

**ELECTRIC SERVICE SCHEDULE NO. 96A – Continued**

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**DISPATCH CONDITIONS:** The Company shall have the right to implement a Dispatch Event for participating customers according to the following criteria:

- (a) Available Dispatch Hours: 2:00 PM to 8:00 PM Mountain Daylight Savings Time
- (b) Maximum Dispatch Hours: 52 hours per Irrigation Season
- (c) Dispatch Duration: Not more than four hours per Dispatch Event or twelve hours per week
- (d) Dispatch Event Frequency: limited to a single (1) Dispatch Event per day
- (e) Dispatch Days: Monday through Friday (inclusive)
- (f) Dispatch Day Exclusions: July 4 and July 24

**SPECIAL CONDITIONS:**

**Load Control kW:** The Load Control kW amount for the 2009 Irrigation Season shall be computed as follows:

1. The maximum kW for the past two (2) years (or available history or revised nameplate rating) for each of the four irrigation months shall be averaged by month (June 1 through September 15).
2. The average monthly values calculated in Step 1 above shall be averaged.
3. The output of Step 2 above shall be multiplied by the appropriate participation credit as defined in the Participation Credit Schedule above.

**Outages:** Uncontrolled outages or other types of interruptions do not qualify for payment under the tariff.

**Ownership of Control Equipment:** The load control equipment remains the property of the Company. Customers may, at their discretion, purchase complementary control components that can work with the Company's foundational control units. To the extent possible, the Company will cooperate and work with local equipment distributors in facilitating such additional equipment.

**Communication:** The Company will pay the cost of air time communication for up to 70 transactions per month. Additional Customer communication with irrigation control equipment is permitted. The cost of such transactions will be the Customer's responsibility but will be managed through the Company (Note: Customer air time communication costs, if any, will be calculated as a reduction to the LCSC).

**Liquidated Damages:** Customers are permitted to 'opt-out' of five (5) Dispatch Events throughout the Irrigation Season. Each of these 'opt-out' events will incur a cost resulting in a reduction to the Customer's LCSC. The costs will be calculated based on the \$/MWh the Company otherwise has to pay for power at the time of the Dispatch Event. Such \$/MWh prices will be provided by the day ahead on-peak price as published at <http://theice.com> and will be based on the established Four Corners trading hub. 'Opt-outs' will be computed at the conclusion of the irrigation season and will be included as a reduction to the LCSC payment issued to the Customer prior to October 31 each year. 'Opt-outs' beyond those identified above are not permitted. Violation of the Liquidated Damages provision shall result in Early Termination under the terms of Special Condition-Early Termination and forfeiture of the entire LCSC.

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