



New York Energy \$martSM Loan Fund
Program Opportunity Notice (PON) 1060
Amended July 31, 2009

Applications accepted September 1, 2007 through October 30, 2009

The New York State Energy Research and Development Authority (NYSERDA) announces an extension through October 30, 2009 to Program Opportunity Notice (PON) No. 1060 to seek applications from 1) potential Borrowers for Interest Rate Reductions on Loans from Participating Lenders for certain eligible energy efficiency improvements and renewable technologies; and from 2) potential Participating Lenders who wish to offer their customers access to the Loan Fund. Interest Rate Reductions are available for qualified Existing 1-4 Family Homes, Existing Residential Multifamily Buildings, Residential PV and Wind electric generation projects, and ENERGY STAR[®] Appliances. A Borrower's access to the Loan Fund is contingent upon prior approval through: the Home Performance or Assisted Home Performance with ENERGY STAR[®] Program, the Multifamily Performance Program, the Con Edison Gas Efficiency Performance Program, or the **New York Energy \$martSM** PV or Wind Incentive Programs.

The Loan Fund is a component of the **New York Energy \$martSM** Program, a public benefit program designed to lower electricity costs by encouraging energy efficiency. One of the goals of the Loan Fund is to demonstrate to financial institutions the economics of lending for energy efficiency projects.

If changes are made to the list of Pre-Qualified Measures, Interest Rate Reduction, or other program terms, a notification will be published on NYSEDA's Web site at www.nyserda.org/loanfund. NYSEDA may modify Program terms as set forth in the Policies and Procedure Manual and the Application Kits. The Loan Fund currently offers Eligible Borrowers Interest Rate Reductions of up to 4.0% less than a Participating Lender's normal market interest rate. This Interest Rate Reduction may be adjusted by NYSEDA to maintain a Program interest rate floor of 3.0%. Incentives will not be paid for measures if the Loan Fund application was received after the date the measure was removed from the Pre-Qualified Measures Worksheet. See the **New York Energy \$martSM** Loan Fund Policy and Procedures Manual for more detailed information.

Eligible Borrowers must use funds for eligible energy efficient improvements to facilities that are assessed 1) the System Benefits Charge (SBC) by one of the following entities: Central Hudson Gas & Electric Corporation, New York State Electric & Gas Corporation, National Grid, Rochester Gas and Electric Corporation, or Orange and Rockland Utilities, Inc.; 2) the SBC or the Monthly Adjustment Clause (MAC) by Consolidated Edison Company of New York, Inc.; or 3) the Monthly Rate Adjustment applicable to certain Con Edison Firm Gas Commercial customers.

Eligible Participating Lenders include commercial banks, savings and loan associations, credit unions, farm credit associations, community development financial institutions, and other financial institutions regulated by New York State and Federal regulatory agencies. Eligible Participating Lessors must be leasing subsidiaries of bank holding companies or bank-owned leasing companies.

Questions about the program may be directed to 1-866-NYSERDA or by email to resloanfund@nyserda.org. Application forms and lender documents may be obtained from the NYSERDA Web site at www.nyserda.org/loanfund, by contacting Joseph DeRosa at jgd@nyserda.org, or by mail:

Joseph DeRosa, PON 1060
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

GENERAL CONDITIONS

PROPRIETARY INFORMATION - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your application. The applicant should determine whether the information is critical for evaluating an application or whether general, non-confidential information may be adequate for review purposes. The New York State 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 applicant wishes to have treated as proprietary, including 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 exempt it from disclosure, including a written statement of the reasons why the information should be exempted. See Public Officers Law, Section 89(5) and the procedure set forth in 21 NYCRR Part 501. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

MINORITY- AND WOMEN-OWNED BUSINESS POLICY -- 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:

New York State Department of Economic 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:

New York State Department of Economic Development
Minority and Women's Business Development Division
30 South Pearl Street
Albany, NY 12245

DISCLOSURE REQUIREMENT - The proposer shall disclose any indictment for an 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.

PON 1060 is amended to extend the open enrollment period to October 30, 2009 at 3:00PM EST. There are no changes from the previous Terms and Conditions of the Loan Fund.