

RATE CPE-2 CONTRACT FOR PURCHASED ENERGY



Mississippi Public Service Commission Schedule No. 62		
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APPLICABILITY

This rate schedule shall apply to any Qualifying Facility ("QF"), as defined under the Public Utility Regulatory Policies Act of 1978, as amended ("PURPA"):

- (1) not otherwise selling its output to Mississippi Power Company (the "Company") under another rate schedule,
- (2) seeking to sell its total output, or a portion thereof, to the Company pursuant to a legally enforceable obligation.

For purposes of this rate schedule and for such other purposes as are relevant under PURPA, a legally enforceable obligation shall be deemed to arise only after the QF has complied with all of the following requirements:

- (1) Certified with the Federal Energy Regulatory Commission ("FERC") as a QF,
- (2) Made a commitment to sell its output to the Company under PURPA,
- (3) Received a Certificate of Public Convenience and Necessity ("CPCN") for the construction of the facility, to the extent required by law,
- (4) Submitted a completed generator interconnection request to the Company.

AVAILABILITY AND KIND OF SERVICE

The terms and conditions of this rate are available to a QF that has a nameplate capacity greater than 100 kW AC for rotating machines or 100 kW DC for inverter-based systems and that meets the applicability requirements above. Service shall be taken under one of the standard contracts identified below ("Standard Contracts").

Attachment A – Contract for the Purchase of Energy from a QF shall be used for any QF (cogeneration facility or small power production facility) that seeks to sell its total output to the Company (less any production consumed on site for station service or similar reasons), as provided herein and in the contract.

Attachment B – Contract for the Purchase of Excess Energy from a QF shall be used for any customer of the Company that operates a QF (cogeneration facility or small power production facility) to serve a portion of its retail electric needs, with excess output sold to the Company on an intermittent basis, as provided herein and in the contract.

GENERAL REQUIREMENTS

Delivery and Interconnection

A QF that seeks to make sales to the Company under this rate shall be responsible for all costs of interconnection and the delivery of the energy from the QF to the Company and the Company's

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electrical system, including any costs related to or incurred as a result of the transmission of energy across the Company's electrical system.

Any QF that seeks to physically interconnect to the Company's electrical system in accordance with this rate schedule (Rate CPE) and either of the Standard Contracts offered through this rate schedule must apply for interconnection and complete and execute a generation interconnection agreement prior to the project delivering energy to the Company. Each such QF shall be responsible for all costs associated with any corresponding facilities, improvements and upgrades needed for interconnection of the QF or for delivery of energy to the Company.

In addition to the costs previously described, the QF is responsible for payment of all fees and costs associated with applications, required studies, administration of the interconnection agreement and financial security requirements.

A complete description of the applicable interconnection procedures, including an interconnection application, generation interconnection agreement and contact information for interconnections, is maintained on the Company website at www.mississippipower.com.

Rate for Purchase of Energy from a Qualifying Facility

The prices are provided in the Company's Basic Avoided Energy Cost Bulletin.

STANDARD CONTRACT REVIEW AND APPROVAL

Execution of one of the Standard Contracts pursuant to the terms of this rate schedule shall not require Mississippi Public Service Commission (the "Commission") approval; provided, however, upon issuance of one of the Standard Contracts under this rate schedule the Company will notify the Mississippi Public Utilities Staff (the "Staff") in writing.

ELECTRIC SERVICE TO QUALIFYING FACILITY

As applicable, any QF requiring Electric Service from the Company must obtain such service in accordance with applicable rates, rules and regulations on file with the Commission and/or FERC, including but not limited to the Rules Governing Electric Service, Mississippi Distributed Generator Interconnection Rule (MDGIR) and OATT Transmission Policies of Southern Companies.

Supplementary, Back-up, and Maintenance Power shall be provided as required under provisions of rate schedules LPSS or SPSS, as applicable.