

## BC Hydro Retail Program Instant Discounts Fall 2022

### (the “Offer”)

#### Official Terms and Conditions

##### 1. AGREEMENT TO BE LEGALLY BOUND BY TERMS AND CONDITIONS

Customers who participate in the Offer (with respect to both in-store and online purchases) (each a “Customer” and Collectively “Customers”), are subject to and legally bound by these terms and conditions (the “Terms”).

##### 2. PROGRAM SPONSOR AND FUNDERS

The Offer is sponsored, administered and funded by British Columbia Hydro and Power Authority (“BC Hydro”).

For the purposes of these Terms, BC Hydro, its subsidiary or affiliated entities, and each of their respective officers, directors, employees, agents, contractors, representatives, successors, assignees, and those for whom they may be responsible at law shall be collectively referred to as the “Released Parties”.

##### 3. CUSTOMER ELIGIBILITY

“Eligible Customers” are those persons living at a valid mailing address located within [BC Hydro’s electrical service territory](#) who have purchased an Eligible Product (as per Exhibit A) at a Participating Retailer (as per Paragraph 7) during the applicable Purchase Period (as per Paragraph 8). BC Hydro shall have sole discretion to determine whether a person is an Eligible Customer for the purposes of the Offer and BC Hydro’s determination shall be final.

##### 4. THE OFFER

Eligible Customers who purchase an Eligible Product(s) at a Participating Retailer and meet all the requirements of these Terms may be eligible for an Instant Discount(s) (defined below) on the after-tax purchase price of an Eligible Product(s) at retailer point-of-sale.

- Eligible Products
  - Exhibit A to these Terms lists the authorized eligible products for the Offer (the “Eligible Products”).
- Eligible Instant Discounts (collectively, the “Instant Discounts”):
  - **Thermostats:**
    - \$30 off select smart thermostats for electric (line voltage) heating.

- Eligible Product Limitations:

- **Thermostats:** Discount is per thermostat. Max 5 Instant Discounts per retailer SKU per customer.

Payment of any of the Instant Discounts is subject to the availability of funding by BC Hydro and the supply of Eligible Products available at Participating Retailers during the applicable Purchase Period. No rainchecks. Instant Discount amounts, Offer funding, and Eligible Products may be modified or terminated at any time without notice at the sole discretion of BC Hydro. BC Hydro does not guarantee and is not responsible for the availability of Eligible Products or Instant Discounts (either in-store or online) at Participating Retailers or lack thereof.

## 5. PARTICIPATING RETAILERS

Eligible Products must be purchased at the following “Participating Retailers”. Purchases of Eligible Products at other retailers are not eligible for a discount.

- **Thermostats for electric heat:** Mysa and Sinope.

## 6. PURCHASE PERIODS AND KEY DATES

Eligible Products must be ordered, purchased and paid in full between the following dates and times (each a “Purchase Period”).

- **Thermostats:** 12:00 AM PDT October 7, 2022 – 11:59 PM PST March 31, 2023.

No exceptions will be made under any circumstances for purchases of Eligible Products made outside of the applicable Purchase Period.

The Purchase Periods (including the scheduled start dates and end dates) may be modified or terminated at any time without notice at the sole discretion of BC Hydro.

## 7. PAYMENT OF INSTANT DISCOUNTS AND ADDITIONAL MANUFACTURER INSTANT DISCOUNTS AND PARTICIPATION

Instant Discounts are provided directly to Eligible Customers at point-of-sale by reducing the after-tax purchase price of Eligible Products purchased in-store or online at a Participating Retailer during the applicable Purchase Period. Instant Discounts may only be available for either in-store or online purchases at certain Participating Retailers.

Additional Manufacturer Instant Discounts are provided directly to Eligible Customers at point-of-sale by reducing the after-tax purchase price of select Eligible Products purchased in-store or online at select Participating Retailers during the applicable Purchase Period.

No application is required to receive Instant Discounts.

- Online

For online purchases, Instant Discounts are only for Eligible Customers who reside within BC Hydro's electrical service territory as defined by the postal code of the Eligible Customers shipping address.

## 8. MODIFICATION AND/OR TERMINATION OF OFFER (INCLUDING PURCHASE PERIODS)

BC Hydro in its sole discretion reserves the right to shorten, extend, suspend, modify or cancel the Offer (including the Purchase Periods and the scheduled start dates and end dates) at any time, without notice or obligation for any reason.

BC Hydro in its sole discretion reserves the right to terminate the Offer, including without limitation the Terms governing the Offer, at any time, without notice or obligation, for any reason.

By participating in the Offer, the Customer acknowledges that BC Hydro is voluntarily sponsoring, administering and funding the Offer. The Customer agrees that BC Hydro and its subsidiary or affiliated entities, and each of their respective officers, directors, employees, agents, contractors, representatives, successors, assignees, and those for whom they may be responsible at law, have no liability for any claim, action, loss or demand, direct or indirect, which may result from the Customer's participation in the Offer, the Customer's breach of the Terms, or BC Hydro's payment or non-payment of Instant Discounts.

By participating in the Offer, the Customer agrees to indemnify BC Hydro from all claims, losses, liabilities, damages and costs made or suffered by third parties, and all loss, liabilities, damages and costs suffered by the Released Parties, which relate or arise out of breach or misuse by the Customer of these Terms or the Customer's participation in the Offer.

## 9. GENERAL CONDITIONS

The Customer is solely responsible for the selection, purchase, installation, operation, ownership and maintenance of the Eligible Product(s). The Customer understands that the Released Parties make no representation or warranty, whether expressed or implied in respect of any Eligible Product(s) that the Customer has purchased. The Customer agrees that the Released Parties have no liability concerning any estimated energy savings of any Eligible Product(s), services or measures, or the installation, performance, use or fitness of the any Eligible Product(s) for the Customer's purpose. The Customer is purchasing any Eligible Product(s) at the Customer's own risk and the Customer is responsible for complying with any laws, regulations or by-laws regarding permits, codes, restrictions or inspections with respect to installation and use of any Eligible Product(s).

BC Hydro is not responsible for any rebate(s), discount(s) or incentive(s) offered or provided by any manufacturer, distributor, dealer or installer with respect to any Eligible Product, which is separate and distinct from the Offer.

BC Hydro decisions relating to the Offer, including without limitation product eligibility, customer eligibility, types and amount of discounts, dates and timelines, shall be final and binding and not subject to appeal.

The Customer acknowledges that BC Hydro is a regulated utility and agent of the Province of British Columbia and that BC Hydro is a public body under the BC *Freedom of Information and Protection of Privacy Act* and associated regulations, and agrees that any personal information BC Hydro collects in respect of the Offer is subject to the *Freedom of Information and Protection of Privacy Act* and associated regulations, as amended or replaced from time to time.

For questions regarding the Offer, please email [appliancerebate@bchydro.com](mailto:appliancerebate@bchydro.com).

#### EXHIBIT A – ELIGIBLE PRODUCTS AND ADDITIONAL MANUFACTURER INSTANT DISCOUNTS

The Eligible Products for each product category are provided below. Eligible Product lists may be updated to reflect changes to the Offer, product or partner eligibility, or for any other reason at any time without notice, in BC Hydro's sole discretion.