

Smart \$aver™ Incentive Program



Requirements for Vendor Participation

2009

I. PROGRAM OVERVIEW

Duke Energy offers its eligible non-residential customers the opportunity to increase profitability through energy cost savings and contribute to a cleaner environment by participating in our Smart \$aver™ Incentive Program.

Under the Duke Energy Smart \$aver™ Incentive Program, Vendor is defined as any third party who:

(1) Promotes the sale and installation of the high efficiency equipment for the customer. The Vendor will ensure that the eligible equipment is installed and operating before submitting the application or assisting the customer in completing the application.

(2) Is responsible for the product sale only and is not required to ensure installation of the eligible equipment.

All license requirements, if any, are solely the Vendor's responsibility. Participating Vendors include equipment contractors, equipment Vendors, equipment manufacturers and distributors, energy service companies, etc. The typical Vendor role is to contact/solicit eligible customers building new or retrofitting existing facilities and encourage the installation of the energy-efficient equipment offered in Duke Energy's program.

Incentives are paid directly to customers unless the customer assigns the incentive to the Vendor. The assigned incentive must reduce the purchase price paid for the equipment by an equivalent amount. Incentives are taxable to the entity who receives the rebate check. Rebates greater than \$600 will be reported to the IRS unless documentation of tax exempt status is provided.

Vendors can sign up to be on Duke Energy's Web site as a participating Vendor and be added to Duke Energy's e-mail distribution by submitting the Vendor Participation Agreement (VPA) to the following address:

Duke Energy
Smart \$aver™ Incentive Program
431 Charmany Drive
Madison, WI 53719

II. GUIDELINES FOR VENDOR ACTIVITIES

- Vendors shall sign and return the attached VPA to Duke Energy prior to soliciting customer participation or when submitting an application. Rebate payments will not be released to a Vendor unless a signed VPA is on file.
- Vendors shall not misrepresent the nature of their role

in the program. In particular, Vendors shall not state or imply to customers, or any persons, that the Vendor is employed by or working on Duke Energy's behalf.

- Vendors may not represent to customers that Duke Energy endorses their specific products or services. Duke Energy does not endorse specific products, services, or companies – only energy-efficient technologies.
- Vendors may advise customers of their option to have Duke Energy make their rebate check(s) payable to the Vendor if the customer's rebate amount is being deducted from the total sale price in advance. The customer must complete and sign the Payment Release Authorization section of the Smart \$aver™ Incentive Program Application.
- Vendors may use the name "Smart \$aver™ Incentive Program" in promotional materials or advertisements. Vendors shall not use Duke Energy's name or logo in their promotional literature, or advertisements or writing of any kind without Duke Energy's prior written approval.
- For Vendors who properly install the qualifying equipment, the equipment shall be installed and operating prior to an application being submitted. A percentage of each Vendor's installations will be subject to inspection by Duke Energy for verifying that the equipment is installed and operating. Vendors demonstrating high failure rates (based on a statistically significant sample) will have 100% of subsequent jobs inspected or may have their participation in the Smart \$aver Incentive Program revoked by Duke Energy in its sole discretion.
- Vendors shall provide customers with applicable equipment warranty information for all measures installed. Vendors shall provide the required documentation for customers to apply for the rebate (invoices with model numbers and quantities, specification sheets for installed equipment, etc.) and assist customers in filling out the application.
- Vendors shall comply with all applicable local, state, and federal laws and codes when performing installation and related functions.
- Duke Energy reserves the right to revoke a Vendor's participation in Smart \$aver™ Incentive Program if, in Duke Energy's sole judgment, the Vendor fails to comply with the program's guidelines and requirements.
- Smart \$aver™ Incentive Program offerings may be modified or terminated without prior notice. Check Duke Energy's Web site for current program status.

For more information, call 1-866.380.9580 or visit www.duke-energy.com.

Technology	Check if responsible for sales and NOT Installs (select all that apply)	Check if responsible for sales and Installation (select all that apply)	Technology	Check if responsible for sales and NOT Installs (select all that apply)	Check if responsible for sales and Installation (select all that apply)
Lighting			Thermal Storage		
Heating Ventilation & Cooling			Pumps/Motors/VFD's		
Food Service			Chillers		
Water Heating			Refrigeration		
Process Equipment (air compressors, injection molding, etc.)					

Vendors who wish to be listed as a Smart Saver™ Incentive Program participating Vendor shall complete this form. A signed copy of this form must be on file at Duke Energy in order for the Vendor to receive incentive payments. Mail to:

Duke Energy
 Smart Saver™ Incentive Program
 431 Charmany Drive
 Madison, WI 53719

I have read and understand the Smart Saver™ Incentive Program Requirements for Vendor Participation, and I agree to comply with all requirements set forth therein. By signing this agreement, I agree to provide my customers with information and documentation that is true and accurate to the best of my knowledge. I hereby represent and warrant that the Tax ID and Vendor Tax Status provided below are true and accurate. I agree that any confidential information concerning my customer, including but not limited to Duke Energy service account information, will be used for the sole purpose of facilitating the customer's participation in the Smart Saver™ Incentive Program. Further, I understand that I am responsible for making sure everyone working for me understands the requirements prior to soliciting customer participation.

VENDOR FEDERAL TAX ID NUMBER:

- To qualify for Duke Energy incentives, applicants who provide their social security number as their federal tax identification number for tax purposes shall sign and return the "Customer consent to release personal information" form ("Consent Form") along with the application. Incentive applications are processed by a third-party Vendor. The third-party Vendor is responsible for mailing the 1099 form at the end of the calendar year for tax filing. Duke Energy and the third-party Vendor have signed a confidentiality agreement to protect your personal information. If your social security number is your federal tax id number and you elect not to sign the Consent Form, please do not send Duke Energy the application, as you will not be qualified to participate in the incentive program.

VENDOR TAX STATUS:

(Check one): Corporation Individual/Sole Proprietor
 Partnership Other _____

I Prefer to be contacted by: Phone E-mail Mail

Company Name _____

Mailing Address _____

City/State/Zip _____

Phone/Fax _____ Primary E-mail Address _____

Secondary E-mail Address _____

Vendor Signature _____ Title _____

Print Name _____ Date _____

For more information, call 1-866.380.9580 or visit www.duke-energy.com.