

D4. Large Commercial & Industrial Service - Interruptible Rider		Cp-I
<u>EFFECTIVE IN</u>	All territory served.	
<u>AVAILABILITY</u>		
This schedule is available to both small and large commercial and industrial customers taking service under the Cp-1M rate schedule with a minimum <u>interruptible</u> demand of 200 Kw* who contract for service in accordance with the provisions of this rider.		
Customers taking Power Supply Service under rate schedule RAST are not eligible for this service.		
* The actual interruptible demand shall equal or exceed 200 Kw for a minimum of 8 monthly billing periods during each annual billing cycle ending with the December meter reading. A customer's contract will be terminated effective with the issuance of the December bill for failure to meet this annual requirement. To requalify for service under this rider, a customer must meet the 8 month requirement or prove to the company's satisfaction that an interruptible load of 200 Kw can be attained on a regular basis.		
<u>MONTHLY RATE</u>		
<u>Demand Charge</u>		
Contracted Notice Period: 1 hour		
Maximum Contracted Hours of Interruption (Annual): 300(1)/600(1)(3)		
	Secondary	Primary Transmission
<u>Distribution Service:</u>		
Charge Per Kw of Maximum Interruptible Demand (2):		
Summer/Winter	\$1.06/\$1.06	\$1.06/\$1.06 \$1.06/\$1.06
<u>Power Supply Service (Optional):</u>		
Charge Per Kw of Maximum Interruptible Demand (2):		
Summer/Winter	\$3.47/\$3.47	\$3.25/\$3.25 \$3.09/\$3.09
<u>Credit Per Kw of Maximum Interruptible Demand (2):</u>		
Summer/Winter	\$5.25/\$5.25	\$5.25/\$5.25 \$5.25/\$5.25
(1) This applies to all types of interruptions in any calendar year. See paragraphs 6, 7, and 8 of "Rules and Procedures."		
(2) The credit shall be subtracted from the Peak Load System Demand Charge of the Cp-1M rate schedule for determining the charge per Kw to be applied to the customer's monthly maximum interruptible demand.		
(3) The 600 maximum hours of interruption shall apply to:		
a. all interruptible load of customers who begin taking interruptible service after January 1, 2004,		
b. all interruptible load of customers receiving interruptible service as of January 1, 2004 that exceeds the customers maximum interruptible demand billed in 2003. For customers who began taking interruptible service on January 1, 2004, the maximum interruptible demand shall be calculated by applying the 2004 firm nomination to the 2003 firm billing units. The highest calculated interruptible demand shall be used to determine the amount of interruptible load above the highest calculated interruptible demand that shall be subject to 600 hours.		
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The customer shall contract for a minimum term of five years.

The company may at any time during a calendar year offer to customers the option of receiving an additional demand credit of \$0.40 per kw per interruption for any interruption which causes the maximum contracted hours of annual interruption to be exceeded. This additional demand credit will only apply in months where such an interruption actually occurs.

In addition to the following specifications of the system demand charge, interruptible customers shall be responsible for all applicable charges and clauses of the Cp-1M rate schedule.

RULES AND PROCEDURES1. CONTRACTED DEMAND NOMINATIONS

Customer shall contract for a given amount of firm and interruptible demand.

a. Variable Interruptible Demand

The contracted firm demand shall be billed as the system demand at the appropriate system demand charge. Any excess monthly demands above the firm demand shall be considered as variable interruptible demand.

- b. Nomination Revisions: Demand nominations shall be revised at least annually on or before April 15th to cover the first succeeding calendar year and before September 15th to cover the second through the fifth succeeding calendar years. Said revision shall delete data for expired demand nominations and add additional nominations to cover a complete 60 month period. On any revision the renomination of any demands for any year shown in a previous nomination or revision of a previous nomination is permitted; provided however, that said revision cannot include any of the following except as allowed in paragraph 1.f., unless otherwise approved by the company:

- a decrease in firm demand; or
- a decrease in variable interruptible demand in conjunction with a comparable increase in firm demand;.

The company shall approve all requests for increases in firm demand, subject to the conditions of paragraph 9.

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Should a customer fail to supply a revised demand nomination for the next year on or before April 15th, the customer's demand nomination on file with the Company for the next year shall be used for both billing and interruptible compliance verification.

Should a customer fail to supply revised nominations for years 2-5 on or before September 15th, nominations previously made for years 2-4 will be used and the year 4 nomination will be used for the new year 5 nomination.

- c. Termination of Contract: Unless mutually agreed otherwise by the parties, the contract shall be in effect for a minimum initial term of five years, and from year to year thereafter unless the company or the customer shall, at least 48 months before the end of such period or any one year period thereafter, serve upon the other party a written notice of election to terminate service at the end of such designated period.

Customers have the option, upon proper written notice as set forth below and subject to the availability of sufficient capacity resources, to terminate contract(s) entered into under this Interruptible Rider offered by the company and return load serviced under this rider to firm service. The customer can terminate a contract at no cost if the market price for short term capacity to service the load being transferred to firm service is less than the interruptible credit in the tariff under which the customer's interruptible load is being service. If such cost of replacement capacity exceeds the interruptible credit, the customer can terminate this rider by paying, up-front, the product of the difference in the two costs for the number of months remaining under customer's interruptible contract times the customer's highest on-peak billed interruptible demand during the most recent 12 month period. Any customer which has a dispute with the Company pertaining to the cost of replacement capacity has the right to appeal this dispute to the Public Service Commission.

Customers must notify company of their intention to terminate any contract entered into under an Interruptible Rider two months prior to the termination effective date. Termination with less than two months notification will be permitted, but will be subject to a none-time penalty equal to the penalty in \$'s /kW for non-interruption in the appropriate interruptible rider times the highest on-peak billed interruptible demand(s) during the most recent 12 month period.

The company has the right to refuse to allow cancellation of the interruptible contract if refusal is deemed necessary to insure system integrity and maintain sufficient interruptible load.

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Notwithstanding the foregoing, the parties hereto acknowledge the possibility that the company may, at any time, deem it necessary or appropriate to acquire additional electric capacity of 100 Mw or more, in which event the company shall be entitled to rely upon a continuation of service under this agreement for a period of three years after the scheduled placement of such added capacity in service.

Accordingly, in the event that the company delivers written notice to the customer that all requisite regulatory approvals have been obtained for the acquisition of such additional capacity, together with notice of the schedule date for supplying energy therefrom, the customer shall have 60 days to deliver written notice that it has:

- 1) Elected to terminate this agreement effective not less than 60 months following the date of such notice, or such other date prior to the date service is to be supplied from the added capacity but in no case less than 60 months, or
- 2) Provide the company with firm demand nominations for the entire period through the first three years of scheduled placement of such added capacity in service and the term of this contract is extended to cover this entire period.

In addition, if the customer does not deliver a notice of termination of the required firm demand nomination during this 60 day period, the minimum term of this agreement automatically shall be extended until three years after the additional capacity is scheduled to commence supplying power for the company and the firm demand nominations during this extended period shall be no less than the last firm nomination shown on the then effective Schedule A. No termination notice delivered following such 60 day period may become effective prior to the end of such extended minimum term, unless terminated earlier in accordance with other provisions of this rate schedule.

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d. Demand Nomination Revisions

The annual revision of demand nominations from previous years may include a decrease in peak load period firm demand or a decrease in variable interruptible demand in conjunction with a comparable increase in peak load period firm demand at the time of the annual revision according to one of the following two renomination options:

- 1) The above nominations for the next calendar year may be reduced by 5% (Option 1) or 25% (Option 2) (rounded up to nearest 100 Kw) of the total peak load period firm nomination plus interruptible shown for this calendar year on the latest effective nomination. The company reserves the right to limit to plus or minus 25 Mw the total adjustments by all customers selecting Option 2. The total adjustment shall be determined by the total increase in firm nominations minus the total increase in fixed interruptible nominations (a decrease is a negative increase).
- 2) The above nominations for the second calendar year may be reduced by 5% (Option 1) or 0% (Option 2) (rounded up to nearest 100 Kw) of the total peak load period firm nomination plus interruptible shown for this calendar year on the latest effective nomination.
- 3) The above nominations for the third calendar year may be reduced by 10% (Option 1) or 0% (Option 2) (rounded up to nearest 100 Kw) of the total peak load period firm nomination plus interruptible shown for this calendar year on the latest effective nomination.
- 4) The above nominations for the fourth calendar year may be reduced by 15% (Option 1) or 0% (Option 2) (rounded up to nearest 100 Kw) of the total peak load period firm nomination plus interruptible shown for this calendar year on the latest effective nomination.
- 5) There are no restrictions on the reductions permitted for intermediate and base load period firm nominations.

The renomination option for a calendar year must be chosen at the time of the first required renomination for that calendar year and shall not be changed, unless otherwise approved by the company. For customers with new interruptible contracts, Option 1 shall apply for the first three calendar years.

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e. Demand Nomination Transfer Agreements

Interruptible customers who execute special contracts shall be allowed to enter into written agreements to transfer interruptible load from one customer to another for one or more calendar months with written notice to the company at least 10 days prior to any calendar month in which any such agreement commences. Such agreements shall require that balancing demand renominations be made by the agreeing parties such that firm demand nominations do not change in total from those previously nominated. Transfers of interruptible load are required to be 200Kw or more between customers.

2. ENERGY UPDATE

The Company shall provide a regional energy update at the annual spring interruptible customer meeting. This meeting will be held prior to the deadline for the April 15th nominations and shall include an update of the regional generation and transmission systems as well as any new or proposed interruptible tariff changes. Written copies of presentations shall be made available to all interruptible customers.

3. FIRM DEMAND

Firm demand nominations approved by the company shall be supplied by the company in the same manner as other firm load of the company.

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4. INTERRUPTIONS

Customers shall be subject to two types of interruptions - Emergency and Economic. Emergency interruptions may be declared to reduce load to maintain the reliability of power system. Economic interruptions may be declared during times in which the price of electricity in the regional market significantly exceeds the cost of operating typical Company peaking generation. For the purposes of this tariff, an Economic Interruption Trigger Price (EITP) will be used to define this cost.

a. ECONOMIC INTERRUPTIONSDay Ahead LMP Market1. Occurrence

Company's Locational Marginal Price (LMP) exceeds the Company's Buyout Threshold (EITP).

EITP = The Greater of \$0.06/kWh or $1.20 \times 13900 \text{ BTU/kWh} \times \text{Effect Gas Rate for Company's gas fired generation}$. The Company reserves the right to increase the EITP to manage hours of interruption during the year.

2. Notification

The Company shall provide notification of economic buyout hours upon the settlement of the MISO market. Notification will be sent to customers the earlier of, 8:00 am of the operating day or one hour before the start of an interruption.

3. Buyout Price

Buy-out prices will be set at the 110% of the market price plus Company Costs. Company costs will include, but not be limited to, Midwest Independent System Operator Schedule 17 Costs less marginal loss credit.

Real Time LMP Market1. Occurrence

If Day Ahead LMP is less than EITP, Economic interruptions can still occur when real time LMP is expected to exceed the EITP and either due to loss of a generator or significantly higher than expected loads, Company is incurring real time LMP costs in excess of the EITP.

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2. Notification

The company shall endeavor to provide notice of interruption with as much lead time as possible. Notice to interrupt will be by a signal to designated equipment of the customer or, at the discretion of the company, through some designated verbal means. Under normal circumstances, a minimum of one hour will be given before each interruption. This is subject to change due to unmanageable capacity situations which could require interruption of loads to maintain system standards of operations.

Management of Interruptible Hours

1. After 100 hours of the combination of emergency or economic interruption, the Company reserves the right to increase the EITP to manage the annual interruptible hours.
2. If the total hours of requested interruption equals the maximum contracted hours of interruption during any calendar year, the customer's interruptible load will have the same characteristics of firm system customer load for the balance of the calendar year.
3. The company will equalize the hours of interruption on an annual basis for all customers taking service under this interruptible rider to the extent reasonably practical.

Settlement Agreements

Customer's will be billed the most current market price available at the time of billing. If billing occurs before the seven day market settlement, 20% will be added to the market price. If billing occurs after the seven-day settlement, 10% will be added to the market price. Adjustments will be made to previous billings after final settlements have been made with the market authority. If adjustments are within a maximum of 5% or \$100, no adjustments will be made.

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b. EMERGENCY INTERRUPTIONS

- 1) Occurrence
Emergency Interruptions may occur when the Company, the Transmission Operator or the Reliability Authority feel the distribution, transmission equipment, or supply to firm customers is in jeopardy.
- 2) Notification
The company shall endeavor to provide notice of interruption with as much lead time as possible. Notice to interrupt will be by a signal to designated equipment of the customer or, at the discretion of the company, through some designated verbal means. Under normal circumstances, a minimum of one hour will be given before each interruption. This is subject to change due to unmanageable capacity situations which could require interruption of loads to maintain system standards of operations.
- 3) Penalty Billing
When notified of an interruption, the customer shall reduce load to the contracted firm demand nomination or less. Each declaration of an interruption shall be considered an occurrence.

Penalty Procedure

Failure to reduce load to the firm nomination as explained above when notified for an emergency interruption shall result in the customer being penalty billed for the demand difference between the maximum load (or minimum generation) on line during the interruption and the specified load (or generation) levels above. The demand difference will be billed the higher of:

1. Highest demand in non-compliance times the applicable annual credits times 110%. Or,
2. The additional power supply costs incurred by the Company to provide the kWh to the customer in excess of their firm nomination.

The customer agrees to endeavor to reduce demand (or increase generation) to a level not to exceed the specified contract demand or some higher load (or lower generation) level requested by the company, in accordance with the timetable requested by the company. It is understood that failure to comply with the timetable requested may result in the forced interruption of electric service to the customer's total demand at time of unmanageable load conditions for the company. Penalty billing in accordance with this clause shall occur if:

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1. The company provided a minimum of one hour to interrupt in advance and the customer fails to eliminate the interruptible demand which is designated for interruption by the time requested, or,
2. The company provides less than the contracted notice to interrupt, the contracted notice period has expired, and the customer has not eliminated at least 100% of the interruptible demand which is designated for interruption.

5. CUSTOMER MARKET BID PROCESS

Customers may submit bids containing hourly interruptible load and maximum prices to the Company for the day ahead market for price protection in the real time market.

- a. Bids must consist of total hourly consumption and maximum price per kWh.
- b. Customers are financially obligated to their price and volume defined in the customer's bid. Customers will be charged 110% of the market clearing price.
- c. Customers will be charged 110% of the real time prices plus Company costs that occur during the Operating Day for any interruptible load in excess of their purchased block of energy.
- d. Customers will be credited 90% of real time prices that occur during the Operating Day for any interruptible load that is less than their purchased block of energy.
- e. Bids must be received by the Company by 4:00 pm two days before the operating day begins. (example: If the operating day is Thursday, bids must be received by Tuesday at 4:00 pm)
- f. Upon settlement of the market, the Company will provide a mechanism to notify customers of the 24 hourly clearing prices and volumes for the operating day.
- g. Bids must be in increments of 100 KW.
- h. Customers are allowed three pricing levels, as defined by the Company which may change based on changing market conditions.
- i. Customers are still subject to emergency interruptions or economic interruptions for additional hours if the LMP is greater than the trigger price and there is an unplanned event such as loss of unit or significantly higher system load than expected.
- j. Customers will be awarded a pro rata share of the Company's aggregate bid when partial bids are awarded at the clearing price.

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6. PARTIAL INTERRUPTION PROCEDURE

There may be times when an interruption is required but for a load amount less than the entire load taking service under this rider and similar service schedules. To prevent unnecessary interruption of load, the company shall utilize a partial interruptible procedure utilizing blocks of interruptible customers.

- a. Michigan Cp-I2 interruptible customers shall constitute a separate block due to differences between the Wisconsin and Michigan tariffs. Wholesale interruptible customers shall constitute a second block. The Wisconsin customers shall be divided into three blocks as determined by the Company.

All interruptible load of an individual customers' account that is at the same geographic location shall be in the same block. A customer shall not be permitted to separate the interruptible load of an account into separate blocks.

- b. The company shall interrupt the appropriate amount of load per the following amount of load reduction (emergency interruption) or amount of high cost power required to supply the interruptible customers (capacity):

25 - 60	MW	One block
61 - 110	Mw	Two blocks
111 - 160	Mw	Three blocks
161 Mw and greater		All blocks

Due to the relatively small size of the block containing the Michigan customers, this group will be counted as a full block in the above determination but will be managed as required and permitted per the Michigan tariff. This is subject to change should the amount of load in the group of Michigan customers increase or due to Michigan tariff modifications.

- c. The determination of the blocks to be interrupted shall be based upon the number of hours interrupted in the calendar year. The block with the least amount of hours shall be the first block interrupted. If two blocks have the same amount of hours, the order shall be in the order of the alphabet. There is no distinction between emergency and capacity related interruptions nor for different levels of economic buy out levels.
- d. Changing of the type of interruption (emergency to capacity and vice versa) or buy out level shall not cause the block of customers to change.

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- e. For times when multiple blocks have been interrupted and conditions warrant ending an interruption for one or more blocks, the company shall end interruptions in the manner of the last block interrupted is the first block to have the interruption ended. An exception is for the FERC customers, who shall be the last block to have capacity interruption end to prevent oscillating operational difficulties.
- f. Demand Swaps. - An interruptible customer that obtained more interruptible load from a customer in another block would be subject to partial interruptions for only one block. For example, a customer in group B transfers 10 Mw of interruptible load to a customer in the group C, the customer that accepted more interruptible load shall only be required to interrupt for times when group C is interrupted.
- g. New Wisconsin retail customers would be added to the block of Wisconsin retail customers with the lowest amount of interruptible load.
- h. Customers shall generally not be allowed to switch blocks to prevent gaming resulting in circumvention of rate design. The company shall review requests for a block switch with the Commission.

Partial Interruptions due to Regional Reliability Issues

The Company may select individual or groups of customers to interrupt to keep the generation and transmission system operating reliably in the event of the loss of a major transmission line or generating station affecting the transmission system operation. Customers would be selected based on characteristics that impact the generation and transmission reliability, such as amount of load, point of interconnection with the transmission system, and the amount of benefit of interrupting of a customer to the transmission system reliability. The Company will take into consideration any hours of interruption incurred by customers due to the above paragraph in the Company's efforts to equalize the total annual hours of interruption related to all causes.

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7. MINIMUM DEMAND CREDIT

If the interruptible demand credit is reduced to an annual monthly average of \$3.00 per Kw or less, the customer has the right within 60 days of said change to immediately terminate interruptible service, subject to the conditions of paragraph 11.

8. AUDITS

An interruptible compliance audit shall not be performed by the company if the customer experienced an actual interruption excluding buyouts that was successfully implemented and recorded within the last six months. The interruptible compliance audits shall normally not be required more often than once a year during summer months and once at or near each winter peak load period. The necessity of an actual interruption or acceptance of other means of verifying ability to interrupt shall be under the sole control of the company. It is the intent of the company that the duration of interruptions for audit purposes will not be extended beyond the time necessary to satisfy the conditions of the audit. Penalty billing will apply if an actual interruption for audit purposes is not successfully completed.

9. FIRM SERVICE REQUESTS

Upon notice of cancellation or reduction of interruptible service, the company will endeavor to supply the interruptible load on a firm basis at that date or as soon thereafter as reasonably possible. A notice of cancellation shall be treated as a request for firm service, unless specified otherwise by the customer, as of the date of cancellation. Requests for increases in firm demand shall be treated as requests for firm service as of the requested date. Such requests shall take precedence over any subsequent request for firm service by any customer or potential customer that is not specifically reflected in the most current revision of the company's long range capacity plan. It is further agreed that any portion of the interruptible demand that cannot be served as firm demand, and is still desired by the customer, shall continue to be considered and billed as interruptible demand in accordance with this clause until that load obtains firm status.

10. CONTRACTS

Customers desiring interruptible service shall be required to sign individual customer contracts. Customer contracts shall have a minimum term of five years with a four-year cancellation notice. Customers desiring the commencement of interruptible service at the start of or during a calendar year shall be required to sign a contract prior to April 15th of the preceding year, unless otherwise approved by the company. Normally customers that are both new and unanticipated may contract for service at any time.

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11. INTERRUPTION FORCE MAJEURE

Each customer shall, in accordance with accepted industry practices, operate and maintain equipment and procedures necessary to fulfill the interruptible obligations of this rate schedule and associated contract(s).

However, no customer shall be considered to be in default with respect to failure to accomplish required load interruptions hereunder and shall not be liable to the company for the penalties for failure to interrupt hereunder, if prevented from actually and with reasonable safety accomplishing the interruption due to acts of God, wars, blockades, insurrections, riots, explosions, fires, floods, lightning, wind, sabotage or by any other similar or dissimilar cause beyond the reasonable control of the customer. In the event that a customer is unable to fulfill any interruption obligations hereunder by reason of such cause or causes, the customer shall use due diligence to remove such inability with reasonable dispatch. This paragraph does not apply to an inability to interrupt due to shortages, or lack of availability, of alternative fuels or the failure of or lack of access to alternative energy or power sources, or due to failure of the customer's equipment for reasons other than the above specifically excluding from force majeure fires, explosions or other such accidents that originate within the customer's facility.

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12. Interruptible Management Service

During times of interruption (either emergency or capacity), customers may elect to manage the electric loads of multiple facilities for billing and compliance purposes. Customers will be required to sign a service agreement identifying the meters to be combined.

Terms and Conditions:

- a. This provision shall not in any manner reduce the amount of interruptible load the customer in total has contracted for or is obligated to interrupt.
- b. Customers shall be responsible for any necessary communication between facilities to manage the electric loads of the facilities to be combined.
- c. Only meters and accounts of the customer and its corporate affiliates taking service under the company's Cp-I2 service are eligible for combination under this Rider. For purposes of this Rider, a "corporate affiliate" of the customer shall mean any wholly-owned subsidiaries of the customer and, if the customer is a wholly-owned subsidiary, the customer's corporate parent and any other wholly-owned subsidiaries of the corporate parent.
- d. All accounts to be combined subject to this provision are required to be paid up to date. Accounts with past due balances shall be excluded unless otherwise agreed to by the company. The company also reserves the right to deny this Interruptible Management Service to customers that are deemed to be attempting to avoid payments or circumventing rate design.
- e. Customers will not be compensated for customer-owned generation that is interconnected with the Company's power supply system on this tariff.
- f. All other terms and conditions of the applicable Cp tariffs apply.

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