

# RATE CPE CONTRACT FOR PURCHASED ENERGY



By order of the Alabama Public Service Commission dated March 5, 2024 in Docket #U-5213

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## AVAILABILITY

Available to any Qualifying Facility that seeks to sell its total output, or a portion thereof, to Alabama Power Company in accordance with the Public Utility Regulatory Policies Act of 1978, as amended and Title 18, Part 292 of the Code of Federal Regulations.

## APPLICABILITY

The terms and conditions of this rate apply to a certified Qualifying Facility that has a nameplate capacity greater than 100 kW AC and that meets the eligibility requirements of Title 18, Part 292 of the Code of Federal Regulations.

Attachment A – Contract for the Purchase of Energy from a Qualifying Facility shall be used for any Qualifying Facility (cogeneration facility or small power production facility) that seeks to sell its total output to Alabama Power 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 shall be used for any customer of Alabama Power Company that operates a Qualifying Facility (cogeneration 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 Qualifying Facility that seeks to make sales to Alabama Power Company under this rate shall be responsible for all costs of interconnection and the delivery of the energy from the Qualifying Facility to Alabama Power Company and the Alabama Power Company electrical system, including any costs related to or incurred as a result of the transmission of energy across the Alabama Power Company electrical system or other electrical systems.

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

For more information regarding the process for interconnecting a generator in accordance with Rate CPE, including a contact for obtaining the interconnection application and agreement, visit



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[www.alabamapower.com/business/rates-and-pricing/about-our-pricing.html](http://www.alabamapower.com/business/rates-and-pricing/about-our-pricing.html), and select Other Pricing Options Index, or [Click](#) to email. In addition to the costs described in the preceding paragraph, the Qualifying Facility is responsible for payment of all fees and costs associated with applications, required studies, administration of the interconnection agreement and financial security requirements.

## Rate for Purchase of Energy from a Qualifying Facility

<b>Period</b>	<b>Transmission Voltage ≥115kV</b>	<b>Subtransmission Voltage 44kV or 46kV</b>	<b>Primary Distribution Voltage ≤34.5kV</b>
	¢/kWh	¢/kWh	¢/kWh
April 1– October 31 1:00 p.m. – 5:00 p.m. <sup>1, 3</sup>	3.653	3.770	3.851
April 1 – October 31 All Other Hours <sup>2, 3</sup>	2.984	3.080	3.146
November 1 – March 31 6:00 a.m. – 9:00 a.m. <sup>1, 3</sup>	3.807	3.929	4.013
November 1 – March 31 All Other Hours <sup>2, 3</sup>	3.202	3.305	3.375

<sup>1</sup> Weekdays only and excluding holidays

<sup>2</sup> Includes all hours of weekends and holidays

<sup>3</sup> Holidays include New Year's Day (January 1), Independence Day (July 4), Labor Day (first Monday of September), Thanksgiving Day (fourth Thursday of November), and Christmas Day (December 25). When any of these holidays fall on a Sunday, the Monday following also shall be treated as a holiday.

The prices above reflect Alabama Power Company's expected avoided costs for energy delivered by the Qualifying Facility to the system during defined hourly periods for standard system operations. These prices shall be updated no less frequently than annually.

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## STANDARD CONTRACT REVIEW AND APPROVAL

Any contract executed by Alabama Power Company in accordance with this Rate is subject to review by the Staff of the Alabama Public Service Commission to ensure conformity with the terms and conditions set forth in the Standard Contracts, as applicable. Separate approval of such a contract is not required where the contract does not deviate in any material respect from the Standard Contracts.

## LEGALLY ENFORCEABLE OBLIGATION

As a prerequisite to obtaining a legally enforceable obligation under this Rate, any Qualifying Facility shall provide or otherwise demonstrate to Alabama Power Company the following criteria.

1. Submission of an interconnection application and deposit for study fees, if any.
2. A Form W-9.
3. Submission of a Qualifying Facility self-certification to the Federal Energy Regulatory Commission that has not been revoked, or written demonstration (i) that certification is not required, or (ii) the Qualifying Facility meets the eligibility requirements of Title 18, Part 292 of the Code of Federal Regulations.
4. A non-binding and good-faith estimated construction plan and timeline (including construction cost quotes) and projected capacity and/or energy output of the Qualifying Facility, by month and year.
5. The taking of meaningful steps to obtain site control for the Qualifying Facility.
6. Application for material and time-sensitive federal, state, and local permits and licenses necessary to construct and operate the Qualifying Facility.
7. Completion of all environmental and other studies necessary to support permit and license application.
8. Proof of financing for the Qualifying Facility, or a demonstration that the Qualifying Facility has applied for financing or has a reasonable plan for financing.

For more information regarding these criteria and how to provide the required information, visit [www.alabamapower.com/business/rates-and-pricing/about-our-pricing.html](http://www.alabamapower.com/business/rates-and-pricing/about-our-pricing.html), and reference the Other Pricing Options Index section.

## ELECTRIC SERVICE TO QUALIFYING FACILITY

As applicable, any Qualifying Facility requiring Electric Service from Alabama Power Company must obtain such service in accordance with applicable rates, rules and regulations on file with the Alabama Public Service Commission, including the Rules and Regulations for Electric Service. Supplementary, Back-up, and Maintenance Power shall be provided as required under provisions of Rate Rider RGB, as applicable.