

## ELECTRIC RATE SCHEDULES

### COMMUNITY SOLAR GARDEN BILL CREDIT (PILOT PROGRAM)

#### AVAILABILITY

Available under the terms and conditions of this rate schedule to any Customer that takes service under any residential electric rate schedule and also available to any Customer that is an Educational Institution, as defined below, that takes service under any electric rate schedule, other than electric primary service. All Customers that participate under this rate schedule and in this Pilot Program must hold an indicia of ownership to, a subscription for an indicia of beneficial use of, or an entitlement to the electric generating capacity of a Community Solar Garden Facility (the Customer Solar Garden Interest). Customers may choose any Community Solar Garden Facility that conforms with this rate schedule. **The choice of a Community Solar Garden Facility and the acquisition of a Community Solar Garden Interest is the responsibility of the Customer.**

#### COMMUNITY SOLAR GARDEN FACILITY

A Community Solar Garden Facility for purposes of this rate schedule is a photovoltaic electric generating installation having a nameplate rating of not less than 100 kilowatts alternating current (AC) and not more than 500 kilowatts AC in electric generating capacity that has executed an interconnection agreement with Utilities. The physical location of any Community Solar Garden Facility under this rate schedule shall be within the electric service territory of Utilities and any electric power produced by the Community Solar Garden Facility shall be consumed within the electric service territory of Utilities. All costs of interconnection and of metering for the Community Solar Garden Facility shall be borne by and paid by the Community Solar Garden Facility. For this Pilot Program all of the following apply:

- 1) Each Community Solar Garden Facility must be owned by a separate legal entity.
- 2) A Community Solar Garden Facility cannot be controlled by, under common control with, or affiliated with other legal entities that, when all such legal entities ownership interests in Community Solar Garden Facilities are totaled together, own more than one and one half megawatt AC of total installed Community Solar Garden Facility capacity at no more than three Community Solar Garden Facilities.
- 3) No more than a total of two megawatts AC of Community Solar Garden Facilities may execute interconnection agreements with Utilities and have Utilities Customers that participate under this rate schedule.

A Community Solar Garden Facility must have not less than 10 Customer Solar Garden Interests, (each of the minimum 10 interests shall be owned by separate Utilities Customers or shall be applied to separate single Premises), and each such Customer Solar Garden Interest shall be sized: 1) to represent at least one four-tenths (.4) of a kilowatt AC of the Community Solar Garden Facility's electric generating capacity, and 2) to supply no more than one hundred twenty

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**COMMUNITY SOLAR GARDEN FACILITY – cont'd**

percent of the average annual electric power consumption of the Customer's single Premises. A single Customer may not present for participation under this rate schedule Customer Solar Garden Interests representing more than 40 percent of the total nameplate electric generating capacity of a single Community Solar Garden Facility under this Pilot Program.

A Community Solar Garden Facility shall provide real-time production data of the facility to Utilities.

On or before the 10<sup>th</sup> business day of each calendar month (or such other period as directed by Utilities), a Community Solar Garden Facility shall provide to Utilities, in an electronic format acceptable to Utilities, each of the following:

- 1) The total electric generating output of the Community Solar Garden Facility into the Utilities Electric System for the previous calendar month, or such other period as directed by Utilities. The electric generating output of the Community Solar Garden Facility shall be based on the last meter read from the last day of the previous calendar month, or such other period as directed by Utilities. This read shall be provided to the Community Solar Garden Facility by Utilities. If the provision of such read by Utilities to the Community Solar Garden Facility is delayed due to circumstances beyond the control of the Community Solar Garden Facility, then the due date for the delivery to Utilities of the information required by subsections 2 and 3 below shall be extended one day for each day of the delay.
- 2) The name, address, Utilities account number, kilowatt subscription amount, and percentage of entitlement to the generation of the Community Solar Garden Facility of each Utilities Customer that has a Customer Solar Garden Interest in the Community Solar Garden Facility for that previous calendar month, or such other period as directed by Utilities.
- 3) The kilowatt hours attributable for that previous one-month period (or such other period as directed by Utilities) to each Utilities Customer that has a Customer Solar Garden Interest in the Community Solar Garden Facility.

If this information is not provided by the Community Solar Garden Facility to Utilities on time, then Utilities shall not be required to comply with the Bill Credit section of this rate schedule for any period during which such information was not provided to Utilities. Additionally, Utilities shall not be required to provide back credits to Customers for any such period of non-compliance by the Community Solar Garden Facility.

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**COMMUNITY SOLAR GARDEN FACILITY – cont'd**

Utilities shall not be required to purchase any excess electric generating output of the Community Solar Garden Facility pursuant to this rate schedule. The Community Solar Garden Facility is responsible for balancing its electric generation input into the Utilities Electric System to comply with this Community Solar Garden Bill Credit (Pilot Program) rate schedule. Any electric generating output of the Community Solar Garden Facility: a) that is received into the Utilities Electric System, and b) that is not accounted for by the Community Solar Garden Facility as attributable to a specific Customer or a specific Customer Solar Garden Interest shall become the property of Utilities at no cost to Utilities in consideration of Utilities accepting into the Utilities Electric System the non-accounted-for generation and adjusting the Utilities Electric System operations to accept such non-compliant electric generating output of the Community Solar Garden Facility.

**CUSTOMER PARTICIPATION UNDER THIS RATE SCHEDULE**

A Customer desiring to take service under this rate schedule shall present to Utilities evidence of the Customer Solar Garden Interest and the address of the single Premises to which the Customer Solar Garden Interest shall apply. A Customer may present to Utilities for service under this rate schedule a Customer Solar Garden Interest in any Community Solar Garden Facility that has executed an interconnection agreement with Utilities and proposes to have Customers that participate under this rate schedule.

An Educational Institution that takes service under any electric rate schedule, other than electric primary service, is eligible to participate in this Pilot Program. An Educational Institution means any governmental, quasi-governmental, or non-profit educational entity operating in Utilities' service territory that is a public school district, is a charter school, provides educational programs with proper relevant licensing, provides postsecondary education, provides not less than six-month training programs to prepare students for employment or with occupational skills, and/or is an entity organized principally for the support and benefit of an educational institution.

**The choice of a Community Solar Garden Facility and the purchase of a Customer Solar Garden Interest is solely the responsibility of the Customer and is undertaken at the Customer's risk. Utilities makes no representations or warranties concerning the Community Solar Garden Facility (and its operation and maintenance and its financial viability), or the continued usefulness of any Customer Solar Garden Interest, or the continuation of this Community Solar Garden Bill Credit (Pilot Program) rate schedule. Any questions regarding the Community Solar Garden Facility and its operations, as well questions concerning a Customer Solar Garden Interest, must be directed by a Customer to (and answered by) the Community Solar Garden Facility.**

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**CUSTOMER PARTICIPATION UNDER THIS RATE SCHEDULE – cont'd**

If the Customer ceases to be a Customer at the single Premises to which the Customer Solar Garden Interest has applied, then within three billing periods, the Customer may do either of the following:

- 1) The Customer may transfer the Customer Solar Garden Interest to another single Premise of the Customer within Utilities' service territory. Upon any such transfer to a different single Premise, the Customer must demonstrate that the Customer Solar Garden Interest continues to comply with the interest's sizing requirements of this rate schedule under the Community Solar Garden Facility section of this rate schedule.
- 2) The Customer may transfer the Customer Solar Garden Interest to another Customer, who shall apply that interest to a single Premises within Utilities' service territory. Upon any such transfer to a different Customer, the new Customer must demonstrate that the Customer Solar Garden Interest complies with the interest's sizing requirements of this rate schedule under the Community Solar Garden Facility section of this rate schedule for the new Premises.

If the Customer does neither of the above actions within three billing periods, then the Customer Solar Garden Interest shall cease to be applied to any Customer account and in consideration of Utilities accepting into the Utilities Electric System the non-applied generation and adjusting the Utilities Electric System operations to accept such non-compliant electric generating output of the Community Solar Garden Facility, Utilities shall be entitled to retain at no cost any electric generating output received into the Utilities Electric System from:

- a) the date that the Customer ceased to be a Customer at the single Premises to which the Customer Solar Garden Interest was applied, until
- b) the date that:
  - i) the Customer Solar Garden Interest has been applied to a new Premises of the Customer and all provisions of this rate schedule have been complied with by the Customer, or
  - ii) the Customer Solar Garden Interest has been transferred to another Customer and all provisions of this rate schedule have been complied with by that Customer.

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## ELECTRIC RATE SCHEDULES

### COMMUNITY SOLAR GARDEN BILL CREDIT (PILOT PROGRAM)

#### CUSTOMER PARTICIPATION UNDER THIS RATE SCHEDULE – cont'd

Unless transferred to Utilities by the Customer pursuant to agreements related to other incentive programs of Utilities that support solar energy generation, any Renewable Energy Credits generated by the Community Solar Garden Facility remain the property of the Customer or of the Community Solar Garden Facility.

#### **BILL CREDIT**

On or before the last day of each calendar month (or such other period as determined by Utilities) from the information supplied to Utilities by the Community Solar Garden Facility pursuant to the Community Solar Garden Facility section of this rate schedule, Utilities shall compute a bill credit as provided below. Such credit shall be applied as a line-item adjustment to the next bill for Utilities Electric Service provided to the Customer participating under this rate schedule. Electric power utilization as presented on each Customer's bill shall not be revised to account for any bill credit, and any demand charge payable by an Educational Institution shall not be revised because of the bill credit or any electric power consumption offset by such bill credit.

The bill credit shall be computed by utilizing the billing period kilowatt hours attributed to each Customer Solar Garden Interest for the prior period reported to Utilities by the Community Solar Garden Facility, and then by multiplying such kilowatt hours by the rate listed in the Rate section of this rate schedule.

The accuracy of the information provided by the Community Solar Garden Facility is solely the responsibility of the Community Solar Garden Facility. **Utilities does not warrant the accuracy of the information provided by the Community Solar Garden Facility and may rely on that information when computing the bill credit.** Customer questions regarding the accuracy of any information provided by the Community Solar Garden Facility shall be directed to and shall be the responsibility of the Community Solar Garden Facility. If with 90 days from the date of Utilities' receipt of information from the Community Solar Garden Facility that is required under this rate schedule to compute Customer bill credits, the Community Solar Garden Facility delivers to Utilities corrections to that previously submitted information together with a written explanation of why such correction is necessary and appropriate and such explanation is acceptable to Utilities in its reasonable discretion, then Utilities will make commercially reasonable efforts to revise any bill credits previously applied to Customer bills that utilized the corrected information.

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**COMMUNITY SOLAR GARDEN BILL CREDIT (PILOT PROGRAM)**

**CUSTOMER PARTICIPATION UNDER THIS RATE SCHEDULE – cont'd**

A bill credit in excess of the bill rendered for the Customer's billing period shall be carried forward to future bills, and a payment to the Customer of any bill credit shall not occur unless the Customer has terminated Electric Service with Utilities and has not transferred the Customer Solar Garden Interest to another Utilities account of the Customer within three billing periods. Any such payment will be directed to the Customer's last known address on file with Utilities, or as otherwise specifically directed by the Customer.

**RATE**

The rate applicable to each kilowatt hour under the Bill Credit section of this rate schedule shall be \$0.XXXX 9-cents (\$0.09). This rate may be revised from time-to-time as determined by the City Council of the City of Colorado Springs as provided by the City Code of the City of Colorado Springs, and as provided by the Colorado Revised Statutes.

This is a Pilot Program and its rate does not include costs related to distribution of electric power to the Premises, integrating the Community Solar Garden Facility into the Utilities Electric System, administering this Pilot Program, or providing standby or firming capacity to the Customer and the Customer's Premises. Such costs may be included within future revisions to this rate schedule as determined by the City Council of the City of Colorado Springs as provided by the City Code of the City of Colorado Springs, and as provided by the Colorado Revised Statutes.

**Community Solar Garden Pilot Program Capacity Sunset**  
**Total program capacity must be interconnected by June 30, 2015.**

**RULES AND REGULATIONS**

Service under this rate schedule will be in accordance with the provisions of Utilities' Rules and Regulations, *Line Extension & Service Standards for Electric Service*, the City Code of the City of Colorado Springs, the Colorado Revised Statutes, and the conditions of any associated agreement with the Customer or with the Community Solar Garden Facility.

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## ELECTRIC RATE SCHEDULES

### COMMUNITY SOLAR GARDEN PROGRAM

#### **AVAILABILITY**

The Community Solar Garden Program (“Program”) is available under the terms and conditions of this rate schedule to all Customers taking service under Utilities’ electric rate schedules except the following rate classes: Contract Service - Traffic Signals -E2T, Contract Service - Street Lighting - E7SL, Contract Service - Wheeling - ECW, Electric Cost Adjustment - ECA, Electric Capacity Charge - ECC, Totalization Service, Renewable Energy Net Metering, Small Power Producers & Cogeneration Service, Enhanced Power Service, Renewable Energy Net Metering, Renewable Energy Certificates - REC, CSG Bill Credit - Pilot Program, Wind Power - WPWR.

—All Customers that participate under this rate schedule must hold evidence of ownership to, a subscription as evidence of beneficial use of, or an entitlement to the electric generating capacity of a Community Solar Garden Facility (“Customer Solar Garden Interest”). Customers may choose any Community Solar Garden Facility that conforms to this rate schedule.

**The choice of a Community Solar Garden Facility and the purchase of a Customer Solar Garden Interest is solely the responsibility of the Customer and are undertaken at the Customer’s risk. Utilities makes no representations or warranties concerning the Community Solar Garden Facility and its operation and maintenance and its financial viability or the continued usefulness of any Customer Solar Garden Interest.**

#### **COMMUNITY SOLAR GARDEN FACILITY**

A Community Solar Garden Facility for purposes of this rate schedule is a photovoltaic electric generating installation having a nameplate rating of not less than 0.5 megawatts Alternating Current (MWAC) and not more than 2.0 MWAC in electric generating capacity and the owning entity that has executed an Interconnection Agreement with Utilities. If the Interconnection Agreement is extended, Utilities will retain the Renewable Energy Credits through the extension period at no additional cost. The physical location of any Community Solar Garden Facility under this rate schedule shall be within the electric service territory of Utilities and any electric power produced by the Community Solar Garden Facility shall be consumed within the electric service territory of Utilities. All costs of interconnection for the Community Solar Garden Facility shall be borne and paid by the legal owner of the Community Solar Garden Facility.

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**COMMUNITY SOLAR GARDEN PROGRAM**

This Program will allow for up to 2.0 MWAC of electric generating capacity to be added to the Utilities portfolio of Distributed Generation resources.

**REQUEST FOR PROPOSAL PROCESS**

- 1) A Request for Proposal (“RFP”) selection process will be used to select the Community Solar Garden developer(s) that will be allocated capacity and will build Community Solar Garden Facilities for the Program. Utilities shall issue an RFP in accordance with its standard policies and in doing so shall indicate the materials, documents, and information, including but not limited

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**REQUEST FOR PROPOSAL PROCESS – cont'd**

to the respondent's proposed Performance Based Incentive ("PBI"), that must be submitted by a respondent to properly comply with the RFP and be considered in the evaluation process.

- 2) Each respondent to the RFP will be required to show good standing with the Colorado Secretary of State and to meet a minimum financial hurdle. Examples may include, but are not limited to:
  - A) A Dun and Bradstreet minimum Financial Profile,
  - B) An Altman Z Bankruptcy Rating, and/or
  - C) A Credit Rating.
- 3) Each respondent to the RFP may be required to provide evidence of its ability to secure a performance bond and/or third party escrow account sufficient to cover the anticipated construction and/or operational cost of its project upon award of Community Solar Garden capacity, assuring the Community Solar Garden Facility is constructed in accordance with Utilities' Interconnection Standards.
- 4) Each respondent to the RFP will be required to meet a minimum operational hurdle of having built and/or operated a 0.5 MW solar garden or array, interconnected to a utility system, for at least a period of one year.
- 5) All RFP respondents providing evidence of the ability to secure a performance bond and/or establish an escrow account and meeting the minimum financial and operational hurdles will have their RFP responses scored based on additional factors and in accordance with Utilities' standard policies to determine the best value for Utilities and its Customers. Utilities will award capacity accordingly.

**COMMUNITY SOLAR GARDEN FACILITY CUSTOMER QUALIFICATIONS**

Each Customer Solar Garden Interest shall not be sized larger than one hundred twenty percent (120%) of the Customer's previous twelve (12) month kilowatt-hour (kWh) usage at the individual Premises as represented in Utilities' Customer Information System.

The twelve (12) month kilowatt-hour average usage shall be based on a period that begins on January 1 and ends on December 31 of the previous calendar year. In the case of new construction or the creation

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#### **COMMUNITY SOLAR GARDEN FACILITY CUSTOMER QUALIFICATIONS – cont'd**

of a new utility account, Utilities' will determine a 12 month kilowatt- hour average usage based on input from the Customer.

A single Customer may not present for participation under this rate schedule for Customer Solar Garden Interests representing more than forty percent (40%) of a single Community Solar Garden Facility's MWAC capacity under this Program. Individual Premises controlled by a single Customer will be aggregated to reach this forty percent (40%) limit.

#### **CUSTOMER PARTICIPATION UNDER THIS RATE SCHEDULE**

A Customer desiring to take service and receive customer credits and/or PBI under this rate schedule shall present to Utilities evidence of the Customer's Solar Garden Interest, such as a lease, ownership agreement, or other subscription document and the address of the Premises to which the Customer Solar Garden Interest shall be applied. The Customer Solar Garden Interest shall be for the sole benefit of the Customer at the Premises to which the interest is assigned. Acquiring an interest with the intent to receive the PBI and/or Customer Credit only until the interest can be transferred to another Customer is prohibited. A Customer may present to Utilities for service under this rate schedule a Customer Solar Garden Interest in any Community Solar Garden Facility that has executed an interconnection agreement with Utilities and proposes to have Customers that participate under this rate schedule.

**The choice of a Community Solar Garden Facility and the purchase of a Customer Solar Garden Interest is solely the responsibility of the Customer and are undertaken at the Customer's risk. Utilities makes no representations or warranties concerning the Community Solar Garden Facility and its operation and maintenance and its financial viability, or the continued usefulness of any Customer Solar Garden Interest.**

Any questions regarding the Community Solar Garden Facility and its operations, as well as questions concerning a Customer Solar Garden Interest must be directed by the Customer to the Community Solar Garden Facility.

If the Customer chooses to end their participation in this Program, the Customer may arrange with the Community Solar Garden Facility to do the following:

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**CUSTOMER PARTICIPATION UNDER THIS RATE SCHEDULE – cont'd**

- 1) Transfer the Customer Solar Garden Interest to another Premise within Utilities' electric service territory. Upon any such transfer to a different Premise, the Customer must demonstrate that the Customer Solar Garden Interest complies with the sizing requirements of this rate schedule under the **Community Solar Garden Facility Customer Qualifications** section of this rate schedule.
- 2) Transfer the Customer's Solar Garden Interest to another Customer, who shall apply that interest to another Premises within Utilities' electric service territory. Upon any such transfer to a different Customer, the new Customer must demonstrate that the Customer Solar Garden Interest complies with the sizing requirements under the **Community Solar Garden Facility Customer Qualifications** section of this rate schedule for the new Premises.

If a Customer fails to transfer their Solar Garden Interest prior to ending electric service with Utilities, then the Customer's Solar Garden Interest shall cease to be applied to any Customer electric account. In consideration of Utilities accepting into the Utilities Electric System the non-applied generation and adjusting the Utilities Electric System operations to accept such non-compliant electric generating output of the Community Solar Garden Facility, any electric generating output of the Community Solar Garden Facility shall become the property of Utilities at no cost to Utilities from the date that the Customer ceased to be a Customer at the single Premises to which the Customer Solar Garden Interest applied, until the date that:

- 1) the Customer Solar Garden Interest has been applied to a new Premises of the Customer and all provisions of this rate schedule have been complied with by the Customer, or
- 2) the Customer Solar Garden Interest has been transferred to another Customer and all provisions of this rate schedule have been complied with by that Customer.

An existing Customer Solar Garden Interest may be transferred to another Customer at any time subject to the following conditions:

- 1) The existing Customer must transfer the entire Solar Garden Interest. If the new Customer receives only part of the total Solar Garden Interest being transferred then the remaining capacity will enter into an unsubscribed state with no Customer Credit applied until additional subscribers are found.

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**CUSTOMER PARTICIPATION UNDER THIS RATE SCHEDULE – cont'd**

- 2) New Customer Solar Garden Interests shall be sized as defined in the Customer Solar Garden Facility section contained herein.

The following documentation shall be submitted to Utilities to complete the Solar Garden Interest transfer process:

- 1) Release of Customer Community Solar Garden Interest,
- 2) Community Solar Garden New Subscriber Qualification Form, and
- 3) A copy of the contract covering the new Solar Garden Interest between the new Customer and the Solar Garden Facility.

**FACILITY OBLIGATIONS**

On or before the 10th business day after the interconnection date, a Community Solar Garden Facility will be required to confirm all Customers participating in the Community Solar Garden. Each of those Customers must have met all requirements as defined in the Community Solar Garden Customer Subscriber form. This confirmation will be accomplished via approved electronic interactions between Utilities and the Community Solar Garden Facility.

On or before the 5th business day of each subsequent calendar month Utilities will provide the Community Solar Garden Facility with a bill stating the total electric generating output of the Community Solar Garden Facility. The electric generating output of the Community Solar Garden Facility shall be determined by subtracting the previous month's meter read from the current months meter read, or such other monthly period as defined by Utilities. On or before the 7th business day after Utilities mails the bill, the Community Solar Garden Facility must electronically verify the electric generating output prior to Utilities applying the appropriate credits to the applicable Customers' bills.

Additionally, the Community Solar Garden Facility shall provide, through approved electronic interactions with Utilities, any Customer additions, transfers, or account changes. If any transfer or change of information is not provided by the Community Solar Garden Facility to Utilities in the time frame indentified herein, then Utilities shall not be required to comply with the Customer Credit section of this rate schedule for any period during which such information was not provided to Utilities. Additionally, Utilities shall not be required to provide retroactive credits to Customers for any such period of non-compliance by the Community Solar Garden Facility.

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**ELECTRIC RATE SCHEDULES**

**COMMUNITY SOLAR GARDEN PROGRAM**

**UNSUBSCRIBED POWER**

The Community Solar Garden Facility is responsible for balancing its electric generation input into the Utilities Electric System to comply with this Tariff. Any electric generating output of the Community Solar Garden Facility that is a) received into the Utilities' Electric System, and b) not accounted for by the Community Solar Garden Facility as attributable to a specific Customer or a specific Customer Solar Garden Interest shall be purchased by Utilities for a period of one calendar year from the date the Community Solar Garden Facility is interconnected. At the end of one year, the purchase of unsubscribed power will be solely determined by Utilities. Utilities shall not be obligated to purchase unsubscribed power from a Community Solar Garden Facility after expiration of the one year period described herein.

At the date of interconnection of a Community Solar Garden Facility, Utilities and the Solar Garden Facility will determine the amount of capacity (kW) that remains unsubscribed. Utilities will purchase the energy (kWh) produced by the agreed amount of unsubscribed capacity for one calendar year from the interconnection date subject to the following:

- 1) As the remaining capacity is subscribed, the energy purchased by Utilities will be reduced by an equivalent amount.
- 2) If, at any time, previously subscribed capacity becomes unsubscribed, the energy produced by that capacity will not be purchased by Utilities.

**UNSUBSCRIBED POWER PURCHASE RATE**

The purchase rate for unsubscribed power from qualifying Facilities will be Utilities' average monthly purchase power cost during the previous calendar year as per the Utilities recorded monthly purchase power costs. For unsubscribed power not purchased by Utilities as described above, in consideration of Utilities accepting into the Utilities Electric System the unsubscribed generation and adjusting the Utilities Electric System operations to accept such unsubscribed electric generating output of the Community Solar Garden Facility, Utilities shall be entitled to retain at no cost, any such unsubscribed electric generation and all Renewable Energy Credits.

**CUSTOMER CREDIT**

On or before the last day of each calendar month (or such other period as determined by Utilities)

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**CUSTOMER CREDIT – cont'd**

Utilities shall compute a Customer credit as provided herein. Such credit shall be applied as a line- item adjustment to the next monthly bill for Utilities Electric Service provided to the Customer participating under this rate schedule.

Electric power utilization as presented on each Customer's bill shall not be revised to account for any Customer credit, and any electric peak demand charge payable shall not be revised due to the Customer credit or any electric power consumption offset by such Customer credit.

The Customer credit shall be computed by multiplying each Community Solar Garden Facility Customer's percentage interest of the monthly kWh production of the Community Solar Garden Facility with the applicable amount listed in the **Rate** section of this rate schedule.

The accuracy of the information provided by the Community Solar Garden Facility is solely the responsibility of the Community Solar Garden Facility. **Utilities does not warrant the accuracy of the information provided by the Community Solar Garden Facility and will rely on that information when computing the customer credit.** Customer questions regarding the accuracy of any information provided by the Community Solar Garden Facility shall be directed to and shall be the responsibility of the Community Solar Garden Facility. If within 90 days from the date of Utilities' receipt of information from the Community Solar Garden Facility, as required under this rate schedule to compute customer credits, the Community Solar Garden Facility delivers to Utilities corrections to previously submitted information together with a written explanation of why such correction is necessary and appropriate, and such explanation is acceptable to Utilities in its reasonable discretion, then Utilities will make reasonable efforts to revise any customer credits previously applied to Customer bills that utilized the incorrect information.

A Customer credit in excess of the monthly utility bill for the Customer's billing period shall be carried forward to future bills, and a payment to the Customer of any Customer credit shall not occur unless the Customer has terminated Electric Service with Utilities and has not transferred the Customer Solar Garden Interest to another Utilities account of the Customer within three billing periods. Any such payment will be directed to the Customer's last known address on file with Utilities, or as otherwise specifically directed by the Customer.

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**COMMUNITY SOLAR GARDEN PROGRAM**

**PERFORMANCE BASED INCENTIVE (“PBI”)**

The PBI applicable to each kWh generated by the qualifying Community Solar Garden Facility under this rate schedule shall be in effect and remain fixed for a period of 20 years from the date the Community Solar Garden Facility receives approval to interconnect from Utilities. The PBI will be reflected on the Customer’s monthly bill. The total PBI, not a portion, may be assigned for the 20-year period to the Community Solar Garden Facility by a Customer, or may be credited as a line-item credit on the Customer’s monthly utility bill. If a Customer assigns the associated PBI to a Community Solar Garden Facility, the Customer may not change the PBI assignment.

On or before the last day of each calendar month (or such other period as determined by Utilities) Utilities shall compute the Customer PBI adjustment. The PBI shall be applied as a line-item adjustment to the next monthly bill for Utilities Electric Service provided to the Customer participating under this rate schedule, or paid on a monthly basis to the assignee demonstrated in the Customer’s contractual agreement with the Community Solar Garden Facility.

The PBI adjustment shall be computed by multiplying each Customer’s monthly kWh production from the Community Solar Garden Facility with the PBI amount agreed upon in the RFP process and resulting contract between Utilities and the Community Solar Garden Facility.

**RENEWABLE ENERGY CREDITS**

In consideration for payment of a PBI all Renewable Energy Credits become property of Utilities for the term agreed upon in the executed Interconnection Agreement and any renewal or extension to the Interconnection Agreement.

**RATE**

The tariff will be revised in accordance with the applicable rules and regulations governing these Tariffs as approved by the City Council.

The Customer credit will be based on calculating the cost of service for each electric service Customer’s rate class. This Customer credit will be adjusted as applicable with Utilities’ electric rate case filings.

The rate applicable to each kilowatt hour shall be determined by the Customer’s applicable rate class as

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**RATE – cont’d**

found in the Utilities Rate Credit table contained herein. The Customer Credit Rate for each applicable customer rate class will be calculated using the following formula:

$$\text{(Non-fuel)} + \text{(Fuel and Purchased Power)} + \text{(Capacity)} + \text{(ECA)}$$

**Utilities Rate Credit Table**

Customer Rate Class	Customer Credit Rate per Kilowatt-hour
Residential/Small Commercial (E1R, E1C)	\$0.0555
<a href="#">Residential Time of Day Option (E1R, E1C)</a>	xxxx
<a href="#">Commercial Service General (ETC)</a>	xxxx
<a href="#">Industrial Service – Time of Day Transmission Service(ETX)</a>	xxxx
Commercial General (E2C)	\$0.0507
Commercial TOD 1000kWh Min (ETL)	\$0.0561
Industrial TOD 500kWh Min (E8T)	\$0.0507
Industrial TOD 4000kWh Min (E8S)	\$0.0494
Large Light and Power (ELG)	\$0.0463
Military (ECD)	\$0.0506

This Program and its rate does not include costs related to distribution of electric power to the Premises, integrating the Community Solar Garden Facility into the Utilities Electric System, administering this Program, or providing standby or firming capacity to the Customer and the Customer’s Premises.

**RULES AND REGULATIONS**

Service under this rate schedule will be in accordance with the provisions of Utilities’ Rules and Regulations, *Line Extension & Service Standards for Electric Service*, the City Code of the City of Colorado Springs, the Colorado Revised Statutes, and the conditions of any associated agreement with the Customer or with the Community Solar Garden Facility.

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**ELECTRIC RATE SCHEDULES**

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**WIND POWER - WPWR**

**AVAILABILITY**

Service under this rate schedule is available to any Customer of Utilities who is currently receiving electric service under another electric rate schedule and who, in addition to that service, subscribes with Utilities for blocks of wind energy provided in increments of 100 kWh. Service under this rate schedule is subject to availability. This rate shall expire December 31, 2014~~6~~, unless specifically extended by the Colorado Springs City Council prior to that date. ~~Any Customers purchasing 1,000 blocks or more (100 mWh or 100,000 kWh) will be required to sign a contract with Utilities that binds that Customer for its purchase from the date of the contract through December 31, 2014.~~

**RATE OPTIONS**

The billing statement consists of:

**Standard**

**Energy Charge (less than 1,000 blocks per year)**

Per block.....\$~~34.96~~2500

**Contract**

~~Energy Charge (purchases of 1,000 blocks or more per year with signed contract)~~

~~Per block.....\$3.209~~

In addition to all other regular charges the Customer has with electric service.

The above-listed charge per block will be adjusted downward by multiplying the \$/kWh positive Electric Cost Adjustment (ECA) contained on Sheet No. 31, by one hundred if the ECA is a positive number. No adjustment will be made if the ECA is equal or less than zero. Any ECA adjustment will not result in a value less than zero for the supply charge.

**ADDITIONAL TERMS AND CONDITIONS**

Customers taking service under rate schedules will have their kWh measured supply consumption adjusted downward by the amount of their wind purchase. For Customers taking service under rate schedules that have On-Peak and Off-Peak supply charges, 20% of wind purchase will be deducted from the On-Peak consumption and 80% will be deducted from Off-Peak consumption.

~~Customer is obligated to pay the cost of the entire amount of wind power blocks contracted for over the tariff term set to end December 31, 2014. In the event that the Customer does not purchase all the agreed to quantity, it shall immediately pay to Utilities the then current cost of wind power for all un-purchased wind power blocks.~~

Approval Date: March 26, 2013  
Effective Date: April 1, 2013  
Resolution No. 30-13



<b>ELECTRIC RATE SCHEDULES</b>
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<b>WIND POWER - WPWR</b>
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DRAFT

Approval Date: March 26, 2013  
Effective Date: April 1, 2013  
Resolution No. 30-13

<b>ELECTRIC RATE SCHEDULES</b>
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<b>WIND POWER - WPWR</b>
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Customers purchasing wind energy under this rate schedule will also receive all rights in the corresponding Colorado Renewable Energy Credits ~~as set forth in the contract.~~

This energy charge, subject to the ECA adjustments described above, set forth in this tariff is valid for the period January 1, 201~~3~~<sup>5</sup> through December 31, 201~~4~~<sup>6</sup>.

**RULES AND REGULATIONS**

Service under this rate schedule will be in accordance with the provisions of Utilities' Rules and Regulations, *Line Extension & Service Standards* for Electric, and the conditions of any associated contract.

DRAFT

Approval Date: March 26, 2013  
Effective Date: April 1, 2013  
Resolution No. 30-13

**UTILITIES RULES AND REGULATIONS**

**GENERAL**

**13. DISCONTINUANCE OF SERVICE - cont'd**

E. Multi-Unit Residential Dwellings

In situations where the utility service is recorded on master meters.

1. Utilities will make a reasonable effort to deliver or mail a written notice to each sub-premise at least thirty (30) days prior to the proposed date of discontinuance, advising that the party responsible for payment of utility bills has been sent a notice of discontinuance.

A notice to the occupants will be posted, to the extent possible, in at least one (1) of the common areas of the multi-unit dwelling. The notice will state how to contact Utilities for additional information.

~~2.—:~~

~~3.—~~

- ~~4. that occupants of the dwelling units may avoid discontinuance by paying the next regular bill, exclusive of all arrears in full, by cash or certified funds within thirty (30) days of issuance;~~

~~5.—~~

- ~~6. that if the occupants of the dwelling wish to pay the utility bill, Utilities should be notified prior to the discontinuance date; and~~

~~7.—~~

~~how to contact Utilities for additional information.~~

- ~~8. Service may not be discontinued if the party responsible for payment pays the amount on the notice, or if the occupants pay each future bill within thirty (30) days of issuance.~~

~~9.—~~

- ~~10.2. Occupants are not entitled to make installment payments or any payment plan, other than paying each bill in full within thirty (30) days of issuance to avoid discontinuance.~~

Approval Date: July 24, 2012  
Effective Date: July 25, 2012  
Resolution No. 101-12

## UTILITIES RULES AND REGULATIONS

### GENERAL

#### 2. APPLICATION AND CONTRACT FOR SERVICE

##### A. General

Persons requesting utility service must complete an application for service by contacting Utilities. A natural person requesting utility service must be of full legal age. Utilities shall require some form of identification. Utilities' acceptance of an application constitutes a binding contractual agreement between Utilities and the Customer, including all applicable provisions of Utilities' Tariffs. Each Financially Responsible Person—as defined in these Utilities Rules and Regulations to include the Customer, all Users as defined in the City Code, or any Person who is liable because of the effect of other applicable laws or court orders-- shall be obligated to Utilities for payment, whether or not service is listed in that individual's name.

Applicant must pay in full any unpaid past balance for which Applicant is liable before service will be started.

The contractor or builder of a new or renovated Premise requesting or using utility services for that Premise will remain solely responsible for such services until both of the following occur: (i) a Certificate of Occupancy is issued by the Pikes Peak Regional Building Department for the Premise and (ii) another Customer assumes responsibility for the services for that Premise or the services for that Premise are terminated at the request of the contractor or builder.

##### B. Rate Selection

###### 1. General

Except as provided in Section 2.B.2 below, the Customer is responsible for rate selection and for monitoring their account to ensure that the selected rate remains the best choice and use of utility services. Electric and gas residential rates are not available to master metered or non-residential accounts. If alternative rate options exist, the Customer is encouraged to contact Utilities for information. Rate assignments and reassignments will be made prospectively.

###### 2. Certain Commercial and Industrial Electric Rate Schedules

The availability of the Commercial Service - Small and the Commercial Service – General Electric Rate Schedules vary by the highest average daily electric usage during any of the last twelve (12) billing periods. The availability of the Industrial Service - Time-of-Day 1,000 kWh/day Minimum, the Industrial Service - Time-of-Day 500 kW

Approval Date: November 27, 2012  
Effective Date: January 1, 2013  
Resolution No. 162-12



**UTILITIES RULES AND REGULATIONS**

**GENERAL**

Minimum, and the Industrial Service - Time-of-Day 4,000kW Minimum Electric Rate Schedules vary by the Customer's Maximum Demand during any of the last twelve (12) billing periods. Because the applicability of each of these electric

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## UTILITIES RULES AND REGULATIONS

### GENERAL

#### 10. **RESALE - cont'd**

Metering arrangements, agreements and allocation procedures used by Master Metered Customers to obtain reimbursement of the Master Metered bill are determined solely by contractual arrangement between the Master Metered Customer and the persons to whom the service is distributed. The resolution of disputes between the Master Metered Customer and tenants, lessees or other persons to whom the service is distributed is not the responsibility of Utilities.

#### 11. **BUDGET BILLING PLAN**

- A. Upon approval of Utilities, a Customer may elect to participate in Utilities' Budget Billing Plan.
- B. Any Customer electing to participate in Utilities' Budget Billing Plan will pay a monthly amount for all utility services on one account as follows:
  1. A monthly Budget Billing Plan amount equal to the monthly average of the prior year's billing history for each utility service, plus a Budget Billing adjustment percentage, potentially including and/or addressing but not limited to changes in rates, consumption patterns of service, and rounded to the next whole dollar. Each of the monthly average utility service amounts calculated from the prior year's data are then added together to determine the total monthly Budget Billing Plan amount. For recurring Customers, the previous year's outstanding amount or credit will also be included in the recalculated Budget Billing Plan amount.
  2. The Budget Billing Plan amount will be recalculated at least annually from the date that the account established a Budget Billing Plan and can be adjusted at any time.
  3. The Budget Billing Plan amount and the ~~C~~customer's actual consumption is ~~trued-up~~ annually/regularly.
  - 4.
- C. If a Customer participating in Utilities' Budget Billing Plan fails to pay the Budget Billing Plan obligation by the due date, the Customer may be removed from Utilities' Budget Billing Plan and normal collection and discontinuance of service procedures will be followed.
- D. If a Customer ends or is removed from Utilities' Budget Billing Plan, or terminates service, the entire outstanding amount is due and payable by the date indicated on the billing statements. A credit balance will be refunded or transferred to another account for the Customer.

Approval Date: December 13, 2011  
Effective Date: January 1, 2012  
Resolution No. 231-11



**ELECTRIC RATE SCHEDULES**

**CONTRACT SERVICE – ECD - ECDK**

**WOODY BIOMASS OPTION PILOT PROGRAM (ECDWB)**

For a period of ~~two~~ **(12)** years, commencing January 1, 2014, and concluding December 31 2014, Utilities shall implement the Woody Biomass Option Pilot Program (“Biomass Option”). The Biomass Option shall be available by contract to the Fort Carson Military Installation to supplement existing contracted service.

Utilities is implementing the testing of woody biomass for energy production. The Biomass Option is a portion of that testing designed to determine:

- (a) whether or not woody biomass could be a long term-sustainable solution as a renewable energy source produced with a hammer design pulverizer unit such as Martin Drake Unit Five;
- (b) the cost effectiveness of woody biomass as a renewable fuel source; and
- (c) the feasibility of providing woody biomass produced renewable electricity to a large scale Customer.

During the term of the Biomass Option, Utilities may stop the burning of woody biomass as fuel, temporarily or permanently, for any reason, including but not limited to, Utilities’ determination that the use of woody biomass is detrimental to the operation, maintenance, and/or cost efficiency of Utilities’ electric generation infrastructure and/or systems.

In the event Utilities ceases to use woody biomass the contracted Customer shall not be subject to the Biomass Option and will continue to receive energy from Utilities in accordance with Customer’s then current contracted rate schedule(s). The provisions of the Biomass Option shall automatically resume if Utilities restarts use of woody biomass during the term of the Biomass Option. No stoppage shall extend the term of the Biomass Option. Utilities will provide the contracted Customer with all the environmental attributes of the energy purchased by the contracted Customer through the Biomass Option. Utilities produced documentation will be provided upon request.

By contract, the Fort Carson Military Installation may purchase 912,500 kWh per month under the Biomass Option. In the event that Utilities produces less than 912,500 kWh through the use of woody biomass in a given month, the Customer will be allocated and charged for only the energy that is produced. Utilities does not guarantee or warrant that any energy will be available under the Biomass Option.

Biomass Option energy will be billed at the charge listed below:

**Energy Charge**

Per kWh.....\$0.0454

The above-listed charge per kWh will be adjusted downward by the \$/kWh positive Electric Cost Adjustment (ECA) contained on Sheet No. 31, if the ECA is a positive number. No adjustment will be made if the ECA is equal or less than zero.

Approval Date: December 10, 2013  
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Resolution No. 161-12