

GENERAL TERMS AND CONDITIONS  
(Continued)

16. PREGRANTED ABANDONMENT AND RIGHT-OF-FIRST-REFUSAL (Continued)

16.2 Right-of-First-Refusal: (Continued)

- b. Maximum daily quantities at each Receipt Point, Delivery Location and Delivery Point to be acquired; bids must contain the Receipt Point(s), Delivery Location(s) and Delivery Point(s) specified in the expiring Service Agreement;
  - c. Term of the Service Agreement to be entered into for the capacity to be acquired; and
  - d. Maximum rate that the bidder is willing to pay for the capacity to be acquired; the maximum rate which may be bid shall be the applicable maximum tariff rate (as it may vary from time to time) for the service being acquired.
- (3) Awarding Capacity: At the end of the bid period, Transporter will evaluate all of the bids submitted, on a not unduly discriminatory basis, and determine the bid(s) having the highest economic value, applying the bid evaluation criteria stated in Transporter's posting. The bid evaluation criteria will be (i) the total net present value of the reservation charges bid for firm transportation capacity, (ii) the total net present value of the Storage Capacity and Daily Delivery Capacity charges bid for firm storage capacity, or (iii) any alternative criteria specified by Transporter in its posting. A bid to pay the applicable maximum tariff rate as it may vary from time to time for a given term will be deemed superior to a bid to pay a specified dollar rate which is equal to the currently effective maximum tariff rate.

Transporter will present the bid(s) that are acceptable to Transporter to the existing Shipper not later than five (5) Business Days following the close of bidding. The existing Shipper will have ten (10) Business Days following the bid presentation by Transporter to agree to match the winning bid(s) as to the entire quantity of capacity or a partial quantity. Such agreement shall be irrevocable. To the extent that the existing Shipper elects to match the bid(s) presented, Transporter and Shipper will enter into a new Service