

Business and Public Sector Electric Vehicle Rebate and Make-Ready Rebate Programs Terms and Conditions

November 22, 2024, through December 31, 2024 – Version 8.0

These Terms and Conditions, including all documents referred to herein, constitute the entire agreement (the “Agreement”), made and entered into between Commonwealth Edison Company (“ComEd”) and a qualified ComEd commercial/industrial, public sector, or multifamily property customer¹ (the “Customer”) for participation in the ComEd Business and Public Sector Electric Vehicle Rebate Program or Business and Public Sector Make-Ready² Rebate Program (the “Programs”) whereby ComEd is offering rebates for the purchase or lease of Electric Vehicles (EV) and the make-ready costs associated with installation of EV chargers for non-residential and public sector entities and public charging facilities. Business, public, and multifamily property customers must have a commercial ComEd account to qualify for Programs’ rebates. Data collected, including demographic information, customer, project, and equipment information from participant applications, supplemental documents, site inspections, surveys, and other program activities, along with mandatory reporting requirements, are in alignment with the ComEd Beneficial Electrification Plan compliance filing.³

Electric Vehicle Rebate Program

The Program offers rebates on electric vehicles, including school and transit buses, that are registered in the state of Illinois. Submitting false and/or misleading information in connection with your application may be grounds for application denial or termination from the Program. EV purchase documentation, including purchase or lease agreement(s),⁴ and vehicle registration(s), is required.

Select Customers are defined below:

1. A Customer who domiciles⁵ in a [low-income community](#) and/or primarily services in a low-income community. Businesses located in low-income communities are considered Select Customers.
2. A Customer who domiciles in an Environmental Justice (“EJ”) community or a Restore, Reinvest, Renew (“R3”) community, collectively referred to as an [Equity Investment Eligible Community](#) (“EIEC”), and/or predominantly services in an EIEC. Businesses located in EIECs are considered Select Customers.
3. A Customer who demonstrates through attestation that over 50% of the driving done by the vehicle applying for a rebate through the EV Rebate Program is in a low-income community, EIEC or serves low-income communities or EIECs.⁶
4. Chicago Transit Authority when seeking rebates for buses.

A Customer must only satisfy one of the above requirements to be considered a Select Customer through the Program. ComEd, its administrator, and its subcontractors reserve the right to request additional supporting documentation as deemed necessary.

¹ For residential accounts, refer to the [EV Charger Installation and Rebate Program](#).

² Make-ready infrastructure includes costs required to make the site ready for EV charging on both sides of the ComEd meter.

³ ComEd Beneficial Electrification Plan-ic.illinois.gov/docket/P2022-0432/documents/338224/files/589765.pdf.

⁴ Lease agreements must be for a duration of at least 36 months.

⁵ Domicile includes the location vehicles are permanently assigned, most frequently used, or dispatched from.

⁶ ComEd reserves the right to request Customer vehicle routes at any time and audit a Customer’s attestation.

Electric Vehicle Rebate Program Payment Limits:

The total rebate paid through the EV Rebate Program cannot exceed 100 percent of vehicle costs. Additional federal, state, and local rebates may be stacked with the EV Rebate Programs’ rebates. The combined ComEd rebate and any additional rebates cannot exceed 100 percent of Customer’s total costs.

To ensure access for all customers to these EV rebates, no single entity⁷ will be permitted to receive more than 5% of the funding from a given vehicle category in a year, with the exception of transit buses, for which there will be a limited pool of potential recipients. Nothing precludes an entity from receiving rebates up to the 5% limit in more than one vehicle category. Vehicle categories in the EV Rebate Program include school buses, transit buses, light-duty vehicles, medium-duty vehicles, and heavy-duty vehicles. For example, a delivery fleet customer with a mix of light-duty and medium-duty vehicles could apply for up to 5% of the annual rebate funding in the light-duty category and up to 5% of the annual rebate funding in the medium-duty category. The table below shows the 5% limit per entity for each vehicle category. These caps are subject to change.

To qualify for the highest rebates offered through the Program, customers must be a Select Customer.

Rebate Levels per Vehicle	Vehicle Category				
	School Bus >=35 ft.	Transit Bus >=30 ft.	Light-duty Vehicle	Medium-duty Vehicle	Heavy-duty Vehicle
Select Customer Rebate	\$180,000	\$120,000	\$7,500	\$30,000	\$75,000
Base Rebate	\$120,000	\$80,000	\$5,000	\$20,000	\$50,000
5% Total Cap Per Customer	\$450,000	\$450,000	\$750,000	\$750,000	\$450,000

Electric Vehicle Rebate Program Effective Dates

Program rebates for EV Rebate Program are offered until approved annual Program funds are exhausted or the end of the Program term on December 31, 2025, whichever comes first.

Electric Vehicle Rebate Vehicle Qualification:

Vehicle rebate qualification criteria:

- The vehicle must be a battery electric vehicle (BEV).
 - Plug-in hybrid vehicles (PHEV), Fuel Cell Electric Vehicles (FCEV) and hybrid vehicles are not eligible for Program rebates.
- Eligible EVs are new, pre-owned or a qualified converted EV, also known as a repowered vehicle.⁸
 - A new vehicle is defined as a vehicle that has never been registered in the State of Illinois or any other state.
 - Vehicles determined by the administrator to be unrebated rollback or unwind vehicles are considered new vehicles.⁹
 - A vehicle is defined as pre-owned for the purposes of the Program if it meets both of the following criteria listed below in (1) and (2):
 - The vehicle has been fully registered to a previous owner prior to the Customers purchase or lease.
 - The purchase or lease contract indicates that the vehicle is “Used” OR the vehicle had greater than 7,500 miles on the odometer at the time of purchase.
 - A vehicle is defined as repowered for the purposes of the Program if it was converted to a battery electric vehicle by removing the engine, transmission, exhaust system, and fuel system
 - Vehicles that are not repowered shall not have any material modifications.
 - Vehicles may not receive more than one rebate. Each unique vehicle VIN is eligible for one EV rebate, regardless of the vehicle status (new, preowned or repowered).
- Vehicles must be registered in the State of Illinois for on-road use and be for business use only.
- Vehicles must be registered under the name of the ComEd commercial account holder or the third-party logistic provider that has been authorized by the ComEd commercial account holder to receive the rebate.
- Gross Vehicle Weight Rating (“GVWR”) will determine vehicle class.
 - ComEd in its sole discretion will be the deciding entity for determining vehicle type on a case-by-case basis.
 - Vehicle classifications:
 - Light-duty vehicle (class 1 and 2) – GVWR less than or equal to 10,000 pounds
 - Medium-duty vehicle (class 3-6) – GVWR of 10,001-26,000 pounds
 - Heavy-duty vehicle (class 7-8) - GVWR greater than or equal to 26,001

⁷ An entity is defined as a single ComEd customer. A customer may have several ComEd accounts.

⁸ Vehicles that are repowered are those that are converted to a battery electric vehicle by removing the engine, transmission, exhaust system, and fuel system. To be an eligible repowered vehicle, the Applicant must certify, via documentation from a vehicle upfitter, that the vehicle has an expected operational lifespan after repowering of at least 10 years.

⁹ A rollback is a transfer of ownership from the buyer back to the dealer. An unwind is when the retail customer (buyer) does not take possession of the vehicle and the vehicle does not leave the dealership, so the transaction is voided.

- K-12 School Bus >=35 ft.
 - Transit Bus >=30 ft.
- Length of buses will determine primary eligibility for the transit or school bus rebate. K-12 School Buses < 35 ft. and Transit Buses < 30 ft. may still qualify for a rebate under the light-duty, medium-duty, or heavy-duty vehicle classes. Please refer to the vehicle's GVWR when selecting vehicle's classification.
- Vehicle leases must be a minimum of 36 months to qualify

Post-Purchase EV Rebate:

Customers seeking a post-purchase EV rebate may apply for a rebate via the post purchase application portal once the vehicle has been delivered. Post-purchase EV Rebate applications must be submitted within 90 calendar days of vehicle delivery.

Eligible Vehicle Types:

- New battery electric vehicles (all model years)
- Pre-owned battery electric vehicles (all model years)
- Repowered battery electric vehicles (all model years)

Required supplemental documentation for the post-purchase rebate:

- Purchase or Lease Agreement for each EV the Customer is seeking a rebate for that includes the following:
 - Buyer Name and Address
 - Date of Purchase
 - Vehicle Identification Number (VIN)
 - Signature of buyer
- Valid vehicle registration in the State of Illinois for each EV the Customer is seeking a rebate for.
- Additional documentation may be requested as part of the application review and approval process.
- Verification documentation that repowered vehicle(s) has an expected operational lifespan of 10 years (if applicable).

Point-of-Sale EV Rebate:

Customers seeking a point-of-sale EV rebate must purchase a vehicle from a participating dealer who will reduce the price of the vehicle by the rebate amount at the point-of-sale. The participating dealer must then apply for a point-of-sale voucher reservation prior to the Customer taking delivery of the vehicle. Once a rebate reservation voucher application has been approved, an official voucher will be issued to the participating dealer. After the Customer takes delivery of the vehicle the participating dealer will then submit a voucher redemption application and supporting documentation to receive reimbursement for the approved rebate amount that was applied at the point-of-purchase.

Vouchers reservations will be approved only for vehicles scheduled to be delivered by the program closure date of Dec. 31, 2025. Vouchers must be redeemed within 12 months of issuance or before the program closure date of Dec. 31, 2025, whichever comes earlier. A voucher that is not extended or redeemed within 12 months will be deemed expired and canceled. Applicants may request a good cause extension.

Eligible Vehicle Types:

- New battery electric vehicles (all model years)
- Pre-owned battery electric vehicles (all model years)
- Repowered battery electric vehicles (all model years)

Required supplemental documentation for the point-of-sale voucher rebate:

- Purchase or Lease Agreement for each EV the Customer is seeking a rebate for that includes the following:
 - Buyer Name and Address
 - Date of Purchase
 - Vehicle Identification Number (VIN)
 - Signature of buyer
- Vehicle Registration
- Digital Photo of Vehicle that Includes:
 - Vehicle from left side
 - VIN tag

If it is determined that a rebate voucher reservation or redemption application or its required documents are incomplete, illegible, or missing required information, the applicant will be notified of the error via email. The application will not be processed until all information is received. Customers are encouraged to call the program hotline at 888-871-0345 if they have any questions about application or documentation requirements.

If it is determined that an applicant is ineligible for a rebate reservation or redemption, the application will be canceled, and the applicant will be notified via email. Applicants are responsible for ensuring that they receive and review these email communications.

Third Party Logistics Service Provider Eligibility:

ComEd customers who use a contracted third-party logistics provider for their transportation services are eligible for ComEd rebates. Third-party logistics providers, including bus service providers, yard management operations, or similar companies who own vehicles and provide operational and logistics support on behalf of a dedicated customer, may apply on behalf of a ComEd customer.

For the rebate to be reassigned on behalf of the customer:

- The vehicle purchase / lease agreement must show that the third-party logistics provider is the owner of the vehicles.
- The ComEd Third-Party Logistics Provider Rebate Authorization Form must be signed by both the third-party logistics provider and the ComEd customer.; and
- The third-party logistics provider and ComEd customer must submit documentation of a contractual agreement between the parties

Third party logistics providers are eligible to receive up to 5% of the funding from a given vehicle category in each program year for each entity that they serve.

For third party logistics service providers reassigned a ComEd EV Rebate on behalf of a ComEd customer, it is a requirement that the ComEd customer / ComEd territory be served by the rebated vehicles for a minimum of three years from the date of delivery. If the rebate is provided to a third-party logistics provider and the contract with the ComEd customer ends before the end of the three-year period, then those rebated vehicles must be repurposed for use on another contract within the ComEd territory.

Make-Ready Rebate Program

The Program offers rebates on make-ready infrastructure, whether located on the customer side or ComEd side of the meter for Level 2 (“L2”) chargers and Direct Current Fast Charger (“DCFC”) chargers. Make-ready infrastructure includes costs required to make the site ready for EV charging on both sides of the ComEd meter. Expenses that qualify for rebates include, but are not limited to, permits, electric panel upgrades, conduit, wiring, site work, trenching and repair, required protective equipment, and associated labor. EV chargers, also known as electric vehicle supply equipment (“EVSE”), mounting equipment/pedestals, and EVSE installation are not eligible for program rebates.

Select Customers are defined below:

1. A Customer who domiciles in a [low-income community](#) and/or primarily services in a low-income community. Businesses located in a low-income community are considered Select Customers.
2. A Customer who domiciles in an Environmental Justice (“EJ”) community or a Restore, Reinvest, Renew (“R3”) community, collectively referred to as an [Equity Investment Eligible Community](#) (“EIEC”), and/or predominantly services in an EIEC. Businesses located in EIECs are considered Select Customers.
3. A Customer who demonstrates through attestation that over 50% of the driving done by the business fleet vehicles using the make-ready infrastructure applying for a rebate through the Program serves low-income communities or EIECs.¹⁰

A Customer must only satisfy one of the above requirements to be considered a Select Customer through the Program. ComEd, its administrator, and its subcontractors reserve the right to request additional supporting documentation as deemed necessary.

The Customer must have a contractor that has their Electric Vehicle Charging Station Installer Certification from the Illinois Commerce Commission (ICC) install their project’s EV chargers to qualify for a Program rebate. Per Illinois code 83 II. Adm. Code 469, install, installing, or installation means the major activities and actions required to connect, in accordance with applicable building and electrical codes, the conductors, connectors and all associated fittings, devices, power outlets or apparatuses mounted at the premises that are directly involved in delivering energy from the premises’ electrical wiring to the electric vehicle charging station.¹¹ If an installer that is not an ICC certified installer completes the EV charger installation for a Customer, the project will not qualify for a Program rebate.

Submitting false and/or misleading information in connection with your application may be grounds for application denial or termination from the Program. Project documentation, including dated invoices for the purchase and installation of the measures and product specification sheets, is required. The location or Customer name on the invoice must be consistent with the application information. The project invoice(s) must provide sufficient detail to separate the make-ready costs from the cost of other services that may not qualify for rebates under this Program. ComEd, its administrator, and its subcontractors reserve the right to request additional supporting documentation as deemed necessary.

Make-Ready Rebate Program Payment Limits

The total rebate paid through the Make-Ready Rebate Program cannot exceed 100 percent of the make-ready project cost, which includes material and labor and excludes the costs of EV chargers, also known EVSE, mounting equipment/pedestals, and EVSE installation. Additional federal, state, and local rebates may be stacked with these Programs’ rebates. The combined ComEd rebate and any additional rebates cannot exceed 100 percent of Customer’s total costs.

To ensure access for all customers to these EV infrastructure rebates, no single premises will be permitted to receive more than 5% of the Program funding in a year. The table below shows the annual 5% limit per premises.

¹⁰ ComEd reserves the right to request Customer vehicle routes at any time and audit a Customer’s attestation.

¹¹ [Electric Vehicle Charging Station Installer \(illinois.gov\)](#).

To qualify for the highest rebates offered through the Program, customers must be a Select Customer.

Charger Type for Project	Level 2 (L2) Charger	Direct Current Fast Chargers (DCFCs)
Select Customer Rebate	Make-ready rebate of up to \$8,000 per port with a 10-port maximum per project*	Make-ready rebate of up to \$1,000 per kW, with a minimum of 50 kW per charger (maximum rebate of \$500,000 per project)
Base Customer Rebate	Make-ready rebate of up to \$5,333 per port with a 10-port maximum per project	Make-ready rebate of up to \$667 per kW, with a minimum of 50 kW per charger (maximum rebate of \$500,000 per project)
Annual 5% Total Cap Per Premises**	\$1,000,000	

* A "project" is defined as a unique instance or phase of eligible make-ready infrastructure updates that lead to the installation of electric vehicle supply equipment (EVSE). Customers may apply for subsequent installations of additional EVSE associated with infrastructure updates that have previously received rebates, but they are still subject to project-related caps (e.g., a maximum of 10 ports for Level 2 chargers and \$500,000 in DCFC rebates). The total project rebate amount may not exceed the eligible costs associated with the make-ready infrastructure updates.

**A premises is defined as the street address where the EV infrastructure project was installed. The premises address in the Program application must match the street address associated with the commercial ComEd account number noted on the Program application.

Note: Program rebates do not cover the costs of EV chargers, mounting equipment/pedestals, or the installation of EV chargers (EVSE).

Make-Ready Rebate Program Equipment and Project Eligibility:

All L2 chargers installed through the Program shall be ENERGY STAR® certified. Make-ready projects must be for the installation of new EV charging stations.

Any make-ready work for public EV chargers¹² shall require:

- EV chargers shall have CCS/J1772 plugs.
 - CHADdeMO plugs may qualify for program rebates if the Customer is able to show analysis that CHADdeMO plugs are necessary for equity purposes at the charging site.
- Equipment must maintain at least a minimum of 97% uptime reliability standard, consistent with current National Electric Vehicle Infrastructure (NEVI) Standards and Requirements.¹³
- EV chargers must meet NEVI Standards and Requirements communication protocols, ISO 15118, and Open Charge Point Protocol ("OCPP") 2.0.1.
- Eligible projects must include at least two (2) ports per site.
- Attestation that the applicant has performed public outreach in the development of their proposed project.

Any make-ready application will require the following supplemental documentation and information:

- **Paid/zero-balance** contractor invoice with project details sufficiently detailed to differentiate make-ready costs from other costs.
- Installed EV charger spec sheet, dated EV charger receipt(s), site photo(s), installed charger photo(s), and serial number photo(s) from charger.
- EV charger installer's ICC docket number proving they have an Electric Vehicle Charging Station Installer Certification from the ICC.
- Additional documentation may be requested as part of the application review and approval process.

Make-Ready Rebate Participant Reporting Requirements for Public EV Chargers

Applicants receiving rebates for make-ready infrastructure for public EV chargers shall be required to file and/or submit annual reliability reports with the following information:¹⁴

- Name and address of the top 5 public EV charger locations that have the highest EV customer or public complaints in the ComEd service territory.
- Statistics of each public EV charger that has received rebates from ComEd over the course of its BE Plan inception, which shall include:
 - The location and address of the EV charger.
 - The total number of EV chargers at the EV charger site.
 - The number of EV charging ports at the EV charger.
 - The duration and total number of vandalisms experienced per year and summary of the cause of the vandalism.
 - The duration and total number per year of power supply outages due to ComEd and reasons for each outage.
 - The duration and the number of maintenance activities carried out per year and reasons for the maintenance (e.g., routine/planned or unplanned).

¹² Public EV chargers are defined as those that are intended for public use.

¹³ [Federal Register :: National Electric Vehicle Infrastructure Standards and Requirements.](#)

¹⁴ Customers who receive Program rebates for non-publicly available charging infrastructure do not need to file annual reliability reports.

- The quarterly and annual percentage uptime for each EV charger.

Applicants should submit their reliability report to ComEd at ComEdEVReliability@icf.com.

Make-Ready Rebate Program Effective Dates

Program rebates for the Make-Ready Rebate Program are offered until approved annual Program funds are exhausted or the end of the Program term on December 31, 2025, whichever comes first. Upon the launch of the Program on February 15, 2024, interested customers will be able to access a program application via the [ComEd Clean Energy website](#). Applications must be submitted within 90 calendar days of project completion.

Rebate Reassignment

If the Customer has an Electric Vehicle Service Provider (EVSP) complete their make-ready project work and wishes to reassign their Program rebate to the EVSP, the [ComEd Rebate Authorization Form](#) must be signed by the Customer and submitted with the Customer's program application. The rebate payee on the form must match the EVSP who performed the make-ready work at the Customer site for rebate reassignment to be approved. To receive a rebate payment, contractors participating in the EVSP network must include the total Program rebate amount as a deduction on the Customer invoice.

Rebate Reservation Requests

Customers may submit a rebate reservation request via the Program application. Customers granted a rebate reservation will have project funds **reserved for six months**. To be considered for a rebate reservation, a Customer must submit the following documents with their Program application:

- Fully approved site plan by relevant entities.
- ComEd New Business approval for the required new or upgraded site service (if required for project).
- Additional documentation may be requested as part of the reservation request process.

ComEd and its administrator will review each rebate reservation request and provide approval or rejection of the rebate reservation request within ten business days. A project must have an anticipated project completion date within six months of the rebate reservation request to qualify for a rebate reservation. Projects must be awarded to a contractor to be approved for a rebate reservation and rebate reservations may not be used as a tool to bid projects to customers by contractors. If a contractor is using a rebate reservation as a project bid mechanism, ComEd and its administrator reserve the right to cancel it at any time.

Approval of the six-month rebate reservation request does not constitute rebate or application approval, only that rebate funding will be reserved based on the project specifications provided by the Customer in the Program application. If granted a six-month rebate reservation, the Customer agrees to provide monthly project updates, with the requested level of detail and timeliness, upon request by ComEd and its administrator. ComEd and its administrator reserve the right to cancel a rebate reservation at any time and assign the previously reserved funding to the next customer who is in the queue for a rebate reservation.

A Customer may submit a written rebate reservation extension request to ComEd and its administrator for review if the Customer wishes to extend the rebate reservation beyond six months. Rebate reservation extension requests may not exceed 60 days. Rebate reservation extensions will be given or denied at the sole discretion of ComEd and its administrator.

Application Review Process

To ensure compliance with law, ComEd will track, store, and report on all data points required by 20 ILCS 627/45(h) and (i), including demographic and geographic data for each applicant and person or business. These attributes, along with the required supporting documents to be collected from a Customer in their application submittal, constitute a complete application.

All applications will be reviewed to ensure the information submitted is complete and accurate, the Customer account information and Contractor information is correct, and the supporting documentation submitted contains the required information. The Customer acknowledges and understands that it is necessary for ComEd, its administrator, and its subcontractors to store, use, and share the information contained in this application, as well as information collected in connection with this project. Therefore, the Customer hereby authorizes ComEd, its administrator, and its subcontractor to collect, store, and consider Customer data for its internal and Program purposes. Customers are advised to retain a copy of any documentation regarding the purchase or lease of new EVs or the construction of make-ready infrastructure submitted to the Program(s).

For the **Make-Ready Rebate Program**, construction must be completed before the rebate is paid. Construction completion is defined as EV chargers installed, energized, networked, open for safe use by the intended users with jobsites clear of all barriers, materials and obstructions that might limit public or fleet use, and verified as operational. ComEd, its administrator, and its subcontractors reserve the right to request additional documentation or verification steps be completed by the Customer to aid in verifying charger operational status.

If the Customer is a property tenant, the Customer must certify to ComEd and its administrator that the Customer has the right to perform the make-ready work for which a rebate is being sought at the property or have otherwise obtained consent from the property owner or landlord to complete the make-ready infrastructure project.

For the **EV Rebate Program**, business vehicles must be delivered to the customer and registered with the State of Illinois before the rebate is paid. Customers shall upload or provide all supporting documentation needed to satisfy the program requirements. The rebate

will be processed solely based on the documented project and related vehicle or make-ready infrastructure costs. ComEd, its administrator, and its subcontractors may determine that certain submitted costs do not qualify under Program requirements and may be excluded from the rebate calculation.

Where annual allocated funding is exhausted, and if additional funding becomes available, applications will be reviewed in the order that complete applications have been received. A complete application includes receipt of all supporting documentation that is clear and accurate to reflect what was purchased, leased, or installed. The Customer shall allow up to six weeks to receive a rebate check once a completed application has been received by the rebate processing center. A completed application includes submission of all required, supplemental documentation as outlined for each Program.

Any Customer who submits an incomplete application will be notified of deficiencies upon review of the application; the application will not be processed until all information is received. Customers are encouraged to call the program hotline at 888-871-0345 if they have any questions about application or documentation requirements.

Inspections

ComEd, its administrator, and its subcontractor reserve the right to inspect all EV charger installations to verify compliance with Program rules and the accuracy of installation documentation. This may include pre-installation and/or post-installation inspections, metering, data collection, interviews, and utility bill data analyses. Upon reasonable notice, the customer must allow access to the equipment, vehicle, or location where the equipment was installed for a period of three years after receipt of a rebate payment.

Program Changes and Conflicting Terms

ComEd reserves the right to change, modify, or terminate the Program at any time, with or without notice, and without any liability to the Participant except as expressly stated herein. ComEd will honor all written commitments made in the Agreement provided prior to the date of any change, modification, or termination of the Program, subject to the Participant meeting the requirements otherwise provided for under this Agreement.

Tax Liability

Rebates may be taxable under federal and state tax codes and, if more than \$600, will be reported to the IRS unless the customer provides acceptable proof that it is exempt from payment of such applicable taxes. In any event, ComEd is not responsible for any taxes that may be imposed as a result of the Customer's receipt of a rebate, or for providing legal or accounting advice regarding such. Customer should consult with its tax accountant or advisor regarding potential tax liability.

Disputes/Governing Law

This application shall be exclusively governed by and interpreted in accordance with the laws of the State of Illinois. Any litigation between the parties shall be prosecuted only in the state or federal courts located in Cook County, Illinois

Toxic Materials

Neither ComEd, nor its consultants, Contractors, and/or subcontractor shall have any responsibility for the discovery, presence, handling, removal, disposal of, or exposure to hazardous materials of any kind in connection with customer's facility, including without limitation, asbestos, asbestos products, PCBs, or any other toxic substances.

Limitations of Liability

Customer hereby agrees to defend, indemnify and hold harmless ComEd, its administrator, its consultants, contractors, and subcontractors, and their respective officers, employees, agents, assigns, and successors-in-interest ("Indemnified Parties") from and against any third party claims, damages, losses, liability, costs (including attorney's fees and expenses) for bodily injury to any person (including death resulting therefrom) and property damage arising out of or in connection with the program.

Customer agrees that ComEd and administrator, its subcontractors of any tier and each of their affiliated companies, officers, directors, agents, employees, and assigns are not liable for any consequential or incidental damages, or for any damages in tort connected with or resulting from participation in this Program. ComEd, its administrator, or its subcontractors of any tier do not warrant the proper completion of work or performance of installed products, expressly or implicitly. ComEd reserves the right to refuse payment of a rebate if Customer fails to first submit to ComEd a complete and accurate application form. Customer agrees that ComEd and administrator and its subcontractors of any tier and each of their affiliated companies, officers, directors, agents, employees, and assignees shall in no way be liable or responsible for any equipment installed by, or for any act or omission of, any other entity or individual, including, without limitation, the equipment manufacturer or any electrician, technician, or other service provider. ComEd's and administrator's and its subcontractor's liability and responsibility in connection with this Program shall be strictly limited to the making of certain rebate payments for qualified installations, and ComEd and administrator or any of its subcontractors do not make, will not provide and specifically disclaims any and all representations, warranties, covenants or guarantees whatsoever, express or implied, in connection with the qualified equipment or the Program itself, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. The Customer must contact the installation contractor or product manufacturer for details regarding product performance and warranties. ComEd and administrator and its subcontractors are not a party to any sales transaction between the Customer and the installer, manufacturer, or dealer.

To the fullest extent allowed by law, Customer shall indemnify, defend, and hold harmless ComEd, administrator and its subcontractors and their affiliated companies, and the officers, directors, agents and employees for any injury or damage to any persons or property arising from ComEd and administrator's and its subcontractors access and use of the equipment, or caused by any breach of this

Agreement by Customer, Customer negligence, or that of Customer household members, agents, servants, employees, tenants, licensees, invitees, tenant's invitees, or independent contractors. Customer shall fully indemnify, defend and hold harmless ComEd, administrator, subcontractors and its present and future direct and indirect parents, subsidiaries and affiliates, their officers, directors, shareholders, employees, representatives and agents from and against any and all claims, actions, costs, damages, judgments, suits, demands, losses and liabilities, arising from (a) any claim by Customer or a third party for physical injury or physical damage to or physical destruction of property that is not caused by ComEd, administrator or its subcontractor's negligence, and (b) claims resulting from Customer's breaches of this Agreement.

Customer Responsibilities

Customer, at their own expense, is responsible for meeting all requirements and complying with all local and state laws and codes concerning these rebate Programs, including without limitation, the installation and maintenance of qualified infrastructure.

Information Release

Customer agrees that ComEd may include in reports filed with the Illinois Commerce Commission or other applicable regulatory, industry organization, or legal authority, certain information obtained by ComEd from Customer, including Customer's name, ComEd services provided, and other application details.

Market Research and Program Evaluation

Customers participating in this Program may be contacted by administrator, ComEd, or assigned subcontractors to participate in ComEd's study of uses, practices and preferences to improve future electrification programs and encourage greater clean electric technology deployment.

Terms and conditions apply. Offers subject to change.

The ComEd Business and Public Sector Electric Vehicle Rebate and Make-Ready Rebate Programs are funded in compliance with state law.

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Form_2024_FINAL_1122

Business and Public Sector Rebate Application

Terms and Conditions Updates:

Version Number	Effective Date	Updates
8.0	11/22/2024	If a contractor is using a rebate reservation as a project bid mechanism, ComEd and its administrator reserve the right to cancel it at any time. EV Rebate Program caps are updated to reflect 5% of the total 2024 EV Rebate Program budget.
7.0	10/22/2024	Customers may now receive a rebate for pre-owned battery electric vehicles. Customers utilizing third-party logistics service providers may now receive a rebate and reassign that rebate to a third-party logistics provider. Third-party logistics providers rebate caps are based on each entity (ComEd Customer) that they serve.
6.0	10/3/2024	To ensure access for all customers to the Make-Ready Rebate Program rebates, no single premises will be permitted to receive more than 5% of the Program funding in a year (\$1,000,000 annually). Premises is defined as the street address where the EV infrastructure project was installed. The premises address in the Program application must match the street address associated with the commercial ComEd account number noted on the Program application.
5.0	9/19/2024	A Customer who demonstrates through attestation that over 50% of the driving done by the business fleet vehicles using the make-ready infrastructure applying for a rebate through the Make-Ready Rebate Program serves low-income communities or EIECs. To ensure access for all customers to the Make-Ready Rebate Program rebates, no single site will be permitted to receive more than 5% of the Program funding in a year (\$1,000,000 annually).
4.0	8/9/2024	A Customer who demonstrates through attestation that over 50% of the driving done by the vehicles using the make-ready infrastructure applying for a rebate is in a low-income community, EIEC, or serves Select Customers. Customers may now apply for an EV rebate at point-of-sale or post-purchase. Terms and conditions added for point-of-sale eligibility. Beneficial Electrification Service Providers (BESP) are now Electric Vehicle Service Providers (EVSP). To receive a rebate payment, contractors participating in the EVSP network must include the total rebate amount as a deduction on the Customer invoice. Public chargers must meet OCPP 2.0.1.
3.0	6/25/2024	Customers may apply for a six-month rebate reservation through the Make-Ready Program and may reassign their Make-Ready Program rebate to the EVSP who completed their project work.
2.0	6/1/2024	The Customer must have a contractor who has obtained an Electric Vehicle Charger Station Installer Certification from the ICC install their project's EV chargers to qualify for a Program rebate.