

RFP Modifications
April 14, 2009

Modifications due to the Commission's Decision on RRR:

1) Modification of the dates in the Phase I Decision:

Activity	Due Date
Phase I Decision	2/24/2009
RRR Due	3/16/2009
Issue All-Source RFP	3/25/2009
RRR Decision	3/31/2009
Bid Meeting	4/1/2009
IE Proposal	4/15/2009
Bids Due	6/8/2009
CPCN for BH Resources	6/8/2009
RFP Summary Report (highly confidential) and Submit Revised Contingency Plan Balancing Plan	7/1/2009 7/20/2009
Short List due date - Begin Negotiations	8/8/2009
Renewable Studies RFP	12/7/2009
PPA Contracts Signed	12/8/2009

- 2) Resource selection is not limited to gas-fired combustion turbines. All resources that are capable of providing the dispatchable power that BH/CO will need in 2012 may be bid. This includes, but is not limited to, natural gas, demand response, and dispatchable renewable technologies such as bio gas.
- 3) The RFP for 2012 resources is modified to indicate the possibility of a bridge contract with Public Service, which in turn may extend the in-service date of resources to be bid until June 1, 2013. However, the possibility of a bridge contract between the two companies is uncertain at this time. Therefore, the Company is proceeding with the bidding process.

Bidders may offer multiple in-service dates for the same resource supply proposal under a single bid fee.

Any extension of the existing contract between the Company and Public Service proposed before the conclusion of the bid process will be filed with the Commission and the Company will promptly notify bidders.

Other modifications due to the Decision on RRR and corrections:

Page	Section	Line or paragraph	Correction
5	2.5	5	Delete “imputed debt”
8	4.2	2 nd paragraph from the top of the page	Delete “If a bidder submits an Equity Proposal, the bidders must propose equivalent security requirements and demonstrate that they can meet such requirements.”
9	4.2	Carryover paragraph from page 8; lines 2-3	Delete “or Equity Contract”
9	4.2	Last paragraph	Change “October 8, 2009” to “December 8, 2009” and change “October 9, 2009” to “December 9, 2009”
10	4.3.1	“Financial Information” paragraph, lines 6-7	Delete “(or equivalent requirement in any Equity Contract)”
17	5.2	First paragraph, lines 9 and 10	Insert “and” before “Chris Kilpatrick” and delete “and Todd Brink, Senior Counsel, as Legal Advisor”
19	Step 2, Section C	2 nd full paragraph	Delete the 2 nd full paragraph which states: “In order to reflect the complete costs of a proposal, the initial cost analysis of a PPA will also include an evaluation of the costs associated with the imputed debt impact. The imputed debt costs to the Company and

			its customers associated with a PPA will be arrived at by using a methodology to be developed and described in Appendix D.”
Form 1	Last paragraph	Line 2	Delete “or Equity Contract”
Form 1	Last paragraph	Last two sentences	Delete and insert the following in lieu thereof: “Absent inclusion of restrictions in a response, all proposals submitted shall be binding upon bidders, if accepted by the Company, through December 8, 2009. No proposals may be withdrawn prior to October 9, 2009. Negligence on the part of a respondent in preparing the proposal confers no right of withdrawal after the time fixed for the submission of proposals. ”
Form 3	Table 3	Interconnection Name: Boone	Add: Tri-State G&T as an interconnecting utility at Boone
Form 14	2 nd page	4 th to the last milestone	Delete and insert the following in lieu thereof: “Seller shall demonstrate that the Facility has the required Network Resource

			<p>designation (only applicable to units connected directly to the Company's electric transmission system" or, alternatively, Seller shall demonstrate that Seller has secured firm point-to-point transmission services to the Company's electric transmission system (for units connected directly to third-party transmission systems))"</p>
Attachment E	2 nd to the last paragraph		<p>Add: Pursuant to the Commission's Decision on RRR, the Company will use a capacity credit for intermittent solar resources similar to that used by Public Service Company for modeling in its pending Phase II.</p>