

**STANDARD PRICING SCHEDULE: CR
CURTAILMENT RIDER**

STATE OF OKLAHOMA

THIS RIDER EXPIRES MARCH 31, 2010.

**PL-TOU CR-1 CODE NO. 37
LPL-TOU CR-1 CODE NO. 34**

This is a rider to the Power and Light Time-of-Use (PL-TOU) and Large Power and Light Time-of-Use (LPL-TOU) standard rate schedules. All provisions of those standard rate schedules apply, except as otherwise amended by this rider. The Company, at its sole discretion, may call for curtailment for any operating or economic purpose. The use is not limited to emergency conditions.

AVAILABILITY: This rider is available upon application by the customer and acceptance by the Company to all customers served under the PL-TOU and LPL-TOU standard rate schedules with a demonstrated Curtailed Load capability of 500 kW or greater. This rider shall not apply if a service interruption resulting from system-emergency operating conditions should occur. No resale, breakdown, auxiliary or supplementary service permitted, without approval from the Company.

DETERMINATION OF LOAD CURTAILMENT CREDIT: The Load Curtailment Credit shall be calculated by multiplying the applicable kW load (corrected for power factor as stated in the PL-TOU and LPL-TOU standard rate schedules) times the following appropriate Monthly Credit Factor per kW:

Monthly Credit Factor per kW

<u>PL-TOU</u>	<u>LPL-TOU</u>	<u>Service Level</u>
\$1.93	\$1.93	Transmission (Service Level 1)
\$1.98	\$1.98	Distribution Substation (Service Level 2)
\$2.03	\$2.03	Distribution (Service Levels 3 and 4)
\$2.23	\$2.23	Secondary (Service Level 5)

- A. **Curtailed Load:** The Curtailed Load shall be the monthly Maximum Billing Demand minus the Contracted Demand. The credit generated by the Curtailed Load shall be not greater than the credit generated by using the customer specific Contract Curtailable Demand.
- B. **Maximum Billing Demand:** The Maximum Billing Demand upon which the Capacity Charge of the PL-TOU or LPL-TOU standard rate schedule is based shall be the Maximum Demand corrected for power factor, as set forth under Power Factor Clause; provided that no Maximum Billing Demand shall be considered as less than 25 percent of the highest On-

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- Peak Hours Demand corrected for power factor previously determined during the 12 months ending with the current month.
- C. **Contracted Demand:** The Contracted Demand is the demand specified by the customer, which the Company is expected to supply during any Periods of Curtailment requested by the Company. The Contracted Demand may be modified, no more than once in a consecutive 12 month period. The effective date of the modified customer contract shall modify the future anniversary date of the contract and coincide with the culmination of the twelfth (12) monthly payment under the newly modified Contracted Demand schedule.
- D. **Contract Curtailable Demand:** The Contract Curtailable Demand is a customer specific predetermined Average Annual Maximum Customer Demand minus the Contracted Demand. The Contract Curtailable Demand is the maximum level of kW that is eligible for Load Curtailment Credit within a 12 month period. The level of Contract Curtailable Demand shall be defined in the customer contract.
- E. **Actual Minimum Demand:** The Actual Minimum Demand is the maximum demand obtained by a customer in each of the periods of curtailment.
- F. **Average Annual Maximum Customer Demand:** The Average Annual Maximum Customer Demand is the average of the 12 monthly Maximum Billing Demands of a specific customer for a specified time frame.
- G. **Available Curtailment Load:** The Available Curtailment Load is the difference between the monthly Maximum Billing Demand and the monthly Actual Minimum Demand in each of the periods of curtailment.

SPECIAL CONDITIONS:

1. **Notice for Curtailment:** The Company shall always endeavor to give the customer as much notice as possible before the curtailment is to occur and shall never give the customer less than 30 minutes notice.
2. **Periods of Curtailment:** Periods of Curtailment shall be those times when the Company has called for Curtailable Load to be disconnected from the Company's lines. The Company is solely responsible for determining the need for load curtailment requests. The Periods of Curtailment may be called beginning with any 15 minute interval for a duration not less than four (4) hours. No more than one period of curtailment will be called in a 24 hour period. Any period of curtailment shall not exceed eight (8) hours in length. Curtailment may be required

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during any calendar month and total curtailed hours will be limited to no more than 100 hours in a 12 month contract period.

3. **Buy-through:** The customer shall be allowed to buy all kW between the Actual Minimum Demand and the Contracted Demand at a penalty of three (3) times the appropriate Monthly Credit Factor. An alternate penalty calculation shall allow the customer to pay a penalty of three (3) times the positive difference between the Contract Curtailable Demand and the Available Curtailment Load (whichever method determines the lesser penalty). A CR-1 customer which is also a Real Time Pricing (RTP) customer shall be governed by the RTP customer's buy-through provisions as defined in the RTP tariffs. These penalty calculations shall be applicable to each curtailment period called.
4. **Failure to Curtail:** The first time a customer fails to achieve full curtailment during a curtailment period in any calendar year, the three (3) times penalty as stated above will apply. If the customer fails to achieve full curtailment during the second curtailment event in the same calendar year, the customer will be subject to the three (3) times penalty as stated above plus, will be removed from this rider and placed on the Performance Award for Curtailed Energy Rider (PACE-1). Full curtailment is defined in the following two manners: 1) The customer reduces their Load to an amount equal to or less than their Contracted Demand amount; or 2) The customer's Available Curtailment Load is equal to or greater than their Contract Curtailable Demand. These definitions will apply during each curtailment period called by the Company.
5. **Customer's Inappropriate Actions:** If it is determined at any time by the Company that the customer is manipulating the rider so as to reduce the benefit expected by the Company, the customer is in default and will be removed from this rider without penalty to the Company.
6. **Equipment:** The Company will install, own, and maintain special metering equipment required for this service. In circumstances where an unusually large metering investment is necessary, the Company, at its option, may require a prepayment from the customer to cover such investment. In the event the Company is unable to acquire and install the necessary metering equipment, the customer shall be served under this rider but the Company reserves the right to inspect, check, or test (1) the customer's ability to curtail, and/or (2) their actual performance under any period of curtailment.
7. **Restriction:** This rider is not available to customers being served under the Interruptible Rider (IR-1) Rider, the Back-up Tariff, or the PACE-1 rider.
8. **Notification Method:** Notification is limited to the use of the following devices: Alphanumeric pager (must be compatible technology to the pager system used by OG&E),

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OKLAHOMA GAS AND ELECTRIC COMPANY
P. O. Box 321
Oklahoma City, Oklahoma 73101

Original Sheet No. 50.63
Date Issued July 24, 2009

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voice mail (able to receive an automated curtailment notice), or e-mail. Future notification by FAX may be provided at some future date. A customer can choose up to three of these notification vehicles. These are the only means of notification that a customer will receive. It will be the customer's responsibility to keep any method of notification "current" either by supplying that updated information to the appropriate Company representative or by maintaining updated notification on the Company's approved website.

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