Commercial Customer may participate in the Program by submitting a Letter of Intent, appropriate licenses, references, and a Certificate of Insurance.

6. Who decides what energy efficiency technologies to install and who installs them?

The Participating Contractor and Customer decide what energy efficiency measures to implement and how they are implemented. The Program offers assistance in identifying and evaluating energy efficiency opportunities. The Program does NOT provide any installation of energy efficiency measures.

7. How are energy efficiency opportunities determined?

In most cases, Participants will assist EPE Small Commercial Customers in identifying energy efficiency opportunities. Where there is a new construction project involved, the Program can assist the facility owner or their building designers directly with energy efficiency recommendations.