

**RATE RTPH
 REAL TIME PRICING - HOUR AHEAD
 (RESTRICTED)**

By order of the Alabama Public Service Commission dated December 7, 1998 in Docket # 24860.

The kWh charges shown reflect adjustment pursuant to Rates RSE and CNP for application to monthly bills effective for January 2010 billings.

PAGE 1 of 5	EFFECTIVE DATE January, 2006 Billings	REVISION Fourth
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AVAILABILITY

Available in all areas served from the interconnected system of the Company.

APPLICABILITY

Applicable to industrial power service when the Consumer's entire electrical requirements are furnished by the Company. This rate is applicable only in combination with Rate LPTL. Service to more than one premises shall not be combined. Service shall not be resold or shared with others. All terms and conditions of the Company's Rate LPTL shall apply to any portion of the Consumer's load not billed under this rate.

CHARACTER OF SERVICE

Three-phase service directly from the Company's 44 kV or higher transmission system (transmission) or distribution lines (primary). Three phase service at the secondary voltage of transformation facilities supplied from the Company's transmission system (primary) or distribution system (secondary). The Company shall not be required to serve loads with a capacity of over 20,000 kW except from its transmission facilities of 115 kV or higher.

MONTHLY RATE (TRANSMISSION)

Base Charge: \$2,000

Energy Charge:

Energy usage (kWh) applicable to this rate during each hour shall be calculated by subtracting the LPTL Threshold (LPTLT) from each of the fifteen (15) minute kW demands in all hours and then dividing the sum of the differences by four (4). The hourly prices will be applied to the calculated energy and summed for the billing period of approximately thirty (30) days. The hourly energy price will be based on marginal costs for each hour plus applicable adders to recover fixed costs. The applicable adders may be revised periodically after Company review.

DETERMINATION OF LPTL THRESHOLD

For Consumers currently being served by the Company, the LPTL Threshold (LPTLT) will be established by using the previous complete year of customer-specific hourly firm load and applying a factor to be selected by the Consumer (not less than thirty-five percent (35%) of the maximum summer on-peak integrated fifteen (15) minute metered kW demand for the preceding calendar year) from which to measure changes in consumption for RTPH billing.

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PAGE 2 of 5	EFFECTIVE DATE January, 2006 Billings	REVISION Fourth
-----------------------	---	---------------------------

For Consumers not currently being served by the Company, the LPTLT will be established for the first year by applying a factor selected by the Consumer (not less than thirty-five percent (35%) of the estimated summer on-peak demand) from which to measure changes in consumption for RTPH billing. At the end of the first year, the LPTLT will be established by using the previous complete year of customer-specific hourly firm load and applying a factor selected by the Consumer (not less than thirty-five percent (35%) of the maximum summer on-peak integrated fifteen (15) minute metered kW demand for the preceding calendar year) from which to measure changes in consumption for RTPH billing.

Adjustments to the LPTLT will be made only in the event the Consumer's connected capacity increases requiring additional investment by the Company or the maximum summer (June - September) integrated fifteen (15) minute on-peak metered kW demand increases.

DETERMINATION OF BILLING CAPACITY

The capacity for billing purposes shall be the maximum integrated fifteen (15) minute metered kW demand during each billing period of approximately thirty (30) days in excess of the LPTL Threshold kW, or the contracted capacity associated with RTPH, whichever is greater.

ADJUSTMENT FOR TRANSFORMATION FACILITIES

Monthly charges shall be increased by seventy-six cents (76¢) per kW of billing capacity whenever the Company supplies transformation facilities from its transmission lines. The monthly charges shall be increased by one dollar and thirty cents (\$1.30) per kW of billing capacity whenever the Company supplies transformation facilities from its distribution lines.

ADJUSTMENT FOR LOW POWER FACTOR

The bill calculated at the above rates shall be increased in the amount of thirty cents (30¢) per month per kVa of capacity requirements in excess of the kVa of capacity corresponding to a power factor of ninety percent (90%). The excess kVa to which such charge is applied shall be determined by dividing the maximum kW capacity recorded in the current billing month by 0.90 and subtracting the results from the kVa capacity requirements at the time of occurrence of such maximum kW capacity.

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PAGE 3 of 5	EFFECTIVE DATE January, 2006 Billings	REVISION Fourth
-----------------------	---	---------------------------

NOTIFICATION OF HOURLY PRICES

The Company will post hourly prices one (1) hour in advance of the hourly price being in effect in a computer compatible format that may be accessed by the Consumer through a compatible modem and telephone line. The Consumer will be responsible for all equipment and software necessary to access the pricing data.

MINIMUM BILL

No monthly bill will be rendered for less than \$2.00 times the monthly maximum integrated fifteen (15) minute metered kW demand during each billing period of approximately thirty (30) days or the total contracted capacity, plus the combined LPTL and RTPH Base Charge, Rate ECR, Adjustment for Transformation Facilities, and applicable provisions to Rate T (Tax Adjustment). Minimum bill provisions under Rate LPTL do not apply.

PAYMENT

Bills for service rendered hereunder are payable within ten (10) days from the due date and if not paid within such period become delinquent and subject to charges as set forth in the Company's Rules and Regulations.

TERM OF CONTRACT

Service under this rate shall be for a minimum initial period of five (5) years. After such five (5) year initial term, either party may terminate service upon a minimum of one (1) year's written notice to the other. Further extension will be governed by the terms and conditions under the Agreement for Electric Service.

ENERGY COST RECOVERY

The amount calculated at the above rate will be increased under the provisions of the Company's Rate ECR (Energy Cost Recovery) by applying the effective Energy Cost Recovery Factor.

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PAGE 4 of 5	EFFECTIVE DATE January, 2006 Billings	REVISION Fourth
----------------	--	--------------------

RATE STABILIZATION AND EQUALIZATION

Rate RSE (Rate Stabilization and Equalization Factor) is incorporated in this rate and will be applied to adjust (increase or decrease) kWh charges calculated hereunder.

**ADJUSTMENT FOR COMMERCIAL OPERATION OF
CERTIFICATED NEW PLANT**

Rate CNP (Adjustment for Commercial Operation of Certificated New Plant) is incorporated in this rate and will be applied to increase kWh charges calculated hereunder.

NATURAL DISASTER RESERVE

The amount calculated at the above rate will be increased under the provisions of the Company's Rate Rider NDR (Natural Disaster Reserve) by applying the effective NDR Charge.

GENERAL

The amount calculated at the above rate is subject to possible tax adjustments as set forth in Rate T (Tax Adjustment) and to rules and regulations approved or prescribed by the Alabama Public Service Commission, including any Special Rules and Regulations governing the application of this rate.

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PAGE 5 of 5	EFFECTIVE DATE January, 2006 Billings	REVISION Fourth
----------------	--	--------------------

EXAMPLE OF TOTAL BILL DETERMINATION

A Total Bill is rendered after each monthly billing period and is typically calculated in the following manner:

$$\text{Total Bill}_{Mo} = \text{RTPH Bill}_{Mo} + \text{LPTL Bill}_{Mo}$$

Where:

$$\text{RTPH Bill}_{Mo} = \text{Base Charge} + \text{Sum}_{Mo} (\text{RTPH KWH}_{Hr} * \text{Price}_{Hr}) + \text{Adjustment for Transformation Facilities} + \text{Other Applicable Rate Provisions}$$

$$\text{RTPH KWH}_{Hr} = \text{Sum}_{Hr} ((\text{KW}_{15\text{Min}} - \text{LPTLT}) / 4)$$

$$\text{LPTLT} = \text{Threshold Factor} * \text{Previous year's summer maximum On-Peak Demand}$$

$$\text{LPTL Bill}_{Mo} = \text{Bill rendered under Rate LPTL where the billing determinants are defined as follows:}$$

$$\text{KWH}_{Mo} = \text{Metered KWH}_{Mo} - \text{Sum}_{Mo} (\text{RTPH KWH}_{Hr})$$

$$\text{KW}_{Mo} = \text{Maximum Metered KW}_{15\text{Min}} - \text{RTPH KW}$$

The above descriptions are for the purpose of example, and are subject to the specific provisions of Rate RTPH and Rate LPTL.