



Banc of America Public Capital Corp  
100 Federal Street  
Boston MA 02110  
Phone: 617.434.0227  
Fax: 617.434.1814

*Timothy J. Dee*  
*Managing Director*

e-mail: [timothy.j.dee@bankofamerica.com](mailto:timothy.j.dee@bankofamerica.com)

June 8, 2009

Re: Energy Savings Performance Contracts (ESPC)  
Financing of ESPC Projects

To Whom It May Concern:

Bank of America, through its subsidiary Banc of America Public Capital Corp (“BAPCC”), regularly finances energy savings projects throughout the United States for various market sectors, including municipal customers, and we continue to be interested in opportunities to provide a financing solution for prospective energy performance contracting projects.

BAPCC is a leading provider of tax-exempt equipment finance solutions to the municipal/tax-exempt market. Our experience includes originating and arranging a variety of municipal and tax-exempt financings. Our Energy & Power Finance group offers a wealth of financial, structural and general industry expertise to assist the transaction parties with economically efficient and smooth closings. Our team is highly experienced in documenting and closing tax-exempt lease purchase transactions.

We are confident that we will provide exceptional resources, and look forward to the opportunity to work on this important energy efficiency initiative.

Please note that this letter is not a commitment or offer to finance, and does not create any obligation of Bank of America or any of its subsidiaries. Bank of America will not be responsible or liable for any damages, consequential or otherwise, that may be incurred or alleged by any person or entity, including [you], as a result of this letter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy J. Dee".

Timothy J. Dee  
Managing Director

## BANK OF AMERICA ENVIRONMENTAL INITIATIVE

- **1992:** Board approves and publishes environmental principals describing the Bank's commitment to the environment
- **2002:** Bank of America establishes a centralized energy investment pool to invest in energy efficiency technologies.
- **2004:** Bank of America adopts a sustainable forest policy within GCIB and sets aggressive, voluntary goals to reduce greenhouse gas emissions across the company by 9% by 2009. As a means of meeting the targets, the Bank implements and installs energy efficient controls and systems in many Bank offices and sets timelines for retrofitting virtually all offices. In November 2004, Bank of America is awarded the "Star of Energy Efficiency Award" from the Alliance to Save Energy.
- **2005:** Bank receives California's "Flex Your Power Energy Conservation Award" and North Carolina's "Leadership in Sustainable Energy Award" for the Bank's successful energy conservation initiatives and commitment. Bank also receives the "Corporate Climate Champion Award" at the Global Warming Solutions Conference in NYC.
- **2006:** Bank of America announces program to reimburse associates by \$3,000 for the purchase of hybrid vehicles. Bank of America and its customers support forest conservation with "Go Paperless Statement" campaign and \$500,000 pledge to the Nature Conservancy.
- **2007:** Bank of America announces a \$20 billion commitment to environmental and energy saving technologies and initiatives.
- **2008:** Bank of America is awarded the State of California 2008 Governor's Environmental and Economic Leadership Award, California's highest and most prestigious environmental honor.