On-Site Wind Turbine Incentive Program
Program Opportunity Notice (PON) 2439

$13,800,000 Available

Applications accepted from January 1, 2012 through December 31, 2015 by 5:00 PM Eastern Time

NYSERDA announces the availability of approximately $13.8 million in incentives to encourage the installation of end-use wind energy systems for residential, commercial, institutional or government use. The incentives, of up to $1,000,000 per site/customer, will be paid to Eligible Installers who install new approved grid-connected wind energy systems using qualified equipment, in accordance with the eligibility requirements described below. The maximum equipment size shall be 2 MW (2,000 kW) per site/customer. NYSERDA's incentive shall not exceed 50% of the total installed cost of the system. The program will continue through December 31, 2015 or until funds are fully committed, whichever comes first.

Incentives are intended to benefit both the installer for business development, and the wind energy system owner, where generated power offsets the customer's utility power purchases. Eligible Installers must pass incentives, in their entirety, through to their customers. Incentives will be based on the predicted annual output of the wind energy system, on the proposed tower, at the proposed site, as determined by a NYSERDA-approved wind resource assessment tool. Visit http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Renewables/Small-Wind/NYSERDAs-Program.aspx for more details. System designs and annual energy estimates will be reviewed prior to the approval of incentive applications, and systems may be inspected during and following installations. Incentives will not be approved for wind energy systems that are already completely or partially installed prior to approval.

Installers must be approved by NYSERDA before they may submit an application on behalf of a customer. Installer eligibility will be determined for specific equipment and based on professional experience, company history, and installer credentialing. A list of Eligible Installers is posted on http://nyserda.ny.gov/Contractors/Find-a-Contractor/Wind-Installers.aspx. All Eligible Installers receive a letter from NYSERDA that attests to their eligibility to participate in this program.

Individuals or organizations interested in purchasing a wind energy system should first visit the New York State Small Wind Explorer (http://nyswe.awstruepower.com/) to see the wind energy potential at their site. Generally, NYSERDA does not recommend wind energy systems for sites where the "Wind Energy Potential," as shown on the Customer Report, is "Very Poor."

The application forms for this program are available directly from NYSERDA at http://nyserda.ny.gov/Funding-Opportunities/Current-Funding-Opportunities/PON-2439-On-Site-Wind-Turbine-Incentive-Program.aspx, by contacting NYSERDA at 1-866-NYSERDA, or at info@nyserda.ny.gov. Completed application forms for incentives for specific installations by Eligible Installers will be processed and approved, until funds are fully committed, under the conditions outlined below. Completed application forms for eligibility as an installer will not be accepted after September 30, 2015. Applications for the qualification of wind turbines will be accepted at any time throughout the duration of this program.

Application Submission: Completed application forms must be clearly labeled, contain all required information, have original signatures, and be mailed to:

New York State Energy Research and Development Authority
PON 2439 Wind
17 Columbia Circle
Albany, NY 12203-6399

Envelopes must be addressed as indicated above or processing may be delayed.

Installers may direct any questions to 1-866-NYSERDA, 518-862-1090 or smallwind@nyserda.ny.gov. Please indicate that you are calling in reference to PON 2439.

*Late, incomplete, or unsigned applications will be returned. Faxed applications will not be accepted. Applications to become an Eligible Installer or to have a wind turbine listed for eligibility may be e-mailed. Applications will not be accepted at any other NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's website at http://www.nyserda.ny.gov/.

I. INTRODUCTION

Wind energy contributes to the public benefit by enhancing the reliability of the electricity grid, reducing peak electric demand, increasing in-state electricity generation, increasing the diversity of the state's energy supply portfolio, and making the electric supply market more competitive by promoting consumer choice. An on-site wind energy system is connected on the customer's side of the electric meter and electricity generated by the system offsets the customer's electricity purchases.

This program provides incentives to Eligible Installers who install approved, grid-connected, on-site wind energy systems. Incentives must be passed on in their entirety to the customer. The program will accept applications for eligibility from installers who would like to participate in the program until September 30, 2015, and will accept applications continuously from wind turbine manufacturers who would like to have their wind turbines listed as eligible to receive funding. Once eligible, installers may reserve incentives for approved wind energy systems, for specific customers, until December 31, 2015 or for as long as funds are available.

To be eligible to install wind energy systems under this program, installers must demonstrate that they have adequate training **and** experience installing wind energy systems, including wind turbines and towers, and must be authorized by the wind turbine manufacturer or distributor to be an installer of the Eligible Wind Turbine.

NYSERDA provides complementary programs that encourage companies, organizations, and individuals to enter or improve their position in the sustainable marketplace. Visit the Funding Opportunities page on NYSERDA's web-site (http://www.nyserda.ny.gov) or call 866-NYSERDA for more information. NYSERDA has developed installer training programs to educate and expand New York's wind installer community. Training opportunities will be posted at: http://nyserda.ny.gov/Program-Areas/Energy-Education-and-Workforce-Development/Workforce-Development-and-Training-Programs.aspx.
Individuals, companies, or organizations interested in purchasing a wind turbine should first visit http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Renewables/Small-Wind/NYSERDAs-Program.aspx to see the wind energy potential at the site. If the Wind Energy Potential is Very Poor, a wind energy system is not recommended for this location.

II. FUNDING, ELIGIBLE CUSTOMERS, INCENTIVES, LIMITATIONS

A. Program Funding

In an Order issued on April 2, 2010, the NYS Public Service Commission authorized and provided funding for the continuation of the Renewable Portfolio Standard (RPS) Program's Customer-Sited Tier (CST), including the "small wind" program, through 2015. The Order required NYSERDA to develop, in consultation with Department of Public Service (DPS) Staff, a revised CST Operating Plan reflecting various program provisions as described by the Commission.

Another Order issued on September 19, 2011 required NYSERDA to establish an appropriate mechanism to ensure that the smallest-sized wind turbines continue to have funding opportunities. For purposes of this set-aside, a small wind turbine shall be defined as a wind turbine with a rotor swept area of 200 meters squared or less. In accordance with this Order, the program's annual budget will include funds specifically dedicated (set-aside) for small wind turbines.

A third Order, issued on February 14, 2013, authorized an increase in the per project funding cap from $400,000 to $1,000,000.

Approximately $13.8 million is available for incentives to install approved wind energy turbines for Eligible Customers as defined below. Funding is allocated on a calendar year basis and is expected to be available through December 31, 2015 or until funds are fully committed, whichever comes first.

The annual budgets allocated to the program including the small wind turbine set-aside are as follows:

Year	Budget*	Small Wind Turbine Set-Aside*	General Fund*
2012	$2.9	$1.0	$1.9
2013	$3.1	$1.2	$1.9
2014	$3.8	$1.6	$2.2
2015	$4.0	$1.8	$2.2
Total	$13.8	$5.6	$8.2

* Dollars are in millions

During the first nine months of each year, the Set-Aside will be available exclusively for small wind turbines. If the Set-Aside is exhausted and there is uncommitted funding remaining in the General Fund pool, a small wind turbine project may use funds from the General Fund. Wind turbines not designated as small wind turbines may use funds only from the General Fund. During the last quarter of each calendar year, any Set-Aside funds not already committed will be rolled into the General Fund and therefore available for any size on-site wind turbine application. When there is insufficient funding available to support an application, it and subsequent applications for which funds are insufficient will be placed in a queue until funding becomes available. In general, this will be first-come, first-served with queue position determined based on the date that complete materials were received by NYSERDA.

Projects eligible under this RPS CST Program may also be eligible under the RPS Main Tier. However, once a project application or proposal has been approved by NYSERDA or becomes the subject of an award under this CST Program, for which funds are available, that project is ineligible for funding under the RPS Main Tier Program. Applicants will not be permitted to withdraw or cancel a project application, proposal, or contract in order to apply or pursue an application or proposal in the RPS Main Tier for the same project (or for the same portion of the project).

B. Eligible Customers

Financial incentives for the installation of wind energy systems are available for all sectors, including but not limited to residential, commercial, industrial, agricultural, institutional, educational, not-for-profit, and government-owned facilities. Projects that are funded or partially funded by other NYSERDA programs are not eligible for funding under this PON. To be eligible, the installation site owner (customer) must be an electricity distribution customer of: Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, National Grid, Orange and Rockland Utilities, Inc. or Rochester Gas and Electric Corporation, who pays the Renewable Portfolio Standard surcharge. This charge typically appears as an itemized charge on the electric utility bill, with a reference to RPS or SBC/RPS.

Wind energy systems owned by third-parties may be eligible for funding under this program, provided that the site host (customer) pays the RPS surcharge, and that any contractual relationship involving the customer, system owner, or the installer provides that the entire incentive payment is being passed on to the customer, and that the program requirements required of Eligible Installers are provided to the customer by an Eligible Installation company.

C. Incentive Levels

The NYSERDA incentive will be based on the expected annual energy output (AEO) of the proposed wind energy system, at the proposed location. The AEO must be calculated by a NYSERDA-approved wind resource assessment tool. Visit http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Renewables/Small-Wind/NYSERDAs-Program.aspx for more details. It will also be necessary to complete a Wind Site Assessment, as further explained in Section IV. A.

If the AEO is 10,000 kWh or less, the NYSERDA incentive is $3.50 per kWh.

Example: *If the AEO of the wind energy system is 7,400 kWh, the NYSERDA incentive is $25,900. [7,400 kWh x $3.50/kWh]*

If the AEO is greater than 10,000 kWh and less than or equal to (≤) 125,000 kWh, the NYSERDA incentive is $35,000 plus $1.00 per kWh for every kWh greater than 10,000 kWh.

Example: *If the AEO of the wind energy system is 32,500 kWh, the NYSERDA incentive is $57,500. [$35,000 + (22,500 kWh x $1.00/kWh)]*

If the AEO is greater than 125,000 kWh and less than or equal to (≤) 1,000,000 kWh, the NYSERDA incentive is $150,000 plus $.30 per kWh for every kWh greater than 125,000 kWh.

Example: *If the AEO of the wind energy system is 200,000 kWh, the NYSERDA incentive is $172,500.*
[$150,000 + (75,000 kWh x $.30/kWh)]

If the AEO is greater than 1,000,000 kWh, the NYSERDA incentive is $412,500 plus $.15 per kWh for every kWh greater than 1,000,000 kWh (up to a maximum incentive of $1,000,000).

Example: *If the AEO of the wind energy system is 2,500,000 kWh, the NYSERDA incentive is $637,500. [$412,500 + (1,500,000 kWh x $.15/kWh)]*

Visit http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Renewables/Small-Wind/NYSERDAs-Program.aspx for more details on the NYSERDA-approved wind resource assessment tool. This assessment tool may not be appropriate for building-mounted wind turbines, short towers (typically less than 60 feet tall), tall towers (typically, greater than 140 feet tall), wind turbines to be installed in an urban environment, or wind turbines with a nameplate rating equal to or greater than 100 kW. For these systems, additional site assessment procedures will be required in order to validate the wind resource available to the wind turbine and the estimated AEO. The information provided by the installer will be reviewed on a case-by-case basis.

D. Limitations.

The maximum incentive available is $1,000,000 per site/customer. The maximum total equipment size is 2 MW (2,000 kW) per site/customer. The NYSERDA incentive will not exceed 50% of the total installed cost of the wind energy system.

The purpose of NYSERDA's On-Site Wind Turbine Incentive Program is to support the installation of customer generation that will produce electricity primarily for use by that customer. Consistent with this purpose, this program limits the size (kW) of the electric generation system that can be installed. Systems shall be sized such that the expected annual energy produced (kWh/year) by the system will not exceed 110% of the customer's grid-supplied annual electric energy usage, including eligible remote meters. To be eligible each remote net meter(s) must be subject to the payment of the RPS surcharge on the account served by each remote meter, also known as a satellite account. For sites that do not have 12 months of electric consumption or that are increasing their electric use, an estimated energy use analysis may be used to predict that usage.

If multiple wind turbines are installed at a site, the NYSERDA incentive is based on the AEO of all wind turbines combined and is not based on the AEO of each individual wind turbine. For example: If two wind turbines are installed and the AEO for each wind turbine is 10,000 kWh, the NYSERDA incentive will be $45,000 ($35,000 + $10,000) and not $70,000 ($35,000 + $35,000).

Applications will be accepted for review in accordance with the following limitations:

- Eligible Installation companies are limited to a maximum of ten (10) open projects at any one time under this and previous programs. A project is considered open from the time of the application for an incentive is submitted until the final invoice is approved by NYSERDA.
- Eligible Installation Companies may submit an additional ten applications, only if these applications are also seeking funding through a competitive federal grant (e.g. USDA- REAP grant) as part of their overall financial structure and are less than 100 kW each. The Installer must submit proof, within two weeks after the federal program's application due date, that the application was actually submitted for federal funding. After this date, NYSERDA will not accept additional applications until the total number of an installation company's open projects are below ten.
- The first application submitted by a new Installer must be approved by NYSERDA before any additional applications may be submitted.

Incentives are only available for the installation of new equipment and wind energy systems that have not been installed (partially or completely) prior to NYSERDA approval of an incentive application submitted in accordance with the terms and conditions of this PON. Incentives are only available to Eligible Installers and incentives must be passed on in their entirety to customers. Incentives will not be provided directly to customers who purchase and install their own wind energy systems.

Changes in Incentive Level - Although incentives are expected to stay at these levels, incentives may be changed at any given time during the program, for any reason. Eligible Installers will be notified of any program changes via e-mail and the changes will also be posted on NYSERDA's web site. Applications that are complete when received by NYSERDA will not be subject to subsequent changes in incentive levels.

E. <u>Incentive Payment Schedule</u>

Incentives will be paid to Eligible Installers in two increments and will be tied to specific installation milestones. The first incentive payment, which is 65% of the total incentive amount approved by NYSERDA, will be paid upon demonstration that all wind energy system components have been delivered to the customer's site and the tower foundation is complete. Attachment D must be completed, submitted, and approved by NYSERDA to receive payment. Supporting documentation must be included, which shall consist of a copy of the equipment packing slip(s) for the turbine, tower, and balance of system, signed by the customer**,** to indicate that the all system components have been delivered to a customer's site and copies of the concrete delivery slips or other

equivalent approved documentation. The second incentive payment, which is the remaining 35% of the total incentive amount approved by NYSERDA, will be paid upon demonstration that the wind energy system has been connected to the utility grid, inspected by all authorities having jurisdiction, and/or inspected by NYSERDA or its representatives and Attachment E has been completed, submitted and approved by NYSERDA. Documentation for all applicable utility, state, city, town, and other inspections and approvals must be attached to Attachment E.

F. Application Approval Timing

Complete, accurate, and legible incentive applications will help facilitate a quick review. NYSERDA will not consider or process applications that are not complete. Applications that are not complete and signed by the Eligible Installer when submitted will be rejected and returned.

Incentive Application Form Part 1 (Attachment A) will be reviewed and installers will be notified within 30 days of NYSERDA's receipt of the completed application. Applications for proposed installations that (1) do not meet the requirements of PON 2439, (2) have installation and interconnection schedules in the customer purchase agreement that are not reasonable, and/or (3) indicate that the proposed wind energy system has been installed (partially or completely) before NYSERDA approval will be rejected and returned.

Incentive Application Form Part 2 (Attachment B) will be reviewed and, for situations where the Town or other permit-granting body has completed the requirements of the State Environmental Quality Review Act (SEQR) (http://www.dec.ny.gov/regs/4490.html), installers will be notified within 30 days of receipt of the application. If no zoning, land-use or other approval-granting body has jurisdiction, at least an additional 30 days will be necessary.

Upon NYSERDA's approval, the installer will receive an approval letter with a Purchase Order attached. The date on the Purchase Order shall serve as the starting date of the project. It is NYSERDA's goal to see wind energy systems installed in a timely manner; in general, all the wind energy system components should be delivered to the customer's site within 120 days of this starting date. If this is not possible, NYSERDA must be contacted to establish a reasonable schedule. Otherwise, the funding reservation will become void 120 days after the starting date. When all deliverables have been met, incentives for approved wind energy systems will be paid under the terms of NYSERDA's prompt payment policy. (http://nyserda.ny.gov/~/media/Files/FO/Standard%20Forms%20and%20Agreements/exhibitd.ashx?sc_database=web)

At the applicant's request, NYSERDA will issue a preapproval letter which shall state that the technical requirements have been met and that funds have been set aside for this project. To receive this pre-approval and commitment of funds, Attachment A with all the required back-up documentation must be approved by NYSERDA. NYSERDA will reserve these finds for sixty days. During that time, the applicant must demonstrate that the local approval process has been initiated and must present NYSERDA with a reasonable expectation of how long the approval process may take, with specific milestones. Failure to submit this proof will lead to the funds being decommitted. Only a completed Attachment B – Permitting and SEQR Information with all necessary supporting documentation will allow funding to be recommitted.

III. WIND ENERGY SYSTEM AND SITE REQUIREMENTS

A. Wind Energy Systems and Components

Systems must be for grid-connected, on-site applications to be eligible for an incentive. On-site wind energy systems are those connected on the customer's side of the electric meter; the electricity generated by the wind energy system must offset the customer's utility electricity purchases. All components of wind energy systems installed under this program must be new equipment. **Incentives are only available for wind energy systems that have not been installed (partially or completely) prior to NYSERDA approval of an incentive application submitted in accordance with the terms and conditions of this PON.** Construction or partial construction of the foundation is considered partial installation of the wind energy system and should not occur prior to NYSERDA's approval of an incentive application.

Wind Turbines - Only wind turbines that have been pre-approved by NYSERDA are eligible for funding under this program. A list of Eligible Wind Turbines is available at http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Renewables/Small-Wind/Eligible-Wind-Turbines.aspx **Towers -** Wind turbines must be mounted on an appropriate tower and the towers must be designed to accommodate the proposed wind turbine. It is recommended that towers be at least 60 feet in height; however, the bottom of the rotor must be at least 30 feet above any obstacle, in any direction, within 500' of the turbine. NYSERDA reserves the right to consider installations on a case-by-case basis.

Building-Mounted Turbines - Wind turbines may be mounted on a pre-existing structure such as a building or a pre-existing tower. For turbines mounted on a pre-existing structure, a structural analysis must be provided demonstrating sufficient structural integrity. NYSERDA reserves the right to approve applications on a case-by-case basis.

Inverters and Interconnection - Inverters and interconnection devices must be listed on the New York State Department of Public Service's list of Certified Interconnection Equipment (http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/dcf68efca391ad6085257687006f396b/$FILE/SIRDevices.pdf) or the interconnection must be in agreement with the most current version of the Public Service Commission's Standardized Interconnection Requirements. All wind energy systems must have an appropriate interconnection agreement with the utility and the wind energy system must be installed in compliance with that agreement.

Other Electrical Components - All other electrical components of the wind energy systems such as charge controllers, batteries, wiring, and metering equipment must be certified as meeting the requirements of any relevant national and state codes and standards.

Monitoring Equipment - Each wind energy system must include, at a minimum, a cyclometer register kilowatt-hour meter (or a meter that can be read numerically by a customer or an "easy read meter") to read total energy output. The energy metering data must be automatically stored independently of the inverter display. In lieu of a meter, a data acquisition system (DAS) capable of transmitting and storing data off-site may be used. The meter must have an accuracy of within ±5% and include a certificate of compliance from the manufacturer. Energy production (including the date of first production and the date of each meter reading) must be collected by the installer or customer at least once per month and the installer must submit this data to NYSERDA twice per year for two years following interconnection of the wind energy system. A DAS does not alleviate the installer's responsibility to submit timely data to NYSERDA. At NYSERDA's cost, NYSERDA may require that additional monitoring equipment be installed.

B. Siting Considerations

Under the provisions of the State Environmental Quality Review Act (SEQR), NYSERDA must determine if the funding of any action may have a significant impact on the environment. All wind installations must meet the requirements of the local zoning ordinances.

In addition, the following general criteria will apply:

- The minimum work zone distance between the tower base, and a property line or power line is the height of the wind energy system, above ground level, including the blades, plus 10%. (i.e., 1.1 times the total height of the wind energy system)
  - Customers may apply for an exemption with written permission from the neighbor and an indication from the neighbor that the use of land in the vicinity is consistent with the proposed wind energy system. There is no exemption for power lines.
- The minimum setback distance between the tower base and any human-occupied building is five times the rotor diameter.
  - Customers may apply in writing for an exemption from this minimum distance requirement for buildings they own; however, the customer must demonstrate that the possible problems of locating the wind energy system less than the required distance from the building have been addressed.
- For building-mounted applications, if the local municipality has an ordinance that stipulates the criteria for building-mounted wind turbines, then building-mounted wind turbines may be eligible for funding under this program, provided all other program requirements are met. If the local municipality does not have an ordinance that stipulates the criteria for building-mounted wind turbines, then a building-mounted wind turbine is not eligible for funding under this program.
- If multiple turbines are proposed for a site, there must be a distance of at least ten times the rotor diameter between the tower bases.
- The bottom of the rotor must be at least 30 feet above any obstacle, in any direction, within 500' of the turbine.

IV. REQUIRED DOCUMENTATION FOR CUSTOMER INCENTIVE APPLICATIONS

There are two parts to the incentive application: Attachment A, "Installation Information," and Attachment B, "Permitting and SEQR Information." Installers may submit Attachment A prior to obtaining permits for the wind energy system as it is possible that the review of Attachment A could result in recommendations to make changes to the wind energy system location or tower height. Both Attachments A and B include lists of supporting documentation that must be provided. Only after Attachments A and B and all supporting documents are reviewed and approved by NYSERDA will a Purchase Order be issued.

A. Attachment A – Installation Information

Attachment A describes the site and the wind energy system that will be erected. Installers must supply all of the information requested in Attachment A, "Installation Information." Applications that do not include all of the information requested will be returned.

Wind Site Assessment - A wind site assessment provides customers with site-specific information and will be the basis for determining the NYSERDA incentive. At a minimum, this assessment shall include the following; however, applications for turbines with a nameplate rating of greater than 100 kW will require a more detailed analysis:

- An evaluation of the wind resource at the potential location of the wind turbine(s) at hub height. This information will be generated by the NYSERDA-approved wind resource assessment tool. *****

- Eight photographs taken from the proposed wind energy system location looking in the following directions: N, NE, E, SE, S, SW, W, NW.
- Site contour map.

- Demonstrated historic annual site electric use (kWh). For sites that do not have 12 months of electric consumption or that are increasing their electric use, an energy-use analysis may be used to predict that usage. Copy of a utility bill(s) showing proof of payment by customer into Renewable Portfolio Standard (RPS) (or letter from utility if not indicated on electric bill) and annual kWh usage. Attachment J – Electric Utility Information must also be completed.

- Details about the proposed turbine, including manufacturer and model, rotor diameter, tower height, and tower type.

- A description of potential obstructions that may affect the proposed turbine's AEO. Additional turbulence losses may be applied when the turbine site does not meet this recommendation. When the obstacles are trees, their mature height must be used to determine minimum turbine height.

- Aerial photos or images of the potential wind site.

- Elevation of the site (feet about sea level).

- A plot plan, on 8-1/2" x 11" paper, (multiple plans may be submitted, if scaling is an issue.) which includes the following:

  - Property lines and physical dimensions of the property
  - Location, dimensions, and types of existing major structures on the property
  - Location of the proposed wind system tower(s)
  - The right-of-way of any public road that is contiguous with the property;
  - Location of any overhead utility lines;
  - Location of utility meter; and
  - Electrical interconnection location.

- Estimated AEO of the proposed turbine.*****

  Only a NYSERDA-approval wind resource assessment tool may be used to determine average annual wind speed and estimated AEO. NYSERDA reserves the right to use its own estimate for the purpose of determining the NYSERDA incentive.

  ***** Visit http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Renewables/Small-Wind/NYSERDAs-Program.aspx for more details on the NYSERDA-approved wind resource assessment tool. This assessment tool may not be appropriate for building-mounted turbines, short towers (typically less than 60 feet tall), tall towers (typically, greater than 140 feet tall), turbines to be installed in an urban environment, or turbines with a nameplate rating equal to or greater than 100 kW. For these systems, additional site assessment procedures will be required in order to validate the wind resource available to the

turbine and the estimate AEO. The information provided by the installer will be reviewed on a case-by-case basis.

Wind Site Assessment for wind turbines with a nameplate rating equal to or greater than 100 kW shall also include a review of the following:

- Accessibility of site and availability of work area
- Ease of interconnection to existing electrical infrastructural (on-site and utility)
- Economic analysis
- Shadow flicker and sound issues
- Any additional reviews required by any Authority Having Jurisdiction (AHJ).

One-Line Diagram - A legible diagram using unique line characteristics and standard symbols to clearly describe the wind energy system as it will be installed. The One-Line Diagram must show all major system components from the wind turbine to the utility meter. Each conductor's size and type is to be shown, as well as the relevant conduit characteristics (i.e. size and type, and length, if greater than 20'). The make, model, and voltage and amperage ratings of all overcurrent devices, switches, inverters, batteries and other relevant equipment are to be shown, as applicable. The Diagram should also make clear whether the system will be connected via a line-side tap or if it will be back-fed through a circuit breaker in the main service panel.

System designs must be in accordance with applicable local, State, and national codes and regulations, including Article 694, Small Wind Electric Systems, of the National Electrical Code.

Installation Drawings - Provide copies of any tower foundation blueprints or drawings, tower blueprint or drawing, and any other documentation required by the AHJ.

B. Attachment B - State Environmental Quality Review

Attachment B, Permitting and SEQR Information, provides a list of the steps and supporting documents that are necessary for approval of NYSERDA funding. It is the Eligible Installer's responsibility to insure that all necessary permits, approvals, certificates, etc. from any applicable AHJ are obtained for all installed systems.

The Eligible Installer is responsible for ensuring that each project complies with the requirements of the State Environmental Quality Review Act (SEQR). Under the provisions of SEQR, NYSERDA must determine if the funding of any action may have a significant impact on the environment, regardless of any other authority's determination. SEQR review should begin with an application to the Town board, zoning, land-use or other local approval-granting body. A SEQR negative declaration or other determination by a local authority will be considered by NYSERDA in its determination. NYSERDA does not consider the installation of a wind turbine to be a Type II Action.

For incentive applications where the combined total name plate rating of the wind turbines is equal to or greater than 100 kW, the application must include the Full Environmental Assessment Form with the Visual EAF. During NYSERDA's review, particular attention will be paid to questions A-11, A-14, A-18, B-9, B-10, C-11 and C-17.

Eligible Installers are encouraged to review the SEQR requirements early in the developmental stage, before entering a contract with a customer that reflects NYSERDA participation. Please contact NYSERDA if you have any questions regarding these requirements. For a more comprehensive description of the SEQR process visit http://www.dec.ny.gov/permits/357.html. NYSERDA will not commit to providing incentives on any project until a determination has been made under SEQR.

V. INSTALLER ELIGIBILITY

To apply for status as an Eligible Installer, an individual must complete and submit Attachment F - Installer Eligibility Application Form along with the required supporting documentation. An applicant's eligibility will be determined and maintained for specific wind turbines depending on the types of wind energy systems the applicant has experience installing. Attachment J - Manufacturer Authorization Letter must also be completed; this letter stipulates that the installer is authorized to install the specified wind turbine and that the manufacturer will honor the NYSERDA required warranty, as stated in Attachment C - Addendum to Customer Purchase Agreement, in the event of a default by the installer.

Determinations of eligibility will be based on factors such as acceptance of all program terms and conditions, training, extent and type of installation experience, customer references, and proof that an applicant may purchase at least one of NYSERDA's Eligible Wind Turbines. Site assessment skills, wind resource and energy estimation skills, and professionalism will also be evaluated. Past performance under NYSERDA programs is a critical criterion for determining eligibility and the conditions of eligibility under this solicitation. To become eligible, applicants will be required to sign and comply with the Standard Terms and Conditions (Attachment G). If the Eligible Installer, Installation Company employees, or subcontractors do not meet all program terms and conditions or program requirements, the Eligible Installer will be subject to termination or suspension actions as described in Section 3(b) of Attachment G, Eligible Installer Agreement - Standard Terms and Conditions.

Installers must meet all insurance requirements (both commercial general liability and commercial automobile liability insurance) as specified under Section 10 of Standard Terms and Conditions (Attachment G). Each insurance certificate must name NYSERDA and the State of New York as additional insureds. Proof of insurance must be provided to NYSERDA and submitted with the signed copy of the Standard Terms and Conditions.

To maintain eligibility under this program, all installers must meet the following conditions every calendar year:

- Their insurance is current
- They can show proof that they have had a significant role in a wind turbine installation, attended at least one in-depth wind installation training course, or attended an in-depth wind site assessor course. (NABCEP Certified Small Wind Installers are exempt from this initiative.)
- There have been no substantial changes that could affect their program eligibility.

Once notified of eligibility in writing by NYSERDA, an Eligible Installer may then submit applications for incentives for specific customers, under the terms and conditions described in PON 2439. Review of Eligible Installer Applications may take up to 30 days. Since the incentives offered under this program will close on December 31, 2015, until further notice installer eligibility applications will only be accepted until September 30, 2015.

NYSERDA's Rights and Limitations - NYSERDA may deny or revoke eligibility for any reason, including, but not limited to: inadequate training, inadequate experience, poor references, failure to act professionally, fairly, and in good faith with NYSERDA or customers, providing false information to NYSERDA or customers, poor performance in previous NYSERDA programs, and committing actions that would be subject to disciplinary actions under Section 3(b) of Attachment G, Compliance with program terms and conditions.

Neither NYSERDA nor the State of New York endorses any Eligible Installer, Installation Company, or Eligible Wind Turbine. In addition, NYSERDA and the State of New York does not guarantee, warrant, or in any way

represent or assume liability for any work proposed or carried out by an Eligible Installer or Installation Company. NYSERDA is not responsible for assuring that the design, engineering, or construction of the project or installation of any wind energy system is proper or complies with any particular laws, regulations, codes, licensing, certification and permit requirements, or industry standards. NYSERDA does not make any representations of any kind regarding the results to be achieved by the wind energy systems or the adequacy or safety of such measures.

A list of Eligible Installers is posted on http://nyserda.ny.gov/Contractors/Find-a-Contractor/Wind-Installers.aspx.

VI. ELIGIBLE WIND TURBINES

Only commercially available wind turbines with a proven record for power performance, reliability, safety, and acoustics will be considered for funding. NYSERDA is a member of the Interstate Turbine Advisory Council (ITAC), established under the Clean Energy States Alliance. One of ITAC's goals is to establish a collaborative group of public clean energy programs to evaluate and identify small and medium wind turbines that fit the performance and durability expectations of incentive providers. ITAC has published its Unified List of Turbines, which is available at http://www.cleanenergystates.org/projects/ITAC/itac-unified-list-of-wind-turbines/. NYSERDA has adopted this list for all wind turbine sizes included in the list, as they pertain to PON 2439. NYSERDA reserves the right to impose additional restrictions or modify ITAC's requirements dependent on program needs.

For wind turbines outside the ITAC purview to be considered for eligibility to receive funding under this program, a manufacturer or dealer must complete and submit Attachment H, Eligible Wind Turbine Application Form, with all of the information requested.

NYSERDA requires that manufacturers or dealers of wind turbine provide evidence that an international organization, accredited to ISO/IEC Guide 65 or EN45011, has certified that the wind turbine meets the appropriate sections of IEC 61400 for acoustics, durability, safety, and performance standards.

In addition, the manufacturer or dealer must submit the technical specifications on the wind turbine, inverter, and tower, as well as the power curve in graphic and table form, from IEC 61400-12-1.
NYSERDA reserves the right to deny eligibility of any wind turbine for any reason including but not limited to: poor performance, concerns about wind turbine's design, concerns about the quality of data presented, or lack of manufacturer support for maintenance and warranties. Review of Wind Turbine Applications may take up to 60 days.

Details on Eligible Wind Turbines may be found at: http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Renewables/Small-Wind/Eligible-Wind-Turbines.aspx.

VII. GENERAL CONDITIONS

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes.

The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to except it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 http://www.nyserda.ny.gov/About/New-York-State-Regulations.aspx. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act of 1992 - It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development
Division For Small Business
30 South Pearl Street
Albany, NY 12245

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development
Minority and Women's Business Development Division
30 South Pearl Street
Albany, NY 12245

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of $100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. *See,* ST-220-TD (available at http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a perspective contractor prior to contacting and filed with NYSERDA. *See,* ST-220-CA (available at http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf). The Department has developed guidance for contractors which is available at http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf.

Contract Award - NYSERDA anticipates having multiple Eligible Installers under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations. Each application should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Terms and Conditions (Attachment G) to contract with successful applications.

Limitation - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest.

Disclosure Requirement - The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

VIII. ATTACHMENTS

Attachment A - Customer Incentive Application Form
Attachment B - Permitting and SEQR Information
Attachment C - Addendum to the Customer Purchase Agreement - Standard Terms and Conditions
Attachment D - Initial Incentive Payment Form (65% of Approved Incentive)
Attachment E - Final Incentive Payment Form (35% of Approved Incentive)
Attachment F – Installer Eligibility Application Form
Attachment G - Eligible Installer Agreement - Standard Terms and Conditions
Attachment H - Eligible Wind Turbine Application Form
Attachment I – Electric Utility Information
Attachment J – Manufacturer Authorization Letter