

AVISTA CORPORATION
dba Avista Utilities

WASHINGTON
CONTINGENCY PLAN FOR FIRM SERVICE GAS CURTAILMENT - continued

The Company shall not be liable for any loss or damage occasioned by a shortage of supply due to conditions beyond Company's control nor shall such interruption or shortage constitute a breach of its contract.

When only partial curtailment of any classification in the order of priorities is required, such partial curtailment shall be apportioned pro rata among Customers in said classification when and where practicable.

Company shall have the right to inspect Customer's gas consuming facilities in order to determine Customer's requirements and proper position in the order of firm service priority.

Company shall endeavor to give notice by July 1 of any year in which it may expect firm service curtailment to Customers who may be subject to firm service curtailment for the following winter season. Each Customer so notified shall advise the Company by September 1 of such year the name of Customer's representative to whom Company shall give curtailment orders. Company shall also give as much advance notice as possible with respect to each curtailment order. Each curtailment order from Company shall be given by telephone or personal contact by Company to Customer's designated representative. Company shall specify the quantities to be curtailed or restored and the time for instituting curtailment or restoration.

Any quantity of gas taken by Customer in excess of that permitted by the curtailment notice shall be considered as unauthorized gas. Where the volume of unauthorized gas can be determined, Company shall bill and Customer shall pay the greater of \$1.00 per therm or 150% of the highest midpoint price at NW Wyoming Pool, NW south of Green River, Stanfield, OR, NW Can. Bdr. (Sumas), Kern River Opal, or El Paso Bondad supply pricing points as reflected in the Daily Price Survey published in "Gas Daily" in addition to the regular charges incurred under the firm rate schedule under which Customer's bill is rendered. Payment of charges for unauthorized gas shall not under any circumstances be construed as granting Customer the right to take unauthorized gas or exclude any other remedies which may be available to Company to prevent such unauthorized use.

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In the event it should become necessary to curtail firm service due to force majeure conditions, Company may curtail firm service without reference to the priorities established herein.


For the purpose of applying the foregoing priorities, Customer classes are defined as follows:

Residential Customers: Single family dwellings; separately metered apartments or flats; and centrally metered multiple dwellings or apartments where provisions for standby fuel is impracticable.

Institutional Customers: Facilities of municipal, state and Federal

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