

C&I NEW CONSTRUCTION PROGRAM TERMS AND CONDITIONS



July 2026

PROGRAM RULES AND DETAILS ARE SUBJECT TO CHANGE WITHOUT NOTICE. BY ENROLLING IN THE PROGRAM, YOU ACKNOWLEDGE THAT YOU HAVE READ, UNDERSTOOD, AND AGREE TO BE BOUND BY THESE TERMS AND CONDITIONS.

Qualifications for Program

Participant must be the owner of a commercial or industrial construction project in OPPD's service territory that will be or is presently an OPPD business customer (on a business rate and receiving an OPPD bill). Program includes new construction, major renovation/addition, or major renovation with system replacements.

Projects must exceed the minimum efficiency requirements of the current energy code (IECC 2018), resulting in modeled demand reduction of at least 1 kW below code requirements. To be eligible for a rebate: (i) participants must enroll in the program prior to the completion of final design documentation; (ii) the project must be pre-approval by OPPD prior to the completion of final design documentation; and (iii) the project must receive final approval from OPPD after project completion.

OPPD reserves the right to limit rebates, disqualify participants from the program or to take other appropriate actions to prevent fraud or abuse, including, without limitation, limiting rebates provided to any building or project to ensure that kW and kWh results are not counted twice.

Rebate Funding Requirements

All projects included in the C&I New Construction program require OPPD pre-approval to ensure payment.

Pre-approval is to be completed before final design documentation and the ordering of any applicable materials or equipment. This is for the protection of the OPPD customer and ensures funding has been set aside and the project meets program requirements.

If the program budget is exhausted during a calendar year, then: (i) the program will become SOLD OUT; (ii) no additional rebates will be awarded under the program during said calendar year beyond those already allocated to program participants; (iii) no additional applications for the program will be accepted until after January 1 of the following year, provided the program is funded for that calendar year. If the program is renewed and funded for the calendar year following a SOLD OUT year, applications for program participation will be available for electronic submission when the software is reset, which will occur between January 1 and 10 of such year. This also means that no pre-approvals will be granted prior to January 1 regardless of the project type or situation.

General Terms and Conditions

1. This program is subject to change or cancellation without notice.
2. OPPD reserves the right to verify sales transactions and inspect projects prior to and after installation.
3. OPPD reserves the right to install a metering device on existing and new equipment to verify energy savings.
4. Rebates are available on a first come, first served basis.
5. OPPD reserves the right to limit rebates. Refer to Rebate and Project Requirements for established rebate limits.
6. Submitting incomplete or missing information will delay processing of the rebate.

7. The customer/contractor certifies that each energy efficiency measure and/or project complies with all federal, state and local safety, building and environmental codes.
8. OPPD is granted the right to publicize your participation in the program, unless you specifically state otherwise in writing.
9. Falsifying any information may lead to cancellation of this and future rebate applications, a claim by OPPD for the return of any rebate payments and/or the exercise by OPPD of available legal remedies.
10. OPPD shall own all rights to existing and future emissions credits, efficiency certificates, renewable energy credits, tradable renewable certificates and/or any and all other environmental benefits associated with the implementation of all projects that receive OPPD rebates.

Tax Credits

Consult your tax advisor for any applicable federal tax incentives available for installation of energy efficient equipment or for energy efficiency projects.

Nebraska Department of Water, Energy and Environment (NDWEE)

Consult NDWEE regarding their low interest loan program as a financing option.

Disclaimers

1. OPPD does not offer any warranty or guarantee of any kind, express or implied, as to the design, engineering, construction, installation, operation, maintenance or performance of any project or any equipment or materials installed by or on behalf of customer in connection with the project.
2. OPPD expressly disclaims all warranties, express or implied by law, including but not limited to any warranty of fitness for a particular purpose or warranty of merchantability with respect to the project and any equipment installed by or on behalf of customer.
3. OPPD does not endorse any developer, manufacturer, contractor or vendor, or any product or system design. Customer is solely responsible for the contracting of and payment for any contractors, vendors, developers and suppliers and paying for any equipment, materials or services installed or performed on the customer's premises in connection with the project. There is no contractual relationship, express or implied, created between OPPD and any vendor, contractor or other person or entity hired by customer to design, install, maintain or repair the project or any equipment or materials associated therewith.
4. The customer/contractor is responsible for the proper disposal and/or recycling of any waste generated as a result of this project.
5. OPPD shall not have any liability to customer or to any third party for any injury (including death), loss, damage, cost or expense of any kind ("Liabilities") arising from or related to any project, or any equipment or materials on customer's premises related to such project, for which OPPD pays a rebate under this program. Customer shall indemnify, defend and hold harmless OPPD and its directors, officers and employees from any such Liabilities.
6. OPPD is not responsible for any tax liability imposed on the customer as a result of rebate funding. Consult your tax advisor for more information.
7. Data Release: OPPD may use aggregated/anonymized project data for reporting and marketing.
8. All proprietary information will be kept confidential, unless disclosure is otherwise required by law.

Rebate and Project Requirements

1. **Invoice requirements for all rebates that include equipment:** Invoice must be dated and itemized with quantity, manufacturer, and model number for each piece of applicable equipment.
2. The maximum rebate amount will be \$100,000 per project
3. OPPD reserves the right to enforce a rebate limit on an individual customer/business (based on W-9) if total rebates across their portfolio of projects is in excess of 20% of the total annual budget for the entire C&I New Construction program. Example: rebate maximum is \$100,000 per project per calendar year. If one customer/business has multiple projects and the total rebate budget is \$2,000,000 then that customer/business may not be allowed to receive more than a total of \$400,000 in rebates during the calendar year.

Additional Project Requirements

C&I New Construction Project Requirements

1. All C&I New Construction incentives must be pre-approved regardless of incentive amount.
2. The OPPD Express Energy Design (“EDA”) tool must be leveraged and all documentation produced must be included in the initial project application to qualify for any incentive.
3. Change and Scope Alterations: Any material changes must be reported and may require new project pre-approval. Alteration could affect eligibility and/or incentive amount.
4. Buildings must be between 5,000 and 30,000 sq ft.
5. Projects must be new construction, major renovation, or additions involving at least two of the following: HVAC, envelope, lighting modifications.
6. Projects must be in the design phase or under construction upon application submission and no applicable equipment may be ordered prior to preapproval.
7. Projects must participate in program-developed baseline and proposed energy modeling.
8. Final incentives are based on verified as-built energy savings.
9. Installed equipment must meet program efficiency criteria and align with approved design.
10. Lighting, HVAC, and envelope systems must comply with applicable program guidelines.
11. Participants must submit all required drawings, specifications, invoices, and cut sheets.
12. All documentation must be submitted within 30 days of request or project completion.
13. OPPD must have access for on-site post-construction verification.
14. Deviations from approved design may reduce or eliminate incentive eligibility.
15. Projects must be completed within 24 months of enrollment unless otherwise approved.
16. Program may adjust or limit participation based on budget, regulatory changes, or program performance.
17. Incentive amounts:
 - \$600/kW for modeled site demand reduction over IECC 2018 code.
 - \$500 incentive for Registered Architect (RA), or Professional Engineer (PE) responsible for submitting the project and all required paperwork and as listed on the rebate application.
18. Incentive payout(s) will be made following final approval of the project, which includes verification of installed measures and as-built modeling.

Required documentation for All C&I New Construction Project Rebates

For preapproval:

1. **Completed and submitted EDA Design documents**
2. W-9 (MOST CURRENT YEAR, SIGNED AND DATED) for person or entity to receive the project incentive and for the RA, PE or firm to receive the application incentive.
3. Confirmation of customer commitment to move forward with the project as submitted.

For final approval:

1. As built drawings showing measures that were installed.
2. Written explanation of any deviation from pre-approved design documents.
3. Documentation showing equipment installed (manufacturer and model number as applicable).
4. Documentation of building occupancy permit showing the project has been complete.

What to expect after receiving preapproval

- After the pre-approval, the C&I New Construction rebate funding will be reserved until the estimated project completed date provided on the initial application, (if there is a need for an extension, you must notify OPPD and have that extension approved to ensure funding).
- Once project is complete, OPPD will review all documents which the participant is required to provide for final approval and, if OPPD grants final approval of the project based on the documentation, the Rebate payment will be made, with the Rebate amount to vary depending on the actual installed measures.

NOTE: *Payment will be made on modeled saving as built not as pre-approved (if there is deviation from pre-approved project).*

- You will be notified via email to remind of the fund's reservation expiration. Unless OPPD is notified of the need for an extension and grants that extension, the funds will no longer be available after the due date provided on the original application. You may re-apply for the same project after the existing funds have no longer been reserved and the application has been removed from the rebate tracking system.