

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13AL-0958E

IN THE MATTER OF ADVICE LETTER NO. 1649 - ELECTRIC FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO IMPLEMENT A NEW METHODOLOGY TO DERIVE PAYMENT RATES APPLICABLE TO QUALIFYING FACILITIES ("QFS") WITH A DESIGN CAPACITY BETWEEN 10 AND 100KW, TO BECOME EFFECTIVE SEPTEMBER 27, 2013.

**NONDISCLOSURE AGREEMENT RELATING
TO HIGHLY CONFIDENTIAL INFORMATION --
SUBJECT MATTER EXPERT FOR PARTY IN THIS PROCEEDING**

1. I am not an owner of, and I have no ownership interest in, a "qualifying facility," as that term is defined in statute and Commission rule.
2. I have no plans to become an owner of, or to acquire an ownership interest in, a "qualifying facility," as that term is defined in statute and Commission rule.
3. I am not an employee of, and I do not plan to become an employee of, any entity that is a "qualifying facility," as that term is defined in statute and Commission rule.
4. I am not a vendor or supplier to, and I do not plan to become a vendor or supplier to, Public Service Company of Colorado in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting.
5. I am not a competitor of, and I do not plan to become a competitor of, Public Service Company of Colorado in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting.

6. I do not own, and I do not have an ownership interest in, any entity that is a vendor to Public Service Company of Colorado in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting.

7. I have no plans to become an owner of, or to acquire an ownership interest in, any entity that is a vendor to Public Service Company of Colorado in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting.

8. I do not own, and I do not have an ownership interest in, any entity that is a supplier to Public Service Company of Colorado in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting.

9. I have no plans to become an owner of, or to acquire an ownership interest in, any entity that is a supplier to Public Service Company of Colorado in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting.

10. I do not own, and I do not have an ownership interest in, any entity that is a competitor of Public Service Company of Colorado in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting.

11. I have no plans to become an owner of, or to acquire an ownership interest in, any entity that is a competitor of Public Service Company of Colorado in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting.

12. I am not an employee of, and I do not plan to become an employee of, any entity that, in the areas of energy sales, capacity sales, energy trading, or electric resource developing or contracting, is: a vendor to Public Service Company of Colorado; a supplier to Public Service

Company of Colorado; or a competitor of Public Service Company of Colorado; or all of the foregoing.

13. I have read the provisions relating to confidential information contained in Rules 4 *Code of Colorado Regulations* 723-1-1100 through and including 723-1-1104.

14. I agree to be bound by, and I shall abide by, the terms of the protective provisions contained in Rules 4 *Code of Colorado Regulations* 723-1-1100 and 723-1-1101 with respect to all information claimed to be confidential and with respect to all highly confidential information that is produced in, or that arises in, the course of this Proceeding.

15. I shall read, and I agree to be bound by and to abide by, the terms of any Interim Decision that provides extraordinary protection to highly confidential information in this Proceeding.

16. I shall assure that extraordinary confidentiality provisions are implemented properly and are maintained properly.

17. I agree to work with, and I shall work with [insert name of counsel], the attorney who has authorized me to have access to the highly confidential information in conjunction with my responsibilities as a subject matter expert on behalf of [insert name of party], to assure that extraordinary confidentiality provisions are implemented properly and are maintained properly.

18. I shall not use highly confidential information obtained in this Proceeding for purposes of business (other than in the context of my work as a subject matter expert in this Proceeding), for purposes of competition, or for any purpose other than the purposes of this Proceeding.

19. I shall not disclose highly confidential information obtained in this Proceeding for purposes of business (other than in the context of my work as a subject matter expert in this Proceeding), for purposes of competition, or for any purpose other than the purposes of this Proceeding.

20. I shall obtain the names of individuals authorized to review the highly confidential information obtained in this Proceeding. I shall not disseminate any highly confidential information obtained in this Proceeding to anyone other than those who, in this Proceeding, are specifically authorized to review the highly confidential information. This provision includes any party in this Proceeding who is not authorized to review that information.

Name (Print)

Title

Employer or Firm

Business Address

Name of Party That Retained Subject Matter Expert

Date

Signature of Subject Matter Expert

Signature of Counsel Authorizing Access