

GENERAL TERMS AND CONDITIONS

5) Match

A. Firm Transportation Service:

The original firm Shipper shall have the option to execute a firm Service Agreement which exactly matches the rate and term of the bid constituting the highest economic unit value to Northern. The highest rate that the original firm shipper must match if it wishes to continue its service arrangement is the maximum tariff rate. The original firm Shipper need only match the quantity bid if the quantity bid is less than the quantity offered under Section 1 above. Northern will notify the original firm Shipper within five (5) work days of the best offer it must match by tendering to such Shipper a Service Agreement. The Service Agreement must be executed by the original firm Shipper within fifteen (15) days of Northern's tender thereof. Northern is not required to accept an offer at less than the maximum rate.

B. Firm Deferred Delivery (FDD) Service:

The original FDD Shipper shall have the option to execute a FDD Service Agreement which exactly matches the rate and term of the bid constituting the highest economic unit value to Northern, subject to the following. The original Shipper is not required to match the quantity offered. The highest rate that the original FDD shipper must match if it wishes to continue its service arrangement is the maximum tariff rate.

1. Northern will notify the original FDD Shipper within five (5) work days of the close of the bidding process of the various bids received for its capacity.
2. The original Shipper must provide written notice to Northern within fifteen (15) days of the date of Northern's notification as to which of the prioritized bids the original Shipper is willing to match. The original Shipper may not be required to match all bids. In the event bids received on the Shipper's capacity are for a quantity that is less than the Shipper's capacity, then the original Shipper must include in the notice to Northern a statement of its commitment to continue service for the capacity for which there were no bids. Such notice to Northern shall be binding upon the original Shipper.
3. Northern will determine the best offer(s) that the original Shipper must match based on the priority provided to Northern by bidders.
4. Upon tendering a Service Agreement for the best offer, such Service Agreement must be executed by the original FDD Shipper within fifteen (15) days. Northern is not required to accept an offer at less than the maximum rate.

6) No Bids

Where there are no competing bids for the capacity and the original firm Shipper agrees to pay the maximum rate, service may be contracted for any term the original firm Shipper chooses. Northern is not required to accept an offer at less than the maximum rate. If Northern rejects a bid at less than the maximum rate, the original Shipper may receive continued service at the maximum rate unless a negotiated rate is agreed to by Northern and the original Shipper. The original firm Shipper must execute the Service Agreement within fifteen (15) days of Northern's tender thereof.