
RATE FPS - FIRM POOLING SERVICE

TERMS AND CONDITIONS

1. AVAILABILITY

Service under this rate schedule is available to anyone who aggregates a minimum of 50 customers or 5,000 Mcf annually, who demonstrates to the Company's satisfaction that it has met the creditworthiness and fitness standards defined in the Rules and Regulations of this tariff, and who has entered into a Firm Pooling Service Agreement with the Company.

2. TYPE OF SERVICE

This is a customer aggregation service whereby a creditworthy third party, the Pool Administrator, takes assignment on behalf of a FDS customer of the customer's nomination and balancing responsibilities and, under separate contractual agreement with the Company, aggregates the customer's gas deliveries and consumption with those of other FDS customers for the purposes of calculating imbalances on the Company's system.

3. SERVICE CONDITIONS

3.1 Assignment of Upstream Capacity

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The Company will assign the following upstream firm pipeline capacity to the Pool Administrator in a two-tiered approach: firm transportation on the Company's upstream transportation pipeline, Texas Eastern Transmission Corporation ("TETCo"); firm transportation on Equitrans L.P. ("Equitrans") with primary receipt points at interconnections with TETCo; and storage related firm transportation on Equitrans. Capacity will be assigned on behalf of each customer of the Pool Administrator's FPS Pool based on the Company's determination of peak design day consumption of the customer. The two tiers of capacity assignment are as follows:

(i) Pools with MDQs less than 1,000 Dth per day

No capacity will be assigned. The firm standby charge will apply to the Pool consumption and be billed to the Pool Administrator. The Pool Administrator will have the option of (1) purchasing and delivering supplies under its own supply contracts, or (2) purchasing gas supplies on an interruptible basis from the Company.

(C) Indicates Change

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- (ii) Pools with MDQs greater than or equal to 1,000 Dth per day

The Pool Administrator will be assigned firm transportation and firm storage capacity on a pro-rata basis. However, the Pool Administrator may elect, subject to the Company's approval, assignment on a non-discriminatory basis of other than a pro-rata allocation.

- (iii) Customers using 300 Mcf annually or less must reside in a Firm Pool under this rate schedule and follow the capacity assignment guidelines discussed in parts (i) and (ii). (C)

(C) Indicates Change

ISSUED: February 26, 2009

EFFECTIVE: February 27, 2009

M. ELISE HYLAND
PRESIDENT

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Capacity assignments will be structured as a release of capacity at the maximum rate on each individual pipeline. The term of any release will commence the first day of customer's service month as determined pursuant to the customer sign-up procedures set forth in Rule 11.1 and will continue for the earlier of the annual review period (April 1), through the termination date of the current pipeline contract, or, in the event of early termination of the Pool Administrator's 12 month service agreement with the customer, through the last day of the calendar month in which the Pool Administrator ceases service to the customer on whose behalf the capacity had been assigned.

Any capacity acquired by Pool Administrator through non-renewal of capacity contracts by the Company must be assignable to Equitable or another pool administrator qualified by the Company to operate under this rate schedule. If the Pool Administrator had used capacity not assigned by the Company then the Pool Administrator agrees to reassign that capacity, including any gas held in storage, to the Company or another pool administrator, which those parties may, at their sole discretion, accept or reject. (C)

Once storage capacity is assigned, the Pool Administrator is responsible for meeting all injection and withdrawal schedules required by the storage operator. If storage capacity is (a) assigned to a Pool Administrator, (b) returned by a Pool Administrator upon cessation of service to a customer, or (c) recalled from a Pool Administrator, with gas in place (i.e., with gas in storage) then the Company shall, as the case may be, either sell to the Pool Administrator gas in place at the Company's weighted average cost of storage gas ("Storage WACOG"), or purchase from the Pool Administrator gas in place at the lesser of the Company's Storage WACOG or at the Company's weighted average cost of gas purchased during the month.

(C) Indicates Change

ISSUED: August 15, 2000

J. T. EGLER
PRESIDENT

EFFECTIVE: October 1, 2000

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3.2 Monthly Capacity Assignment

Each month, the Company will assign capacity to each qualified Pool Administrator, on behalf of the FDS customers aggregated and signed-up, in accordance with the provisions contained in Rule 11.1 and Section 3.1, above, by the Pool Administrator during the preceding month. The amount of capacity to be assigned will be based on the peak design day consumption of the end use customers served by the Pool Administrator. For a residential customer the capacity assignment level will be 1.16 Mcf per 100 Mcf usage based on historic normalized annual consumption. The Company will evaluate the capacity assignments made to the Pool Administrator on behalf of the FDS customer (30) days prior to April 1st of each year. To the extent that the evaluation so indicates the Company may revise the Pool Administrator's capacity assignment level.

3.3 Adding and Subtracting Customers

A Pool Administrator may add customers monthly provided that a notice is received pursuant to Rule 11.1 at least twenty five (25) working days prior to the start of the service month. The Pool Administrator's service to the customer will start on the first day of the calendar month which follows the month when the notice was received. No cessation of service will be effective unless the Pool Administrator provides the Company at least twenty-five (25) working days written notice thereof.

3.4 Contract Duration

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The Pool Administrator's Firm Pooling Service contract with the Company shall be for a term of service of no less than twelve months. If a Pool Administrator's contract with a customer is for a term other than an annual or multi-annual period, the Pool Administrator will be charged firm standby service and will not be eligible for capacity assignment on behalf of the customer. Notwithstanding any contract duration provision contained in a service agreement between the customer and the Pool Administrator, the Company may process any customer request to return to retail service or to transfer to a pool maintained by another pool administrator, and the Company assumes no liability for such action.

3.5 Load Forecasting

Prior to the start of the month the Company will provide daily Required Nomination Quantity (RNQ) for the forecasted month. A pool's daily (RNQ) will be equal to the total daily forecasted requirements for the customers in that pool. The Company will make available its methodology by which it forecasted RNQ levels for pools in general. The Company will forecast the daily gas requirements of the Pool Administrator's FPS Pool and post those requirements electronically not later than 36 hours prior to the Gas Day. The Company may revise the forecasted daily gas requirements not later than 24 hours prior to the Gas Day.

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(C) Indicates Change

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3.6 Scheduling of Service

All transportation volumes received for Pool Administrator's account at transportation receipt points must be nominated to the Company in advance. Nominations must distinguish among (1) upstream pipeline firm transportation service assigned to the Pool Administrator and (2) contract storage assigned to the Pool Administrator.

3.7 Daily Gas Deliveries

The Pool Administrator must acquire an adequate supply of natural gas of a quality acceptable to the Company, including allowances for any retention required by upstream pipelines and the Company, and make, or cause to be made, arrangements by which such gas supply can be transported directly to the Company's city-gates. The Pool Administrator is required to deliver its RNQ.

Any difference between the RNQ and the gas delivered and confirmed that day on behalf of the Pool Administrator's account, plus pool-to-pool transfers, shall be Cashed-in or Cashed-out based on the following index and tolerance levels:

Daily Index Price: Midpoint price published in Platts, Gas Daily publication, under the heading Appalachia, Dominion, South Point.

Daily Supply Excess: All volumes delivered in excess of the RNQ (a daily supply excess) will be subject to the following:

- (1) A daily supply excess up to and including 3.5% will be cashed-in at 85% of the Daily Index Price. Cash-in payments will be made to Pool Administrators on a bi-annual basis on April 1 and November 1 of each year provided that the Pool Administrator is in good standing with the Creditworthiness Criteria in Section 11.20. (C)
- (2) A daily supply excess greater than 3.5% will be charged a \$0.25 per Mcf penalty and will be Cashed-in at 85% of the lowest price gas purchased by the Company on the day the excess occurs.

Daily Supply Shortfall: All volumes delivered below the RNQ (a daily supply shortfall) will be subject to the following:

- (1) A daily supply shortfall up to and including 3.5% will be cashed-out at 125% of the Daily Index Price.
- (2) A daily supply shortfall greater than 3.5% will be charged a \$0.25 per Mcf penalty and Cashed-out at 125% of the sum of the highest price gas purchased by the Company, on the day the shortfall occurs, plus the applicable transportation and retainage charges to transport the gas from the supply area to the Company's city-gate.

(C) Indicates Change.

ISSUED: September 30, 2005

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D. L. FRUTCHEY
SENIOR VICE PRESIDENT

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If the Pool Administrator fails to deliver quantities equal to the daily RNQ, the Company reserves the right, at its sole discretion, to recall or otherwise withdraw capacity rights assigned to the Pool Administrator and terminate the Firm Pooling Service contract upon ten (10) days written notice to the Pool Administrator.

All customers receiving gas supply from a suspended Pool Administrator's pool must choose one of the following options: (1) return to an applicable sales service under this Tariff or (2) join another pool that is not affiliated with the suspended Pool Administrator.

3.8 Reconciliation of Monthly Volumes

The difference between calendar month supply and calendar month pool consumption as adjusted for net unbilled volumes and any prior month billing corrections, shall be reconciled at least once per year. Equitable, may reconcile the difference more frequently if the cumulative difference is deemed significant. The cumulative difference shall be reconciled in the first full calendar month following its determination by adjusting the Pool Administrator's Required Nomination Quantity on each day in the adjustment month by an amount equal to the cumulative difference divided by the number of days in the adjustment month.

Section 3.9 Supplier Exiting System

Prior to exiting the Company's system a Pool Administrator must provide 60 days written notice to the Company and its customers. The pool administrator must return or reassign capacity in accordance with Section 3.1 of this rate schedule. If the pool administrator discontinues service or defaults prior to the expiration of its contract with the customer, the Company shall provide service to the customer at the applicable tariff sales rate commencing with the next billing cycle. The customer shall be charged the rate negotiated with the discontinuing or defaulting pool administrator for the remainder of the billing cycle. Any difference between the cost incurred by the Company and the amount payable by the retail gas customer shall be recovered from the pool administrator.

4. OTHER

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In the event of the Pool Administrator's nonpayment of any of these charges, the transportation customer participating in the nonpaying Pool Administrator's pool shall be liable to the Company for its share of such charges.

(C) Indicates Change.

ISSUED: February 26, 2009

EFFECTIVE: February 27, 2009

M. ELISE HYLAND
PRESIDENT