

Canton Mountain Wind, LLC
Exceptions to Tri-State Clean Energy RFP

Form PPA

The Canton Mountain Wind project submits this proposal for the purchase of energy and RECs with the following exceptions made to the Form PPA provided by the Soliciting Parties:

1. Delivery of Products

As a smaller generator of wind power, the combination of energy and RECs pricing allows our projects to be financed and constructed. If either revenue stream is at risk, financing becomes problematic. In order to ensure project viability throughout the contract term, the following clause was added to the Form PPA:

“Notwithstanding the foregoing, any change in Law pursuant to which RECs are no longer provided for in the Law or Energy generated by wind turbines no longer qualifies as RPS Class I Renewable Generation Units, Buyer shall continue to purchase Energy under this Agreement at a price adjusted to compensate for the expected price of the RECs Buyer would otherwise have purchase during such period as provided in Section 4.7(iii).”

2. Scheduling and Delivery

We would like the opportunity to discuss negative pricing with the interested buyers. For now, the following clause was added in:

“[NEED TO DISCUSS. SECTION NEEDS REVISION – Seller wishes to generate power during periods when pricing at the delivery point is negative and pricing at the Buyer’s point of use is also negative]”

3. Regarding the RPS

The following clause was added to the Form PPA to address point #1.

“If, as a result of change in Law, RECs are no longer provided for in the Law or if Energy generated by wind turbines no longer qualifies as RPS Class I Renewable Generation Units, Buyer shall continue to purchase Energy under this Agreement at a price adjusted to compensate for the expected price of the RECs Buyer would otherwise have purchase during such period.”