

ELECTRIC SERVICE SCHEDULE NO. 38 - Continued

PREFACE: (continued)

5. Subject to the specific tariff provisions provided below, the general timelines and deadlines for actions or responses for Developers and the Company in this tariff are summarized here for convenience, along with references to the relevant tariff provisions:
- a) Company must provide Developer illustrative, pro forma contract within seven (7) days of request [Section I.B.1];
 - b) Developer may request indicative pricing at any time by submitting required information [Section I.B.2];
 - c) Company must notify Developer whether request for indicative pricing is complete within seven (7) days of submission [Section I.B.3];
 - d) Company must provide indicative pricing within thirty (30) days of notice of completeness [Section I.B.4];
 - e) Developer must request draft power purchase agreement and submit required information within sixty (60) days of receipt of indicative pricing [Section I.B.5];
 - f) Company must notify Developer whether request for power purchase agreement and required information is complete within seven (7) days of submission to the Company [Section I.B.6];
 - g) Company must provide Developer with draft power purchase agreement within thirty (30) days of notice of completeness [Section I.B.6];
 - h) Developer must provide Company with initial comments on and proposed edits to draft power purchase agreement within thirty (30) days of receipt [Section I.B.7];
 - i) Company must respond to Developer's initial comments and edits within thirty (30) days of receipt, and commence negotiations over areas of disagreement [Section I.B.8];
 - j) Indicative prices must be updated unless a PPA is executed within six (6) months after indicative pricing was provided by the Company [Section I.B.9];
 - k) Company must complete all internal reviews and approvals within twenty-one (21) days after agreement is reached on a proposed final version of a power purchase agreement [Section I.B.8];
 - l) PPA must be executed within five (5) months after Developer's receipt of draft power purchase agreement [Section I.B.10];
 - m) Company must submit power purchase agreement to Commission for approval within seven (7) days of execution [Section I.B.8]; and
 - n) Company must submit Transmission Service Request within seven (7) days after execution of purchase power agreement [Section I.B.8].

~~— QF Developers should pay special attention to the fact that, as specified in the tariff sections that follow, a QF project will typically be removed from the QF pricing queue, and any~~

~~indicative or proposed prices or agreements will no longer be valid, upon occurrence of any of the following events:~~

- ~~— Failure of the QF Developer to submit to the Company a request for a power purchase agreement within 90 days of its receipt of indicative pricing, as specified in Section I.B.5;~~
 - ~~— Failure of the QF Developer to submit written comments and proposals within 30 days of its receipt of a proposed power purchase agreement, as specified in Section I.B.7; or~~
 - ~~— Any of the events specified in Section I.B.11.~~
- ~~— When a QF project is removed from the QF pricing queue, the developer may request new indicative pricing and a new agreement by timely following all of the steps outlined below, in which case it will be placed in the QF pricing queue as a new project.~~

~~**AVAILABILITY:** To owners of Qualifying Facilities (QFs) in all territory served by the Company in the state of Utah.~~

~~**APPLICATION:** To owners of existing or proposed QFs with a design capacity greater than 1,000 kW for a Cogeneration Facility or greater than 3,000 kW for a Small Power Production facility who desire to make sales to the Company. Such owners will be required to enter into written power purchase and interconnection agreements with the Company pursuant to the procedures set forth below. Additional or different requirements may apply to Utah QFs seeking to make sales to third parties, or out-of-system QFs seeking to wheel power to Utah for sale to the Company.~~

~~**I. Process For Negotiating Power Purchase Agreements**~~

~~**A. Communications**~~

~~Unless otherwise directed by the Company, all communications to the Company regarding QF power purchase agreements should be directed in writing as follows:~~

~~_____ Rocky Mountain Power
_____ Manager – QF Contracts
_____ 825 NE Multnomah St, Suite 600
_____ Portland, Oregon 97232~~

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~~**B. Procedures**~~

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~~1. The Company's proposed generic power purchase agreement may be obtained from the Company's website at www.pacificorp.com, or if the owner is unable to obtain it from the website, the Company will send a copy within seven days of a written request."~~

~~2. To obtain an indicative pricing proposal with respect to a proposed project, the owner must provide in writing to the Company, general project information reasonably required for the development of indicative pricing, including, but not limited to:~~

- ~~a) generation technology and other related technology applicable to the site~~
- ~~b) design capacity (MW), station service requirements, and net amount of power to be delivered to the Company's electric system~~
- ~~c) quantity and timing of monthly power deliveries (including project ability to respond to dispatch orders from the Company)~~
- ~~d) proposed site location and electrical interconnection point~~
- ~~e) proposed on-line date and outstanding permitting requirements~~
 - ~~f) demonstration of ability to obtain QF status~~
 - ~~g) fuel type (s) and source (s)~~
 - ~~h) plans for fuel and transportation agreements~~
 - ~~i) proposed contract term and pricing provisions (i.e., fixed, escalating, indexed)~~
 - ~~j) status of interconnection arrangements~~

~~3. The Company shall not be obligated to provide an indicative pricing proposal until all information described in Paragraph 2 has been received in writing from the QF owner. Within 30 days following receipt of all information required in Paragraph 2, the Company will provide the owner with an indicative pricing proposal, which may~~

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