

## **ECONOMIC DEVELOPMENT RIDER**

### **AVAILABILITY**

This Rider is available only at the option and approval by the City Council to nonresidential establishments receiving service from the City under Schedules 5-G, 6-GA, 7-I or TOU.

This Rider is available for load associated with initial permanent service to new establishments, or new customers in existing establishments who make application to the City for Service under this Rider, and the City approves such application after \_\_\_\_\_, 2003. The New Load applicable under this Rider must be a minimum of 300 KW WITH a load factor of 55% or greater at one delivery point. To qualify for Service under this rider, the customer must meet the qualifications under A. or B. Below:

- A. The Customer employ an additional workforce in the City's service area. Employment additions must occur following the City's approval for service under this Rider.
- B. The Customer's New Load must result in capital investment. Provided that such investment is accompanied a net increase in full time equivalent employees employed by the customer in the City's service area. The capital investment must occur following the City's approval for service under this rider.

This Rider is not available to a new customer which results from a change in ownership of existing establishment. However, if a change in ownership occurs after the customer contracts for service under this Rider, the successor customer may be allowed to fulfill the balance of the contract under the Economic Development Rider and continue the schedule of credits outlined below. This Rider is also not available for renewal of service following interruptions such as equipment failure, temporary plant shutdown, strike, or economic conditions. This Rider is also not available for load shifted from one establishment or delivery on the City system to another on the City system.

### **DEFINITIONS**

**New Load:** New Load is that which is added to the City's system by a new establishment after September 1,2003.

**Delivery Date:** The Delivery Date is the first date service is supplied under the contract.

**Operational Date:** The Operational Date shall be the date the facility is fully operational as declared by the Customer, but shall be no more than eighteen (18) months after the Delivery Date.

**Month:** The term "month" as used in this Rider means the period intervening between readings for the purpose of monthly billings. Readings will be collected each month at intervals of approximately thirty (30) days.

### **GENERAL PROVISIONS**

1. The Customer must make an application to the City for service under this rider and the City must approve such application before the Customer may receive service hereunder. The application must include a description of the amount of and nature of the new load and the basis on which the Customer requests qualifications shown in A. Or B. under availability above. In the application, the Customer must affirm that availability of this Rider was a factor in the Customer's decision to locate the new load on the City system.
2. The Customer must agree to a minimum contract term of ten (10) years, with the credits being available for a maximum period of four years immediately following the Operational Date.
3. To continue service under this Rider the customer must maintain a monthly average of 250 hours use of demand.
4. All terms and conditions of Schedules 5-G, 6-GA, 7-I or TOU applicable to the individual customer shall apply to the service supplied to the Customer except as modified by this Rider.

### **APPLICATION OF CREDIT:**

Beginning with the Operational Date, a credit based on the percentages below will be applied to the total bill for the New Load contracted for under this Rider, calculated on the applicable rate schedule, including the Basic Facilities, Demand Charge, Energy Charge, or Minimum Bill excluding other applicable riders, and excluding extra Facilities Charges.

**APPLICATION OF CREDIT:** (continued)

Months 01 – 12	20%
Months 13 – 24	15%
Months 25 – 36	10%
Months 37 – 48	5%
After Month 48	0%

**CONTRACTED PERIOD**

Each customer shall enter into a contract to purchase electricity from the City for a minimum original term of ten (10) years, and thereafter from year to year upon the condition that either party can terminate the contract at the end of the original term, or at any time thereafter, by giving at least sixty (60) days previous notice of such termination in writing. If the Customer requests a change in rate schedule from that which was approved in conjunction with this Rider, credit under this Rider will no longer be available. Such a change will be allowed upon thirty (30) days written notice to the City. An individual establishment will not be allowed to receive credits for more than four years under this Rider, unless the City, at its option, agrees to accept a new application and contract for qualifying new load, and such application receives special approval by the City. If at any time during the term of contract under this Rider the customer violates any of the terms and conditions of the Rider or the agreement, the City may discontinue service under this Rider, and bill the customer under the applicable schedule without further credits. In the event of early termination of a contract under this Rider, the Customer will be required to pay the Company any costs due to such early cancellation.

Effective with bills rendered on and after September 1, 2003.