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Mr. Futrell,

Here is the agenda for meeting we have requested with the DEP and your team. We invite all to participate in this discussion/forum.

Purpose: To meet or exceed RPS Executive Order compliance as quickly as financially feasible.

Intro: Short History- renewable energy ZESC technology – meaning of LANL's projections- presented 2 years ago in Florida, what are key problems today in preventing fundings?

DEP - New Source Review- Al Linero & Jeff Koerner
committed to examine technology
SCADA promise

MSW testing

DEP Inspector General's Office- Laurie Apgar – update on investigation into Final Order?

NRP Determination proposal => Final Order => determined there is pollution without testing

DEP – Energy Office – Jeremy Susac, Robert Vickers on what tested results will commit to what endorsement? Will RPS compliance (order not option) be enforced?

· DEP's Energy office has acknowledged responsibility to promote RPS technologies but has admitted it has no funds to underwrite testing and investigation (no staff) of RPS technologies- how can this be solved?

Treasury - (financial discussion) structure reviewed by Bruce Gillander, Treasury ZESC proposal "perfect" - why?

Financial Instruments Options – Ben Watkins, John Walsh, (Treas) Div of Bond Fin.

Ownership interest for political sub-divisions via:

1. CREBs, NMTCs, 377.709 (all IOUs have affirmed willingness to obey law)
2. OR Investor underwrites all in return for carried interest in facility (ISDA power annex req)

HEDGE & BEST PRICE BENCHMARKING

What can the Bond Finance division do for political sub-divisions, conduited through a state agency such as Energy Office (Susac, Vickers), who will endorse ZESC only on positive results?

Will non-tax dollar and non-public credit financed RPS proposals be favored?

PSC- Mark Futrell's team - Points of significant concern on Rule-

IOUs "policing" selves VS monitoring via non-profit?

Transparency policy Vs Non-transparency? (best practices) priority of clean and green versus dirty coal

Bankable contracts (OCC #1051 compliant) offered as opposed to non-bankable (non-financable)?

PPAs required (or not to gain RECs) or can RECs be sold "merchant"?

Go Green First policy dictates open access transmission coast to coast?

(Average of all trades) Prices posted out to oldest vintage trading in support of dNPV analysis?

Can renewables post RECs without broker (direct OTC)? Yes, if tied to proper BTU benchmark

Platform prepared for new markets trading of Dioxin & Furan (D&F) RECs?

Any other concerns or questions?

Goal- RPS Conversion with economic feasibility to best technologies to meet and exceed the target at the best possible speed.

Requesting attendance of all parties; those who cannot attend can be represented through their record, available upon request.

We request that the record of the meeting be made available for the benefit of those who receive the public announcement but cannot attend.

Marni Zollinger

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