

ECONOMIC REDEVELOPMENT
RIDER ERD-5

AVAILABILITY

Available, only at Company's option, to nonresidential establishments receiving service under Company's Medium General Service, Small General Service (Time-of-Use), Large General Service, or Large General Service (Time-of-Use) Schedules provided that the premise served is not classified as Retail Trade or Public Administration by the Standard Industrial Classification (SIC) Manual published by the United States Government.

This Rider is available for load associated with an existing premise served or previously served by Company, provided the premise is unoccupied and otherwise dormant for a minimum period of 60 days, as determined by Company. The Load eligible under this Rider must be a minimum of 500 kW at one point of delivery. In addition, the requested service necessary to serve the New Load must not result in additional investment in distribution facilities by Company, other than minor alterations to accommodate Customer's electrical requirements. To qualify for service under this Rider, Customer must meet the qualifications under A. or B. below:

- A. Customer employs an additional workforce in Company's service area of a minimum of thirty-five (35) full time equivalent (FTE) employees. Employment additions must occur following Company's approval for service under this Rider.
- B. Customer's New Load must result in capital investment of two hundred thousand dollars (\$200,000), provided that such investment is accompanied by a net increase in full time equivalent employees employed by Customer in Company's service area. The capital investment must occur following Company's approval for service under this Rider.

This Rider is not available to a new customer that results from a change in ownership of an existing premise. However, if a change in ownership occurs after Customer contracts for service under this Rider, the successor Customer may be allowed to fulfill the balance of the contract under Rider ERD and continue the schedule of credits outlined below. This Rider is also not available for resumption of service following interruptions such as equipment failure, temporary plant shutdown, strike, or economic conditions. This Rider is also not available for: (1) load shifted from one establishment or delivery on Company's system to another on Company's system; (2) short-term, construction, or temporary service; or (3) for service in conjunction with Economic Development Rider ED or a curtailable load rider.

DEFINITIONS

New Load

New Load is that which is added to Company's system by a customer beginning the occupation of an existing unoccupied premise.

Delivery Date

The Delivery Date is the first date service is supplied under the contract.

Operational Date

The Operational Date shall be the date the premise is fully operational, as declared by the Customer, but shall be no more than twelve (12) months after the Delivery Date.

Month

The term "month" as used in this Rider means the period intervening between readings for the purpose of monthly billings. Readings will be collected each month at intervals of approximately thirty (30) days.

Load Factor

For purposes of this Rider, Load Factor is equal to the kilowatt-hours (kWh) used during the billing month divided by the product of the maximum 15-minute kW demand registered or computed times 730 hours.

GENERAL PROVISIONS

1. Customer must make an application to Company for service under this Rider and Company must approve such application before Customer may receive service hereunder. The application must include a description of the amount of and nature of the New Load and the basis on which Customer requests qualification shown in A. or B. under Availability above. In the application, Customer must affirm that the availability of this Rider was a factor in Customer's decision to locate the New Load on Company's system. The application shall also specify the total number of full time equivalent employees (FTE) employed by Customer in all establishments receiving electric service from Company's system at the time of application for this Rider and on the expected Operational Date.
2. Customer must agree to a minimum contract term of five (5) years, with the credits being available for a maximum period of one (1) year immediately following the Operational Date.
3. To continue service under this Rider, Customer must maintain a monthly load factor of 40%, as defined above.
4. All terms and conditions of Company's rate schedule shall apply to the service supplied to Customer, except as modified by this Rider.

MONTHLY BILLING

The Monthly Billing shall be the amount computed under the applicable schedule and other riders with which this Rider is used less a credit during months 1 through 12 after the Operational Date. The credit shall be 25% of the total bill for contract demands less than 1,000 kW and 50% of the total bill for contract demands of 1,000 kW or greater, including the Basic Customer Charge, Demand Charge, and Energy Charge, but excluding any other rider or miscellaneous charges such as charges for additional facilities. The credit shall be zero (\$0) for months when Customer's monthly load factor, as defined above, is less than 40%.

CONTRACT PERIOD

Each customer shall enter into a Service Agreement to purchase electricity from Company for a minimum original term of five (5) years, and thereafter from year to year upon the condition that either party can terminate the Service Agreement at the end of the original term, or at any time thereafter, by giving at least twelve (12) months previous notice of such termination in writing. If Customer requests a change in rate schedule from that which was approved in conjunction with this Rider, the monthly credit will no longer be available. Such a change will be allowed upon thirty (30) days written notice to Company. If at any time during the term of contract under this Rider, Customer violates any of the terms and conditions of the Rider or the Service Agreement, Company may discontinue service under this Rider without notice and bill Customer under the applicable schedule without further credits. In the event electric service is terminated or the Contract Demand is reduced by Company or Customer before the end of the Contract Period, Customer shall pay Company in addition to all other applicable charges, the sum of all Discounts received, plus interest, for the New Load that will no longer be served by Company. The rate of interest shall be the rate per annum paid by Company for electric service deposits pursuant to Commission Rule R12-4.

Supersedes Rider ERD-3
Effective for service rendered on and after December 14, 2006
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