

NEBRASKA PUBLIC POWER DISTRICT

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Sheet No.: 1 of 16 Sheets

LARGE INDUSTRIAL SERVICE (LIS) RATE SCHEDULE

(Name of Schedule)

SECTION 1. AVAILABLE:

This electric service is available in the NPPD service territory where service can be furnished from the high voltage transmission system facilities (115,000 volts or higher) of NPPD in accordance with the provisions of this Rate Schedule.

SECTION 2. APPLICABLE:

To any industrial or manufacturing Customer for the Customer's total electrical power and energy requirements at a single location, and taking delivery at 115 kV or at the low voltage bus (normally and customarily either 69 kV or 34.5 kV) at the first transformation below 115 kV. The Customer shall own all distribution facilities beyond the Point(s) of Delivery. Resale of energy taken under this Rate Schedule is not permitted.

This Rate Schedule shall be limited to Customers with peak demands in excess of 20,000 kW. However, Customers with smaller loads are eligible if delivery at the applicable voltages has a lower District revenue requirement for that service than subtransmission or distribution voltage delivery as determined by the District.

SECTION 3. CHARACTER OF SERVICE:

Power and energy shall be provided in the form of three-phase current, alternating at a frequency of approximately sixty (60) Hertz and at nominal NPPD standard operating voltages.

SECTION 4. RATES AND CHARGES FOR ELECTRIC POWER AND ENERGY:

- A. Energy rates are subject to application of NPPD's wholesale Production Cost Adjustment (PCA) Rate Schedule, as amended and adopted from time-to-time.

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Effective: With service provided on and after
February 1, 2022

Approved: 12/9/21 Resolution No.: 21-57 Issued by: Todd J. Suarg

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B. BASE RATE:

Monthly Customer Charge

\$ 4,767 per month

Monthly Production Demand Charges

Per Kilowatt (kW) of Billing Demand

Demand Season:	<u>Summer</u>	<u>Winter</u>
Monthly Rates	\$14.80	\$11.74

Monthly Transmission Charges

Per Kilowatt (kW) of Billing Demand

Transmission Line:	\$3.88
Transmission Substation:	\$0.52

Monthly Ancillary Services Charges

Per Kilowatt (kW) of Billing Demand

Reactive Supply & Voltage Control Service:	\$0.17
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Per Kilowatt-Hour (kWh) of Billing Energy

Regulation Up Service:	\$ 0.00009
Regulation Down Service:	\$ 0.00005
Spinning Reserve Service:	\$ 0.00012
Supplemental Reserve Service:	\$ 0.00002

Monthly Energy Charges

Per Kilowatt-Hour (kWh)

Summer Season

On-Peak	\$0.03256
Off-Peak	\$0.02012

Winter Season

On-Peak	\$0.03016
Off-Peak	\$0.02346

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Approved: 12/9/21

Resolution No.: 21-57

Issued by:

Todd J. Suarz

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C. BASE RATE ADJUSTMENT:

Customers upon whose revenues NPPD has a Lease Payment (LP) or Debt Service (DS) obligation and/or a five percent (5%) Gross Revenue Tax (GRT) obligation will have the Base Rate (excluding PCA but including applicable power factor adjustment) adjusted to include such obligations as shown in the table below:

<u>Applicable Adjustment</u>	<u>Rate Formula</u>
None	Base Rates
Gross Revenue Tax (GRT) Only	Base Rates ÷ 0.95
Lease Payment (LP) or Debt Service (DS) Only	Base Rates ÷ (1 - applicable Lease Payment or Debt Service obligation percentage)
LP/DS and GRT	Base Rates ÷ (1 - (5% + applicable Lease Payment or Debt Service obligation percentage))

In addition, for Customers served from distribution facilities for which the District has a 5% GRT obligation, the PCA will be adjusted to include such obligation by the following formula: $PCA \div 0.95$.

SECTION 5. BILLING DEMAND AND ENERGY:

A. Billing Demands

1. Production Billing Demands

- a. The Production kW Billing Demand for the monthly Billing Periods of October through May (Winter Season) shall be determined as follows: The Customer's measured demand coincident with NPPD's maximum system

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demand occurring during On-Peak Demand Hours of the current Billing Period with adjustments, if any, to such measured demand for (i) kilowatt loss factor (Section 6) and (ii) power factor adjustment (Section 7). In the event that during all or a portion of the hour of the NPPD maximum system demand occurring during On-Peak Demand Hours of the current Billing Period there is no load at a Customer's delivery point(s) due to an equipment outage, then for billing purposes NPPD shall estimate what the Customer's load would have been at the delivery point(s) during this hour absent such equipment outage. The On-Peak Demand Hours for the Winter Season shall be 0801 to 2200 Central Prevailing Time every Monday through Saturday, excluding New Year's Day, Memorial Day, Thanksgiving Day, and Christmas Day.

- b. The Production kW Billing Demand for the monthly Billing Periods of June through September (Summer Season) shall be determined as follows: The average of the Customer's highest measured demands during On-Peak Demand Hours on each of four (4) separate days during the current Billing Period or the three (3) Summer Season monthly Billing Periods immediately preceding the current Billing Period with adjustments, if any, to each such highest measured demand for (i) kilowatt loss factor (Section 6) and (ii) power factor adjustment (Section 7). The four (4) measured demands utilized for this calculation shall be selected from the same Billing Periods and in the same quantities as those utilized to charge the NPPD retail division for providing this service to the Customer. The On-Peak Demand Hours for the Summer Season shall be 0901 to 2300 Central Prevailing Time every Monday through Sunday, excluding Labor Day.

NPPD may designate specific On-Peak Demand Hours as non-billable for the purposes of determining the Customer's Production Billing Demand during the Billing Periods in the Summer Season. NPPD shall have the sole responsibility and authority for determining whether to waive On-Peak Demand Hours for all or a portion of each day in the Summer Season. NPPD will waive On-Peak Demand Hours in a manner such that, for billing purposes, no Customer has more than 6 On-Peak Demand Hours on a Sunday or on Independence Day, 12 On-Peak Demand Hours on any other single day Monday through Saturday, and 72 On-Peak Demand Hours

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during any calendar week commencing at 12:01 a.m. Sunday and extending through midnight on the following Saturday.

NPPD notices regarding the waiver of On-Peak Demand Hours will be made to Customer-identified email addresses and phone numbers approved by NPPD (or by other methods mutually agreeable to both the Customer and NPPD). Each day during the Summer Season by approximately 0830 Central Prevailing Time NPPD will provide a notice to Customer stating the extent to which On-Peak Demand Hours will be waived for a portion or all of that particular day. After the initial notice NPPD may at its option issue additional notice(s) to delay the start of any such On-Peak Demand Hours.

In the event Customer does not receive the initial notice on any day, Customer shall contact the designated NPPD representative and inquire regarding any such notices. The failure to receive or absence of delivery of NPPD notices shall not relieve the Customer of the billing and charges that results from any peak demand established during that day.

2. Transmission Billing Demands

a. Transmission Line Billing Demand

The monthly Transmission Line kW Billing Demand shall be the average of the Customer's 12 monthly measured demands which are coincident with NPPD's maximum monthly transmission system demands from the prior calendar year. Such measured demands shall be adjusted for: (i) kilowatt loss factor (Section 6) and (ii) power factor adjustment (Section 7).

b. Transmission Substation Billing Demand

Where NPPD has provided for the high voltage transmission substation facilities required for the first transformation below 115 kV for service to the Customer, the monthly Transmission Substation kW Billing Demand shall be the Customer's highest measured demand recorded during any hour of the current or preceding eleven (11) Billing Periods that is selected from the same Billing Period which is utilized to charge the NPPD retail division

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for providing this service to the Customer. Such measured demand shall be adjusted for: (i) kilowatt loss factor (Section 6) and (ii) power factor adjustment (Section 7).

3. Ancillary Services Billing Demand

The monthly Reactive Supply & Voltage Control Service kW Billing Demand shall be the same billing quantities used for billing the Transmission Line charges.

B. Billing Energy

1. The total measured energy during the current Billing Period with adjustment, if any, to such measured energy for kilowatt-hour loss factor (Section 6).
2. For the monthly Billing Periods the on and off-peak hours for energy (all based on Central Prevailing Time) are as follows:

Season	On-Peak	Off-Peak
Summer (June-Sept)	1001-2200 Mon-Sat	All Other Hours
Winter (Oct- May)	0801-2200 Mon-Sat	All Other Hours

All hours on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day shall be considered off-peak hours for energy.

3. Ancillary Services Billing Energy

The kWh Billing Energy for Regulation Up Service, Regulation Down Service, Spinning Reserve Service and Supplemental Reserve Service shall be the total measured energy during the current Billing Period with adjustment, if any, to such measured energy for kilowatt-hour loss factor (Section 6).

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SECTION 6. LOSS FACTORS:

For billing purposes, all power and energy sold and purchased under this Rate Schedule shall be based on Point of Measurement at Bus A. If the Point of Measurement is located at other than Bus A, the measured power and energy shall be adjusted for losses to Bus A by multipliers determined by NPPD.

SECTION 7. POWER FACTOR ADJUSTMENT:

If the Customer's power factor at the time of the Demand(s) used in the Billing Demand determination is less than ninety percent (90%) lagging or leading, NPPD may adjust such Demand to ninety percent (90%) of the corresponding kVA.

SECTION 8. POINTS OF DELIVERY:

NPPD will determine the Points of Delivery for the Customer's electric service, using information from the Customer regarding the Customer's requirements, based on the needs and requirements of NPPD's transmission system and facilities.

SECTION 9. TERMS, CONDITIONS AND SPECIFICATIONS OF SERVICE:

Electric service will be furnished pursuant and subject to the following terms, conditions and specifications:

A. DEFINITIONS:

Unless otherwise indicated, the following terms are defined as follows:

- 1) Ancillary Services: Those services which are necessary to support the transmission of capacity and energy from resources to loads while maintaining reliable operation of the transmission system. These services consist of Regulation Up Service, Regulation Down Service, Spinning Reserve Service, Supplemental Reserve Service, and Reactive Supply & Voltage Control Service.
- 2) Billing Demand: The Demand upon which the billing is based, as specified in this Rate Schedule.

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- 3) Billing Energy: The energy upon which the billing is based, as specified in this Rate Schedule.
- 4) Billing Period: The calendar month. In the event the Customer and NPPD agree to use a period other than the calendar month as a billing period such alternate Billing Period may be used. The Customer shall be billed on a monthly basis.
- 5) Bus A: The low voltage bus at the first transformation below 115 kV (generally 69 kV or 34.5 kV).
- 6) Customer: Any person, firm, association, or corporation, public or private, that purchases electric power and energy from the high voltage transmission system facilities of NPPD pursuant to the Rate Schedule.
- 7) Demand: The number of kilowatt-hours delivered at each Point of Delivery during any sixty-minute (60-minute) period.
- 8) NPPD: Nebraska Public Power District.
- 9) Point of Delivery: That point at the outlet of the interconnected transmission system of NPPD where power and energy are delivered to the Customer and the point at which NPPD delivers, and the Customer accepts delivery of, the power and energy purchased. If more than one Point of Delivery is required by the Customer, all such points of delivery shall be shown on a drawing, diagram or document made by NPPD and provided to the Customer.
- 10) Point of Measurement: The point where power and energy are metered for billing purposes, as specified by NPPD which shall be shown on a drawing, diagram or document made by NPPD and provided to the Customer. If the Point of Measurement is located at other than Bus A, then the provisions of Section 6 of this Rate Schedule shall apply.
- 11) Rate Schedule: The Large Industrial Service Rate Schedule including all rates, charges, provisions, terms, conditions and specifications of service therein, as amended or otherwise changed by NPPD from time to time.

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- 12) Reactive Supply & Voltage Control Service: Ancillary Service provided from generation facilities which are used to supply or absorb reactive power as required for the reliable movement of real power through the transmission system and to maintain adequate voltages on the transmission system.
- 13) Regulation Down Service: Ancillary Service provided for the purpose of meeting North American Electric Reliability Corporation (NERC) reliability standards to continuously balance resources (generation and interchange) with control area load on a real-time basis and for maintaining scheduled interconnection frequency at sixty cycles per second (60 Hz). Regulation Down Service is accomplished by committing on-line generation whose output is reduced (predominantly through the use of automatic generation control equipment) as necessary to follow moment-by-moment changes in load.
- 14) Regulation Up Service: Ancillary Service provided for the purpose of meeting NERC reliability standards to continuously balance resources (generation and interchange) with control area load on a real-time basis and for maintaining scheduled interconnection frequency at sixty cycles per second (60 Hz). Regulation Up Service is accomplished by committing on-line generation whose output is increased (predominantly through the use of automatic generation control equipment) as necessary to follow moment-by-moment changes in load.
- 15) Spinning Reserve Service – Ancillary Service provided to meet NERC reliability standards for maintaining Spinning Reserve. Spinning Reserve shall mean the amount of unloaded generating capability connected to and synchronized with the interconnected system and ready to take load immediately.
- 16) Supplemental Reserve Service – Ancillary Service provided to meet NERC reliability standards for maintaining Supplemental Reserve. Supplemental Reserve shall mean all unloaded generating capability not meeting the Spinning Reserve criteria that can be made fully effective within a period of time that complies with the then current NERC reliability standards.

B. **BILLING:** All bills for power and energy delivered to the Customer will be rendered as soon as reasonably practical after the end of the Billing Period covered by such bill. All

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bills for power and energy, and accrued interest, if any, shall be due and payable at the office of NPPD within fifteen (15) calendar days from the date such bills are rendered, and payment shall be made when due and without offset; provided, however, if the 15th day is a Sunday or a holiday recognized by either party, the following business day shall then become the due date. All bills shall be rendered on the postmark date if deposited in first-class mail, properly addressed, with postage prepaid. Failure to receive a bill mailed to the Customer shall not relieve such Customer from liability for payment. If other means of bill delivery to the Customer is used, such bill shall be deemed rendered upon receipt by the Customer. All bills shall be deemed paid on the postmark date if deposited in first-class mail, properly addressed, with postage prepaid. If other means of bill payment to NPPD is used, such bill shall be deemed paid upon receipt of payment by NPPD.

In the event the Customer fails to make payment in full of each bill when due and payable, the Customer shall pay to NPPD interest on the amount due. Such interest shall accrue on any amount due from the date payment was due until the date on which payment of the unpaid balance of the billing is made in full. Such interest shall accrue at an annual interest rate equal to the lowest United States prime rate published on the due date (or the last previous publication day if not published on that date) in the money rates section of the Wall Street Journal. Such interest calculation shall be on the basis of actual days and a three hundred sixty-five (365) day calendar year.

NPPD may, at any time after a bill is past due and after giving fifteen (15) days advance notice in writing, discontinue service until all past-due bills with interest and penalties thereon, if any, are paid. Discontinuance of service, as herein provided, shall not relieve the Customer of liability for the payment of all service actually rendered or imposed any liability upon NPPD.

All bills shall show the amounts of power and energy delivered by NPPD to the Customer at all Points of Delivery, as applicable, during the preceding Billing Period, and shall clearly set forth the computations and other factors essential to the calculation of the amount due in accordance with the applicable rates and charges.

- C. METERING: NPPD shall furnish, install and maintain at Points of Measurement the necessary primary and alternate meters for determining the amounts of demand and energy supplied to the Customer.

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Meters shall register the kilowatt-hours, integrated kilowatt demands on the basis of sixty-minute (60-minute) periods and other data necessary for computing bills in accordance with applicable rates.

The Customer shall permit the use of its available housing and other facilities for NPPD's metering equipment.

- D. METER TESTS: NPPD shall test and inspect, at its own expense, said metering equipment furnished by it to ensure that the metering equipment is maintained in good order and within reasonable limits of accuracy. The Customer may request such additional tests, as it may desire. The Customer shall be notified in advance of the time when said test of said equipment shall be made, and may have representatives present at such tests.

In the event the Customer requests and NPPD performs a test other than the routine tests performed by NPPD, and said test shows said meters to be accurate within two percent (2%) plus or minus, the Customer shall bear the costs of said test. If inaccuracy exceeds two percent (2%), NPPD shall bear the costs of the test and the readings of the meters taken during the period of thirty (30) days preceding (or during such shorter period as may have intervened since a test) shall be corrected and payment adjusted accordingly, prior to which period no correction of such readings will be made. All meters when tested shall be adjusted to within one-half percent ($\frac{1}{2}\%$) plus or minus of correct registration at full load rating of the meter.

If the primary meters installed by NPPD fail to register the electric power and energy during any period of time for any reason whatsoever, the amount of electric power and energy delivered during such period shall be measured by means of the alternate meters installed by NPPD. If said alternate meters have wholly failed to register during this period of time, the amount of electric power and energy so delivered shall be estimated according to the amount previously delivered under substantially similar conditions.

- E. CUSTOMER'S LINES AND EQUIPMENT: NPPD reserves the right to review and accept or reject the Customer's specifications and equipment to insure compatibility with NPPD's electric system. All lines, substations and other electrical facilities (except metering equipment used for billing the Customer by NPPD) located on Customer's side of any Point of Delivery, shall be furnished, installed and maintained by the Customer, or provided under a separate contract with NPPD.

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The right is reserved by NPPD to require that the Customer install and maintain in good operating condition such protective equipment located on the Customer's side of any Point of Delivery as NPPD in its discretion may deem necessary for the protection of NPPD's equipment and service or the equipment and service of others whom it may serve at such point. However, the exercise of such right shall not render NPPD, its officers, agents or employees, liable for any loss, damage or accident resulting from defects in such installation or the misapplication, malfunctioning or insufficiency of such equipment.

- F. CUSTOMER'S RESPONSIBILITY FOR NPPD'S PROPERTY: All meters and other facilities furnished by NPPD and installed on the Customer's property, shall be and remain NPPD's property, and the right to remove, replace or repair such meters and other facilities is expressly reserved to NPPD. In the event of any loss or damage to such property of NPPD caused by or arising out of intentional or negligent misuse by the Customer, his employees or agents, the cost of making good such loss or repairing such damage shall be paid by said Customer. The Customer shall exercise due care to protect NPPD's property located on the Customer's premises, and NPPD shall exercise due care to protect the Customer's property located on NPPD's premises.
- G. RIGHT OF ACCESS: NPPD shall have access to the Customer's premises at all reasonable times for the purpose of reading meters, and for testing, repairing, renewing, replacing, exchanging or removing any or all equipment installed by NPPD.
- H. CONTINUITY OF SERVICE: Both NPPD and the Customer shall exercise reasonable diligence to avoid interruptions in the delivery of electric power and energy hereunder, but neither NPPD nor the Customer shall be liable to the other for any damages or loss which may be occasioned by any breakdown, failure or accident to generating plants, transmission lines, facilities or other equipment where such failure, occurrence, interruption, breakdown or accident is caused by an act of God, fire, explosion, strike, riot, flood, lightning, storm, civil disturbance, war, action of public authorities, litigation, defects, mechanical, electric or structural failure of system components or maintenance to prevent the same or any act or occurrence beyond their reasonable control. The Customer shall notify NPPD immediately of any occurrence, defect, failure or accident which may, in any way, affect the delivery of power by NPPD to the Customer.

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Nothing herein shall be construed as restricting in any way NPPD's right to interrupt service to the Customer as NPPD may deem necessary or appropriate to facilitate inspection of, repair to, or changes to NPPD's facilities; provided, however, that NPPD shall use its reasonable best efforts, when practicable, to provide the Customer with advance notice of such interruptions and to coordinate with the Customer the times of such interruptions. In any event, failure of NPPD and the Customer to agree upon the time of such an interruption shall not restrict NPPD from proceeding therewith as NPPD deems necessary.

NPPD does not guarantee continuous service but shall use reasonable diligence at all times to provide an uninterrupted supply of electricity and having used reasonable diligence shall not be liable to the Customer for damage, for failure in, or for interruptions or suspensions of, the same.

NPPD reserves the right to suspend service without liability on its part at such times and for such periods and in such manner as it may deem necessary (a) for the purpose of making necessary adjustments to, changes in, or repairs on its lines, substations, and facilities including generation, (b) in cases where, in its opinion, the continuance of service to the Customer's premises would endanger persons or property and (c) as provided in Paragraph N of this Section 9.

In the event of an adverse condition or disturbance on the system of NPPD, or on any other system directly or indirectly interconnected with it, which requires automatic or manual interruption of the supply of electricity to some customers or areas in order to limit the extent or damage to the adverse condition or disturbance, or to prevent damage to generating or transmission facilities, or to expedite restoration of service, NPPD may, without incurring liability, interrupt service to customers or areas and take such other action as appears reasonably necessary.

The Customer assumes responsibility for and shall indemnify, defend, and save NPPD harmless against all liability, claims, judgments, losses, costs, and expenses for injury, loss, or damage to persons or property including personal injury or property damage to the Customer and his employees on account of defective construction, wiring, or equipment, or improper or careless use of electricity, on the Customer's side of the Point of Delivery.

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Supersedes Schedule: LIS Issued: 12/16/20
Sheet No.: 14 of 16 Sheets

LARGE INDUSTRIAL SERVICE (LIS) RATE SCHEDULE

(Name of Schedule)

- I. LOAD FLUCTUATIONS AND DISTURBANCES: Electric power and energy shall be used by the Customer in such a manner as will not cause objectionable voltage or current fluctuations, including but not limited to harmonics and flicker, or other electrical disturbances or adverse and detrimental effects on NPPD's transmission and generation systems or to other electric customers or electric utilities connected to NPPD. If such fluctuations, disturbances or effects occur and become unacceptable to NPPD in its sole discretion and judgment, NPPD reserves the right to require the Customer to provide at the Customer's expense one or more remedies that are satisfactory to NPPD, including installing appropriate corrective equipment, modifying its operating practices, communicating and coordinating with NPPD information concerning the upcoming fluctuations or disturbances, or reimbursing NPPD for such impacts. NPPD will discuss with the Customer alternative remedies to correct objectionable voltage or current fluctuations.
- J. BALANCING OF LOADS: The Customer shall at all times take and use power and energy in such manner that the load of the Customer at each Point of Delivery will not be unbalanced between phases more than ten percent (10%). If the load is unbalanced more than ten percent (10%), NPPD reserves the right to require the Customer, at the Customer's expense, to make the necessary changes to correct such conditions; or NPPD may, in its determination of Billing Demand, assume that the load on each phase is equal to the greater load on any phase.
- K. CUSTOMER'S GENERATION EQUIPMENT: If the Customer intends to install or has installed generation equipment that serves or could serve some or all of the Customer's electric energy requirements, the Customer shall report such generation to NPPD. The Customer shall also abide by all requirements placed on the operation of such the Customer generation by NPPD as resulting from NPPD's obligations to ensure the reliability of the interconnected system, including those placed on NPPD by regional operating and reliability standards and authorities.
- L. CONDITIONS OF SERVICE: All electrical facilities used or constructed by the Customer must conform to accepted modern practice and to applicable state and local requirements and must conform to the requirements of the National Electrical Safety Code and National Electrical Code.

TAX CLAUSE: In the event of the imposition of any new or increased tax or any payment in lieu thereof, in excess of that provided for under Article VIII, Section 11 of the Nebraska Constitution, by any lawful authority on the production, transmission, or sale of electricity, the rate provided herein may be increased to reflect the amount of such tax or in lieu of tax increase.

Effective: With service provided on and after
February 1, 2022

Approved: 12/9/21 Resolution No.: 21-57 Issued by: Todd A. Suazy

NEBRASKA PUBLIC POWER DISTRICT

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LARGE INDUSTRIAL SERVICE (LIS) RATE SCHEDULE

(Name of Schedule)

The Customer shall install and maintain protective devices to protect NPPD facilities against adverse conditions or disturbances originating on the Customer's system. Such protective devices shall be in accordance with the applicable electric industry standards and coordinate and be compatible with NPPD equipment.

- M. REQUEST FOR SERVICE AND INFORMATION: The Customer's request for service shall provide (1) the maximum capacity in MVA (megavolt amps), (2) the voltage in kV (kilovolts) of the electric energy to be delivered, (3) the purpose, nature and manner of the Customer's use of the electric energy to be delivered, and (4) information necessary for NPPD to determine all Points of Delivery and make the interconnections between the Customer and NPPD. The Customer shall also provide such other information requested by NPPD during the time the Customer is receiving electric service as required by or is necessary to determine compliance by the Customer with this Rate Schedule or otherwise needed to provide electric service to the Customer.
- N. NPPD'S RIGHT TO TERMINATE OR SUSPEND SERVICE: NPPD, in addition to all other legal remedies, may either terminate or suspend electric service and delivery of electric energy to the Customer for (a) any default of, violation of, or failure to comply with the Rate Schedule by the Customer, (b) fraudulent or unauthorized use of electric energy use in such manner as to circumvent NPPD's meters, (c) failure to pay bills or invoices when due and payable, or (d) in case of a condition on the Customer's side of the Point of Delivery actually known by NPPD to be, or which Company reasonably believes may be, dangerous to life or property. No such termination or suspension, however, will be made by NPPD without fifteen (15) days written notice delivered to the Customer personally or by mail, stating the grounds for termination or suspension, except that no notice need be given in instances set forth in (b) and (d) above.

Failure of NPPD to terminate or to suspend electric service and the delivery of electric energy at any time after the occurrence of grounds therefore or to resort to any other legal remedy or to exercise any one or more of such alternative remedies, shall not waive or in any manner affect NPPD's right later to resort to any or more of such rights or remedies on account of any such ground then existing or which may subsequently occur.

Any suspension of the delivery of electric energy by NPPD or termination of electric service upon any authorized grounds shall in no way operate to relieve the Customer of its

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LARGE INDUSTRIAL SERVICE (LIS) RATE SCHEDULE

(Name of Schedule)

liability to pay for electric energy supplied or any other amounts, obligations or liabilities owed or impose any liability upon NPPD.

- O. EXCLUSIVITY: Electric service and energy supplied by NPPD is for the sole and exclusive use by the Customer at the Customer's premises as shown on the Points of Delivery. Electric service and energy provided hereunder cannot be remetered, resold, redistributed, retransmitted, disposed of or otherwise shared with any person or entity.

SECTION 10. RESERVATION OF AUTHORITY AND RIGHT TO AMEND:

This Rate Schedule, and all rates, changes, provisions, terms, conditions and specifications of service therein, was adopted by Resolution of the NPPD Board of Directors which retains all rights, powers and authority to supplement, amend, supersede, revise, withdraw, cancel and otherwise modify or change any or all of this Rate Schedule, and all rates, charges, provisions, terms, conditions and specifications of service therein, at any time, with or without notice, pursuant and subject only to the statutes of the State of Nebraska governing electric service and rates. Nothing contained in this Rate Schedule shall be construed as affecting in any way the right and authority of NPPD to make such changes.

TAX CLAUSE: In the event of the imposition of any new or increased tax or any payment in lieu thereof, in excess of that provided for under Article VIII, Section 11 of the Nebraska Constitution, by any lawful authority on the production, transmission, or sale of electricity, the rate provided herein may be increased to reflect the amount of such tax or in lieu of tax increase.

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