17 Procedures For Arranging Firm Point-To-Point Transmission Service

17.1 Application:

A request for Firm Point-To-Point Transmission Service for periods of one year or longer must contain a written Application to the current representative(s) for the Companies. For eligible retail customers or an authorized agency seeking Point-To-Point Retail Open Access Transmission Service, such requests shall be submitted in accordance with Part IV of this Tariff.

The Companies’ representative is listed on the Open Access Transmission Inc.(OATi) OASIS website in the Contacts folder.

The OATi OASIS websites are located at the following locations:

http://www. oasis.oati.com/NEVP

http://www. oasis.oati.com/SPPC

http://www.oasis.oati.com/NVE

The Application must be submitted at least sixty (60) days in advance of the calendar month in which service is to commence. The Transmission Provider will consider requests for such firm service on shorter notice when feasible. Requests for firm service for periods of less than one year shall be subject to expedited procedures that shall be negotiated between the Parties within the time constraints provided in Section 17.5.

All Firm Point-To-Point Transmission Service requests should be submitted by entering the information listed below on the Transmission Provider's OASIS. In the event that the Transmission Provider's OASIS is not functional for any reason, a Completed Application may instead be submitted by

(i) transmitting the required information to the Transmission Provider by telefax, or

(ii) providing the information by telephone over the Transmission Provider's time recorded telephone line designated for that purpose.

Each of these methods will provide a time-stamped record for establishing the priority of the Application.

17.2 Completed Application:

A Completed Application shall provide all of the information included in 18 CFR § 2.20 including but not limited to the following:

(i) The identity, address, telephone number and facsimile number of the entity requesting service;

(ii) A statement that the entity requesting service is, or will be upon commencement of service, an Eligible Customer under the Tariff;

(iii) The location of the Point(s) of Receipt and Point(s) of Delivery and the identities of the Delivering Parties and the Receiving Parties;

(iv) The location of the generating facility(ies) supplying the capacity and energy and the location of the load ultimately served by the capacity and energy transmitted. The Transmission Provider will treat this information as confidential except to the extent that disclosure of this information is required by this Tariff, by regulatory or judicial order, for reliability purposes pursuant to Good Utility Practice or pursuant to RTG transmission information sharing agreements. The Transmission Provider shall treat this information consistent with the standards of conduct contained in Part 37 of the Commission's regulations;

(v) A description of the supply characteristics of the capacity and energy to be delivered;

(vi) An estimate of the capacity and energy expected to be delivered to the Receiving Party;

(vii) The Service Commencement Date and the term of the requested Transmission Service;

(viii) The transmission capacity requested for each Point of Receipt and each Point of Delivery on the Transmission Provider's Transmission System; customers may combine their requests for service in order to satisfy the minimum transmission capacity requirement;

(ix) A statement indicating that, if the Eligible Customer submits a Pre‑Confirmed Application, the Eligible Customer will execute a Service Agreement upon receipt of notification that the Transmission Provider can provide the requested Transmission Service;

(x) Any additional information required by the Transmission Provider’s planning process established in Attachment K; and

(xi) The designated representative for Transmission Customer who will be responsible for operational communications with the Transmission Provider and who will have sufficient authority to commit and bind the Transmission Customer during real time operation. Such representative may be responsible for more than one Transmission Customer but each Transmission Customer shall have only one representative.

The Transmission Provider shall treat this information consistent with the standards of conduct contained in Part 37 of the Commission's regulations.

17.3 Deposit:

A Completed Application for Firm Point-To-Point Transmission Service also shall include a deposit of either one month's charge for Reserved Capacity or the full charge for Reserved Capacity for service requests of less than one month. If the Application is rejected by the Transmission Provider because it does not meet the conditions for service as set forth herein, or in the case of requests for service arising in connection with losing bidders in a Request For Proposals (RFP), said deposit shall be returned with interest less any reasonable costs incurred by the Transmission Provider in connection with the review of the losing bidder's Application. The deposit also will be returned with interest less any reasonable costs incurred by the Transmission Provider if the Transmission Provider is unable to complete new facilities needed to provide the service. If an Application is withdrawn or the Eligible Customer decides not to enter into a Service Agreement for Firm Point-To-Point Transmission Service, the deposit shall be refunded in full, with interest, less reasonable costs incurred by the Transmission Provider to the extent such costs have not already been recovered by the Transmission Provider from the Eligible Customer. The Transmission Provider will provide to the Eligible Customer a complete accounting of all costs deducted from the refunded deposit, which the Eligible Customer may contest if there is a dispute concerning the deducted costs. Deposits associated with construction of new facilities are subject to the provisions of Section 19. If a Service Agreement for Firm Point-To-Point Transmission Service is executed, the deposit, with interest, will be returned to the Transmission Customer upon expiration or termination of the Service Agreement for Firm Point-To-Point Transmission Service. Applicable interest shall be computed in accordance with the Commission's regulations at 18 CFR § 35.19a(a)(2)(iii), and shall be calculated from the day the deposit check is credited to the Transmission Provider's account.

17.4 Notice of Deficient Application:

If an Application fails to meet the requirements of the Tariff, the Transmission Provider shall notify the entity requesting service within fifteen (15) days of receipt of the reasons for such failure. The Transmission Provider will attempt to remedy minor deficiencies in the Application through informal communications with the Eligible Customer. If such efforts are unsuccessful, the Transmission Provider shall return the Application, along with any deposit, with interest. Upon receipt of a new or revised Application that fully complies with the requirements of Part II of the Tariff, the Eligible Customer shall be assigned a new priority consistent with the date of the new or revised Application.

17.5 Response to a Completed Application:

Following receipt of a Completed Application for Firm Point-To-Point Transmission Service, the Transmission Provider shall make a determination of available transfer capability as required in Section 15.2. The Transmission Provider shall notify the Eligible Customer as soon as practicable, but not later than thirty (30) days after the date of receipt of a Completed Application either (i) if it will be able to provide service without performing a System Impact Study or (ii) if such a study is needed to evaluate the impact of the Application pursuant to Section 19.1. Responses by the Transmission Provider must be made as soon as practicable to all completed applications (including applications by its own merchant function) and the timing of such responses must be made on a non-discriminatory basis.

17.6 Execution of Service Agreement:

Whenever the Transmission Provider determines that a System Impact Study is not required and that the service can be provided, it shall notify the Eligible Customer as soon as practicable but no later than thirty (30) days after receipt of the Completed Application. Where a System Impact Study is required, the provisions of Section 19 will govern the execution of a Service Agreement. Failure of an Eligible Customer to execute and return the Service Agreement or request the filing of an unexecuted service agreement pursuant to Section 15.3, within fifteen (15) days after it is tendered by the Transmission Provider will be deemed a withdrawal and termination of the Application and any deposit submitted shall be refunded with interest. Nothing herein limits the right of an Eligible Customer to file another Application after such withdrawal and termination.

17.7 Extensions for Commencement of Service:

The Transmission Customer can obtain, subject to availability, up to five (5) one-year extensions for the commencement of service.

**(a) Procedures For Obtaining an Extension of Service Involving Existing Facilities:**

The Transmission Customer may postpone service by paying a non-refundable annual reservation fee equal to one-month’s charge for Firm Transmission Service for each year or fraction thereof within 15 days of notifying the Transmission Provider it intends to extend the commencement of service. If during any extension for the commencement of service an Eligible Customer submits a Completed Application for Firm Transmission Service, and such request can be satisfied only by releasing all or part of the Transmission Customer’s Reserved Capacity, the original Reserved Capacity will be released unless the following condition is satisfied. Within thirty (30) days, the original Transmission Customer agrees to pay the Firm Point-To-Point transmission rate for its Reserved Capacity concurrent with the new Service Commencement Date.

In the event the Transmission Customer elects to release the Reserved Capacity, the reservation fees or portions thereof previously paid will be forfeited.

**(b) Procedures For Obtaining an Extension of Service When New Facilities Are Constructed:**

When a requested extension is made on or after July 5, 2004 and involves the construction of new facilities by the Transmission Provider, the procedures described in Section 17.7(a) shall apply, except that the following procedures will apply with respect to the amount of compensation required for the requested extension:

(i) The Transmission Provider will determine whether the extension can be granted without the incurrence of additional costs by the Transmission Provider. If so, the provisions of Section 17.7(a) shall govern the amount of compensation required.

(ii) If additional costs will be incurred by the Transmission Provider as a consequence of the requested extension, a senior management representative of both the Transmission Provider and the Transmission Customer shall negotiate in good faith to attempt to reach an agreement on the amount and form of compensation required for the extension. The Transmission Provider shall file any such agreement under Section 205 of the Federal Power Act as an amendment to the Transmission Customer’s transmission service agreement.

(iii) If additional costs will be incurred by the Transmission Provider as a consequence of the requested extension and the Transmission Provider and the Transmission Customer cannot reach an agreement on the amount and form of compensation required for the extension, the Transmission Provider may make a filing under Section 205 of the Federal Power Act as an amendment to the Transmission Customer’s transmission service agreement, providing for the recovery of the carrying costs and any other costs incurred by the Transmission Provider as a consequence of the extension. Such filing shall contain information that shall allow the Commission to determine whether the claimed costs are just and reasonable.

17.8 For Future Use:

17.9 Completed Application for Participation in EIM Utilizing Firm Point-to-Point Transmission Service:

A Transmission Customer that elects to participate in the EIM utilizing a Service Agreement for Firm Point-to-Point Transmission Service in accordance with Attachment P shall submit a Completed Application for the Service Agreement for Firm Point-To-Point Transmission Service consistent with Section 17.1 and provide the information requested in Section 17.2.