

City of Memphis



JIM STRICKLAND
MAYOR

TENNESSEE

January 14, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

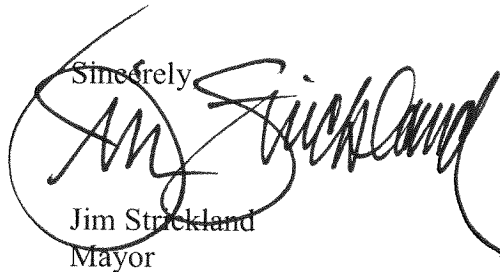
Subject to Council approval, I hereby recommend that:

Natasha Strong

be appointed to the Memphis Landmarks Commission with a term expiring May 26, 2023.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members

City of Memphis



TENNESSEE

JIM STRICKLAND
MAYOR

January 14, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Kristen Bland

be reappointed to the Memphis Area Transit Authority with a term expiring January 22, 2023.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland", written over the word "Sincerely,".

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

City of Memphis



JIM STRICKLAND
MAYOR

TENNESSEE

January 14, 2020

The Honorable Chase Carlisle, Chairman
Personnel Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Carlisle:

Subject to Council approval, I hereby recommend that:

Thomas Pacello

be reappointed to the Memphis Area Transit Authority with a term expiring August 24, 2022.

I have attached biographical information.

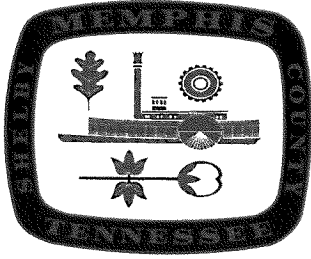
Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland", written over a circular stamp.

Jim Strickland
Mayor

JSS/sss

Cc: Council Members



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution to transfer \$1,100,979 of allocated funding from the *Southbrook Mall Infrastructure* project (PW04114) to three new projects: *GA01026-Public Service Corps* (\$590,979); *GS01048-Chiller at AutoZone Park* (\$300,000); and *PW04121-Holiday Lights* (\$210,000). **Request for same night minutes.**

2. Initiating Party (e.g., Public Works; at request of City Council; etc.)

Executive

3. State whether this is a change to an existing ordinance or resolution, if applicable.

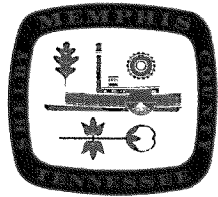
N/A

4. State whether this requires a new contract, or amends an existing contract, if applicable.

N/A

5. State whether this requires an expenditure of funds/requires a budget amendment.

This resolution authorizes the expenditure of: 1) Vehicles, Equipment, and Architecture & Engineering funds for "**Public Service Corps**," an initiative announced by Mayor Jim Strickland during his address at his second inauguration on January 1, 2020; 2) Equipment funds for a **replacement chiller at AutoZone Park**; and 3) Contract Construction funds for the installation of **Holiday LED lighting** in all seven districts of the City of Memphis.



RESOLUTION

To transfer \$1,100,979 of allocated funding from the Southbrook Mall Infrastructure project to the following projects: Public Service Corps; Chiller at AutoZone; and Holiday Lights

WHEREAS the City of Memphis has implemented the “Public Service Corps,” a program that will provide part-time work to men and women 18 years of age and older who have successfully completed the City’s “Manhood University” and “Women Offering Women Support” (WOWS) programs – with plans to extend the program to other participants after the pilot phase; and

WHEREAS, per the City’s agreement with the Memphis Redbirds, the City shares in the capital expenditures for major building systems at AutoZone Park; and

WHEREAS \$300,000, the City’s share of the cost of the chiller that was installed at AutoZone Park in Spring 2019, has been determined to be the City’s share for a replacement chiller; and

WHEREAS construction costs totaling \$210,000 have been deemed necessary for the installation of Holiday LED lighting throughout the City of Memphis in all seven districts; and

WHEREAS available funding has been identified in Project #PW04114-Southbrook Mall Infrastructure for the Public Service Corps initiative, a replacement chiller at AutoZone Park, and the Holiday Lights project; and

WHEREAS it is necessary to transfer \$1,100,979 of allocated funding from the Southbrook Mall Infrastructure project to the Public Service Corps, Chiller at AutoZone Park, and Holiday Lights projects;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that one million, one hundred thousand, nine hundred seventy-nine dollars (**\$1,100,979**) of allocated **Contract Construction and Architecture and Engineering** expenditures in Project# PW04114-Southbrook Mall Infrastructure be transferred to Project #GA01026-Public Service Corps (\$590,979); Project #GS01048-Chiller at AutoZone Park (\$300,000); and Project #PW04121-Holiday Lights (\$210,000).

BE IT FURTHER RESOLVED by the Council of the City of Memphis that the sum of **\$1,100,979** funded by General Obligation bonds be appropriated to the above-named projects as follows:

Public Service Corps – GA01026

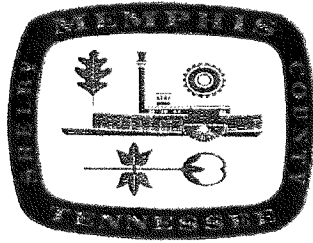
| | |
|------------------------------|------------------|
| Architecture and Engineering | \$308,913 |
| Vehicles CAP | \$251,370 |
| Furniture/Fixtures/Equipment | <u>\$ 30,696</u> |
| TOTAL | <u>\$590,979</u> |

Chiller at AutoZone – GS01048

| | |
|------------------------------|------------------|
| Furniture/Fixtures/Equipment | <u>\$300,000</u> |
| TOTAL | <u>\$300,000</u> |

Holiday Lights – PW04121

| | |
|-----------------------|------------------|
| Contract Construction | <u>\$210,000</u> |
| TOTAL | <u>\$210,000</u> |



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This resolution amends the Fiscal Year 2020 Capital Improvement Budget by transferring and appropriating funds for Traffic Signal Improvements to the Intersection of Barron at Prescott

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

This project is being initiated by the Division of Engineering.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

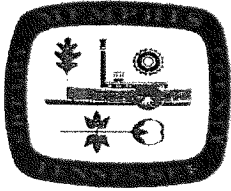
This project does not involve a change to an existing ordinance or resolution.

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This Traffic Signal project will require a new contract.

5. State whether this requires an expenditure of funds/requires a budget amendment.

A new contract and expenditure of funds are required.



A Resolution appropriating Construction Funds for EN01100 – Traffic Signal Improvements to the intersection of Barron at Prescott

WHEREAS, the Council of the City of Memphis did include Traffic Signals, Project Number EN20100 as part of the Engineering Fiscal Year 2020 Capital Improvement Budget; and

WHEREAS, bids were taken on December 11, 2019 for Traffic Signal Improvements to the Intersection of Barron at Prescott, with the lowest complying bid being \$323,665.50 submitted by Shelby Electric; and

WHEREAS, it is necessary to transfer an allocation of \$300,000.00 funded by G.O. Bonds – from Traffic Signals, Project Number EN20100 to Traffic Signal Improvements to the Intersection of Barron at Prescott, Project Number EN01100; and

WHEREAS, it is necessary to transfer \$35,000.00 in previously appropriated G.O. Bond funding – from Traffic Signal Furniture, Fixtures, and Equipment (FY20), Project Number EN20101 to Traffic Signal Improvements to the Intersection of Barron at Prescott, Project Number EN01100; and

WHEREAS, it is necessary to appropriate \$335,000.00 funded by G.O. Bonds in Traffic Signal Improvements to the Intersection of Barron at Prescott, Project Number EN01100 as follows:

| | |
|------------------------------|---------------------------|
| Contract Amount | \$323,665.50 |
| Project Contingencies | <u>\$11,334.50</u> |
| Total Amount | \$335,000.00 |

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2020 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$300,000.00 funded by G.O. Bonds from Traffic Signals, Project Number EN20100 and \$35,000.00 in previously appropriated funding from Traffic Signal Furniture, Fixtures, and Equipment (FY20), Project Number EN20101 to Traffic Signal Improvements to the Intersection of Barron at Prescott, Project Number EN01100.


BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$335,000.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2020 Capital Improvement Budget and credited as follows:

| | |
|-----------------------|--|
| Project Title | Traffic Signal Improvements to the Intersection of Barron at Prescott |
| Project Number | EN01100 |
| Total Amount | \$335,000.00 |

Council Resolution Caption (Traffic Signal Improvements (Barron @ Prescott) EN01100)

A Resolution amending the FY20 Capital Improvement Budget by transferring an allocation and appropriating \$335,000.00 in G.O. Bonds – for Traffic Signal Improvements to the Intersection of Barron at Prescott., Project Number EN01100, for a Construction Contract with Shelby Electric.

MEMORANDUM

From: Manny Belen, PE, Director of Engineering 
To: Jim Strickland, Mayor
Via: Doug McGowen, Chief Operating Officer
DATE: January 9, 2020
SUBJECT: Resolution

Parts of the Decision Brief/Memo

1. Problem Statement or Opportunity

This resolution is amending the FY20 Capital Improvement Budget by transferring an allocation and appropriating \$335,000.00 in G.O. Bonds - from Traffic Signals, Project Number EN20100 and Traffic Signal Furniture, Fixtures, and Equipment (FY20) EN20101, to Traffic Signal Improvements to the Intersection of Barron at Prescott, Project Number EN01100, for a Construction Contract with Shelby Electric.

2. Recommendation

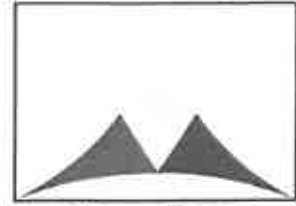
The Division of Engineering recommends approval.

3. Prior Coordination

Bids for this project were opened on 12-11-19. The lowest complying bid of \$323,665.50 was submitted by Shelby Electric. An additional \$11,334.50 is being appropriated for project contingencies.

4. Additional Information

Please see the attached Resolution documentation. This project has an assigned MBE goal of 6% and a WBE Goal of 1%



MLGW

**SERVING YOU IS
WHAT WE DO**

INTERDEPARTMENTAL MEMORANDUM

Office of the President/CEO

AB/01-522

901.528.4470 (Office)

To: Richard Campbell
Budget Office
City of Memphis

From: Danette Fish

Date: January 15, 2020

Subject: Items for MLGW Committee on January 21, 2020

Attached please find one item for MLGW Committee on January 21. The MLGW Board of Commissioners passed this item at the Board Meeting on December 18, 2019.

I have included 15 copies and also sent electronic files today.

Should you have questions, please call me at 901-528-4311.

Thank you for working with us on submitting late.

Attachments

CC: Juaness Keplinger
Judy Milam
Worth Morgan
Dabney Ring
Patrice Robinson
Bryson Whitney
Clay Wilson



City Council Item Routing Sheet

Division: City Council **Committee:** MLGW **Hearing Date:** January 21, 2020

- Ordinance
- Resolution
- Grant Acceptance
- Budget Amendment
- Commendation
- Other: [Click here to enter text.](#)

Item Description: Resolution requesting the City Council to approve the 2020 increase in electric revenues of 3.0%, to be effective with meters read on Cycle 1 of the July 2020 revenue month on a non-prorated basis, the 2021 increase in electric revenues of 2.7% to be effective with meters read on Cycle 1 of the January 2021 revenue month on a non-prorated basis, and the 2022 increase in electric revenues of 1.5% to be effective with meters read on Cycle 1 of the January 2022 revenue month on a non-prorated basis.

Recommended Council Action: Approve the resolution.

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: Approved by the MLGW Board of Commissioners on December 18, 2019.

| | |
|---|---|
| <p>Does this item require city expenditure? No</p> <p>\$Click here to enter text.</p> <p>\$Click here to enter text.</p> | <p>Source and Amount of Funds:</p> |
|---|---|

Approvals

Director _____ Date _____

Division Chief _____ Date _____

Budget Manager _____ Date _____

MLGW SVP, CFO & CAO
(Secretary-Treasurer)  _____ Date 1/15/20

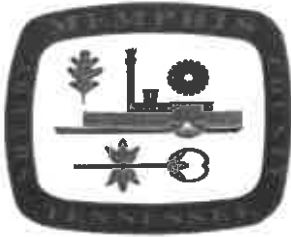
Chief Operating Officer
_____ Date _____

Council Committee Chair
_____ Date _____



Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)** Resolution requesting the City Council to approve the 2020 increase in electric revenues of 3.0%, to be effective with meters read on Cycle 1 of the July 2020 revenue month on a non-prorated basis, the 2021 increase in electric revenues of 2.7% to be effective with meters read on Cycle 1 of the January 2021 revenue month on a non-prorated basis, and the 2022 increase in electric revenues of 1.5% to be effective with meters read on Cycle 1 of the January 2022 revenue month on a non-prorated basis. .
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**
Memphis Light, Gas and Water Division
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**
Not applicable.
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**
Not applicable.
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**
Not applicable.



A resolution to approve the 2020 increase in electric revenues of 3.0%, to be effective with meters read on Cycle 1 of the July 2020 revenue month on a non-prorated basis, the 2021 increase in electric revenues of 2.7% to be effective with meters read on Cycle 1 of the January 2021 revenue month on a non-prorated basis, and the 2022 increase in electric revenues of 1.5% to be effective with meters read on Cycle 1 of the January 2022 revenue month on a non-prorated basis.

WHEREAS, pursuant to Chapter 381 of the Private Acts of 1939, and City of Memphis Charter Section 680, authority is granted to the governing body of the City of Memphis to convene as a Ratemaking Board for the purpose of approving changes in electric rates; and

WHEREAS, the Memphis Light, Gas and Water Division has made application under said sections for the Council to hold a public hearing, at which time the Council will convene as a Ratemaking Board to consider approval by the Council of revisions to the schedule of electric rates adopted and recommended by the Board of Commissioners of MLGW;

WHEREAS, the City Council, as authorized by the City's Charter, convened a public hearing as a Ratemaking Board for the purpose of considering approval of revisions in the schedule of electric rates adopted and recommended by the Board of Commissioners of MLGW;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, properly convened and sitting as a Ratemaking Board pursuant to the City Charter's Ratemaking Provisions and the Charter as a whole, that the rate application of the Memphis Light, Gas and Water Division consisting of correspondence and exhibits filed herewith and the resolution of the Board of Light, Gas and Water Commissioners establishing said rates ("MLGW Rate Application") is hereby approved and the schedules of electric rates RS, RS-TOU, GSA, MSA, LS, DPS, TGS and TMS (excluding the pass-through effects of TVA Wholesale Power Cost changes) are hereby approved and prescribed resulting in a 3.0% (\$37,839,000) increase in revenues (percentage varies between Transmission Voltage Service Level customers and other classes) on an annual basis in 2020, 2.7% (\$35,129,000) increase in revenues on an annual basis in 2021 and a 1.5% (\$20,073,000) increase in revenues on an annual basis in 2022.

BE IT FURTHER RESOLVED, by the Council of the City of Memphis that the aforesaid electric rate increase changes shall be effective for the Cycle 1 meter reading for the July 2020 revenue month on a non-prorated basis, the Cycle 1 meter reading for the January 2021 revenue month on a non-prorated basis and the Cycle 1 meter reading for the January 2022 revenue month on a non-prorated basis respectively.

BE IT FURTHER RESOLVED, the Council expressly finds that the approval of revisions in the schedule of electric rates as set forth above are necessary to prescribe rates that will be sufficient for the Memphis Light, Gas and Water Division to pay all expenses of operation, maintenance of the electric system, reserves for working capital, renewals and replacements, casualties and other fixed charges, payments in lieu of taxes, construction and capital expenditures and reserves for safe operating margins.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
December 18, 2019

Subsequent to the Memphis City Council's rejection of the Board's original Electric Division rate request and Electric Division Budget, the President requested authorization from the Board to negotiate rate proposals with the Memphis City Council for the Electric Division to support the 2020 Budget and the Five-Year Service Improvement Plan.

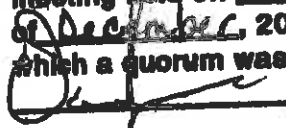
Any Electric Division rate option proposed shall be no greater in rate revenue over the Five-Year plan as previously approved by the Board, shall achieve targeted cash flow financial metrics and shall ultimately be ratified by the Board.

After discussion, the Board of Memphis Light, Gas and Water Commissioners determined that, in their opinion, the authority is necessary in order to keep the Electric Division financially sound and that they are all in compliance with Chapter 381 of Private Acts 1939, as amended, creating the Division.

NOW THEREFORE BE IT RESOLVED BY THE Board of Light, Gas and Water Commissioners:

- (1) **BE IT RESOLVED THAT** the President is directed and authorized to develop Electric Division rate options and to seek approval from the Memphis City Council to be adopted herein at a public ratemaking hearing to be convened at a future date to be set by the Memphis City Council.
- (2) **THAT,** the Board of Light, Gas and Water Commissioners, by this resolution, petitions the Memphis City Council to convene as a ratemaking body at a public hearing to be convened at a future date to be set by the Memphis City Council, and to consider and determine revisions in MLGW tariffs and rates effective as herein recommended and approved by this Board.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 18th day of December, 20 19, at which a quorum was present.


Secretary-Treasurer

Same Day Minutes Approved

**MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS**

**ELECTRIC SERVICE
SCHEDULE RS (E-1)
STANDARD RESIDENTIAL RATE**

AVAILABILITY

This rate shall apply only to electric service to a single-family dwelling (including its appurtenances if served through the same meter), where the major use of electricity is for domestic purposes such as lighting, household appliances, and the personal comfort and convenience of those residing therein.

Electricity supplied under this rate schedule is for the exclusive use of the Customer and shall not be resold or shared with others.

CHARACTER OF SERVICE

Alternating current, single-phase, 60 hertz. Power shall be delivered at a service voltage available in the vicinity or agreed to by Division. Multi-phase service shall be supplied in accordance with Division's standard policy.

BASE CHARGES

Service Charge: \$13.93 per month, less
Hydro Allocation Credit: \$1.60 per month

Energy Charge:

| | Summer | Winter | Transition |
|---------------------------|-----------|-----------|------------|
| First 500 kWh per month: | \$0.07692 | \$0.07357 | \$0.07159 |
| Additional kWh per month: | \$0.07595 | \$0.07261 | \$0.07063 |

DETERMINATION OF SEASONAL PERIODS

Summer Period shall mean the June, July, August, and September billing months. Winter Period shall mean the December, January, February, and March billing months. Transition Period shall mean the April, May, October, and November billing months.

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The above rates are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider.

ADJUSTMENT

The base energy charge shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. (In addition, the base energy charge and the hydro allocation credit shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.)

MINIMUM MONTHLY BILL

The base service charge, as reduced by the hydro allocation credit, constitutes the minimum monthly bill for all customers served under this rate schedule except those customers for which a higher minimum monthly bill is required under Division's standard policy because of special circumstances affecting Division's cost of rendering service.

PAYMENT

Bills under this rate schedule will be rendered monthly. The above rates are net, the gross rates being 5% higher. In the event the current monthly bill is not paid on or before delinquent date shown on the bill, the gross shall apply.

SINGLE-POINT DELIVERY

The charges under this rate schedule are based upon the supply of service through a single delivery and metering point, and at a single voltage.

Service is subject to Rules and Regulations of Division.

**MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS**

**ELECTRIC SERVICE
SCHEDULE RS-TOU
TIME-OF-USE RESIDENTIAL RATE**

AVAILABILITY

The Time-of-Use Residential Rate will be available to those residential customers who have a smart meter and have elected the voluntary rate and for electric service to a single-family dwelling (including its appurtenances if served through the same meter), where the major use of electricity is for domestic purposes such as lighting, household appliances, and the personal comfort and convenience of those residing therein.

Electricity supplied under the Time-of-Use Residential Electric Rate Agreement is for the exclusive use of the Customer and shall not be resold or shared with others.

CHARACTER OF SERVICE

Alternating current, single-phase, 60 hertz. Power shall be delivered at a service voltage available in the vicinity or agreed to by MLGW. Multi-phase service shall be supplied in accordance with MLGW's standard policy.

BASE CHARGES

Service Charge: \$13.93 per month, less
Hydro Allocation Credit: \$1.60 per month

Energy Charge:

| | |
|-------------------------------|-----------|
| Summer On-Peak kWh per month | \$0.13610 |
| Summer Off-Peak kWh per month | \$0.06141 |
| Winter On-Peak kWh per month | \$0.09220 |
| Winter Off-Peak kWh per month | \$0.06141 |
| Transition kWh per month | \$0.06141 |

DETERMINATION OF SEASONAL PERIODS

Summer Period shall mean the June, July, August, and September calendar months. Winter Period shall mean the December, January, February, and March calendar months. Transition Period shall mean the April, May, October, and November calendar months.

DETERMINATION OF ON-PEAK AND OFF-PEAK HOURS

Except for Saturdays and Sundays and the weekdays that are observed as Federal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, on-peak hours for each day shall be from 1 p.m. to 7 p.m. from April through October and from 4 a.m. to 10 a.m. during all remaining months. All other hours of each day and all hours of such excepted days shall be off-peak hours. Such times shall be Central Standard Time or Central Daylight Time, whichever is then in effect.

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The above rates are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider.

ADJUSTMENT

The base energy charge shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. (In addition, the base energy charge and the hydro allocation credit shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.)

MINIMUM MONTHLY BILL

The base service charge, as reduced by the hydro allocation credit, constitutes the minimum monthly bill for the Customer unless the Customer is one for whom a higher minimum monthly bill is required under MLGW's standard policy because of special circumstances affecting MLGW's cost of rendering service.

PAYMENT

Bills will be rendered monthly. The above rates are net, the gross rates being 5% higher. In the event the current monthly bill is not paid on or before delinquent date shown on the bill, the gross shall apply.

SINGLE-POINT DELIVERY

The charges under this rate schedule are based upon the supply of service through a single delivery and metering point, and at a single voltage.

Service is subject to the Rules and Regulations of MLGW.

**MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS**

**ELECTRIC SERVICE
SCHEDULE GSA (E-2)
GENERAL POWER RATE - PART A**

AVAILABILITY

This rate shall apply to the firm power requirements (where a customer's contract demand is 5,000 kW or less) for electric service to commercial, industrial, and governmental customers; institutional customers including, without limitation, churches, clubs, fraternities, orphanages, nursing homes, rooming or boarding houses, and like customers. This rate shall also apply to customers to whom service is not available under any other resale rate schedule.

Electricity supplied under this rate schedule is for the exclusive use of the Customer and shall not be resold or shared with others.

CHARACTER OF SERVICE

Alternating current, single or three-phase, 60 hertz. Power shall be delivered at a service voltage available in the vicinity or agreed to by Division.

BASE CHARGES

1. If (a) the higher of (i) the customer's currently effective contract demand, if any, or (ii) its highest billing demand during the latest 12 month period is not more than 50 kW, and (b) customer's monthly energy takings for any month during such period do not exceed 15,000 kWh:

Service Charge: \$26.56 per delivery point per month

Energy Charge:

| | Summer | Winter | Transition |
|--------------------|-----------|-----------|------------|
| All kWh per month: | \$0.08533 | \$0.08202 | \$0.08003 |

2. If (a) the higher of (i) the customer's currently effective contract demand or (ii) its highest billing demand during the latest 12 month period is greater than 50 kW but not more than 1,000 kW, or (b) if the customer's billing demand is less than 50 kW and its energy takings for any month during such period exceed 15,000 kWh:

Service Charge: \$79.75 per delivery point per month

Demand Charge:

| | Summer | Winter | Transition |
|--|---------|---------|------------|
| First 50 kW of billing demand per month: | \$0.00 | \$0.00 | \$0.00 |
| Excess over 50 kW of billing demand per month: | \$14.89 | \$13.86 | \$13.86 |

Energy Charge:

| | Summer | Winter | Transition |
|-----------------------------|-----------|-----------|------------|
| First 15,000 kWh per month: | \$0.09862 | \$0.09534 | \$0.09333 |
| Additional kWh per month: | \$0.04468 | \$0.04159 | \$0.04042 |

3. If the higher of the customer's currently effective contract demand or its highest billing demand during the latest 12 month period is greater than 1,000 kW:

Service Charge: \$319.16 per delivery point per month

Demand Charge:

| | Summer | Winter | Transition |
|---|---------|---------|------------|
| First 1,000 kW of billing demand per month: | \$13.84 | \$12.82 | \$12.82 |
| Excess over 1,000 kW of billing demand per month: | \$13.68 | \$12.63 | \$12.63 |
| Excess of billing demand over the higher of 2,500 kW or the customer's contract demand per month: | \$13.68 | \$12.63 | \$12.63 |

Energy Charge:

| | Summer | Winter | Transition |
|--------------------|-----------|-----------|------------|
| All kWh per month: | \$0.05008 | \$0.04698 | \$0.04581 |

DETERMINATION OF SEASONAL PERIODS

Summer Period shall mean the June, July, August, and September billing months. Winter Period shall mean the December, January, February, and March billing months. Transition Period shall mean the April, May, October, and November billing months.

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The above rates are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider.

ADJUSTMENT

The base demand and energy charges shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. (In addition, such charges shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.)

DETERMINATION OF DEMAND

Division shall meter the demand in kW of all customers having loads in excess of 50 kW. The metered demand for any month shall be the highest average during any 30-consecutive-minute period of the month of the load metered in kW. The measured demand for any month shall be the higher of the highest average during any 30 consecutive-minute period of the month of (a) the load metered in kW or (b) 85 percent of the load in kVA plus an additional 10 percent for that part of the load over 5,000 kVA, and such measured demand shall be used as the billing demand, except that the billing demand for any month shall in no case be less than 30 percent of the higher of the currently effective contract demand or the highest billing demand established during the preceding 12 months.

MINIMUM MONTHLY BILL

The monthly bill under this rate schedule shall not be less than the sum of (a) the base service charge, (b) the base demand charge, as adjusted, applied to the customer's billing demand, and (c) the base energy charge, as adjusted, applied to the customer's energy takings; provided, however, that, under 2 of the Base Charges, the monthly bill shall in no event be less than the sum of (a) the base service charge and (b) 20 percent of the portion of the base demand charge, as adjusted, applicable to the second block (excess over 50 kW) of billing demand, multiplied by the higher of the customer's currently effective contract demand or its highest billing demand established during the preceding 12 months.

Division may require minimum bills higher than those stated above.

SEASONAL SERVICE

Customers who contract for service on a seasonal basis shall be limited to 2,500 kW and shall pay the above charges, as adjusted, plus an additional seasonal use charge equal to (1) \$0.01394 per kWh per month under 1 of the Base Charges, (2) the

sum of \$0.01394 per kWh for the first 15,000 kWh per month and \$4.17 per kW per month of billing demand in excess of 50 kW under 2 of the Base Charges, and (3) \$4.17 per kW per month of billing demand under 3 of the Base Charges. Consistent with Division's standard policy, the customer may arrange for seasonal testing of equipment during off-peak hours.

For such customers, the exception language under the Determination of Demand section, and the minimum bill provided for above, shall not apply. Division may require additional charges to provide recovery of costs for customer-specific distribution facilities.

CONTRACT REQUIREMENT

Division may require contracts for all service provided under this rate schedule. Customers whose demand requirements exceed 1,000 kW shall be required to execute contracts. The contract shall be for an initial term of one year extended automatically from year to year thereafter. After the initial term the contract may be terminated upon not less than 90 days notice. The customer shall contract for its maximum requirements, which shall not exceed the amount of power capable of being used by customer, and Division shall not be obligated to supply power in greater amount at any time than the customer's currently effective contract demand. If the customer uses any power other than that supplied by Division under this rate schedule, the contract may include other special provisions. The rate schedule in any power contract shall be subject to adjustment, modification, change, or replacement from time to time as provided under the power contract between Division and TVA.

PAYMENT

Above rates and charges are net. In the event that any bill is not paid on or before the delinquent date shown on bill, there shall be added to the bill an amount equal to 5 percent on the first \$250.00 of the bill plus one percent on any portion of the bill exceeding \$250.00; to any amount remaining unpaid 30 days after the delinquent date of the bill, there shall be added a penalty of one percent, and an additional one percent shall be added at the end of each successive 30-day period until the amount is paid in full.

SINGLE-POINT DELIVERY

The charges under this rate schedule are based upon the supply of service through a single delivery and metering point, and at a single voltage. If service is supplied to the same customer through more than one point of delivery or at different voltages, the supply of service at each delivery and metering point and at each different voltage shall be separately metered and billed.

Service is subject to Rules and Regulations of Division.

**MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS**

**ELECTRIC SERVICE
SCHEDULE LS (E-3)
OUTDOOR LIGHTING RATE**

AVAILABILITY

Available for service to street and park lighting systems, traffic signal systems, athletic field lighting installations, and outdoor lighting for individual customers.

Service under this schedule is for a term of not less than 1 year.

Electricity supplied under this rate schedule is for the exclusive use of the Customer and shall not be resold or shared with others.

PAYMENT

Bills under this rate schedule will be rendered monthly. Any amount of bill unpaid after due date specified on bill may be subject to additional charges under Division's standard policy.

ADJUSTMENT

The energy charges in Part A and Part B of this rate schedule shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. (In addition, the energy charge in Part A and Part B of this rate schedule shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.)

DETERMINATION OF SEASONAL PERIODS

Service under this schedule shall not be subject to seasonal rates.

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The energy charges in Part A and Part B below are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider.

PART A - CHARGES FOR STREET AND PARK LIGHTING SYSTEMS, TRAFFIC SIGNAL SYSTEMS, AND ATHLETIC FIELD LIGHTING INSTALLATIONS

I. Energy Charge:

All kWh per month: \$0.05100

II. Facility Charge

The annual facility charge shall be 10.41 percent of the installed cost to Division's electric system of the facilities devoted to street and park lighting service specified in this Part A. Such installed cost shall be recomputed on July 1 of each year, or more often if substantial changes in the facilities are made. Each month, one-twelfth of the then total annual facility charge shall be billed to the customer. If any part of the facilities has not been provided at the electric system's expense or if the installed cost of any portion thereof is reflected on books of another municipality or agency or department, the annual facility charge shall be adjusted to reflect properly the remaining cost to be borne by the electric system.

Traffic signal systems and athletic field lighting installations shall be provided, owned, and maintained by and at the expense of the customer, except as Division may agree otherwise in accordance with the provisions of the paragraph next following in this Section II. The facilities necessary to provide service to such systems and installations shall be provided by and at the expense of Division's electric system, and the annual facility charge provided for first above in

this Section II shall apply to the installed cost of such facilities.

When so authorized by policy duly adopted by Division's governing board, traffic signal systems and athletic field lighting installations may be provided, owned, and maintained by Division's electric system for the customer's benefit. In such cases Division may require reimbursement from the customer for a portion of the initial installed cost of any such system or installation and shall require payment by the customer of a facility charge sufficient to cover all of Division's costs (except reimbursed costs), including appropriate overheads, of providing, owning, and maintaining such system or installation; provided that, for athletic field lighting installations, such facility charge shall in no case be less than .12 percent per year of such costs. Said facility charge shall be in addition to the annual facility charge on the facilities necessary to provide service to such system or installation as provided for in the preceding paragraph. Replacement of lamps and related glassware for traffic signal systems and athletic field lighting installations provided under this paragraph shall be paid for under the provisions of paragraph A in Section IV.

III. Customer Charge -Traffic Signal Systems and Athletic Field Lighting Installations.

Division shall apply a uniform monthly service charge of \$2.78 for service to each traffic signal system or athletic field lighting installation.

IV. Replacement of Lamps and Related Glassware -Street and Park Lighting

Customer shall be billed and shall pay for replacements as provided in paragraph B below, which shall be applied to all service for street and park lighting.

A. Division shall bill the customer monthly for such replacements during each month at Division's cost of materials, including appropriate storeroom expense.

B. Division shall bill the customer monthly for one-twelfth of the amount by which Division's cost of materials, including appropriate storeroom expense, exceeds the product of 3 mills multiplied by the number of kilowatt-hours used for street and park lighting during the fiscal year immediately preceding the fiscal year in which such month occurs.

METERING

For any billing month or part of such month in which the energy is not metered or for which a meter reading is found to be in error or a meter is found to have failed, the energy for billing purposes for that billing month or part of such month shall be computed from the rated capacity of the lamps (including ballast) plus 5 percent of such capacity to reflect secondary circuit losses, multiplied by the number of hours of use.

REVENUE AND COST REVIEW

Division's costs of providing service under Part A of this rate schedule are subject to review at any time and from time to time to determine if Division's revenues from the charges being applied are sufficient to cover its costs. (Such costs, including applicable overheads, include, but are not limited to, those incurred in the operation and maintenance of the systems provided and those resulting from depreciation and payments for taxes, tax equivalents and interest.) If any such review discloses that revenues are either less or more than sufficient to cover said costs, Division shall revise the above facility charges so that revenues will be sufficient to cover said costs. Any such revision of the annual facility charge provided for first above in Section II of Part A of this rate schedule shall be by agreement between Division and TVA.

PART B – CHARGES FOR OUTDOOR LIGHTING FOR INDIVIDUAL CUSTOMERS

OUTDOOR LIGHTING

Customers may lease outdoor lighting fixtures from the Division, subject to Rules and Regulations of Division. Fixture types and associated monthly costs are available in the Schedule of Charges. The schedule will be reviewed and updated from time-to-time due to changes in costs, fixture availability, etc., at the discretion of the Division.

ADDITIONAL FACILITIES

The charges referenced above in this Part B are limited to service from a photoelectrically controlled standard lighting fixture installed on a pole already in place. If the customer wishes to have the fixture installed at a location other than on a pole already in place, Division may apply an additional monthly charge.

LAMP REPLACEMENTS

Replacements of lamps and related glassware will be made in accordance with replacement policies of Division without additional charge to the customer.

SPECIAL OUTDOOR LIGHTING INSTALLATIONS

When so authorized by policy duly adopted by Division's governing board, special outdoor lighting installations (other than as provided for under Parts A and B above) may be provided, owned, and maintained by Division's electric system. In such cases Division may require reimbursement from the customer for a portion of the initial installed cost of any such installation and shall require payment by the customer of monthly charges sufficient to cover all of Division's costs (except reimbursed costs), including appropriate overheads, or providing, owning, and maintaining such installations, and making lamp replacements.

Service is subject to Rules and Regulations of Division.

**MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS**

**ELECTRIC SERVICE
SCHEDULE DPS (E-4)
DRAINAGE PUMPING STATION RATE**

AVAILABILITY

Available for electric service not in excess of 5,000 kW to a municipality or other Governmental Agency for the operation of pumping apparatus, the use of which is occasioned by floods and is extremely intermittent.

Electricity supplied under this rate schedule is for the exclusive use of the Customer and shall not be resold or shared with others.

CHARACTER OF SERVICE

Alternating current, three-phase, 60 hertz. Power shall be delivered at a service voltage available in the vicinity or agreed to by Division.

BASE CHARGES

Service Charge: \$26.56 per delivery per month

Energy Charge:

| | Summer | Winter | Transition |
|--------------------|-----------|-----------|------------|
| All kWh per month: | \$0.04037 | \$0.03833 | \$0.03602 |

DETERMINATION OF SEASONAL PERIODS

Summer Period shall mean the June, July, August, and September billing months. Winter Period shall mean the December, January, February, and March billing months. Transition Period shall mean the April, May, October, and November billing months.

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The above rates are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider.

ADJUSTMENT

The base demand and energy charges shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. (In addition, such charges shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.)

FACILITIES RENTAL

In the event any demand, as determined under the provisions of Determination of Demand below, coincides with Division's highest delivery point demand for purposes of determining the monthly wholesale billing by TVA to Division for facilities rental for the delivery point at which Division takes the power and energy made available under this rate schedule, the customer shall pay to Division, in addition to all other charges under this rate schedule including minimum bill charges, a monthly facilities rental charge equal to such wholesale billing for facilities rental multiplied by the ratio of such demand to Division's said highest delivery point demand. When a facilities rental charge becomes applicable hereunder it shall continue for every successive month thereafter in which Division's wholesale facilities rental charges are based on Division's highest delivery point demand with which such demand coincided.

DETERMINATION OF BILLING DEMAND

Division shall determine, in such manner as it deems appropriate, the demands in kW of all customers to whom service is available hereunder. The demand as so determined shall be the higher of (a) the load in kW or (b) 85 percent of the load in kVA.

MINIMUM BILL

The service charge constitutes the minimum monthly bill for all customers served under this rate schedule except those customers for which a higher minimum monthly bill is required because of special circumstances affecting Division's cost of rendering service.

CONTRACT REQUIREMENT

Customers to whom this rate schedule is applicable shall be required to execute contracts, and such contracts shall be for a term of at least 5 years.

PAYMENT

Bills under this rate schedule will be rendered monthly. Any amount of bill unpaid after due date specified on bill may be subject to additional charges under Division's standard policy.

SINGLE-POINT DELIVERY

The charges under this rate schedule are based upon the supply of service through a single delivery and metering point, and at a single voltage. If service is supplied to the same customer through more than one point of delivery or at different voltages, the supply of service at each delivery and metering point and at each different voltage shall be separately metered and billed.

Service is subject to Rules and Regulations of Division.

**MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS**

**ELECTRIC SERVICE
SCHEDULE MSA
MANUFACTURING POWER RATE - PART A**

AVAILABILITY

This rate shall apply to the firm electric power requirements where (a) a customer's currently effective contract demand is greater than 1,000 kW but not more than 5,000 kW, and (b) the major use of electricity is for activities conducted at the delivery point serving that customer which are classified with a 2-digit Standard Industrial Classification Code between 20 and 39, inclusive, or classified with 2002 North American Industry Classification System (NAICS) code 5181, or 2007 NAICS codes 5182, 522320, and 541214.

Prior to initially taking any service under this schedule, and from time to time thereafter as may be required by Division or the Tennessee Valley Authority (TVA), a customer shall certify to both Division and TVA that it meets the requirements set forth in condition (b) above. The certification form to be used shall be (i) furnished or approved by TVA, (ii) provided by Division to the customer, and (iii) signed and promptly returned by the customer to Division. Further, such customer shall promptly certify any change in the status of any of the information contained in the certification form to Division.

Service during any period for which a customer does not meet the eligibility requirements set forth in condition (b) above will be made available by Division under, and billed in accordance with, the applicable General Power schedule.

A customer may not be on this rate schedule and participate in any demand response program which is designated by TVA as inconsistent with service under this schedule. A customer may not be on this rate schedule and participate in TVA's Enhanced Growth Credit (EGC) Program unless it agrees to a modification of its EGC agreement to provide for the EGC credits to be capped according to applicable guidelines. A customer may not be on this rate schedule and participate in TVA's 5 Minute Response (5 MR) or 60 Minute Response (60 MR) Interruptible Programs unless it agrees to a modification of its 5 MR or 60 MR Agreement to provide for the 5 MR or 60 MR credits to be capped according to applicable guidelines.

Electricity supplied under this rate schedule is for the exclusive use of the Customer and shall not be resold or shared with others.

CHARACTER OF SERVICE

Alternating current, single-phase or three-phase, 60 hertz. Power shall be delivered at a transmission voltage of 161 KV or, if such transmission voltage is not available, at the highest voltage available in the vicinity, unless at the customer's request a lower standard voltage is agreed upon.

BASE CHARGES

| | Summer | Winter | Transition |
|---|-----------|-----------|------------|
| Service charge per delivery point per month: | \$319.16 | \$319.16 | \$319.16 |
| Per kW coincident on-peak billing demand charge per month | \$8.51 | \$7.53 | \$7.53 |
| Per kW maximum billing demand charge per month | \$5.43 | \$5.37 | \$5.37 |
| Excess per kW charge per month by which billing demand exceeds contract demand: | \$13.94 | \$12.90 | \$12.90 |
| On-peak per kWh energy charge: | \$0.06737 | \$0.05618 | \$0.04630 |
| Off-peak per kWh energy charge: | \$0.04471 | \$0.04588 | \$0.04630 |

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The above rates are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider.

ADJUSTMENT

The base demand and energy charges shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. (In addition, such charges shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.)

DETERMINATION OF SEASONAL PERIODS

Summer Period shall mean the June, July, August, and September billing months. Winter Period shall mean the December, January, February, and March billing months. Transition Period shall mean the April, May, October, and November billing months.

DETERMINATION OF ON-PEAK AND OFF-PEAK HOURS

Except for Saturdays and Sundays and the weekdays that are observed as Federal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, on-peak hours for each day shall be from 1 p.m. to 7 p.m. from April through October and from 4 a.m. to 10 a.m. during all remaining months. All other hours of each day that are not otherwise defined as on-peak hours and all hours of such excepted days shall be off-peak hours. Such times shall be Central Standard Time or Central Daylight Time, whichever is then in effect. Said on-peak and off-peak hours are subject to change by TVA. In the event TVA determines that such changed on-peak and off-peak hours are appropriate, it shall so notify Division at least 12 months prior to the effective date of such changed hours, and Division shall promptly notify customer.

Determination of Coincident On-Peak and Maximum Billing Demands and Energy Amounts

For purposes of applying the TOU Amounts of the base energy charges, the on-peak and off-peak kWh for any month shall be the energy amounts taken during the respective hours of the month designated under this rate schedule as on-peak and off-peak hours.

Division shall meter the coincident on-peak and maximum demands in kW of all customers taking service under this rate schedule. The coincident on-peak and maximum billing demand for any month shall be determined separately in accordance with this section.

The coincident on-peak billing demand for any month shall occur during the 60-consecutive-minute period (beginning on a clock hour) used by TVA to determine Division's Standard Service On-Peak Billing Demand on its wholesale power invoice for that month. The coincident on-peak billing demand shall be the highest average during a 30-consecutive-minute period of the load metered in kW, and, except as provided below in this section, such amount shall be used as the coincident on-peak billing demand.

The maximum billing demand for any month shall be the highest average during any 30-consecutive-minute period of the month of the load metered in kW and, except as provided below in this section, such amount shall be used as the maximum billing demand.

The coincident on-peak billing demand for any month shall in no case be less than 30 percent of the higher of the currently effective contract demand or the highest coincident on-peak billing demand established during the preceding 12 months. The maximum billing demand for any month shall in no case be less than 30 percent of the higher of the currently effective contract demand or the highest maximum billing demand established during the preceding 12 months.

REACTIVE DEMAND CHARGES

If the reactive demand (in kVAR) is lagging during the 30-consecutive-minute period beginning or ending on a clock hour of the month in which the customer's highest metered demand occurs, there shall be added to the customer's bill a reactive charge of \$1.49 per kVAR of the amount, if any, by which the reactive demand exceeds 33 percent of such metered demand. If the reactive demand (in kVAR) is leading during the 30-consecutive minute period beginning or ending on a clock hour of the month in which the customer's lowest metered demand (excluding any metered demands which are less than 25 percent of the highest metered demand) occurs, there shall be added to the customer's bill a reactive charge of \$1.17 per kVAR of the amount of reactive demand. Such charges shall be in addition to all other charges under this rate schedule, including minimum bill charges.

MINIMUM MONTHLY BILL

The monthly bill under this rate schedule, excluding any reactive charges, shall not be less than the sum of (1) the base service charge, (2) the portion of the base demand charge, as adjusted, (but excluding the additional portion thereof applicable to excess of billing demand over contract demand) applicable to coincident on-peak billing demand applied to the customer's coincident on-peak billing demand, (3) the portion of the base demand charge, as adjusted, (but excluding the additional portion thereof applicable to excess of billing demand over contract demand) applicable to maximum billing demand applied to the customer's maximum billing demand, and (4) the energy charge, as adjusted, applied to the customer's energy takings.

Division may require minimum bills higher than those stated above, including, without limitation, charges to cover any additional metering and related costs.

CONTRACT REQUIREMENT

Division shall require contracts for all service provided under this rate schedule and such contracts shall be for an initial term of at least 1 year. The customer shall contract for its maximum requirements, which shall not exceed the amount of power capable of being used by customer, and Division shall not be obligated to supply power in greater amount at any time than the customer's currently effective contract demand. If the customer uses any power other than that supplied by Division under this rate schedule, the contract may include other special provisions. The rate schedule in any power contract shall be subject to adjustment, modification, change, or replacement from time to time as provided under the power contract between Division and TVA.

After having received service for at least 1 year under this rate schedule, the customer, subject to appropriate amendments in its power contract with Division, may receive service under the General Power Rate—Schedule GSA. In such case the term of the power contract shall remain the same and the contract demand for service under the General Power Rate—Schedule GSA shall not be less than the contract demand in effect when service was taken under this rate schedule.

PAYMENT

Above rates and charges are net. In the event that any bill is not paid on or before the delinquent date shown on bill, there shall be added to the bill an amount equal to 5 percent on the first \$250.00 of the bill plus one percent on any portion of the bill exceeding \$250.00; to any amount remaining unpaid 30 days after the delinquent date of the bill, there shall be added a penalty of one percent, and an additional one percent shall be added at the end of each successive 30-day period until the amount is paid in full.

SINGLE-POINT DELIVERY

The charges under this rate schedule are based upon the supply of service through a single delivery and metering point, and at a single voltage. If service is supplied to the same customer through more than one point of delivery or at different voltages, the supply of service at each delivery and metering point and at each different voltage shall be separately metered and billed.

Service is subject to Rules and Regulations of Division.

**MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS
ELECTRIC SERVICE SCHEDULE TGS**

TIME OF USE GENERAL SERVICE

AVAILABILITY

This schedule shall apply to the firm electric power requirements of a customer where the following conditions are met.

Unless otherwise provided for in a written agreement between TVA and the Division, for customers served under this schedule, the customer's "meter-reading time" shall be 0000 hours CST or CDT, whichever is currently effective, on the first day of the calendar month following the month for which a bill under this schedule is being calculated. Further, in accordance with TVA furnished or approved guidelines or specifications, TVA shall have unrestricted remote access to the metering data at all times, as well as unrestricted physical access to the metering facilities for the purpose of confirming remotely-accessed data during such periods as are specified by TVA.

For a customer requesting that its on-peak contract demand be different from its off-peak contract demand, this schedule shall be available only for (1) a new contract, (2) a replacement or renewal contract following expiration of the existing contract, or (3) a replacement or renewal contract or an amended existing contract in which the customer is increasing its demand requirements above the existing contract demand level, but under this item (3) neither the new on-peak nor the new off-peak contract demand shall be lower than the customer's existing contract demand.

Electricity supplied under this schedule is for the exclusive use of the Customer and shall not be resold or shared with others.

CUSTOMERS CLASS DESCRIPTION

The Division shall require contracts for all service provided under this schedule. Customers are categorized into the following classes based on the higher of the customer's current effective on-peak or off-peak contract demand. The following designation determines the applicable billing rate and contract terms.

| <u>Rate Class</u> | <u>greater than</u> | <u>but not more than</u> |
|-------------------|---------------------|--------------------------|
| TDGSA | 1,000 kW | 5,000 kW |
| TGSB | 5,000 kW | 15,000 kW |
| TGSC | 15,000 kW | 25,000 kW |
| TGSD | 25,000 kW | |

CHARACTER OF SERVICE

The service supplied shall be 60 hertz alternating current, single phase or three-phase. Power shall be delivered at a transmission voltage of 161 KV or, if such transmission voltage is not available, at the highest voltage available in the vicinity, unless at the customer's request a lower standard voltage is agreed upon.

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The rates included within are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider (FCA). The FCA rates are published monthly and can be accessed through www.mlgw.com.

ADJUSTMENT

The base demand and energy charges shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. In addition, such charges shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.

Loss adjustments are made to retail rates and to the monthly FCA adjustment under the Adjustment Addendum to recognize additional distribution cost of providing service to the retail customers. The loss factors applied to customers that take service at transmission voltages of 115 kV or higher shall be set to 0%.

DETERMINATION OF SEASONAL PERIODS

Summer Period shall mean the June, July, August, and September billing months. Winter Period shall mean the December, January, February, and March billing months. Transition Period shall mean the April, May, October, and November billing months.

DETERMINATION OF ON-PEAK AND OFF-PEAK HOURS

Except for Saturdays, Sundays, November 1st and the weekdays that are observed as Federal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, on-peak hours for each day shall be from 1 p.m. to 7 p.m. from April through October and from 4 a.m. to 10 a.m. during all remaining months. All other hours of each day that are not otherwise defined as on-peak hours and all hours of such excepted days shall be off-peak hours. Such times shall be CST or CDT, whichever is then in effect. Said on-peak and off-peak hours are subject to change by TVA. In the event TVA determines that such changed on-peak and off-peak hours are appropriate, it shall so notify the Division at least 12 months prior to the effective date of such changed hours, and the Division shall promptly notify customer.

DETERMINATION OF ON-PEAK AND OFF-PEAK DEMANDS, MAXIMUM METERED DEMAND, AND ENERGY AMOUNTS

The on-peak and off-peak kWh for any month shall be the energy amounts taken during the respective hours of the month designated under this schedule as on-peak and off-peak hours; provided, however, that notwithstanding the metered energy amount, the off-peak energy for any month shall in no case be less than the product of (1) the off-peak billing demand as calculated in the paragraph below and (2) 110 hours (reflecting a 15 percent load factor applied to the average number of hours in a month) at the applicable rate of Off-peak Block 1.

The Division shall meter the on-peak and off-peak demands in kW of all customers taking service under this schedule. The on-peak metered demand and off-peak metered demand for any month shall be determined separately for the respective hours of the month designated under this schedule as on-peak and off-peak hours. In each case, the metered demand shall be the highest average demand during any 30-consecutive-minute period beginning or ending on a clock hour of the month of the load metered in kW, and, except as provided below in this section, such amounts shall be used as the on-peak and off-peak billing demands. The maximum metered demand for any month shall be the higher of (1) the highest on-peak metered demand in the month or (2) the highest off-peak metered demand in the month. The on-peak billing demand shall in no case be less than the sum of (1) 30 percent of the first 5,000 kW, (2) 40 percent of the next 20,000 kW, (3) 50 percent of the next 25,000 kW, (4) 60 percent of the next 50,000 kW, (5) 70 percent of the next 100,000 kW, (6) 80 percent of the next 150,000 kW, and (7) 85 percent of all kW in excess of 350,000 kW of the higher of the currently effective on-peak contract demand or the highest on-peak billing demand established during the preceding 12 months. The off-peak billing demand shall in no case be less than the sum of (1) 30 percent of the first 5,000 kW, (2) 40 percent of the next 20,000 kW, (3) 50 percent of the next 25,000 kW, (4) 60 percent of the next 50,000 kW, (5) 70 percent of the next 100,000 kW, (6) 80 percent of the next 150,000 kW, and (7) 85 percent of all kW in excess of 350,000 kW of the higher of the currently effective off-peak contract demand or the highest off-peak billing demand established during the preceding 12 months. The maximum billing demand for any month shall be the higher of (1) the on-peak billing demand or (2) the off-peak billing demand in the month.

FACILITIES RENTAL CHARGE

There shall be no facilities rental charge under this schedule for delivery at transmission voltage levels of 161 kV or higher.

For delivery at less than 161 kV, there shall be added to the customer's bill a facilities rental charge. This charge shall be \$0.38 per kW per month except for delivery at voltages below 46 kV, in which case the charge shall be \$0.97 per kW per month for the first 10,000 kW and \$0.76 per kW per month for the excess over 10,000 kW. Such charge shall be applied to the highest of (1) the highest on-peak or off-peak billing demand established during the latest 12-consecutive-month period, (2) the customer's currently effective on-peak contract demand, or (3) the customer's currently effective off-peak contract demand and shall be in addition to all other charges under this schedule, including minimum bill charges.

REACTIVE DEMAND CHARGES

If the reactive demand (in kVAR) is lagging during the 30-consecutive-minute period in which the customer's highest metered demand occurs, there shall be added to the customer's bill a reactive charge of \$1.49 per kVAR of the amount, if any, by which

the reactive demand exceeds 33 percent of such metered demand. If the reactive demand (in kVAR) is leading during the 30-consecutive-minute period in which the customer's lowest metered demand (excluding any metered demands which are less than 25 percent of the highest metered demand) occurs, there shall be added to the customer's bill a reactive charge of \$1.17 per kVAR of the amount of reactive demand. Such charges shall be in addition to all other charges under this schedule, including minimum bill charges.

MINIMUM MONTHLY BILL

The monthly bill under this schedule, excluding any facilities rental charges and any reactive charges, shall not be less than the sum of (1) the base service and TVA administrative charges, (2) the portion of the base demand charge, as adjusted, (but excluding the additional portion thereof applicable to excess of billing demand over contract demand) applicable to on-peak billing demand applied to the customer's on-peak billing demand, (3) the portion of the base demand charge, as adjusted, (but excluding the additional portion thereof applicable to excess of billing demand over contract demand) applicable to any excess of off-peak over on-peak billing demand applied to the amount, if any, by which the customer's off-peak billing demand exceeds its on-peak billing demand, (4) the base on-peak energy charge, as adjusted, applied to the customer's on-peak energy takings, and (5) the base off-peak energy charge, as adjusted, applied to the higher of customer's actual off-peak energy takings or the minimum off-peak energy takings amount provided for in the first paragraph of the section of this schedule entitled "Determination of On-peak and Off-peak Demands, Maximum Metered Demand, and Energy Amounts".

The Division may require minimum bills higher than those stated above.

CONTRACT REQUIREMENT

Under TDGSA, the contract shall be for an initial term of at least 1 year and extended automatically from year to year thereafter. After the initial term, the TDGSA contract may be terminated upon not less than a 90 day notice.

Under the TGSB, TGSC and TGSD rates, the contract shall be for an initial term of at least 5 years and any renewals or extensions of the initial contract shall be for a term of at least 5 years. After 10 years of service, any such contract for the renewal or extension of service may provide for termination upon not less than a 16-month notice.

The customer shall contract for its maximum requirements, which shall not exceed the amount of power capable of being used by customer, and the Division shall not be obligated to supply power in greater amount at any time than the customer's currently effective on-peak or off-peak contract demand. If the customer uses any power other than that supplied by the Division under this schedule, the contract will include other special provisions. The schedule in any power contract shall be subject to adjustment, modification, change, or replacement from time to time as provided under the power contract between the Division and TVA.

PAYMENT

Rates and charges included within are net. In the event that any bill is not paid on or before the delinquent date shown on bill, there shall be added to the bill an amount equal to 5 percent on the first \$250.00 of the bill plus one percent on any portion of the bill exceeding \$250.00; to any amount remaining unpaid 30 days after the delinquent date of the bill, there shall be added a penalty of one percent, and an additional one percent shall be added at the end of each successive 30-day period until the amount is paid in full.

SINGLE-POINT DELIVERY

The charges under this schedule are based upon the supply of service through a single delivery and metering point, and at a single voltage. If service is supplied to the same customer through more than one point of delivery or at different voltages, the supply of service at each delivery and metering point and at each different voltage shall be separately metered and billed.

CURRENT EFFECTIVE BASE RATES

All charges are on a per month basis.

Service charge per delivery point: \$1,600.00
 TVA administrative charge per delivery point: \$350.00

| Rates applicable for delivery at: | Transmission Voltage: 115kV and Up | | | | Distribution Voltage : <115 kV | | | |
|-----------------------------------|------------------------------------|-----------|-----------|-----------|--------------------------------|-----------|-----------|-----------|
| | TDGSA | TGSB | TGSC | TGSD | TDGSA | TGSB | TGSC | TGSD |
| Summer | | | | | | | | |
| On-peak billing demand per kW: | \$11.23 | \$11.15 | \$11.15 | \$11.15 | \$11.71 | \$11.62 | \$11.62 | \$11.62 |
| Maximum billing demand per kW: | \$5.88 | \$5.87 | \$5.32 | \$5.05 | \$6.08 | \$6.07 | \$5.51 | \$5.24 |
| Excess demand per kW: | \$11.23 | \$11.15 | \$11.15 | \$11.15 | \$11.71 | \$11.62 | \$11.62 | \$11.62 |
| On-peak energy per kWh: | \$0.08505 | \$0.06960 | \$0.06960 | \$0.06862 | \$0.08859 | \$0.07248 | \$0.07248 | \$0.07149 |
| Off-peak block 1 per kWh: | \$0.05070 | \$0.04404 | \$0.04404 | \$0.04307 | \$0.05278 | \$0.04583 | \$0.04583 | \$0.04485 |
| Off-peak block 2 per kWh: | \$0.00713 | \$0.00828 | \$0.00828 | \$0.00614 | \$0.00736 | \$0.00857 | \$0.00857 | \$0.00635 |
| Off-peak block 3 per kWh: | \$0.00403 | \$0.00478 | \$0.00478 | \$0.00381 | \$0.00412 | \$0.00491 | \$0.00491 | \$0.00393 |
| | | | | | | | | |
| Winter | | | | | | | | |
| On-peak billing demand per kW: | \$10.25 | \$10.15 | \$10.15 | \$10.15 | \$10.68 | \$10.58 | \$10.58 | \$10.58 |
| Maximum billing demand per kW: | \$5.88 | \$5.87 | \$5.32 | \$5.05 | \$6.08 | \$6.07 | \$5.51 | \$5.24 |
| Excess demand per kW: | \$10.25 | \$10.15 | \$10.15 | \$10.15 | \$10.68 | \$10.58 | \$10.58 | \$10.58 |
| On-peak energy per kWh: | \$0.06937 | \$0.05794 | \$0.05794 | \$0.05697 | \$0.07224 | \$0.06032 | \$0.06032 | \$0.05934 |
| Off-peak block 1 per kWh: | \$0.05374 | \$0.04632 | \$0.04632 | \$0.04534 | \$0.05595 | \$0.04821 | \$0.04821 | \$0.04722 |
| Off-peak block 2 per kWh: | \$0.00713 | \$0.00828 | \$0.00828 | \$0.00614 | \$0.00736 | \$0.00857 | \$0.00857 | \$0.00635 |
| Off-peak block 3 per kWh: | \$0.00403 | \$0.00478 | \$0.00478 | \$0.00381 | \$0.00412 | \$0.00491 | \$0.00491 | \$0.00393 |
| | | | | | | | | |
| Transition | | | | | | | | |
| On-peak billing demand per kW: | \$10.25 | \$10.15 | \$10.15 | \$10.15 | \$10.68 | \$10.58 | \$10.58 | \$10.58 |
| Maximum billing demand per kW: | \$5.88 | \$5.87 | \$5.32 | \$5.05 | \$6.08 | \$6.07 | \$5.51 | \$5.24 |
| Excess demand per kW: | \$10.25 | \$10.15 | \$10.15 | \$10.15 | \$10.68 | \$10.58 | \$10.58 | \$10.58 |
| On-peak energy per kWh: | \$0.05496 | \$0.04371 | \$0.04371 | \$0.04274 | \$0.05722 | \$0.04548 | \$0.04548 | \$0.04450 |
| Off-peak block 1 per kWh: | \$0.05496 | \$0.04371 | \$0.04371 | \$0.04274 | \$0.05722 | \$0.04548 | \$0.04548 | \$0.04450 |
| Off-peak block 2 per kWh: | \$0.00713 | \$0.00828 | \$0.00828 | \$0.00614 | \$0.00736 | \$0.00857 | \$0.00857 | \$0.00635 |
| Off-peak block 3 per kWh: | \$0.00403 | \$0.00478 | \$0.00478 | \$0.00381 | \$0.00412 | \$0.00491 | \$0.00491 | \$0.00393 |

- Excess Demand:** Demand amount that exceeds the effective contract demand.
- Off-Peak Block 1:** First 200 hours use of on-peak metered demand multiplied by the ratio of metered off-peak energy to metered total energy.
- Off-Peak Block 2:** Next 200 hours use of on-peak metered demand multiplied by the ratio of metered off-peak energy to metered total energy.
- Off-Peak Block 3:** Over 400 hours use of on-peak metered demand multiplied by the ratio of metered off-peak energy to metered total energy.

Service is subject to Rules and Regulations of the Division.

**MEMPHIS LIGHT, GAS AND WATER DIVISION
CITY OF MEMPHIS
ELECTRIC SERVICE SCHEDULE TMS**

TIME OF USE MANUFACTURING SERVICE

AVAILABILITY

This schedule shall apply to the firm electric power requirements of a customer where the major use of electricity is for activities conducted at the delivery point serving that customer which are classified with a 2-digit Standard Industrial Classification Code between 20 and 39, inclusive, or classified with 2002 North American Industry Classification System (NAICS) code 5181, or 2007 NAICS codes 5182, 522320, and 541214.

Prior to initially taking any service under this schedule, and from time to time thereafter as may be required by the Division or the Tennessee Valley Authority (TVA), a customer shall certify to both the Division and TVA that it meets the requirements set forth in the condition above. The certification form to be used shall be (i) furnished or approved by TVA, (ii) provided by the Division to the customer, and (iii) signed and promptly returned by the customer to the Division. Further, such customer shall promptly certify any change in the status of any of the information contained in the certification form to the Division.

Service during any period for which a customer does not meet the requirements set forth in the condition above will be made available by the Division under, and billed in accordance with, the applicable General Service schedule.

Unless otherwise provided for in a written agreement between TVA and the Division, for customers served under this schedule, the customer's "meter-reading time" shall be 0000 hours Central Standard Time (CST) or Central Daylight Time (CDT), whichever is currently effective, on the first day of the calendar month following the month for which a bill under this schedule is being calculated. Further, in accordance with TVA furnished or approved guidelines or specifications, TVA shall have unrestricted remote access to the metering data at all times, as well as unrestricted physical access to the metering facilities for the purpose of confirming remotely-accessed data during such periods as are specified by TVA.

For a customer requesting that its on-peak contract demand be different from its off-peak contract demand, this schedule shall be available only for (1) a new contract, (2) a replacement or renewal contract following expiration of the existing contract, or (3) a replacement or renewal contract or an amended existing contract in which the customer is increasing its demand requirements above the existing contract demand level, but under this item (3) neither the new on-peak nor the new off-peak contract demand shall be lower than the customer's existing contract demand.

Electricity supplied under this schedule is for the exclusive use of the Customer and shall not be resold or shared with others.

CUSTOMERS CLASS DESCRIPTION

The Division shall require contracts for all service provided under this schedule. Customers are categorized into the following classes based on the higher of the customer's current effective on-peak or off-peak contract demand. The following designation determines the applicable billing rate and contract terms.

| <u>Rate Class</u> | <u>greater than</u> | <u>but not more than</u> |
|-------------------|---------------------|--------------------------|
| TDMSA | 1,000 kW | 5,000 kW |
| TMSB | 5,000 kW | 15,000 kW |
| TMSC | 15,000 kW | 25,000 kW |
| TMSD | 25,000 kW | |

CHARACTER OF SERVICE

The service supplied shall be 60 hertz alternating current, single phase or three-phase. Power shall be delivered at a transmission voltage of 161 KV or, if such transmission voltage is not available, at the highest voltage available in the vicinity, unless at the customer's request a lower standard voltage is agreed upon.

TENNESSEE VALLEY AUTHORITY FUEL COST AND PURCHASED POWER ADJUSTMENT RIDER

The rates contained within are subject to adjustment under the provisions of the Tennessee Valley Authority Fuel Cost and Purchased Power Adjustment Rider (FCA). The FCA rates are published monthly and can be accessed through

www.mlgw.com.

ADJUSTMENT

The base demand and energy charges shall be increased or decreased in accordance with the current Adjustment Addendum published by TVA. In addition, such charges shall be increased or decreased to correspond to increases or decreases determined by TVA in the value of the hydro generation benefit allocated to residential customers.

Loss adjustments are made to retail rates and to the monthly FCA adjustment under the Adjustment Addendum to recognize additional distribution cost of providing service to the retail customers. The loss factors applied to customers that take service at transmission voltages of 115 kV or higher shall be set to 0%.

DETERMINATION OF SEASONAL PERIODS

Summer Period shall mean the June, July, August, and September billing months. Winter Period shall mean the December, January, February, and March billing months. Transition Period shall mean the April, May, October, and November billing months.

DETERMINATION OF ON-PEAK AND OFF-PEAK HOURS

Except for Saturdays, Sundays, November 1st and the weekdays that are observed as Federal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, on-peak hours for each day shall be from 1 p.m. to 7 p.m. from April through October and from 4 a.m. to 10 a.m. during all remaining months. All other hours of each day that are not otherwise defined as on-peak hours and all hours of such excepted days shall be off-peak hours. Such times shall be CST or CDT, whichever is then in effect. Said on-peak and off-peak hours are subject to change by TVA. In the event TVA determines that such changed on-peak and off-peak hours are appropriate, it shall so notify the Division at least 12 months prior to the effective date of such changed hours, and the Division shall promptly notify customer.

DETERMINATION OF ON-PEAK AND OFF-PEAK DEMANDS, MAXIMUM METERED DEMAND, AND ENERGY AMOUNTS

The on-peak and off-peak kWh for any month shall be the energy amounts taken during the respective hours of the month designated under this schedule as on-peak and off-peak hours; provided, however, that notwithstanding the metered energy amount, the off-peak energy for any month shall in no case be less than the product of (1) the off-peak billing demand as calculated in the paragraph below and (2) 110 hours (reflecting a 15 percent load factor applied to the average number of hours in a month) at the applicable rate of Off-peak Block 1.

The Division shall meter the on-peak and off-peak demands in kW of all customers taking service under this schedule. The on-peak metered demand and off-peak metered demand for any month shall be determined separately for the respective hours of the month designated under this schedule as on-peak and off-peak hours. In each case, the metered demand shall be the highest average demand during any 30-consecutive-minute period beginning or ending on a clock hour of the month of the load metered in kW, and, except as provided below in this section, such amounts shall be used as the on-peak and off-peak billing demands. The maximum metered demand for any month shall be the higher of (1) the highest on-peak metered demand in the month or (2) the highest off-peak metered demand in the month. The on-peak billing demand shall in no case be less than the sum of (1) 30 percent of the first 5,000 kW, (2) 40 percent of the next 20,000 kW, (3) 50 percent of the next 25,000 kW, (4) 60 percent of the next 50,000 kW, (5) 70 percent of the next 100,000 kW, (6) 80 percent of the next 150,000 kW, and (7) 85 percent of all kW in excess of 350,000 kW of the higher of the currently effective on-peak contract demand or the highest on-peak billing demand established during the preceding 12 months. The off-peak billing demand shall in no case be less than the sum of (1) 30 percent of the first 5,000 kW, (2) 40 percent of the next 20,000 kW, (3) 50 percent of the next 25,000 kW, (4) 60 percent of the next 50,000 kW, (5) 70 percent of the next 100,000 kW, (6) 80 percent of the next 150,000 kW, and (7) 85 percent of all kW in excess of 350,000 kW of the higher of the currently effective off-peak contract demand or the highest off-peak billing demand established during the preceding 12 months. The maximum billing demand for any month shall be the higher of (1) the on-peak billing demand or (2) the off-peak billing demand in the month.

FACILITIES RENTAL CHARGE

There shall be no facilities rental charge under this schedule for delivery at transmission voltage levels of 161 kV or higher.

For delivery at less than 161 kV, there shall be added to the customer's bill a facilities rental charge. This charge shall be \$0.38 per kW per month except for delivery at voltages below 46 kV, in which case the charge shall be \$0.97 per kW per month for the first 10,000 kW and \$0.76 per kW per month for the excess over 10,000 kW. Such charge shall be applied to the highest

of (1) the highest on-peak or off-peak billing demand established during the latest 12-consecutive-month period, (2) the customer's currently effective on-peak contract demand, or (3) the customer's currently effective off-peak contract demand and shall be in addition to all other charges under this schedule, including minimum bill charges.

REACTIVE DEMAND CHARGES

If the reactive demand (in kVAR) is lagging during the 30-consecutive-minute period in which the customer's highest metered demand occurs, there shall be added to the customer's bill a reactive charge of \$1.49 per kVAR of the amount, if any, by which the reactive demand exceeds 33 percent of such metered demand. If the reactive demand (in kVAR) is leading during the 30-consecutive-minute period in which the customer's lowest metered demand (excluding any metered demands which are less than 25 percent of the highest metered demand) occurs, there shall be added to the customer's bill a reactive charge of \$1.17 per kVAR of the amount of reactive demand. Such charges shall be in addition to all other charges under this schedule, including minimum bill charges.

MINIMUM MONTHLY BILL

The monthly bill under this schedule, excluding any facilities rental charges and any reactive charges, shall not be less than the sum of (1) the base service and TVA administrative charges, (2) the portion of the base demand charge, as adjusted, (but excluding the additional portion thereof applicable to excess of billing demand over contract demand) applicable to on-peak billing demand applied to the customer's on-peak billing demand, (3) the portion of the base demand charge, as adjusted, (but excluding the additional portion thereof applicable to excess of billing demand over contract demand) applicable to any excess of off-peak over on-peak billing demand applied to the amount, if any, by which the customer's off-peak billing demand exceeds its on-peak billing demand, (4) the base on-peak energy charge, as adjusted, applied to the customer's on-peak energy takings, and (5) the base off-peak energy charge, as adjusted, applied to the higher of customer's actual off-peak energy takings or the minimum off-peak energy takings amount provided for in the first paragraph of the section of this schedule entitled "Determination of On-peak and Off-peak Demands, Maximum Metered Demand, and Energy Amounts".

The Division may require minimum bills higher than those stated above.

CONTRACT REQUIREMENT

Under TDMSA, the contract shall be for an initial term of at least 1 year and extended automatically from year to year thereafter. After the initial term, the TDMSA contract may be terminated upon not less than a 90 day notice.

Under the TMSB, TMSC and TMSD rates, the contract shall be for an initial term of at least 5 years and any renewals or extensions of the initial contract shall be for a term of at least 5 years. After 10 years of service, any such contract for the renewal or extension of service may provide for termination upon not less than a 16-month notice.

The customer shall contract for its maximum requirements, which shall not exceed the amount of power capable of being used by customer, and the Division shall not be obligated to supply power in greater amount at any time than the customer's currently effective on-peak or off-peak contract demand. If the customer uses any power other than that supplied by the Division under this schedule, the contract will include other special provisions. The schedule in any power contract shall be subject to adjustment, modification, change, or replacement from time to time as provided under the power contract between the Division and TVA.

PAYMENT

Rates and charges included within are net. In the event that any bill is not paid on or before the delinquent date shown on bill, there shall be added to the bill an amount equal to 5 percent on the first \$250.00 of the bill plus one percent on any portion of the bill exceeding \$250.00; to any amount remaining unpaid 30 days after the delinquent date of the bill, there shall be added a penalty of one percent, and an additional one percent shall be added at the end of each successive 30-day period until the amount is paid in full.

SINGLE-POINT DELIVERY

The charges under this schedule are based upon the supply of service through a single delivery and metering point, and at a single voltage. If service is supplied to the same customer through more than one point of delivery or at different voltages, the supply of service at each delivery and metering point and at each different voltage shall be separately metered and billed.

CURRENT EFFECTIVE BASE RATES

All charges are on a per month basis.

Service Charge per delivery point: \$1,600.00
 TVA Administrative Charge per delivery point: \$350.00

| Rates applicable for delivery at: | Transmission Voltage: 115kV and Up | | | | Distribution Voltage : <115 kV | | | |
|-----------------------------------|------------------------------------|-----------|-----------|-----------|--------------------------------|-----------|-----------|-----------|
| | TDMSA | TMSB | TMSC | TMSD | TDMSA | TMSB | TMSC | TMSD |
| Summer | | | | | | | | |
| On-peak billing demand per kW: | \$10.50 | \$10.50 | \$10.50 | \$10.50 | \$10.95 | \$10.95 | \$10.95 | \$10.95 |
| Maximum billing demand per kW: | \$4.07 | \$2.72 | \$2.16 | \$1.89 | \$4.19 | \$2.80 | \$2.23 | \$1.95 |
| Excess demand per kW: | \$10.50 | \$10.50 | \$10.50 | \$10.50 | \$10.95 | \$10.95 | \$10.95 | \$10.95 |
| On-peak energy per kWh: | \$0.05904 | \$0.06137 | \$0.06022 | \$0.05724 | \$0.06149 | \$0.06391 | \$0.06271 | \$0.05963 |
| Off-peak block 1 per kWh: | \$0.03341 | \$0.03574 | \$0.03457 | \$0.03161 | \$0.03477 | \$0.03720 | \$0.03598 | \$0.03291 |
| Off-peak block 2 per kWh: | \$0.00529 | \$0.00529 | \$0.00673 | \$0.00435 | \$0.00545 | \$0.00545 | \$0.00695 | \$0.00449 |
| Off-peak block 3 per kWh: | \$0.00267 | \$0.00267 | \$0.00673 | \$0.00375 | \$0.00272 | \$0.00272 | \$0.00695 | \$0.00387 |
| Winter | | | | | | | | |
| On-peak billing demand per kW: | \$9.51 | \$9.51 | \$9.51 | \$9.51 | \$9.91 | \$9.91 | \$9.91 | \$9.91 |
| Maximum billing demand per kW: | \$4.07 | \$2.72 | \$2.16 | \$1.89 | \$4.19 | \$2.80 | \$2.23 | \$1.95 |
| Excess demand per kW: | \$9.51 | \$9.51 | \$9.51 | \$9.51 | \$9.91 | \$9.91 | \$9.91 | \$9.91 |
| On-peak energy per kWh: | \$0.04734 | \$0.04968 | \$0.04851 | \$0.04554 | \$0.04929 | \$0.05172 | \$0.05051 | \$0.04742 |
| Off-peak block 1 per kWh: | \$0.03570 | \$0.03803 | \$0.03685 | \$0.03387 | \$0.03715 | \$0.03958 | \$0.03836 | \$0.03527 |
| Off-peak block 2 per kWh: | \$0.00529 | \$0.00529 | \$0.00673 | \$0.00435 | \$0.00545 | \$0.00545 | \$0.00695 | \$0.00449 |
| Off-peak block 3 per kWh: | \$0.00267 | \$0.00267 | \$0.00673 | \$0.00375 | \$0.00272 | \$0.00272 | \$0.00695 | \$0.00387 |
| Transition | | | | | | | | |
| On-peak billing demand per kW: | \$9.51 | \$9.51 | \$9.51 | \$9.51 | \$9.91 | \$9.91 | \$9.91 | \$9.91 |
| Maximum billing demand per kW: | \$4.07 | \$2.72 | \$2.16 | \$1.89 | \$4.19 | \$2.80 | \$2.23 | \$1.95 |
| Excess demand per kW: | \$9.51 | \$9.51 | \$9.51 | \$9.51 | \$9.91 | \$9.91 | \$9.91 | \$9.91 |
| On-peak energy per kWh: | \$0.03660 | \$0.03891 | \$0.03775 | \$0.03477 | \$0.03810 | \$0.04051 | \$0.03928 | \$0.03621 |
| Off-peak block 1 per kWh: | \$0.03660 | \$0.03891 | \$0.03775 | \$0.03477 | \$0.03810 | \$0.04051 | \$0.03928 | \$0.03621 |
| Off-peak block 2 per kWh: | \$0.00529 | \$0.00529 | \$0.00673 | \$0.00435 | \$0.00545 | \$0.00545 | \$0.00695 | \$0.00449 |
| Off-peak block 3 per kWh: | \$0.00267 | \$0.00267 | \$0.00673 | \$0.00375 | \$0.00272 | \$0.00272 | \$0.00695 | \$0.00387 |

- Excess Demand:** Demand amount that exceeds the effective contract demand.
- Off-Peak Block 1:** First 200 hours use of on-peak metered demand multiplied by the ratio of metered off-peak energy to metered total energy
- Off-Peak Block 2:** Next 200 hours use of on-peak metered demand multiplied by the ratio of metered off-peak energy to metered total energy
- Off-Peak Block 3:** Over 400 hours use of on-peak metered demand multiplied by the ratio of metered off-peak energy to metered total energy

Service is subject to Rules and Regulations of the Division.