

RATE SCHEDULE FT-1
FIRM TRANSPORTATION SERVICE
(Continued)

11. RESERVATION CHARGE ADJUSTMENTS (Continued)

- (d) to volumes in excess of:
 - (1) Shipper's applicable Daily Reserved Capacity or Summer Daily Reserved Capacity;
 - (2) a specified contract service limitation; or
 - (3) the maximum daily quantities that are contractually specified at a particular Delivery Point or Delivery Location; and
- (e) when Paiute's failure to schedule or deliver Shipper's gas was due to conditions on upstream pipelines that prevented Paiute from receiving Shipper's gas for transportation; or
- (f) when Paiute's failure to schedule or deliver is the result of any other conduct of Shipper.

11.5 Reservation charge adjustments pursuant to this Section 11 are Shipper's sole remedy for damages relating to Paiute's failure to provide primary firm transportation service under Rate Schedule FT-1, unless such damages result from the gross negligence or willful misconduct of Paiute.