

ELECTRIC SERVICE SCHEDULE NO. 38 - Continued

I.H.—B. Procedures (continued)

- a) any available updates to the information specified in Paragraph I.B.2;
- b) evidence of adequate control of proposed site;
- c) identification of and timelines for obtaining any necessary governmental permits, approvals or authorizations;
- d) assurance of fuel supply or motive force;
- e) anticipated timelines for completion of key project milestones;
- f) evidence that any necessary interconnection studies are underway and that the necessary interconnection arrangements can timely be completed in accordance with Part II sufficient for the project to reach energization by the proposed on-line date;
- g) information describing the developer/owner of the proposed project, including name, address, and ownership organization chart; and
- h) other information promptly and reasonably requested by the Company.

6. Notice of Completeness and Draft PPA. Within seven (7) days of its receipt of a request for a power purchase agreement and the information specified in Section I.B.5, the Company shall confirm its receipt of the same and notify the Developer whether any additional information is needed. The Company shall provide the Developer with a proposed power purchase agreement within thirty (30) days following the date of the Company's notice that the information required in Paragraph I.B.5 has been received and is substantially complete. The proposed power purchase agreement shall contain a comprehensive set of proposed terms and conditions, including specific pricing based on the indicative pricing provided, as adjusted if necessary in light of specifics of the project. The proposed power purchase agreement will also specify project specific data and exhibits that must be provided by the QF Developer prior to final approval or execution of the PPA. The proposal submitted by the Company shall serve as the basis for subsequent negotiations.

7. Developer's Initial Comments and Edits. Within thirty (30) days of receiving a proposed power purchase agreement, the QF Developer shall prepare and deliver to the Company an initial set of written comments and proposals, failing which the Project will be removed from the QF pricing queue and the proposed agreement and prices will no longer be valid.

8. Company's Response and Responsibilities. If the QF Developer's proposals are not acceptable, the Company shall commence negotiations on all outstanding areas of disagreement, and:

~~9. The Company will submit to PacifiCorp Transmission a request for network transmission service relating to the project upon execution of the power purchase agreement or if requested by the QF Developer, approximately two weeks in advance of execution of the power purchase agreement, or otherwise as early as practicable based on the applicable PacifiCorp Transmission tariff.~~

~~10. The prices in the proposed power purchase agreement provided by the Company under Section I.B.6 shall be recalculated by the Company using the most recent available pricing inputs and methods approved by the Commission, but without a change in the QF project's pricing queue priority, if the QF Developer and the Company have not executed a power purchase agreement within six months after indicative pricing was provided by the Company under Section I.B.4, except to the extent delays are caused by Company actions or inactions, which may include delays in obtaining legal, credit or upper management approval by the Company.~~

~~11. In addition to the circumstances described in I.B.5 and I.B.7, at any time during the process outlined in I.B.3 through I.B.10, the Company shall remove a QF project from the QF pricing queue, and any associated indicative prices, proposed prices or proposed agreement previously provided will no longer be valid, if any of the following occurs with respect to a QF project:~~

- ~~a) A change in the point of interconnection;~~
- ~~b) A significant change in design capacity (minor changes of less than 10% of the original specified design capacity shall not be deemed significant);~~
- ~~c) A change in generation technology (i.e. solar, wind, thermal), including a change between fixed tilt and tracking solar projects. Changes in the quantity and timing of monthly power deliveries will not cause removal from the QF pricing queue so long as the basic generation technology and design capacity have not changed; or~~
- ~~d) A change in the online date specified in the information provided under Section I.B.2.f of more than three months earlier or later.~~
- ~~e) A PPA has not been executed by both parties within six (6) months of the QF Developer requesting a PPA.~~

~~12. The Company shall submit a fully executed power purchase agreement to the Commission for approval within seven days of execution.~~

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~~For interconnections impacting the Company's Transmission System, the Company will process the interconnection application through PacifiCorp Transmission Services following the procedures for studying the generation interconnection described in the Company's Open Access Transmission Tariff, PacifiCorp FERC Electric Tariff, Fifth Revised Volume No. 11 Pro Forma Open Access Transmission Tariff (OATT) on file with the Federal Regulatory Commission. A copy of the OATT is available on-line at <http://www.oasis.pacificorp.com>.~~

~~For interconnections impacting the Company's Distribution System only, the Company will process the interconnection application through the Manager of QF Contracts at the address shown in Section II.A. Applications for interconnection at the distribution level will be processed in accordance with Utah Admin. Code R746-312 Electrical Interconnection using the Company's Commission approved interconnection forms and agreements, which are provided electronically at the following address: <http://www.pacificorp.com/tran/ts/gip/qf.html>~~

~~III. Process for Filing a Complaint with the Commission on Contract Terms~~

~~The Commission has an informal and formal dispute resolution processes which can be reviewed on the Commission website at the following address: <http://www.psc.utah.gov/complaints/index.html>~~