

**ENERGY GULF STATES, INC.**  
ELECTRIC SERVICE  
Louisiana

SCHEDULE EER

Section No.: III  
Section Title: Rate Schedules  
Revision: 1 effective 9-28-05  
Supersedes: EER Revision 0 effective 5-4-00  
Schedule Consists of: Three Pages Plus  
Attachment A

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## EXPERIMENTAL ENERGY REDUCTION SERVICE RIDER

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### I. AVAILABILITY

The Company may provide, at its sole discretion, curtailable service under this Experimental Energy Reduction Rider (EER Service) during specified months of a calendar year (the "Program Period"), subject to the provisions contained herein.

### II. APPLICABILITY

EER Service is applicable only to customers receiving service under General Service, General Service-Time of Day, Large Power Service, Large Power Service-Time of Day, High Load Factor Service, and High Load Factor Service-Time of Day Rate Schedules or any tariffs superceding those tariffs (the "Regular Rate Schedules") who have the capability to provide not less than 150 kW of curtailable demand and related energy and that are currently metered utilizing a demand interval meter or are willing at Customer's expense to have one installed. Demand and energy taken by a Customer under the Company's Experimental Rider to Schedule LPS and HLFS for Curtailable Service (Schedule IS) shall not be eligible to be taken as EER Service under this Rider.

### III. DEFINITIONS

- (1) Curtailable Demand is the demand the customer commits to curtail on the following day during the period of contracted curtailment. Curtailable Demand must be the same for all EER Curtailable Hours.
- (2) Confirmation Price is the hourly price offered by Company and accepted by Customer for energy curtailed by Customer.
- (3) Net Demand Reduction is the difference between the previous normal business day average hourly demand kW and the average hourly demand kW during the contracted period for the same hour.
- (4) Minimum Demand Reduction is the minimum average hourly demand kW that the customer must curtail within any given contracted hour to avoid penalties. It is equal to the Curtailable Demand multiplied by ninety (90) percent.
- (5) Hourly Curtailable Billing Energy is the difference between Customer's hourly metered demand during the period of contracted curtailment and the hourly metered demand for the same hour of the previous normal business day without curtailments.
- (6) Curtailment Confirmation Statement is the electronic notice of agreement between Customer and Company and/or Company's authorized representative that specifies the EER Curtailable Hours, the pledged Curtailable Demand, and the Confirmation Price (stated in \$ per kWh) for the curtailment to which Company and Customer have agreed.
- (7) EER Curtailable Hours shall be those hours of the day for which Customer has contracted to curtail. Customer must contract for all hours identified in the currently effective Attachment A.

- (8) Program Period for a calendar year is those months within which Company, subject to other provisions, makes EER Service available. The Program Period for a calendar year shall be identified in the currently effective Attachment A.
- (9) Maximum Hourly Curtailable Energy Payment is the maximum the customer will be credited during any given EER Curtailable Hour. It is equal to Curtailable Demand multiplied by one hundred and thirty (130) percent, multiplied by the Confirmation Price.

#### IV. CUSTOMER REQUEST TO PARTICIPATE IN THE EER SERVICE PROGRAM

Customers may request to participate in the EER Service program during a Program Period by giving Company written notice at least one month before the beginning of the Program Period. A request for EER Service must be provided in the manner specified in the currently effective Attachment A for the Program Period and must include an estimate of Customer's maximum available curtailable energy by hour. Company has the right to limit the number of participants in the EER Service program for a Program Period.

In order for a Customer to participate in and receive payments for EER Service, an enabling contract between Company and Customer for EER Service must be completed within one month following Company's receipt of Customer's request. Contracts may be in the form of an addendum to an existing Agreement for Electric Service.

#### V. AGREEMENT FOR CURTAILMENTS

Should the Company, at its sole discretion, decide to post prices during the Program Period identified on the currently effective Attachment A, Company will post via Internet by 8:00 A.M. CDT hourly day-ahead energy prices for the EER Curtailable Hours of the Program Period. Customer will have until 11:00 A.M. CDT of that business day to either reject or accept the Company's offer of energy prices. Customer will notify Company via an acceptable communication means of its intent to participate at the offered prices. Company, at its sole discretion, will accept or reject any and/or all such offers by 10:00 A.M. CDT the following business day. If Company accepts Customer's offer, then Company will provide Customer with a Curtailment Confirmation Statement communicated in the manner specified in the enabling contract.

#### VI. BILLING PROVISIONS

- (1) Regular Rate Application: All service supplied through the meter shall be billed pursuant to Customer's currently effective Regular Rate Schedules and any appropriate rider schedules. Any additional metering and communication costs necessary for EER participation shall be paid by Customer.
- (2) EER Curtailable Billing Energy Payment: When Customer's offer is accepted pursuant to § V. above, as evidenced by the Curtailment Confirmation Statement, the EER Curtailable Billing Energy Payment from Company to Customer shall apply. The EER Curtailable Billing Energy Payment for the curtailment shall be equal to the sum of the Hourly Curtailable Billing Energy multiplied by the applicable Confirmation Price. However, no contracted hourly payment may exceed the Maximum Hourly Curtailable Energy Payment.

- (3) Market Replacement Charge. Customer must achieve Minimum Demand Reduction within each EER Curtailable Hour or penalties will apply. Should Customer fail to reach Minimum Demand Reduction within any of the EER Curtailable Hours, the charge within that hour shall be an amount equal to two (2) multiplied by that curtailment's Confirmation Price, multiplied by the difference between the Minimum Demand Reduction and the Net Demand Reduction during that hour. The Market Replacement Charge shall be included in the development of the monthly bill for that month prior to the application of any taxes or other revenue-based adjustments.

## VII. OTHER PROVISIONS

Relief From Operational Failure. In the event customer's equipment fails to operate as planned as necessary to achieve Curtailable Demand, Company will provide waiver of the Market Replacement Charge as contained in § VI.3, provided that Customer provides written notice of such failure to Company within forty-eight (48) hours. Customer will be granted a maximum of two (2) Market Replacement Charge waivers during the program period as identified in Attachment A. In the event Customer elects to exercise the Relief From Operational Failure provision, then Customer also waives rights to any and all credits that may have been issued as a result of participating in EER during those EER Curtailable Hours.

Except as modified herein, all provisions of the applicable Regular Rate Schedules shall apply.

**ATTACHMENT A****EER SERVICE**

<b>CALENDAR YEAR:</b>	<b>2009</b>	CT
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<b>COMPANY'S INTERNET WEBSITE ADDRESS:</b>	<a href="http://www.entergy.com">http://www.entergy.com</a>
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**EER SERVICE PARAMETERS**

<u>Program Period:</u>	January 1, 2009 – December 31, 2009	CT
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EER Curtailable Hours (Central Prevailing Time):

January – April and October – December:	5:00 P.M. to 9:00 P.M., Monday through Friday, excluding holidays.
May – September:	2:00 P.M. to 6:00 P.M., Monday through Friday, excluding holidays.

**CUSTOMER'S BID PROCESS**

Customers may request to enroll to participate in the EER Service program via mail, telephone or facsimile at any time following the filing of this Attachment A. The request to enroll must include an estimate of Customer's Curtailable Demand. If Customer's request to enroll is accepted, an enabling contract shall be entered into between Company and Customer within one month following Company's receipt of Customer's request. Prior to execution of the enabling contract, Customer must demonstrate the capability to achieve a minimum Curtailable Demand of at least 150 kW. The enabling contract shall include provisions addressing how offers will be made by Customer and accepted by Company during the Program Period.