

Mtg #	Key Term For TNPf	Term Reference in IOU Form Agreement for Distribution Capacity		
		SCE	SDG&E	PG&E
	Referenced Form Agreement or template	https://scemoorparkgoletarfp.accionpower.com/scemg_1701/documents.asp?Col=DateDown	2018 IDER Term Sheet: https://www.sdge.com/node/4691	PG&E to provide draft of form agreement prior to meeting #1
1	Definition of Product	Section 1.01 Product	Section #3: Product	Section 3.2: Distribution Services Appendix II: Distribution Services Types and Initial Contract Capacity
1	Resource and Project Description	Section 1.02 Project	Section #1: Project	Appendix III: Description of Project and Units
1	Transaction	Section 1.01 Product	Section #2: Transaction	Article 3: Transaction
1	Conditions Precedent	Section 2.04 Initial Delivery Date	Section #24: CPUC Approval; Section #25: Conditions Precedent	Section 1.2: Binding Nature Section 1.3: CPUC Approval Delayed
1	Events of Default (as related to CPs)	Article 10 Events of Default; Termination	Section #20: Events of Default	Section 7.1: Events of Default
1	Term and Delivery Period	Section 2.01 Term Section 2.02 Delivery Period	Section #14: Delivery Term/Available Periods	Section 1.1: Term (includes Delivery Term)
1	Customers (behind the meter only)	Section 1.01(b) (BTM EE), 1.01(c) (BTM DG and DG-ES) and 1.01(e) (BTM DR) Customer Type Section 1.02(a) (BTM EE), 1.02(b) (BTM DG) and 1.02(d) (BTM DG-ES) Eligibility	Section #11: Project Site and Customers	Section 4.5: Project Site and Customers

		Section 6.01 (BTM EE), 6.05 (BTM DG and DG-ES), and 6.10 (BTM DR) Customer Service Provisions Section 6.09(a) List of Recruited Accounts (BTM DR)		
1	Design and Construction	Article 4 – Design and Construction of Project	Similar to RPS and storage templates	Appendix III: Description of Project & Units
1	Milestones	Section 4.05 Milestone Schedule Section 4.06 Critical Path Development Milestones	Section #15: Critical Milestones	Article 2: Delivery Conditions and Development Milestones Appendix VIII: Critical Milestones
1	Interconnection	Section 5.01 Interconnection (minor section heading variations across agreements)	Section #12: Interconnection	Section 4.1: Interconnection Section 4.2: Interconnection Agreement
1	Termination and Damages (for pre-construction issues)	Article 10 Events of Default; Termination	Section #22: Termination Payment	Section 7.2: Early Termination Section 7.3: Cumulative Remedies
1	Credit and Collateral	Article 7 Credit and Collateral; Financial Information	Section #19: Seller Performance Assurance	Article 10: Credit and Collateral Requirements
2	Contract Capacity	Section 1.03 Capacity (called “Contract Quantity” in EE)	Section #4: Contract Capacity	Section 3.3: Contract Capacity Appendix II: Distribution Services Types and Initial Contract Capacity
2	Metering [Measurement and Verification for behind the meter projects]	Section 5.02 Metering, Communications and Telemetry (minor section heading variations across agreements)	Section #17: Measurement and Verification (includes IFM and BTM resources)	Section 4.7: Metering and Communications Systems Section 5.2: Measurement and Verification Appendix XV: Measurement, Verification, and Performance Testing

2	Testing	<p>Section 5.01 Testing (BTM EE) Section 5.02 Testing (IFOM ES RA only) Section 5.03 Testing (BTM DR and IFOM ES RA with Put) Section 5.03 Procedure for Demonstration of Contract Capacity (IFOM DG) Section 5.03 Pre-Installation Description and Pre-and Post-Installation Inspections; Testing (BTM DG and DG-ES)</p>	Section #18: Performance Testing	<p>Section 5.1: Performance Testing (includes Buyer Performance Test and Seller Retest) Section 3.3: Contract Capacity (adjusted based on performance test results)</p>
2	Operation and Operating Parameters	<p>Section 6.01 Seller’s Operation Obligations (all except BTM EE) Tables in Sections 1.01 and 1.03 also address specific operating parameters</p>	Section #6: Operating Restrictions; Section #10: Operational Control	Appendix IV: Operational Parameters
2	Scheduling/Dispatch	<p>Section 5.02 Metering, Communications, Dispatch and Telemetry (BTM DR) Section 6.01 Seller’s Operation and Record Keeping Obligations (IFOM DG) Section 6.04 (ES RA) and 6.03 (ES RA with Put) Local Resource Constrained Days Dispatch</p>	Section #7: Scheduling/Dispatch	Section 4.8: Scheduling <i>If Applicable:</i> Appendix VII: Schedule/Dispatch

		Section 6.07 Operational Notices (Put Periods) (ES RA with Put) N/A for BTM DG and DG-ES, EE		
2	Capacity Availability Requirements	Section 1.03 Capacity	Section #14: Delivery Term/Available Periods	Section 3.3: Contract Capacity Section 4.4: Failure to Comply with Restricted Periods Appendix IV: Operational Parameters
2	Maintenance and Repair	Section 6.02 (IFOM ES) and 6.03 (all others except BTM EE), Seller's Maintenance and Repair Obligations	Section #10: Operational Control	Section 4.3: Operational Control
3	Capacity Price	Section 1.04 Product Price (called "Monthly Capacity Price" in IFOM ES and "Payments" in EE)	Section #5: Contract Price	Article 6: Compensation
3	Compensation/Payment	Article 3 – Payments and Billing	Section #16: Compensation/Payments	Article 6: Compensation
3	Events of Default (post-COD)	Article 10 Events of Default; Termination	Section #20: Events of Default	Section 7.1: Events of Default
3	Termination and Damages (post-COD)	Article 10 Events of Default; Termination	Section #22: Termination Payment	Section 7.2: Early Termination Section 7.3: Cumulative Remedies
3	Force Majeure	Article 8 Force Majeure	Section #21: Force Majeure	Article 8: Force Majeure
4	Representations and Warranties	Article 9 Representations, Warranties and Covenants	Similar to RPS and storage templates	Article 14: Representations; Warranties; Covenants
4	Limitations	Article 11 Limitation of Remedies, Liability and Damages	Similar to RPS and storage templates	Article 13: Limitations of Remedies, Liability, and Damages
4	Indemnification	Article 13 Indemnification	Similar to RPS and storage templates	Article 15

4	Safety	Section 2.04(a)(ii)(F)(vii) (BTM DR), 4.01(e) (BTM DG and IFOM DG), 4.01(f) (BTM DG-ES and IFOM ES) and 4.02(c) (BTM EE) (IE report re written safety plan) Section 6.01(a) (all except EE) (operation in accordance with prudent electrical practices)	Section #23: Safety	Article 11
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