



Montana-Dakota Utilities Co.

400 N 4th Street
Bismarck, ND 58501

State of South Dakota Electric Rate Schedule – SDPUC Volume No. 3

Section No. 3
Original Sheet No. 20

HIGH DENSITY CONTRACTED DEMAND RESPONSE Rate 45

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Availability:

In all communities served for electric service to data center-type facilities housing high density computer processing technology where customers have (1) an expected demand of at least 10,000 Kw per month metered at a single delivery point and (2) an expected minimum load factor of 85%. Company must be able to interrupt customer's service under this rate schedule for up to 200 hours annually or as included in the electric service agreement. Customers who do not maintain these service requirements will have their service moved to the otherwise applicable rate schedule.

Billing:

As specified in the electric service agreement entered into by and between the Company and customer and approved by the South Dakota Public Utilities Commission. Customers taking service under this rate schedule shall be billed any and all incremental costs required to provide electric service to customers each month.

Payment:

Bills will be considered past due if not paid by the due date shown on the bill. Past due bills are subject to a late payment charge in accordance with the provisions of Rate 100 or any amendments or alterations thereto.

General Terms and Conditions:

1. The customer shall execute an electric service agreement with the Company which shall be filed and approved by the South Dakota Public Utilities Commission. Any changes to a customer's bill that were not identified or anticipated at the time the agreement was entered into with the customer shall be included in an addendum to the agreement and filed with the South Dakota Public Utilities Commission.
2. The electric service agreement shall have a minimum term of three years but not exceed five years.
3. The electric service agreement shall include
 - a. The number of hours a customer may be interrupted in an annual period.

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- b. The length of time (in minutes) in which the customer must interrupt service following receipt of Company signal.
 - c. The firm load amount not subject to interruption.
 - d. The deposit amount required prior to the commencement of service under this rate schedule.
4. The Company reserves the right to require the customer to install adequate equipment so that at all times it can operate its facilities to maintain a power factor between 97% lagging and 97% leading.
5. The customer is responsible for the remote terminal unit (RTU) equipment, if applicable, installation and upgrade costs located between the customer's generator, or load control system, and the Company's energy management control system. The Company shall notify the customer when an RTU upgrade is required and the customer shall be given the opportunity to decide whether the RTU upgrade (RTU upgrade event) is installed. If the RTU upgrade is not installed, the customer's Rate 45 service shall be terminated and the customer moved to the otherwise applicable rate.
6. The Company may request the customer to interrupt at any time during an annual period beginning June 1 of each year and ending May 31 of the following year.
7. The penalty for non-performance when the Company requests the customer to interrupt will be the greater of \$10.00 per Kw applicable to the demand specified in the electric service agreement with the Company or the appropriate reallocation of any penalties imposed on the Company by the Midcontinent Independent System Operator (MISO) during the period of non-performance. After a second failure to perform, within a 12-month period, the customer shall be liable for the penalty and may be moved to the otherwise applicable rate.

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- 8. The Company may request a summer and winter performance test each year, lasting up to one hour in length, to test the customer’s interruption capability. Scheduled performance tests shall not count against the hour limit identified in the customer’s electric service agreement. Two failures to perform, within a 12-month period, may result in the customer being moved to the otherwise applicable rate.
- 9. Additional terms and conditions may be added or amended from time-to-time with written notice to the customer to comply with MISO’s load modifying resource (LMR) eligibility for the Company’s utilization. The customer shall have the option of accepting the additional program rules provided by the Company or be moved to the otherwise applicable rate.
- 10. The Company shall require a contribution in aid of construction (CIAC) from the customer, in advance of the construction of any facilities, in the amount of the Company’s estimated cost of installing and furnishing such service facilities, including the cost to disconnect and remove the same facilities. The final billing will reflect credit for the salvage value of materials used in providing electric service to customer’s facilities. Any deficiency in such advance payment shall be paid by the customer upon presentation of a bill by the Company. Any amount deposited in excess of final billing by the Company will be refunded to the customer.
- 11. The foregoing schedule is subject to Rates 100-140 and any amendments or alterations thereto or additional rules and regulations promulgated by the Company under the laws of the state.

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