

GENERAL TERMS AND CONDITIONS  
(Continued)

14. CAPACITY RELEASE (Continued)

14.2 General Provisions: (Continued)

prearranged deal match period, without posting a new release. [NAESB WGQ 5.3.25] However, if the Releasing Shipper permits Contingent Bids to be submitted, the Releasing Shipper must specify a time period following the close of the Bidding Period during which the next highest Bidder will remain obligated to take the capacity if the winning contingent Bidder decides not to purchase the available capacity.

A winning contingent Bidder is obligated to take capacity unless the contingency does not occur. In the event that the condition(s) underlying a Contingent Bid is not fulfilled, then such bid shall be deemed null and void, and the released capacity will be awarded to the next highest Bidder.

In the event a Releasing Shipper has secured a Prearranged Replacement Shipper, the release request must also identify the rate and term of the bid which such Prearranged Replacement Shipper is willing to pay, the identity of the Prearranged Replacement Shipper, whether the release is to an asset manager, as defined in Section 284.8 of the Commission's regulations, the obligation of any asset manager to deliver gas to, or purchase gas from, the Releasing Shipper, whether the release is to a marketer participating in a state-regulated retail access program, as defined in Section 284.8 of the Commission's regulations, and any other terms and conditions agreed to by the Prearranged Replacement Shipper.

Requests to release capacity may, at the option of the Releasing Shipper, provide for the right to recall firm transportation service. Releasing Shippers may, to the extent permitted as a condition of the capacity release, recall released capacity in accordance with the procedures prescribed in the applicable NAESB standards incorporated by reference into Paiute's tariff in Section 18 of the General Terms and Conditions. Paiute will support the function of reputting by Releasing Shippers. [NAESB WGQ 5.3.7] Any specific release conditions requested by the Releasing Shipper must be objectively stated, applicable to all bidders, non-discriminatory to other Shippers, and consistent with this tariff, and must not impair service to other firm Shippers.