

Promotion Rules and Regulations

OFFICIAL RULES for the EPCOR Efficiency Club Rewards Program

EPCOR Energy Alberta Inc. ("EPCOR") (the "Sponsor") is pleased to present the EPCOR Efficiency Club Rewards Program (the "Promotion"), subject to the following Official Rules (the "Rules").

1. ELIGIBILITY FOR THE CONTEST

The Promotion is only open to all EPCOR RRO and Edmonton Water customers as well as individuals who are 18 years of age or older and who are permanent residents of Alberta, Canada both on the date of entering the Promotion and on the date of the selection of Potential Winners for each quarter (see Section 8 of these Rules below). EPCOR reserves the right to determine whether or not an individual that has been automatically entered into the Promotion is an EPCOR RRO or Edmonton Water customer or a permanent resident of Alberta, Canada.

Notwithstanding the foregoing, employees of EPCOR and their respective "Affiliates" (as that term is defined in the *Business Corporations Act (Alberta)*), immediate family members of the foregoing employees (i.e., spouses, parents, children and siblings) and persons living in the same household as the foregoing employees are not eligible to enter the Contest.

2. NO PURCHASE NECESSARY

No purchase is necessary to participate in the Promotion. Entries to the Promotion may be submitted by the internet (via Web Self-Serve), by mail, email or fax, as described in these Rules.

3. PROMOTION PERIOD

The Promotion Period starts at 12:00:00 a.m. on Thursday, November 1, 2012 and continues until 11:59:59 p.m. on Tuesday, December 31, 2013 (the "Promotion Period"). (All times indicated in these Rules are local time in Edmonton, Alberta, Canada, as determined by Mountain Standard Time (MST) or Mountain Daylight Saving Time as may be applicable from time to time.) The

time maintained by the internet hosting service used by EPCOR is the official time keeping device for this Promotion. Note that there is 1 draw for Q4 2012 and 1 draw at the end of each quarter for 2013, for a total of 5 different draws during the Promotion period and each draw has a different draw eligibility period within the Promotion Period. See Sections 5 and 8 for more details on the eligibility requirements.

4. PRIZES

There are 3 prizes to be awarded the month following the end of each quarter throughout the Promotion period for a total of 15 prizes each consisting of a selection of energy efficiency products or water efficiency products. The minimum retail value of the selected efficiency products is \$300.00 CAD. The maximum retail value of the selected efficiency products is \$500.00 CAD. The actual retail value of the products depends on the selected make, model and specific features of the selected products. No financial compensation will be made if the actual retail values of the prizes as awarded differ from the approximate retail values indicated above.

Failure to accept a prize as awarded will result in forfeiture of the prize without any compensation. Prizes may not be sold, transferred, assigned, substituted or converted into cash, except at the sole and absolute discretion of EPCOR.

Notwithstanding anything in these Rules, EPCOR reserves the right, in their sole and absolute discretion, to substitute a prize in whole or in part for an alternate prize of equal or greater value than the approximate retail value of the applicable prize or for a cash prize not exceeding the approximate retail value of the applicable prize.

5. ENTERING THE CONTEST

Entries to the Promotion must be made by the methods described below. In all cases, any electronic submissions (via Web Self-Serve) must be made and any mail, email, or fax submissions must be actually received at the specified address by the dates indicated in Section 8 to be eligible for the Promotion draws.

Upon successful receipt of the entry to the Promotion by EPCOR, you will be automatically entered in the Promotion. All entries become the property of EPCOR and will not be acknowledged or returned in any form.

All entries that are incomplete, irregular, illegible or submitted through prohibited means or by individuals who are not eligible for the Contest will be automatically disqualified from participating in the Promotion. Entries generated by script, macro, robotic, programmed or automated means or by any method not permitted by these Rules are prohibited.

Entries for the Promotion will be made automatically for EPCOR RRO and Water customers as specified below and may also be made by submitting an essay.

(i) Automatic Entry

EPCOR RRO and Edmonton Water customers will be automatically entered into the Contest when they sign up for one of EPCOR's customer care efficiency options, Authorized Payment Withdrawal (APW) service, Equal Payment Plan service (EPP), epostTM paperless billing, or Web Self-Serve online account access (register for Web Self-Serve) during the Promotion Period. Each efficiency options will qualify as 1 entry for the promotion prize offering.

All EPCOR RRO and Edmonton Water customers who are already signed up for any or all of EPCOR's customer efficiency options Authorized Payment Withdrawal (APW) service, Equal Payment Plan service (EPP), epostTM paperless billing, or Web Self-Serve online account access (register for Web Self-Serve) will be automatically entered for each draw of the Promotion (see Section 8 for details).

(ii) By Essay

You may enter the Contest to win one of the Prize offerings by composing an essay on the benefits a company offers its customers by providing them services such as Authorized Payment Withdrawal (APW), Equal Payment Plan (EPP), epost paperless billing, or Web Self-Serve. On a blank piece of paper, include your legal first and last name, mailing address, daytime telephone number, and, if desired, your e-mail address, and mail it with your essay to the following address:

EPCOR Efficiency Club Rewards Program, Operational Communications
2000 – 10423 101 Street NW
Edmonton, Alberta, T5H 0E8

Although eligible entries for the Prizes offerings will be randomly drawn (see section 8 of these Rules) and not judged on the content of the essay, each essay must be relevant to the above theme, be between 400 and 500 words in length

(without repetition of sentences or phrases) and written in English to be considered valid for the Promotion. You may not submit as any part of any essay any material that contains another person's confidential or private information or copyrighted or other materials. Each essay must be an original work, created by the entrant. Essays that do not, in the sole and absolute opinion of EPCOR, comply with these requirements will be disqualified and not be eligible to win one of the prizes.

By submitting an essay, you are granting EPCOR and its respective Affiliates and advertising agencies the right to reproduce and publish your essay, or any part thereof, without compensation in any form of media (including on the Internet), in its original or an edited format, for the purposes of operating this Promotion and promotional purposes in connection with this Promotion and you are assigning and/or waiving any copyright, moral rights or similar rights that you may have in the essay.

All essays, names, email addresses and telephone numbers, provided by any individuals who enter the Promotion by essay, will be destroyed at the conclusion of each quarterly draw. Under no circumstances will EPCOR reuse this information for any other marketing initiatives.

6. RULES AND DECISIONS FINAL AND BINDING

By entering the Promotion, whether by automatic entry or by essay submission, you fully and unconditionally agree to abide by these Rules and agree that all decisions of the employees and/or agents of EPCOR with respect to all aspects of the Contest are final and binding without right of appeal, including without limitation decisions relating to the eligibility and disqualification of entries. Notwithstanding the foregoing, the failure by EPCOR to enforce any term or condition of these Rules shall not constitute a waiver of that provision.

7. LIMITS ON NUMBER OF ENTRIES

Each household and eligible EPCOR RRO and Water customers, whether entered automatically or by essay, is permitted only one (1) entry in the Promotion for each of the 4 qualifying customer care efficiency options per quarter. In the event that more than one (1) entry per draw period is received for each of the 4 qualifying options, EPCOR may, in their sole and absolute discretion, accept only the first entry/entries received and disqualify all

subsequently received entries from the same household or EPCOR RRO and Edmonton Water customer entrant.

8. SELECTION OF POTENTIAL WINNERS AND ODDS OF WINNING

"Potential Winners" of prizes will be selected in accordance with the general procedures described below. In the event that a Potential Winner of a prize declines the applicable prize or forfeits the applicable prize by virtue of any circumstance provided for in these Rules, EPCOR may then, in their sole and absolute discretion, repeat the below procedures for as many times, on such alternative dates and times and with such modifications as they consider appropriate, to select an alternate Potential Winner.

There will be 5 separate draws on the dates indicated below at approximately 1:00 p.m. MST on each date at the head office of EPCOR in Edmonton, Alberta. The entries drawn on each date will be the Potential Winners of the prizes.

1. **January 14, 2013** – 3 entries will be randomly drawn from all active APW, EPP, epost paperless billing, and Web Self-Serve online account access customers (registered for Web Self-Serve) who signed-up on or before 11:59:59 pm December 31, 2012.
2. **April 15, 2013** – 3 entries will be randomly drawn from all active APW, EPP, epost paperless billing, and Web Self-Serve online account access customers (registered for Web Self-Serve) who signed-up on or before on or before 11:59:59 pm March 31, 2013.
3. **July 15, 2013** – 3 entries will be randomly drawn from all active APW, EPP, epost paperless billing, and Web Self-Serve online account access customers (registered for Web Self-Serve) who signed-up on or before 11:59:59 pm June 30, 2013.
4. **October 14, 2013** – 3 entries will be randomly drawn from all active APW, EPP, epost paperless billing, and Web Self-Serve online account access customers (registered for Web Self-Serve) who signed-up on or before 11:59:59 pm September 30, 2013.
5. **January 13, 2014** – 3 entries will be randomly drawn from all active APW, EPP, epost paperless billing, and Web Self-Serve online account access customers (registered for Web Self-Serve) who signed-up on or before 11:59:59 pm December 31, 2013.

Once an entry is drawn it will not be eligible to be drawn again for another prize for the current draw period. However, all active APW, EPP, epost paperless billing, and Web Self-Serve online account access customers (registered for Web Self-Serve) will be eligible for all future draw periods. The odds of winning the prizes in each draw depend on the number of eligible entries received during the

entry period for each draw and the number of existing automatic entries during the Promotion Period.

9. NOTIFICATION OF POTENTIAL WINNERS

Within three (3) business days after the selection of a Potential Winner, EPCOR will attempt to contact that Potential Winner by the following methods and will leave instructions to contact EPCOR by telephone:

- (i) if automatically entered in the Promotion, by telephone at the daytime telephone number indicated on the Potential Winners' EPCOR account, or if applicable, by e-mail at the address indicated on the Potential Winners' EPCOR account;
- (ii) if entered the Promotion by essay, by telephone at the daytime telephone number indicated on the Potential Winners' entry, or if applicable, by e-mail at the address indicated on the Potential Winners' entry.

In the event that EPCOR cannot contact the Potential Winner by telephone within ten (10) business days and after a minimum of three (3) telephone call attempts or, if applicable, by e-mail after a minimum of one (1) e-mail message, the Potential Winner will forfeit the applicable prize without any liability of EPCOR. EPCOR will not be responsible for failed attempts to notify any Potential Winner. Only Potential Winners will be contacted by EPCOR.

10. DECLARATION OF WINNERS

Before a Potential Winner is entitled to be declared an official "Winner" and receive the applicable prize, the Potential Winner must complete, sign and return to EPCOR the Declaration, Consent and Release Form, to be provided by EPCOR:

- a) providing a copy of photo identification showing his or her name, address and date of birth for the purpose of confirming his or her identity and eligibility for the Contest;
- b) confirming acceptance of the prize as awarded and confirming compliance with these Rules;
- c) releasing EPCOR, its respective Affiliates, their respective advertising and promotional agencies, each of their respective directors, officers, owners, partners, employees, agents, dealers, representatives, successors and

assigns and the Contest judges (collectively, the "Releasees") from any liability whatsoever arising out of, directly or indirectly, in whole or in part, the contestant's participation in the Contest or the receipt, possession, use or misuse of any prize, including but not limited to, personal injury, death, damage to or loss of property or economic loss;

- d) consenting to the use and disclosure of his or her or its name, city, photograph, likeness, voice and opinions without further notice or compensation, in any publicity or advertisement carried out by the Releasees in any manner whatsoever, including but not limited to, print, broadcast or the Internet;
- e) answering correctly, without any electronic or other personal aid, the mathematical skill-testing question appearing on the Declaration, Consent and Release form; and
- f) such further terms and conditions as specified in these Rules.

Failure by a Potential Winner to complete, sign and return the Declaration, Consent and Release Form within fourteen (14) business days of it being delivered to the Potential Winner's address will automatically result in the Potential Winner forfeiting the applicable Prize without any liability of EPCOR.

11. PRIVACY AND COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION

By entering the Promotion, whether by automatic entry or by essay submission, you are consenting to the collection, use and disclosure of your personal information for the purposes of entering the Contest, and participating in the Contest, including but not limited to, receiving any prize should you win, enabling EPCOR to operate the Contest and permitting EPCOR, their respective Affiliates and their respective advertising agencies to undertake promotional activities in connection with the Contest.

12. WAIVER OF LIABILITY

By entering the Promotion, whether by automatic entry or by essay submission, you release, indemnify and hold harmless EPCOR, their respective Affiliates, their respective advertising and promotional agencies, each of their respective directors, officers, owners, partners, employees, agents, dealers, representatives, successors and assigns and the Contest judges (collectively, the

"Releasees") from any liability in connection with this Contest or, if declared a Winner, the prizes.

Without limiting the generality of the foregoing, you acknowledge that the Releasees will not be held responsible or liable for:

- a) any errors or omissions in printing or advertising in these Rules or other materials relating to the Promotion;
- b) any attempts to participate in the Promotion or, if required, to download any information necessary to participate in the Promotion;
- c) any injury or damage to you or any other person's computer related to or resulting from playing or downloading any material in the Promotion;
- d) the failure to receive entries or to contact Potential Winners due to transmission failures or technical failures of any kind, including but not limited to, problems with telephone network or lines, computer on-line systems, servers, access providers, computer equipment, software, email or traffic congestion on the Internet or at any website;
- e) late, lost, delayed, damaged, misdirected or incomplete entries;
- f) any human or computer-generated error in compiling the contestants' names or awarding the prizes;
- g) the collection, use or disclosure of your personal information to permit the Releasees to operate the Promotion and to undertake promotion activities in connection with the Promotion; or
- h) any liability whatsoever arising out of, directly or indirectly, in whole or in part, your participation in the Promotion or receipt, possession, use or misuse of any prize, including but not limited to, personal injury, death, damage to or loss of property or economic loss.

By entering the Promotion, whether by automatic entry or by essay submission, you further acknowledge and agree that:

- a. EPCOR makes no warranty, guaranty or representation of any kind, implied or express, regarding the products, materials or services that comprise the prizes, which are provided "as is", "where is" and "with all faults"; and
- b. EPCOR has no responsibility for and no duty to perform any warranties that may be provided by the manufacturer or supplier of the product, material or service that comprise the prizes.
- c. EPCOR will only deliver the prize to an address within the Province of Alberta

13. MODIFICATION, SUSPENSION OR CANCELLATION OF CONTEST

If, for any reason, any portion of the Promotion is not capable of being undertaken as planned or if the administration, security, fairness, integrity, or proper conduct of the Promotion is corrupted or adversely affected, including but not limited to, any reason of infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failures or any other causes, EPCOR reserves the right to cancel, terminate, modify (including extending the Contest Period) or suspend the Promotion without individual notice. Any such notice will be posted on EPCOR's website and on the Payments section of EPCOR's website.

14. GOVERNING LAWS AND DISPUTES

This Promotion is subject to all federal, provincial and municipal laws and regulations in force in the Province of Alberta and is valid only in the Province of Alberta.

All issues and questions concerning the construction, validity, interpretation and enforceability of these Rules, or the rights and obligations of contestants and EPCOR in connection with the Promotion, will be governed by and construed in accordance with the laws of the Province of Alberta and the laws of Canada, as applicable in the Province of Alberta.

By entering the Promotion, whether by automatic entry or by essay submission, you agree that any and all disputes, claims and causes of action arising out of or connected with the Promotion or any Prizes awarded shall be resolved exclusively by the Courts of the Province of Alberta.

15. WARNING

In the event of an attempt to deliberately damage any website or to undermine the legitimate operation of the Promotion, EPCOR reserves the right to seek remedies and damages to the fullest extent permitted by law, including criminal prosecution.

16. FURTHER INFORMATION

If you have any questions regarding this Contest write to:

EPCOR Efficiency Club Rewards Program, Operational Communications
2000 – 10423 101 Street NW
Edmonton, Alberta, T5H 0E8

Please include an email address and/or phone number for quicker response.

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