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## AMENDMENT NO. 1 TO MAR -5 AM 10: 04 INTERCONNECTION AGREEMENT PUBLIC STATES CLERK

- 1. The one line diagram in Facility Schedule No. 28 Blossom is deleted in its entirety and the one line diagram attached to this Amendment is hereby added to Facility Schedule No. 28 Blossom in lieu thereof.
- 2. TNMP agrees to design its interconnection facilities, associated with Facility Schedule No. 28 Blossom, in accordance with Oncor's Substation Transmission Engineering Standard 500-250 in effect on September 06, 2011.
- 3. In the event TNMP's Substation as described in Facility Schedule No. 28 Blossom, is not complete and ready to be energized by the Oncor facilities by May 31, 2015, Oncor no longer has any obligation to establish an interconnection with TNMP at such point of interconnection, and Oncor may terminate this Facility Schedule. Upon the termination of Facility Schedule No. 28 Blossom, TNMP will pay to Oncor all of the actual costs Oncor has incurred (or committed to be incurred) for engineering design, procurement, and construction of the Oncor facilities associated with the Blossom point of interconnection. The total cost of the Oncor facilities is estimated to be \$811,000, including the adder in item 5 below, however this estimated cost shall not be a cap on TNMP's payment obligation in this Amendment.
- 4. TNMP may terminate Facility Schedule No. 28 Blossom at any time prior to energization of TNMP's Substation by providing Oncor with seven days advanced written notice. Should TNMP exercise this early termination option, TNMP will pay to Oncor all of the costs Oncor has incurred (or committed to be incurred) for engineering design, procurement, and construction of the Oncor facilities prior to TNMP's notice of termination.
- 5. In determining the costs incurred (or committed to be incurred) by Oncor for engineering design, procurement, and construction of the Oncor facilities, such cost shall be increased by an adder to cover the effects of federal income tax. This adder is subject to change each year. The adder is currently 21.926%.
- 6. This Amendment will become effective upon execution by the Parties.
- 7. Except as otherwise expressly provided for herein, the Agreement shall

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continue in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed in several counterparts, each of which shall be deemed an original but all shall constitute one and the same instrument.

Oncor	Electric	Delivery	Company
LLC			

BY:

NAME: Jeffrey B. Herring

TITLE: <u>Director - Transmission Services</u>

DATE: 3/13/13

**Texas-New Mexico Power Company** 

TITLE: VICE PRESIDENT OPERATIONS

DATE: MARCH (Z, 2013

