

ATTACHMENT 4
MODIFIED UIC SECTION 3 LANGUAGE

(Please note that this is not intended to be the final proposed language.
Additional language to address the transmission rate to be applied if a waiver or reduction
is granted needs to be developed.)

3. UIC RELIEF

Under appropriate circumstances, BPA-TS may waive or reduce the UIC to a Transmission Customer on a non-discriminatory basis. A Transmission Customer seeking a reduction or waiver must demonstrate good cause for relief, including a demonstration that:

~~1. The event which resulted in the UIC~~

~~(a) was the result of an equipment failure or outage that could not reasonably have been foreseen by the customer; and~~

~~(b) did not result in harm to BPA-TS's transmission system or transmission services, or to any other Transmission Customer; or~~

~~2. The event which resulted in the UIC~~

~~(a) was inadvertent or was the result of an equipment failure or outage that could not reasonably have been foreseen by the Transmission Customer;~~

~~(b) could not have been avoided by the exercise of reasonable care; and~~

~~(c) did not result in harm to BPA-TS's transmission system or transmission services, or to any other Transmission Customer; and~~

~~(d) was not part of a recurring pattern of conduct by the Transmission Customer.~~

If a waiver or reduction is granted to a Transmission Customer, notice of such waiver or reduction will be posted on the BPA-TS's OASIS.

~~If the Transmission Customer is subject to a UIC in a month, but has not received notice from the BPA-TS of such UIC by billing or otherwise, and the Transmission Customer is also subject to UIC(s) in the following month(s) due to the lack of notice, then the BPA-TS may bill the Transmission Customer for the highest UIC in the series. The UIC for all other months (including the first month(s) if it does not have the highest UIC) in such a series will be waived.~~