



# NOKOMIS ENERGY

## UNDERSTANDING YOUR FUTURE OPTIONS

Your subscription is a low risk way for you to lower your energy costs. However, you do have options if your situation changes. Below we outline the key terms and provisions in the event an early termination occurs. This document is intended to introduce you to the terms in our subscription contract.

### Terms & Definitions:

Commercial Operations Date - The date the garden begins generating bill credits.

Subscriber Transfer Fee - A fee to cover Nokomis' administrative costs of transferring the subscription to a new entity.

Subscriber Acquisition Fee - A fee to cover Nokomis' sales and marketing costs to recruit and sign a new subscriber.

### Termination Provision: Commercial Operation Date Not Achieved

Nokomis commits to your garden beginning to generate bill credits within an agreed upon time-frame. If not achieved, either party has right to terminate contract.

*Ex. The solar garden does not achieve commercial operation by the agreed upon date.*

### Termination Provision: Subscriber Ceases to be an Xcel Energy Customer

Subscriber can exit the contract with 180 days notice and transfer fee. No further fees are required if another subscriber has been identified during the 180 day notice. If a new subscriber has not been identified, a subscriber acquisition fee (\$0.003/kWh allocated) is owed to provide Nokomis runway to recruit a new subscriber.

*Ex. 1. Subscriber moves the premise out of Xcel Territory 2. Subscriber moves the premise within Xcel territory but outside of the solar garden's eligible counties. 3. Subscriber shuts down the premise.*

### Termination Provision: Assignment or Transfer

Subscriber can transfer the subscription at any time with 90 days written notice and a one-time transfer fee. The new subscriber must be equally or better credit-rated entity as solely determined by Nokomis.

### Termination Provision: Subscriber Default

In the event a subscriber defaults, Nokomis is entitled to the remaining Monthly Subscription Payments due as outlined in the contract.

### Termination Provision: Nokomis Default

In the event Nokomis defaults under the terms of the agreement, Subscriber has right to terminate contract.