

Notes on Transition Contract from 2/17/10  
Working of off QF edits dated 2-16-10

<u>Place in Contract</u>	<u>Issue</u>	<u>Action Taken</u>	<u>Next steps</u>
Pre-amble	Clarification on language	Changes agreed to	Accept changes
Recitals	Need to synchronize with settlement	Wait until final deal in place	Will need to be drafted once settlement is agreed upon
1.01	Eligibility resolution	Eligibility resolution	Placeholder until resolved by principals
1.02(d)	Reference to 3.07		Placeholder until resolved by principals
1.02(e)	Reference to 3.07		Placeholder until resolved by principals
Over arching issue (just came up here) – it's in 3.01	Modernize definition of product (over arching) any and all product is priced as one type of product, all capacity and associated energy		Placeholder until resolved by principals
1.02(f)	Added note. Question if this applies to the transition contract.	Okay to take out note	Remove note
1.02(f)	Does the contract allow the info needed for the report for transition contracts. If CPUC wants it, then the reporting requirement needs to be there.		Homework assignment: do we need GHG accounting language for transition contracts. Possible Placeholder that goes in multiple spots
2.01	ISO Compliance (who determine compliance)	Remove note in brackets	Remove note
2.01	Language on waivers	Suggested Insert: "that satisfaction shall be determined	Jerry

		by the applicable agency having jurisdiction and authority and governing such obligations and proof thereof shall be submitted to the utility as evidenced by official documentation from the applicable agency.”	
2.02(a)	Termination rights		Principals to discuss
3.01	Product issues	See above over arching issues	
3.01(e)	Fix soft return format		Fix format issue
3.01(c) vi	Full compliance with cap and trade regulations		Needs to be finalized with Option A
3.02	Note on opening paragraph (cost exposure)		To be taken up with small group
3.03	Site control and inconsistent (?) with 9.02(a)	“and in each will maintain such site control” and copy and paste “to the extent” to the second part of the sentence.	Accept changes in markup
3.09	Telemetry	Strike “provisions applicable to Qualifying Facilities.”	
Exhibit A	QF definition	Implementing PURPA.” (strike out and is certified...) and is a Qualifying Facilities in accordance with FERC regulations	Adopt changes
3.21	NERC	Insert “Required by NERC”	Adopt changes
Exhibit D – 2(b)		Insert summary of Option A lanuage	Placeholder for Option A
Exhibit I – 3(a)	Formula (forecast	Delete word	

and Exhibit J	error) – make certain if it’s not seller’s error, that it’s just zeroed out. Shows up also in Exhibit J.	“directly” in Exhibit I ; fixed some grammar issues.	
3.08(b)	Check meter	Clarify that it is only for back	Kamyar to send language from AB 1613 that captures the concept