

From: Cherry, Brian K  
Sent: 4/30/2012 8:32:04 AM  
To: Clanon, Paul (paul.clanon@cpuc.ca.gov) (paul.clanon@cpuc.ca.gov); Joe Ronan (joer@calpine.com) (joer@calpine.com); Alex Makler (Alex.Makler@calpine.com) (Alex.Makler@calpine.com)  
Cc:  
Bcc:  
Subject: Deal

Here is what I've got Fong and company to agree to to get a deal done today:

RA deal at market.

Cooperation agreement – 1 test and 90% of availability during peak every month.

I'm not sure extending it a week will result in any additional movement.

I'm free to chat at 9am.

Tom got Tony and Chris to agree to a deal with three issues: most favored nations clause; cooperation agreement, and \$15 million pro rata share. The deal above meets that.