2024 PRESCRIPTIVE REBATE PROGRAM

COLORADO: COMMERCIAL AND INDUSTRIAL ELECTRIC CUSTOMERS

Black Hills Energy offers Colorado Commercial and Industrial electric customer rebates for some of the most commonly installed efficiency projects. Follow the checklist below to determine if you are eligible for a rebate and for instructions on how to apply. If your efficiency upgrade is not on the Qualifying Equipment list, you still may be eligible for a rebate under our Custom rebate programs. If your project involves new construction or major renovation and you are not participating in the New Construction Program, your equipment may qualify for a rebate through our Custom program. Additional information can be found at www.energy-ready.com.

Rebate Checklist

Determine your eligibility, and receive your rebate check faster, by checking off these easy steps before submitting your application. Incomplete applications may delay payment.

Determine if the project is eligible for a rebate
(review Terms and Conditions and Qualifying
Equipment Information)
Complete the project installation
Complete the application
Complete the lighting inventory workbook if
your project includes lighting
Attach itemized invoice(s) for equipment and
labor including date of installation
Attach specification sheets for installed
measures
Sign and date the Customer Agreement
Make and retain copies of all documents
Submit application by email or mail

Customer Information

(To be completed by custo Account Number	mer)	
(Located in upper right-hand corner	of Black Hills Energy ele	ctric bill)
Company Name		
Rebate Check Payable To_		
Installation Address		
City	State	_ ZIP
Contact Person		
Title		
Telephone		
Fax		
Email		
Mailing Address		
City	State	ZIP
Payee Information (If different than customer in		
Company Name		
Contact Person		
Title		
Telephone		
Best time to call		
Email		
Address		
City	State	ZIP

Qualifying Equipment Information

Total rebate amount per application will be no more than 50% of the total labor, material and equipment costs shown on itemized invoices for the qualifying measures. The Design Lights Consortium (DLC) Qualified Products List can be accessed at www.designlights.org/search.

LIGHTING QUALIFYING I	MEASURES							
Equipment	Specifications	Maximum Rebate per Unit	Quantity	Rebate				
LED ENERGY STAR* Interior Lamps								
Energy Star-rated LED Lamps	Replace incandescent lamps with an Energy Star-rated LED lamp.	\$1.00 per lamp						
LED Exit Signs								
LED Exit Signs	Replace incandescent exit sign with an LED exit sign.	\$10 per fixture						
LED ENERGY STAR® Downlight Fixtures								
Energy Star-rated fixture 50W or less	Replace incandescent or HID* downlight fixture with an Energy Star-rated LED downlight fixture 50W or less.	\$15 per fixture						
•	d. The controls may be mounted to a wall, ceiling or integrally The fixture cannot exceed 35% of full wattage during unoccu		•	-				
Occupancy Sensor	Adjusts light levels according to the presence of occupants.			\$				
Daylight (photocell) Sensor	Adjusts light levels automatically in response to the presence of natural light.	\$0.30 per Watt Controlled		\$				
Occupancy and Daylighting (photocell) Sensor	Performs the functions of both.			\$				
Networked Lighting Controls								
Networked Lighting Controls	Controlled fixtures must be LED, installed within the past 5 years. Controls must be listed on the DLC Qualified Products List.	\$0.60 per Watt Controlled		\$				
LED High or Low Bay Fixtures								
LED Low Bay, 10,000 Lumens or Less		\$20 per fixture		\$				
LED High Bay, 10,000 < 15,000 Lumens		\$65 per fixture		\$				
LED High Bay, 15,000 < 20,000 Lumens		\$100 per fixture		\$				
LED High Bay, 20,000 < 30,000 Lumens	Replace T12, T8, T5, HID* fixture with an LED low bay fixture.	\$125 per fixture		\$				
LED High Bay, 30,000 < 40,000 Lumens		\$175 per fixture		\$				
LED High Bay, 40,000 < 50,000 Lumens		\$200 per fixture		\$				
LED High Bay, Greater than 50,000 Lumens		\$250 per fixture		\$				
High-Bay Fluorescent Fixtures with Electro	onic Ballasts							
T5, 2- to 3-lamp T8, 4-lamp	Replace 175W to 250W HID* fixture with a high bay T5 or T8 fixture. Retrofit must include a high efficiency electronic ballast.	\$55 per fixture		\$				
T5, 4- to 6-lamp T8, 6- to 8-lamp	Replace 310W to 400W HID* fixture with a high bay T5 or T8 fixture. Retrofit must include a high efficiency electronic ballast.	\$75 per fixture		\$				
T5, 8-lamp T8, 12- to 16-lamp	Replace 750W HID* fixture with a high bay T5 or T8 fixture. Retrofit must include a high efficiency electronic ballast.	\$85 per fixture		\$				
T5, 10-lamp T8, 18- to 20-lamp	Replace 1000 W HID* fixture with a high bay T5 or T8 fixture. Retrofit must include a high efficiency electronic ballast.	\$95 per fixture		\$				

LIGHTING QUALIFYING	NG MEASURES			
Equipment	Specifications	Maximum Rebate per Unit	Quantity	Rebate
Low-Wattage Fluorescent T8 Lamps				
Low Wattage T8 lamps	Replace standard T8 lamp with a low wattage fluorescent T8 lamp of the same length.	\$1.00 per lamp		\$
High Performance T8 Lamps				
High Performance T8 lamps	Replace 32W standard lamps in existing T8 fixtures with 28W or less lamps. The existing ballasts must be compatible with low wattage T8 lamps.	\$1.00 per lamp		\$
LED Horticultural Lamps				
LED Horticultural Lamps	Replace interior horticultural HID* and fluorescent lighting with LED horticultural lamps.	\$175 per lamp		\$
LED Recessed Troffer Fixtures				
2x2 Fixtures	Damlage TO ov T12 linear fluggescent fluture with LFD traffer	\$25 per fixture		\$
1x4 Fixtures	Replace T8 or T12 linear fluorescent fixture with LED troffer fixture for interior lighting. Fixture must be listed on the	\$40 per fixture		\$
2x4 Fixtures	Design Lights Consortium (DLC) Qualified Products List.	\$35 per fixture		\$
LED Recessed Troffer Fixtures Retro	fit Kits			
2x2 Fixture Retrofit Kit	Replace T8 or T12 linear fluorescent fixture with LED troffer	\$15 per retrofit kit		\$
2x4 Fixture Retrofit Kit	fixture retrofit-kits for interior lighting. Must be listed on the	\$20 per retrofit kit		\$
1x4 Fixture Retrofit Kit	DLC Qualified Products List.	\$12 per retrofit kit		\$
LED Direct Linear Ambient Fixtures				
35W or less	Replace T5, T8, or T12 linear fluorescent fixture with LED	\$25 per fixture		\$
Greater than 35W to 75W	direct linear ambient fixture for interior lighting. Must be listed on the DLC Qualified Products List.	\$40 per fixture		\$
Greater than 75W		\$55 per fixture		\$
LED Linear Replacement Lamps				
Type A or AB, 2- or 4-foot	Replace T8 in an existing T8 fixture with LED linear	\$3.50 per lamp		\$
Type B, 4-foot	replacement lamps which uses the existing T8 ballast. Must be listed on the DLC Qualified Products List.	\$12.50 per lamp		\$
Type C, 2- or 4-foot	be listed oil the DEC Qualified Floudets List.	\$12.50 per lamp		\$
LED Replacement Lamps				
LED Replacement Lamp	Replace 2 or 4 pin-based CFL lamps with LED replacement lamps. Must be listed on the DLC Qualified Products List.	\$0.75 per lamp		\$
LED Exterior Wall Pack Fixtures				
25W or less	Davidson UIDA Code and Code an	\$35 per fixture		\$
Greater than 25W to 60W	Replace HID* fixtures with LED fixtures. Fixtures are required to be rated for outdoor use. Must be listed on the	\$75 per fixture		\$
Greater than 60W	DLC Qualified Products List.	\$100 per fixture		\$
LED Exterior Flood Lights				
Less than 15W	Replace HID* fixtures with LED fixtures. Fixtures are	\$15 per fixture		\$
15W or Greater	required to be rated for outdoor use. Must be listed on the DLC Qualified Products List.	\$20 per fixture		\$

LIGHTING QUALIFYING	MEASURES							
Equipment	Specifications	Maximum Rebate per Unit	Quantity	Rebate				
LED Fixtures for Parking Garage/Fuel Pump Canopy Installations								
30W or less	David and URA finds were found ED finds were Month to list and	\$75 per fixture		\$				
30W to 75W	Replace HID* fixtures for LED fixtures. Must be listed on the DLC Qualified Products List.	\$125 per fixture		\$				
Greater than 75W	on the B20 dualities i rouses also	\$175 per fixture		\$				
Exterior LED Canopy and Soffit Fixtur	es							
25W to 60W	Replace HID* fixtures for LED fixtures. Must be listed	\$75 per fixture		\$				
Greater than 60W	on the DLC Qualified Products List.	\$125 per fixture		\$				
LED Fixtures for Outdoor Pole/Arm M	ounted Parking/Roadway Installations							
75W or less	Daniago IIID* fivetures for LED fivetures. Must be listed	\$40 per fixture		\$				
75W to 100W	Replace HID* fixtures for LED fixtures. Must be listed on the DLC Qualified Products List.	\$100 per fixture		\$				
Greater than 100W		\$140 per fixture		\$				
Remove one T8 lamp Remove two T8 lamps	Permanent removal of existing T8 lamps, ballasts, and sockets from a fixture with a high efficiency electronic ballast. T8 to T8 de-lamping must include high efficiency electronic ballast factor.	\$8 per fixture \$16 per fixture		\$				
LED Refrigerated Case Lighting								
LED Refrigerated Case Lighting	Replace T8 or T12 linear fluorescent refrigerated case door lighting with LED refrigerated case door lighting. Must be listed on the DLC Qualified Products List.	\$45 per door		\$				
LED Mogul Screw Base Replacements								
40W to 50W LED		\$45 per lamp		\$				
50W to 80W LED	_ , , , , , , , , , , , , , , , , , , ,	\$60 per lamp		\$				
80W to 120W LED	Replace an HID* lamp. Must be listed on the DLC Qualified Products List.	\$75 per lamp		\$				
120W to 145W LED		\$90 per lamp		\$				
145W to 230W LED		\$100 per lamp		\$				

^{*}High-intensity discharge (HID) systems include mercury vapor, high-pressure sodium, metal halide and pulse-start metal halide.

Qualifying Equipment Information

HEATING AND COOLING					
Type and Size	Minimum Requirements	Rebate/Ton	Tons	Quantity	Rebate
Packaged Terminal Air Conditioner					
8,000 Btu/hr or less	12.6 EER	\$40			\$
Greater than 8,000 to 11,000 Btu/hr	12.0 EER	\$40			\$
Greater than 11,000	11.0 EER	\$40			\$
Packaged Terminal Heat Pump					
8,000 Btu/hr or less	12.6 EER, 3.0 COP	\$40			\$
Greater than 8,000 to 11,000 Btu/hr	12.0 EER, 3.0 COP	\$40			\$
Greater than 11,000 Btu/hr	11.0 EER, 3.0 COP	\$40			\$
Air Conditioner, Packaged & Split Syste	ms				
Less than 5.4 Tons (split system)	15 SEER, 12.5 EER	\$35			\$
Less than 5.4 Tons (single package)	15 SEER, 12 EER	\$35			\$
5.4 Tons to 11.25 Tons	13.8 IEER, 12 EER	\$35			\$
11.25 Tons to 20 Tons	13 IEER, 12 EER	\$35			\$
20 Tons to 63.3 Tons	12.1 IEER, 10.3 EER	\$10			\$
Greater than 63.3 Tons	11.4 IEER, 9.7 EER	\$10			\$
Air Source Heat Pump, Packaged & Split	Systems				
5.4 Tons or less (split system)	15 SEER, 12.5 EER, 8.5 HSPF	\$50			\$
5.4 Tons or less (single package)	15 SEER, 12 EER, 8.2 HSPF	\$50			\$
5.4 Tons to 11.24 Tons	13.4 IEER, 11.6 EER, 3.4 COP	\$50			\$
11.25 Tons to 20 Tons	12.6 IEER, 10.7 EER, 3.3 COP	\$50			\$
20 Tons or greater	11.6 IEER, 10.1 EER, 3.3 COP	\$50			\$
Water Source Heat Pump Systems		·			
<20 Tons	14 EER and 4.6 COP	\$50			\$
Geothermal Heat Pump					
Energy Star Geothermal Heat Pump		\$750			\$
Direct Evaporative Pre-Cooling for Air C	Cooled Condensers				
Greater than 10 Tons	Packaged rooftop or matched split systems, and air cooled chillers	\$100			\$
Air Conditioner Tune-Up				·	
Air Conditioner Tune-Up		\$10			\$
HVAC Economizer					
HVAC Economizer	Dry bulb or enthalpy	\$75			\$

HEATING AND COOLING SYSTEMS						
Type and Size	Minimum Requirements	Rebate / Unit	Quantity	Rebate		
Evaporative Cooler						
Evaporative Cooler >2,500 CFM	ISR air flow rating 2,500 CFM or greater	\$100 per unit		\$		
Evaporative Cooler Media Saturation >85%	Central duct system media saturation effectiveness 85% or greater	\$300 per unit		\$		
Evaporative Cooler - Whole Building Cooler	≥ 85% media saturation, periodic purge water control, remote thermostat control, minimum of 4 supply ducts	\$1000 per unit		\$		
Smart Thermostat						
Smart Thermostat	ENERGY STAR ® Listed Smart Thermostat	\$75 per unit		\$		
HVAC Demand Control Ventilation						
Demand Control Ventilation (DCV)	CO ₂ sensors installed on return air systems to vary outside air CFMs based on occupancy	\$750 per unit		\$		
Please indicate primary HVAC heat source check one: ☐ Electric Resistance ☐ Heat Pump ☐ Gas						
Building square footage controlled by DCV sensor Sq. ft.						
Advanced Rooftop Controls						
Single-zone, packaged HVAC unit (with an economizer) retrofitted with demand-cont optional supply-fan speed control via a var	\$150		\$			
Air Cooled Chiller with Condenser Efficiency criteria are based on ARI standards at standard conditions (44°F leaving chilled water, 2.4 gpm/ton. 95°F entering condenser air). Attach a copy of manufacturer's performance sheet. Air-cooled chiller efficiencies shall include condenser fan energy.						
Less than 150 Tons	Full Load 10.4 EER, IPLV 14.1 EER	\$40 per ton		\$		
Greater than 150 Tons	Full Load 10.0 EER, IPLV 16.2 EER	\$40 per ton		\$		

BUILDING ENERGY MANAGEMENT SYSTEM

See application for Energy Management Systems.

Type Manufa Electronically Commuted Motors (ECM) for Refrigeration and Walk-In Cooler Walk-In Freezer Refrigerated Display Case Freezer Display Case Evaporative Fan Control Controls on Existing Walk-In Cooler Motors Automatic Door Closer Cooler □ Freezer □ Anti-Sweat Door Heater Controls	\$125 per unit \$125 per unit \$70 per unit \$100 per unit \$150 per unit \$15	Quantity	Rebate					
Walk-In Cooler Walk-In Freezer Refrigerated Display Case Freezer Display Case Evaporative Fan Control Controls on Existing Walk-In Cooler Motors Automatic Door Closer Cooler □ Freezer □	\$125 per unit \$125 per unit \$70 per unit \$70 per unit \$100 per unit							
Walk-In Freezer Refrigerated Display Case Freezer Display Case Evaporative Fan Control Controls on Existing Walk-In Cooler Motors Automatic Door Closer Cooler □ Freezer □	\$125 per unit \$70 per unit \$70 per unit \$100 per unit							
Refrigerated Display Case Freezer Display Case Evaporative Fan Control Controls on Existing Walk-In Cooler Motors Automatic Door Closer Cooler □ Freezer □	\$70 per unit \$70 per unit \$100 per unit							
Freezer Display Case Evaporative Fan Control Controls on Existing Walk-In Cooler Motors Automatic Door Closer Cooler □ Freezer □	\$70 per unit							
Evaporative Fan Control Controls on Existing Walk-In Cooler Motors Automatic Door Closer Cooler □ Freezer □	\$100 per unit							
Controls on Existing Walk-In Cooler Motors Automatic Door Closer Cooler Freezer								
Automatic Door Closer Cooler								
Cooler Freezer	\$75 per door							
	\$75 per door							
Anti-Sweat Door Heater Controls			1					
		Anti-Sweat Door Heater Controls						
Refrigerated □ Freezer □	\$75 per door							
Strip Curtains Building	Type - Supermarket ☐ Convenience St	ore 🗆 Re	staurant 🗆					
Refrigerated □ Freezer □ Pre-existing Curtain □	\$150 per door							
Pre-Rinse Spray Valve								
1.28 GPM or less (must use electric water heater)	\$20 per unit							
Commercial Heat Pump Water Heater								
ENERGY STAR ® listed heat pump water heater	\$300 per unit							
Tankless Water Heater (Electric)	,							
Great than 0.98 EF with an output greater than or equal to 5 GPM output at 70°F temperature rise.	\$525 per unit							
Night Curtains								
Night Curtains for Open Display Cases: Applies to permanently fixed night curtain products only.v Curtain must be manufactured with lowemissivity perforations or use "breathable" woven aluminum fabric.	\$7.50 per linear foot installed		\$					
Required: Enter side to side linear foot measurement of night curtain	ns:		ft					

VARIABLE FREQUENCY DRIVE / VARIABLE SPEED DRIVE								
Rebates used for HVAC fans, pumps, cooling towers, process equipment and industrial fans. Fans must operate in excess of 4,000 hours to qualify.								
Manufacturer	Model #	Rebate	Horsepower (1 HP to 200 HP)	Quantity	Rebate (HP*Rebate* Quantity)			
			·					

	NEMA Premium Efficiency						
Motor Size	Oı	Open Drip-Proof (ODP)			nclosed Fan-Coole	ed (TEFC)	
(HP)		Speed (RPM)			Speed (RPM)		Incentive per Motor
	1200	1800	3600	1200	1800	3600	Piotoi
1	82.5%	85.5%	77.0%	82.5%	85.5%	77.0%	\$50
1.5	86.5%	86.5%	84.0%	87.5%	86.5%	84.0%	\$75
2	87.5%	86.5%	85.5%	86.5%	86.5%	85.5%	\$100
3	88.5%	89.5%	85.5%	89.5%	89.5%	86.5%	\$150
5	89.5%	89.5%	86.5%	89.5%	89.5%	88.5%	\$250
7.5	90.2%	91.0%	88.5%	91.0%	91.7%	89.5%	\$375
10	91.7%	91.7%	89.5%	91.0%	91.7%	90.2%	\$500
15	91.7%	93.0%	90.2%	91.7%	92.4%	91.0%	\$750
20	92.4%	93.0%	91.0%	91.7%	93.0%	91.0%	\$1,000
25	93.0%	93.6%	91.7%	93.0%	93.6%	91.7%	\$1,250
30	93.6%	94.1%	91.7%	93.0%	93.6%	91.7%	\$1,500
40	94.1%	94.1%	92.4%	94.1%	94.1%	92.4%	\$2,000
50	94.1%	94.5%	93.0%	94.1%	94.5%	93.0%	\$2,500
60	94.5%	95.0%	93.6%	94.5%	95.0%	93.6%	\$3,000
75	94.5%	95.0%	93.6%	94.5%	95.4%	93.6%	\$3,750
100	95.0%	95.4%	93.6%	95.0%	95.4%	94.1%	\$5,000
125	95.0%	95.4%	94.1%	95.0%	95.4%	95.0%	\$6,250
150	95.4%	95.8%	94.1%	95.8%	95.8%	95.0%	\$7,500
200	95.4%	95.8%	95.0%	95.8%	96.2%	95.4%	\$10,000
QUIPMEI	NT INFOR	MATION					
1anufacturer	Model #	Motor Size (HP)	Motor Type (ODP/TEFC)	NEMA Premium Efficiency	Incentive per Motor (from above)	Quantity	Rebate

Contractor Information	FACILITY INFORMATION				
Company Name	(MANDATORY)				
Contact Person					
Title	Type of Facility: □ New □ Existing □ Addition				
Company Address					
City State ZIP	□ Own □ Rent				
Telephone					
Email	Building Type: ☐ Office ☐ Retail ☐ Health Care ☐ Restaurant				
Permit Number (if applicable)	☐ Education ☐ Lodging ☐ Grocery ☐ Warehouse ☐ Other (please specify)				
	Equipment Type: ☐ New ☐ Replacement				
Contractor Certification (To be completed by dealer/contractor/installer)	Heating Fuel Type: ☐ Natural Gas ☐ Electric				
We certify that the indicated equipment was installed per	Cooling:				
the Terms and Conditions of this program at the address	Central Air: ☐ Yes ☐ No				
shown. All Terms and Conditions of the program have been	Approximate age of old unit				
met. We certify that all equipment information provided in					
the application is correct. Black Hills Energy reserves the	Chiller: Yes No				
right to inspect and verify any equipment before or after	Approximate age of old unit				
issuing rebates.	Unitary HVAC: ☐ Yes ☐ No				
Signature	Approximate age of old unit				
Date	. Water the stirre Such Co Network Co - C Steeting C Other				
Name (printed)	Water Heating Fuel: ☐ Natural Gas ☐ Electric ☐ Other Approximate age of old unit				
Customer Agreement					
I certify that I have read and agree to the terms and	Where did you learn about our rebates? □Bill insert				
conditions of the Commercial Prescriptive Rebate Program	□Billboard □Door Hanger □Email □Event □Facebook				
offered by Black Hills Energy.	□Flyer □Newspaper Article □Print Ad □Radio □TV				
Customer Signature	□Twitter □Website □Youtube				
Date	Other (please specify)				
□ Self Installed	Referral by: □Evaluator □Contractor/Dealer/Installer				
	Referration Deciritation Dealer/ Histalier				

Mail or email application and required documentation to:

Black Hills Energy c/o Energy Efficiency Programs P.O. Box 311 Hockessin, DE 19707

Email: blackhillsrebates@appliedenergygroup.com

□Friend/Family □Other (please specify) _____

ADDITIONAL INFORMATION

For more information or to download additional applications visit www.energy-ready.com or call our toll-free help line at 800-426-5784.

Terms And Conditions

- Participant must be a Black Hills Energy commercial or industrial electric customer located in Colorado.
- 2. Customer must purchase and install the new equipment prior to submitting a rebate application.
- A final itemized invoice for all equipment, materials and labor related to the installation must be attached to this rebate application. Applications must be completed in full. Incomplete or incorrect applications will delay processing and may be returned.
- 4. Specification sheets must be submitted along with the completed application.
- 5. Purchase and installations must be completed between January 1, 2024 and December 31, 2024. Applications for work done must be received by January 15, 2025.
- All rebate applications are reviewed for costeffectiveness and must pass the Black Hills Energy costeffectiveness test.
- Multiple rebate applications may be submitted. Each individual measure will be evaluated on its own merits.
- 8. The total rebate amount per application will be no more than 50% of the total labor, material, and equipment costs shown on itemized invoices for qualifying measures. Black Hills Energy reserves the right to adjust the rebate amounts based on final project costs as indicated on customer provded invoices.
- Rebates calculated to exceed \$50,000 will be evaluated to determine whether the high rebate cost is beneficial to the program. Incentives are capped at one-third of the total program incentives per facility for a given program year, or as program budget allows.
- New equipment must be installed on the premises and must not be purchased for resale. Used/refurbished/ repaired/rebuilt equipment does not qualify for this rebate.
- This program is subject to regulatory rules and orders.
 Black Hills Energy reserves the right to change or to end any portion of this program without notice.
- 12. Black Hills Energy reserves the right to inspect and verify any equipment before or after the proposed project installation.

Verification

An itemized invoice or sales receipt indicating date of installation, dealer/ contractor name, equipment manufacturer name and model number, quantity, and manufacturer equipment cut sheet must accompany the rebate application. Incomplete applications may be delayed. Black Hills Energy reserves the right to verify sales receipts, canceled checks, and installations.

Tax Information

Rebates may be subject to federal and/or state income tax reporting. Applicant is responsible for contacting a qualified tax advisor to determine tax liability. Black Hills Energy is not responsible for any tax consequences of the rebate program.

Additional Information

Funding for these rebates is limited. Applications will be processed on a first-come, first-serve basis. Additional information and assistance can be obtained by calling 800-426-5784 or visiting www.energy-ready.com

Disclaimer

Black Hills Energy does not guarantee that installation of equipment qualifying for rebates will result in reduced energy usage or demand, or in cost savings. The Customer will hold harmless Black Hills Energy and its officers, directors, shareholders, agents, employees, and representatives from all claims, liabilities, fines, interest, costs, expenses, and damages incurred by the Customer, for any damage, injury, death, loss or destruction of any kind to persons or property, to the extent the damage, injury, death, loss or destruction arises out of or is related to the conduct, negligence, willful misconduct, misrepresentation, breach of warranty or other breach of this rebate form on the part of Black Hills Energy.