This page sets out the instructions for completing the **Prescribed Form – Key Development Milestones**.

All capitalized terms used in these instructions and the Prescribed Form – Key Development Milestones, unless otherwise stated, have the meanings ascribed to them in the REP Round 2 Contract.

**INSTRUCTIONS APPLICABLE TO ALL PRESCRIBED FORMS:**

1. This instruction page is not required to be submitted with the Prescribed Form.
2. Where the Prescribed Form has multiple pages, the pages of the Prescribed Form should be kept together in sequential order.
3. Apart from the completion of any blanks, drop down lists, check boxes or similar uncompleted information in a Prescribed Form, no amendments may be made to the wording of a Prescribed Form.
4. Each Prescribed Form must be completed in its entirety. Fields marked “if applicable” must be completed if applicable to the Project. If not applicable, they should be marked "Not Applicable".
5. If the signature of the Generator is required for a Prescribed Form, the Prescribed Form must be signed by the Contract Representative appointed in accordance with Section 18.8 of the REP Round 2 Contract, unless specified otherwise.
6. With the exception of this instruction page, instructions within a Prescribed Form will be enclosed in square brackets.

**INSTRUCTIONS SPECIFIC TO THE PRESCRIBED FORM – KEY DEVELOPMENT MILESTONES:**

1. A statutory declaration in the form of Exhibit A to this Prescribed Form must be solemnly declared and signed before a solicitor, commissioner of oaths or similar official (e.g., notary public) authorized to take oaths or solemn affirmations.
2. An original ink signature must be provided on the above-referenced statutory declaration. An original hard copy of such document (along with a compact disc, or other electronic storage medium, containing an electronic copy of the Financial Model) must be delivered to the AESO (ATTN: Director, Commercial) to the address specified in Section 18.1 of the REP Round 2 Contract; and an electronic copy of this Prescribed Form, including such statutory declaration and its Schedule A - Financial Model, must also be emailed to the AESO at [Commercial.REP@AESO.ca](mailto:Commercial.REP@AESO.ca).

**PRESCRIBED FORM – KEY DEVELOPMENT MILESTONES**

**SUBMIT BY EMAIL (PDF WITH SIGNATURE) TO** [**COMMERCIAL.REP@AESO.CA**](mailto:COMMERCIAL.REP@AESO.CA) **[AND DELIVER THE ORIGINAL HARD COPY OF THE ATTACHED STATUTORY DECLARATION TO THE AESO]**

Capitalized terms not defined herein have the meaning ascribed thereto in the REP Round 2 Contract, which has been executed in respect of the project referenced below (the “**Agreement**”).

|  |  |  |
| --- | --- | --- |
| **Date** | 2019/01/01 | |
| **Legal Name of Generator** | [insert legal name of Generator] | |
| **Name of Project** | [insert Name of Project] | |
| **Agreement Date** | 2018/12/05 | |
| **Target COD** | 2022/06/30 | |
| Pursuant to section 2.2(c) of the Agreement, the Generator is hereby submitting this completed Prescribed Form – Key Development Milestones and all relevant supporting documentation as listed below to the AESO. | | |
| Attach documentation in respect of Sections 2.2(b)(i) and (ii) of the Agreement. | | Approved Connection Proposal  Connection Agreement |
| Attach documentation in respect of Sections 2.2(b)(iii) of the Agreement, including the Permit and License (Power Plant) and any other Governmental Approvals, if applicable, which are necessary for the construction of the Facility to commence. | | Permit and License (Power Plant)  Other Governmental Approvals (please list): |
| Attach a statutory declaration from an officer of the Generator, in the form of Exhibit A, confirming that the Generator has, in respect of Sections 2.2(b)(iv), (v) and (vi) and Section 2.2(c): secured financing sufficient to complete the development, construction and commissioning of the Facility; procured or entered into arrangements for long-lead equipment and materials which are necessary for the construction of the Facility; commenced construction activities at the Site; and not less than twenty five percent (25%) of the Economic Interest in respect of the Generator is held, and at all times since the date of the Proposal has been held, by one or more Qualifying Indigenous Communities or Qualifying Indigenous Entities. A copy of the Financial Model must be included with such statutory declaration. | | Statutory Declaration  Financial Model |
| Attach copies of the executed and delivered AESO Security Documents in respect of Section 2.2(b)(x) of the Agreement. | | Fixed and Floating Charge Debenture  Acknowledgement and Consent (please list each Acknowledgement and Consent which has been obtained, and for each such agreement also list each such right, franchise, licence or permit in respect of which it applies, along with the identity of the applicable contracting party):      Any other agreement or instruments containing a charge, mortgage, pledge, security interest, assignment, sublease, deed of trust or similar instrument with respect to all or any part of the Generator's Interest (please list):      Note, each of the above are to be provided together with any amendment, change, supplement, restatement, extension, renewal or modification thereof, and any documents incidental thereto or necessary to effect the registration thereof. |
| Attach a certified true copy of the insurance policies, in respect of Section 3.2(d) of the Agreement, which confirms the relevant coverage, including endorsements and any renewals or replacements. | | Certified true copy of the following insurance policies (please list): |

The Generator represents and warrants that all of the information in this Prescribed Form is complete, true and accurate, and there is no material information omitted from this Prescribed Form that makes the information contained herein misleading or inaccurate.

The Generator acknowledges and agrees that this Prescribed Form is being delivered to the AESO solely for the purposes of the Agreement. It does not constitute a notice for any other purpose, including, without limitation, to meet an obligation to provide notice to the System Operator pursuant to the ISO Rules.

|  |
| --- |
| Generator: [insert legal name of Generator] |
| Signature: |
| Name: [insert legal name of Contract Representative] |
| Title: [insert title of Contract Representative] |
| I have the authority to bind the Generator. |
| Dated this       day of       , 20 |

**EXHIBIT A**

**STATUTORY DECLARATION IN THE MATTER OF** the[insert Name of Project]REP Round 2 Contract, between the AESO and [insert name of Generator], dated [insert Agreement Date] (the “**Agreement**”).

Capitalized terms not defined herein have the meaning ascribed thereto in the Agreement.

I, [insert name of declarant], of the [insert City/Town/Region etc.] of [insert name of City/Town/Region etc.], in [insert name of Province or State] DO SOLEMNLY DECLARE, on behalf of the Generator, without personal liability, the following information:

1. I am the / an [insert office held, e.g. president, director, etc.] of [insert name of Generator's general partner], the general partner of the Generator and have knowledge of the matters herein described.
2. I confirm that the Generator has secured financing sufficient to complete the development, construction and commissioning of the Facility.
3. I confirm that the Generator has procured or entered into arrangements for long-lead equipment and materials which are necessary for the construction of the Facility.
4. I confirm that the Generator has commenced construction activities at the Site.
5. I confirm that not less than twenty five (25%) of the Economic Interest in respect of the Generator is held, and at all times since the date of the Proposal has been held, by one or more Qualifying Indigenous Communities or Qualifying Indigenous Entities.
6. Attached to this declaration as Schedule A is a true copy of the Financial Model.

**AND I MAKE THIS SOLEMN DECLARATION** conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act.*

|  |  |
| --- | --- |
| Name of Declarant  [insert name of declarant] | Declared before me at [insert City, Town, Region, etc.] of [insert name of City, Town, Region, etc.] in the Province of [insert name of Province] this    day of       , 20 |
| Signature of Declarant | Name of [insert "Commissioner of Oaths", "Notary Public", etc., as applicable  [insert name of Commissioner, Notary, etc.] |
| ***Note:*** *Statutory declarations must be solemnly declared and signed before commissioners of oaths or similar officials (e.g., notary public).* | Signature of [insert "Commissioner of Oaths", "Notary Public", etc., as applicable |

**SCHEDULE A**

**FINANCIAL MODEL**

(see attached)