









Settling Parties.

4. In the event the Commission approves the Agreement on or before December 28, 2023, the Company will implement a rate decrease to tariff Schedule 95 for the 6-month period beginning January 1, 2024 that is consistent with paragraph 10 below. In the event that the Commission approves the Agreement after December 28, 2023, the Company will implement a rate decrease to tariff Schedule 95 within seven business days after Commission approval of the Agreement.

5. As part of the ECAM Minimum Filing Requirement 13, the Company will report in each future ECAM proceeding the actual wind performance on a megawatt-hour basis for each Company-owned wind asset during the deferral year and each deferral year for the preceding five deferral years. The Agreement makes no judgement or determination on the performance of the Company's wind facilities. The Settling Parties have the right to litigate this issue in a future proceeding.

6. The Agreement makes no judgement or determination on the Company's hedging policies or practices. The Settling Parties have the right to litigate this issue in a future proceeding.

7. The Agreement makes no judgement or determination on existing treatment of production tax credits. The Settling Parties have the right to litigate this issue in a future proceeding.

8. The Agreement makes no judgement or determination on use of the mark-to-market adjustment for the Black Cap solar resource or other Oregon situs assigned resources. The Settling Parties have the right to litigate this issue in a future proceeding.

9. The Agreement makes no judgement or determination regarding issues related to operating reserves or the Top of the World power purchase agreement. The Settling Parties have the right to litigate this issue in a future proceeding. However, the Company will conduct a technical workshop for any interested Wyoming stakeholder focusing on Top of the World dispatch and curtailment and the valuation of generating reserve, including contracts with industrial customers. The Settling Parties will confer and come to a mutual agreement as to the date and scope of this technical workshop within three months of the Wyoming Public Service Commission approval of this Agreement.













