

UE-100749/PacifiCorp
August 29, 2011
Public Counsel Data Request 195

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**Phase II Direct Testimony of Stacey J. Kusters, Exhibit No. SJK-1CT,
pp. 2-3.**

- (a) Please provide the terms of any liquidated damages clauses in any forward-looking contracts that PacifiCorp is currently entered into (regardless of whether the contract(s) is contingent on regulatory approval). Please identify to which contract relates, and if/when the contract has been provided through discovery to Public Counsel.
- (b) Has PacifiCorp paid liquidated damages under a forward-looking REC sales contract to-date? If so, please provide the following information about each incident that resulted in a liquidated damages payment by PacifiCorp:
 - 1. Buyer
 - 2. Date(s) of the non-delivery
 - 3. Actual MWhs not delivered
 - 4. Amount of damages paid
 - 5. Date of damage payment

Response to Public Counsel Data Request 195

- (a) Please refer to the Company's supplemental response to Public Counsel Data Request 155; specifically Confidential Attachment PC 155 -2. Liquidated damages clauses are included in the Pacific Gas and Electric Company contract dated September 15, 2009 (Appendix I). Please also refer to Sections 4 and 4 of the NV Energy contract dated February 9, 2011, provided in Confidential Attachment PC 189 1st Supplemental.
- (b) No.

PREPARER: Paul Johnson

SPONSOR: Stacey Kusters