

UNION ELECTRIC COMPANY GAS SERVICE

Applying to MISSOURI SERVICE AREA

XII. Curtailment of Service Schedule

A. Priorities of Service:

1. Purpose. The purpose of this rule is to establish the priority of service required to be provided by Company during periods of curtailments caused by natural gas supply deficiencies and/or pipeline capacity constraints.
2. Curtailment. During periods of natural gas supply deficiencies and/or capacity constraints on any part of the Company's distribution system, the Company will curtail or limit gas service to its customers on this part of the distribution system as provided in this rule. Curtailment may be initiated due to a supply deficiency, a limitation of pipeline capacity or a combination of both. For the purpose of this Rule, interruption of service to a particular customer due to the failure of the customer's transportation volumes to be delivered by the Company does not constitute curtailment under this Rule.
- * 3. Priority Categories. Each customer's requirements shall be classified into priority categories. During periods in which the Company determines, in its sole discretion, that gas supply available to its system is, or will be, insufficient to meet Customer requirements the Company will endeavor to curtail or discontinue gas utility service in the following order of categorical steps, with curtailment to be directed and achieved whenever feasible in each step on a pro rata basis before proceeding to the next step. Curtailment will be terminated in reverse order as gas supplies permit. In extreme emergency, such as the loss of firm service from an interstate or intrastate pipeline or the loss of a critical transmission line segment on the Company's system, the Company may deviate from this plan. An interstate or intrastate pipeline issuing an Operational Flow Order (OFO) would not constitute as an extreme emergency.

*Indicates Change.

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For a Sales Service Supply Deficiency or a Local Distribution System Capacity Deficiency:

Category 1: Interruptible Sales Service

Category 2: General Service Sales with Alternate Fuel Capability.

Category 3: General Service Sales, Assurance Gas Sales, Natural Gas Transportation and public schools.

Category 4: Sales service to residential customers, public housing authorities, hospitals, and other human needs customers receiving firm sales service from the Company.

* 4. Curtailement Notification. The Company shall provide advance notification to the Commission and the public prior to application of such Plan. Notice shall be provided to the customer once the Company receives such notice from the pipeline during pipeline capacity constraints. Notification will include the extent of emergency, the volumes required to be curtailed and the time by which curtailment must occur. Notice shall be given to affected customers in Categories 1, 2 and 3 above by phone, fax, electronic mail, or some other means, at the Company's option. Notice shall be given to all other affected customers via mass media (radio and television). The customer shall be deemed to have received notice for example if the telephone is not answered when called by the Company, or in the event of a mechanical breakdown or interruption of telephone service which prevents the call from being received. Each customer shall provide the Company with one or more contact persons and respective phone numbers for notification purposes.

**5. Failure to Comply with Curtailment. Any customer failing to comply with curtailment of service under the above terms will be charged "Unauthorized Gas Use Charges" per the provisions detailed in the Natural Gas Transportation Service tariff and Interruptible Service tariff. Transportation customers who are curtailed and who have gas volumes being transported to the

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Company's distribution system shall use best efforts to maintain deliveries to the Company until after the curtailment has ended. The non-pipeline penalty portion of the Unauthorized Gas Usage charges may be waived by the Company, at the Company's sole discretion, upon written request by the customer if the violation was incurred to protect public health and/or safety. The customer's request must include the circumstances and cause of the excess consumption. This waiver shall become effective 20 days after the Company files a report with the Commission setting forth the circumstances and causes of the excess consumption, unless the Commission should otherwise order.

* B. Unauthorized Use Charges:

If during any period of curtailment, any customer (sales or transportation) who takes a volume of gas in excess of the curtailment period volumes authorized to be used by such customer, said excess volumes shall be considered "unauthorized use". The Company shall bill all excess volumes pursuant to the Unauthorized Use Charges, as set forth on the Company's transportation and interruptible service tariff sheets.

The payment for unauthorized use gas by a customer shall not, under any circumstances, be considered as giving the customer the right to continue to take unauthorized use gas, nor shall such payments be considered as a substitute for any other remedies available to the Company for failure of the customer to curtail the customer's service in compliance with the terms of this tariff.

* C. Relief from Liability:

The Company shall be relieved of all liabilities, penalties, charges, payments and claims and losses of whatever kind, contractual or otherwise, resulting from or arising out of the Company's failure to deliver all or any portion of the volumes of gas desired by a particular customer to the extent that such failure results from the curtailment/ implementation of the priority of service plan or curtailment procedures herein

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prescribed or from any other orders or directives of duly constituted authorities, including, but not limited to, all regulatory agencies having jurisdiction. If continuity of fuel supply is required by the customer, the customer should install and maintain whatever stand-by fuel and fuel burning equipment that may be needed.

* D. Right to Purchase Gas Owned by Transportation Customers:

In the event that system integrity is threatened, the Company shall have the right to purchase the natural gas supplies owned by, or purchased on behalf of, any of its transportation customers to the extent the Company implements curtailment of natural gas service to customers pursuant to the Curtailment Plan described above and such gas is available for delivery to the Company under the terms of an existing transportation service contract. The Company's right to purchase gas owned by a customer shall be exercised by the Company only after the Company has exhausted reasonable efforts to obtain the necessary gas supplies from other sources and this right will be a part of the Transportation Contract with the Customer. Such right shall terminate once the gas supplies available to the company from other sources are sufficient to serve the needs of the customers in the other categories on whose behalf the purchase of customer-owned gas by the Company was made and the Company lifts the Critical Day Notice. The price to be paid by the Company for gas purchased under this provision shall be equal to the Customer's then current thermally equivalent cost of alternate fuel, or the then current price of gas as reported in the Platt's Gas Daily.

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