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**GAS RATE NO. 30**

**RETAIL POWER GENERATION GAS SERVICE**

**AVAILABILITY**

Availability of gas service under this rate schedule shall be determined by the Utility on a case-by-case basis, which determination shall be within the Utility's discretion. Service hereunder shall also be subject to the prior approval of the Commission of the written contract between the Utility and Customer and subject to revocation, amendment or rescission by the Commission under applicable law.

**APPLICABILITY**

This rate schedule shall be applicable to any retail power generation customer that agrees to receive service hereunder pursuant to a written contract with the Utility. No aggregation of facilities is permitted. For Customer to be eligible for service hereunder, Customer must establish by verified statement to the Utility, and Utility must first determine, in its reasonable discretion, that (1) the service to be provided under this rate schedule is required to enable Utility to enhance or attract the load provided to Customer by Utility, that (2) the service provided under this rate schedule at the location to be served is to be utilized for retail power generation, and that (3) at least one of the following factors are applicable: (a) Customer can operationally and with reasonably certain cost savings engage an alternate energy source; or (b) Customer has the required equipment in place and can operationally and economically utilize an energy source other than the service to be supplied by Utility which can displace or substantially reduce Utility's provision of service to Customer.

The service provided to Customer under this Rate Schedule is for the purpose of utilizing the Utility's distribution system to transport gas supplies owned by the Customer for retail power generation. Customers who qualify for such service will, by written contract, agree to take utility service under this rate schedule for a period of no less than five (5) years. This rate schedule is applicable to gas used by a single retail power generation customer through one or more meters supplying one specific contract location in any one month or any portion thereof. Service under this rate schedule shall be available to only those retail power generation customers who meet all regulatory requirements related to the transportation and use of such gas.

**CHARACTER OF SERVICE**

This rate schedule applies to the provision of gas service for retail power generation. Retail power generation, as used in this Gas Rate No. 30, means the generation of electricity or steam for sale to the public. Gas service provided hereunder shall be metered and billed separately from gas service provided under any other rate schedule.

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**GAS RATE NO. 30 – RETAIL POWER GENERATION GAS SERVICE (Cont'd)**

**RATES AND CHARGES**

The monthly rates and charges for gas service provided hereunder shall be stated in the written contract between Utility and Customer. Such rates and charges shall be sufficient to recover the incremental costs to serve said Customer and to make a contribution to the Utility's fixed costs. The level of rates and charges shall depend upon Utility's assessment of the factors set forth in the Applicability section of this rate schedule, as well as other reasonable factors including, but not limited to, the quantity and quality of gas service used or to be used, and the purpose for which such gas service is used or will be used. Except as may otherwise be ordered by the Commission, written contracts setting forth the specific rates and charges pursuant to Gas Rate No. 30 shall be filed with and approved by the Commission, and such contracts shall incorporate by reference this rate schedule. The rates and charges are subject to revision by the Commission as provided by law.

**CONTRACT**

Customer shall enter into a written contract with Utility which specifies the rates and charges and the terms and conditions of the gas service to be provided hereunder. The written contract shall include any terms and conditions reasonably required by Utility, including, but not limited to, a term of at least five (5) years.

Commission approval of the written contract between Utility and Customer is a condition precedent to the provision of service by Utility to Customer hereunder. The Commission may approve written contracts between Utility and Customers pursuant to the Commission's thirty (30) day filing process.

**CURTAILMENT**

When sufficient quantities of gas are not available to meet all existing and reasonably anticipated demands of Customers served under this rate schedule and all other rate schedules, or to protect Utility's system, which determinations shall be within Utility's sole discretion, Customer shall, as provided in the written contract between Utility and Customer, and upon notice from Utility, curtail use of gas to such extent and during such periods as Utility shall specify. If no provision is made in the written contract, curtailment shall be governed by the Utility's General Terms and Conditions.

Gas usage by Customer during a curtailment period in excess of the quantity allowed shall be considered unauthorized gas usage and shall be subject to the unauthorized gas usage charge set forth in the written contract between Utility and Customer, or in the Utility's General Terms and Conditions.

**RULES AND REGULATIONS**

Except as otherwise provided in the written contract between Utility and Customer, gas service under this rate schedule shall be subject to Utility's General Terms and Conditions. Gas service under this rate schedule shall be subject to the Commission's Regulations.