

## DOCKETED

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| <b>Docket Number:</b>   | 16-RPS-02  |
| <b>Project Title:</b>   | Appeal by Los Angeles Department of Water & Power re Renewables Portfolio Standard Certification Eligibility |
| <b>TN #:</b>            | 213047   |
| <b>Document Title:</b>  | 38 Kern River 2013 Agreement No. 1006 Resolution-013-118 (Bates No. LA000593-LA000594)                       |
| <b>Description:</b>     | N/A  |
| <b>Filer:</b>           | Pjoy Chua  |
| <b>Organization:</b>    | LADWP  |
| <b>Submitter Role:</b>  | Applicant  |
| <b>Submission Date:</b> | 8/30/2016 1:02:31 PM   |
| <b>Docketed Date:</b>   | 8/30/2016  |

WHEREAS, the Department of Water and Power of the City of Los Angeles (LADWP) entered into a long-term, natural gas transportation service agreement with the Kern River Gas Transmission Company (Kern River) (LADWP Agreement No. 10870) on April 2, 1990, providing LADWP with firm, natural gas interstate pipeline transportation service from various points of receipt in Wyoming to points of delivery in California, for a 15-year term beginning on March 1, 1992, and ending on February 28, 2007, at rates approved by the Federal Energy Regulatory Commission (FERC); and

WHEREAS, on March 6, 2001, LADWP entered into an Extended Term Rate Amendment (LADWP Agreement No. BP 99-002B) with Kern River lowering the unit rate for natural gas transportation service that LADWP pays and extending the primary term of LADWP Agreement No. 10870 to end September 30, 2016, and including extensions unless terminated; and

WHEREAS, on December 7, 2011, Kern River filed a settlement with FERC that simplified and consolidated its natural gas tariff and contracting procedures with all its shippers, and required its shippers holding transportation service agreements to agree to enter into replacement or restated agreements; and

WHEREAS, on February 1, 2012, FERC approved the settlement filed by Kern River thereby requiring LADWP to enter into a restated agreement replacing LADWP Agreement No. 10870; and

WHEREAS, LADWP must execute the Restatement of Firm Transportation Service Agreement (Restatement Agreement) with Kern River to ensure it retains its original priority of service date and other key active provisions from LADWP Agreement No. 10870, and it experiences no disruption of service of the delivery of natural gas to its in-basin generating stations.

NOW, THEREFORE, BE IT RESOVED that the Restatement Agreement, LADWP Agreement No. BP12-018, approved as to form and legality by the City Attorney and filed with the Secretary of the Board, is hereby approved, subject to approval of the City Council pursuant to Charter Section 373.

BE IT FURTHER RESOLVED that the General Manager, or such person as the General Manager shall designate in writing, is authorized, empowered, and directed to execute the Restatement Agreement, LADWP Agreement No. BP12-018, for and on behalf of LADWP.

BE IT FURTHER RESOLVED that the Chief Accounting Employee is hereby authorized and directed to draw demands upon the Power Revenue Fund for

payment of all obligations arising from or related to LADWP Agreement No.  
BP12-018.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of the  
resolution adopted by the Board of Water and Power Commissioners of the City  
of Los Angeles at its meeting held MAR 05 2013 .

Barbara E. Prochaz  
Secretary

APPROVED AS TO FORM AND LEGALITY  
CARMEN A. TRUTANICH, CITY ATTORNEY

FEB 13 2013  
BY [Signature]  
WILLIAM H. KYSELLA, JR.  
DEPUTY CITY ATTORNEY