



1407 West North Temple, Suite 310
Salt Lake City, UT 84116

VIA U.S. MAIL & EMAIL

April 20, 2021

Weber County, State of Utah
Attn: John Watson, Director of Operations
444 – 24th Street
Ogden, UT 84401

Re: Termination of Power Purchase Agreement

Dear Mr. Watson:

Reference is made to that certain Power Purchase Agreement by and between PacifiCorp, doing business as Rocky Mountain Power, and Weber County, political subdivision of the State of Utah (“Weber County”) dated December 16, 2004 (“PPA”). Under the PPA, Weber County is obligated to sell power generated by its 950-kilowatt landfill gas-fired electricity generator facility located at 2599 A Avenue, Ogden, Utah (“Facility”) to PacifiCorp until December 16, 2024 (“Expiration Date”).

In October 2020, PacifiCorp received a phone call from you indicating that the Facility’s generator had blown out and that Weber County did not intend to restore it to operations. You requested that PacifiCorp terminate the PPA and inform Weber County of any damages due to PacifiCorp as a result of terminating the PPA before the Expiration Date.

PacifiCorp has reviewed this request and has determined that, subject to the survival of any terms and conditions that by their nature or terms are intended to survive the expiration or termination of the PPA, the PPA is be deemed terminated for default effective as of October 6, 2021. Please be advised that PacifiCorp will not seek damages under Sections 4.2, 4.3, 12.2 or 12.3 of the PPA.

Please confirm your agreement to the terms set forth in this letter by obtaining the signature of an authorized representative of Weber County in the “Acknowledged and Agreed” signature block below, and return a fully executed copy of this letter to my attention.

Sincerely,

PACIFICORP

Kyle Moore
Originator
Rocky Mountain Power

ACKNOWLEDGED AND AGREED:

WEBER COUNTY, a political subdivision of the
State of Utah

By: _____

Name:

Title: