

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

DISPATCH COMMUNICATIONS: The Company will provide day-ahead notice of intent to dispatch as well as a day-of confirmation communication prior to the dispatch event. Communications will be made via voice, text or email messaging depending on each Customer's communication preference.

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 irrigation season months shall be averaged by month (May 25 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. Customers electing to 'opt-out' of a scheduled dispatch event may do so on the program's web page, by contacting the program's call center, or by notifying a program field technician. Each 'opt-out' event 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.

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