

Applicability of Master Template Clauses to Other Templates

10.22.07 Draft

Key: Y = Yes, the clause in the master can be used without changes.
 YB = Yes, but some changes will be required (see comments for extent of the changes)
 N = No, the clause in the master is not applicable
 ? = Unsure at this time.

Clauses/Exhibits	DSI Template	RPSA Template	Slice Template	Comments
1. Term and Termination	YB			Additional termination provisions
		YB		No early termination; add when performance begins
			Y	
2. Definitions	YB			Some terms unique to service concept
		YB		Delete some definitions; add RPSA definitions
			YB	Add numerous Slice-related definitions
3. Priority Firm Power Product	N			
		N		
			YB	Will include 2 detailed product descriptions – Block and Slice
4. Applicable Rates	YB			FPS only
		N		
			Y	
5. Take-or-Pay	N			
		N		
			Y	
6. Unauthorized Increase Charge	N			
		N		
			Y	
7. Specific Load Treatments	N			
		N		
			Y	
8. Scheduling	?			
		Y		
			Y	
9. Delivery (Transfer not yet drafted)	N			
		N		
			Y	
10. Measurement	?			
		N		
			Y	
11. Billing and Payment	YB			Reflect service concept
		YB		In lieu billing provisions; other tweaks
			YB	Will include expedited billing provisions

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Clauses/Exhibits	DSI Template	RPSA Template	Slice Template	Comments
12. Notices and Contact Information	Y			
		Y		
			Y	
13. Cost Recovery	N			
		Y		
			Y	
14. Uncontrollable Forces	YB			Additional provision for service concept
		Y		
			Y	
15. Governing Law and Dispute Resolution	Y			
		Y		
			Y	
16. Statutory Provisions				
a. Retail Rate Schedules	N			
		Y		
			Y	
b. Insufficiency and Allocations	N			
		YB		Modified for 'In lieu' power provisions
			Y	
c. New Large Single Loads (except DSIs)	N			
		Y		
			Y	
d. Priority of Pacific Northwest Customers	Y			
		Y		
			Y	
e. Prohibition on Resale	?			
		YB		In lieu reference
			Y	
f. Use of Regional Resources	N			
		N		
			Y	
g. BPA Appropriations Refinancing	Y			
		Y		
			Y	
17. Standard Provisions				
a. Amendments	Y			
		Y		
			Y	
b. Entire Agreement and Order of Precedence	Y			
		Y		
			Y	
c. Information Exchange	Y			

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Clauses/Exhibits	DSI Template	RPSA Template	Slice Template	Comments
and Confidentiality		Y		
			Y	
d. Assignment	YB			Reflect industry instead of utility
		Y		
e. No Third-Party Beneficiaries	Y			
		Y		
			Y	
f. Waivers	Y			
		Y		
			Y	
g. BPA Policies	Y			
		Y		
			Y	
h. Rate Covenant	N			
		Y		
			Y	
i. Hold Harmless	YB			Reflect 3 party agreement
		Y		
			Y	
18. Signatures	Y			
		Y		
			Y	
Exhibit A Resource Commitments and Net Requirements	N			
		N		
			Y	
Exhibit B Rate Commitments for Net Requirements Power	N			
		N		
			Y	
Exhibit C Rate Adjustments, Additional Products, and Special Provisions	YB			Reflect industry instead of utility
		N		
			Y	
Exhibit D Tier 1 (FBS) Resources	N			
		N		
			YB	Slice System Resources may or may not be different.
Exhibit E Metering	N			
		N		
			Y	
Exhibit F Scheduling	?			
		Y		
			Y	Additional Slice-related exhibits will be added.

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