

PPA CONTRACT EXTENSION LETTER TO SMART TECHNOLOGIES ENERGY (STE)
FROM NATIONAL GRID (NGRID)
December 16, 2016

Hi Felicia,

Our group in Environmental Transactions as well as our Legal/Regulatory areas have reviewed your request for an extension based on your claim of force majeure events (i.e., failure of Tecta Solar to comply with and complete its obligations to Smart Technologies Energy, LLC which pushed out various National Grid interconnection work activities) impacting the Smart Technologies 22 Christiansen Way project. It is our opinion that these events meet the definition of Force Majeure per section 9 of the DG Standard Contract. As such, the performance of the agreements should be suspended while the Force Majeure exists, which would therefore include an extension of the Output Demonstration Test deadline for instance, and other deadlines, equal to the duration of the Force Majeure.

National Grid acknowledges the extension to the deadlines for all interim critical milestones leading up to the **Output Demonstration Test by June 30, 2017** (from the original date of June 17, 2016). Applicable extensions to the deadlines to meet subsequent critical milestones, culminating in reaching/attaining the **Commercial Operation Date (COD)** on the Smart Technologies project **by August 30, 2016** will be afforded per this Force Majeure.

As discussed, review your DG Standard Contract for project milestones, as well as tasks including permitting, real property and site control rights, construction, interconnection, ISO-NE asset registration and RI PUC approval of project as an eligible renewable energy resource, etc. that culminates in attaining commercial operations (COD) in a timely fashion.

Thanks,

Jim

Jim Calandra

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