

WATER HEATER FITNESS PROGRAM AGREEMENT

The following is an agreement between Union Rural Electric Cooperative, Inc., hereinafter called "Cooperative", and _____, hereinafter called "Member."

The Cooperative agrees to repair or replace the elements, thermostats, and/or resets on the member's electric water heater at the location described below.

The member agrees to permit the Cooperative to have the Radio Control Switch (RCS) installed for a minimum of twelve (12) months following any service provided by the Cooperative on the electric water heater. If the member removes or requires the RCS to be removed following service on the electric water heater prior to the completion of the twelve (12) month period, the member shall pay to the Cooperative the full amount of the service.

This Water Heater Fitness Program replaces any prior billing incentives offered by the Cooperative.

The Cooperative may discontinue the program at any time without notice to the member. In the event the program is terminated, Member may cause the Cooperative to remove the RCS at the Cooperative's sole expense.

The Member agrees that the Cooperative shall not be liable for any damages to or by reason of damage to any property of any Member, whether realty or personally, or for any personal injury, whether such damages are direct, indirect, consequential or otherwise by way of the Cooperative's breach of any term contained in this Agreement. The Member agrees that its sole remedy for any breach shall be the cause of the removal of the RCS.

The Cooperative shall not be liable to repair any element, thermostat or reset that has been damaged by the intentional, willful or wanton acts of Members or persons under the control of Members.

The Member agrees that the Cooperative will provide repair service by licensed contract plumbers or electricians who are not the agents of the Cooperative. The Member agrees to hold the Cooperative harmless from any and all acts of the contract plumber or electrician including, without limitation, negligence, intentional acts, criminal acts, gross negligence, breach of contract or warranty and any other act of said contract plumber or electrician.

Name of Member _____

Map Location _____ - _____ - _____ Account _____

Service Address _____

City _____ Zip _____

Home phone (____) _____ Work phone (____) _____

Member Signature: _____

Signed: _____

Union Rural Electric Cooperative, Inc.

