



Form 1009
05/2022

GENERATING FACILITIES IN EXCESS OF 100 kW_{AC} STUDY DEPOSIT AGREEMENT

This Deposit Agreement (the "Agreement") is made and entered into this ____ day of _____ by and between _____ ("Customer,"), a _____ organized and existing under the laws of the State of _____, and the City of Lincoln, Nebraska doing business as Lincoln Electric System ("LES"), a municipal corporation existing pursuant to its home rule charter and under the laws of the State of Nebraska. Customer and LES each may be referred to as a "Party," or collectively as the "Parties."

WHEREAS, Customer is proposing to develop a generating facility in excess of 100 kW, or develop a capacity addition to an existing generating facility with the aggregate exceeding 100 kW ("Generating Facility");

WHEREAS, Customer desires to connect its Generating Facility with the LES system;

WHEREAS, the Parties do not believe a Southwest Power Pool-administered interconnection agreement will be applicable to the Generating Facility;

WHEREAS, LES desires to provide interconnection of Customer's Generating Facility under conditions which will ensure the safety of LES customers and employees and maintain the reliability and integrity of the LES system; and

WHEREAS, it is determined that the Customer's Generating Facility falls under the LES process relating to generation in excess of 100 kW requiring LES to conduct or review power system studies needed to substantiate system impact, reliability, and capability of the system with the addition of the proposed interconnection.

NOW, THEREFORE, in consideration of and subject to the mutual covenants contained herein, the Parties agree as follows:

1. The Customer shall provide LES with the following deposit for one hundred (100) percent of the cost estimated to complete such studies ("Deposit"):

Generation greater than 100 kW but less than 1 MW Deposit = **\$5,000**

Generation greater than 1 MW Deposit = **\$10,000**



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2. LES shall commence the power system studies, as summarized in Attachment 1, following receipt of the required Deposit. LES shall notify Customer as soon as it reasonably appears to LES that the cost of the study will exceed the Deposit and will not continue work on the study beyond the amount of the Deposit until it has received an additional Deposit from Customer in an amount determined in the sole discretion of LES.

3. Within ninety (90) calendar days of completing the studies, LES shall provide the Customer with a final accounting report of any difference between (1) the actual cost incurred to complete the studies, and (2) the Customer's Deposit(s) for such studies. If the actual cost incurred to complete the studies exceeds the Deposit(s), LES shall invoice the Customer for the amount due and the Customer shall make payment to LES within thirty (30) calendar days. If the Deposit(s) exceeds the actual cost incurred to complete the studies, LES shall refund to the Customer the excess amount within thirty (30) calendar days of Customer's receipt of the accounting report.

Customer

Lincoln Electric System

Signature: _____

Signature: _____

Print Name: _____

Print Name: _____

Service Address: _____

Title: _____

City, State, Zip: _____

Date: _____

Date: _____



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ATTACHMENT 1: SUMMARY OF STUDY SCOPE