

Schedule No. G-95

RESALE GAS SERVICE

APPLICABILITY

Applicable only to Black Mountain Gas Company for the purchase of gas from the Utility for distribution and resale in its Maricopa County service area.

TERRITORY

Throughout the certificated area served by the Utility in the communities as set forth on A.C.C. Sheet No. 8 of this Arizona Gas Tariff.

RATES

The basic service charge and commodity charge are set forth in the currently effective Statement of Rates of this Arizona Gas Tariff and are incorporated herein by reference.

MINIMUM CHARGE

The minimum charge per meter per month is the basic service charge.

SPECIAL CONDITIONS

1. A service agreement shall be required under this schedule and shall contain the buyer's volumetric entitlement by curtailment priority, the location, delivery pressure and assumed atmospheric pressure for each point where delivery of natural gas by the Utility to the buyer will take place, and a statement of the buyer's responsibility for any taxes, fees or charges which may be assessed by any governmental authority on the utility service rendered. The service agreement may also contain overrun penalties or any other provisions determined by the Utility to be necessary to avoid imposing a burden on other customers of the Utility.
2. Service under this schedule is subject to curtailment in accordance with Rule No. 7 of this Arizona Gas Tariff. Buyer shall assign to each of its customers an end-use priority classification, determine the aggregate of its customer's peak day demand in each priority classification, and provide the Utility with a listing of its customers by curtailment priority and subgrouping on or before September 1 of each calendar year. Upon notification of curtailment, buyer shall promptly curtail deliveries of gas to its gas customers by the volume equal to the volume curtailed from the Utility to the resale customer.

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(Continued)

SPECIAL CONDITIONS (Continued)

3. Any existing sales for resale contracts shall be revised to reflect the rates, terms and conditions of this schedule.
4. Rule No. 6 of this Arizona Gas Tariff shall not apply to this schedule. The Utility will construct additional facilities to serve customers under this schedule only to the extent that such facilities are economically feasible and beneficial to the Utility or when the buyer agrees to pay all or a portion of the cost of such facilities.

PURCHASED GAS ADJUSTMENT CLAUSE

The charges specified for this schedule are subject to increases or decreases in the cost of gas purchased by the Utility. Such change shall be reflected in the commodity charge of the currently effective tariff rates as shown on A.C.C. Sheet No. 13 of this Arizona Gas Tariff.

GAS COST SURCHARGE

Each month the Utility will calculate the total actual commodity cost of gas purchased for Black Mountain Gas Company under this schedule. The total cost of gas so calculated shall be reduced by the amount of gas costs being recovered through the commodity purchased gas cost component of the currently effective tariff rate for Schedule No. G-95 shown on A.C.C. Sheet No. 13 of this Arizona Gas Tariff. Any amounts so remaining shall be included as a surcharge on the customer's bill.

If actual amounts are not available at the time of billing, the Utility shall use estimates to calculate the total commodity cost of gas purchased for Black Mountain Gas Company described above. Subsequent billings shall reflect adjustments to restate estimated amounts, if any, to actuals.

RULES AND REGULATIONS

The standard Rules and Regulations of the Utility as authorized by the Commission shall apply where consistent with this schedule.