

## **SECOND ALTERNATIVE STATEMENT OF COMMITMENT**

The Bidder hereby represents that if it submits any bid price proposal(s) in Phase 2 (Phase 2 proposal) in response to the Maine Public Utilities Commission (Commission) current RFB (RFB), such bid price proposal(s), subject to its (their) terms and conditions, will be a firm offer to provide standard offer service: (1) in accordance with Maine law and regulations and, except as set forth herein, the provisions of the RFB; (2) at the prices and for the amounts and term lengths specified on the Bidder's Bid Price Proposal Sheets submitted in Phase 2; and (3) subject only to contingencies and conditions specified by Bidder in its Phase 1 or Phase 2 proposal. Bidder further represents that any Phase 2 proposal(s) it submits in response to the RFB will remain open from the date of the Phase 2 submission through the expiration date set forth in Bidder's Phase 2 bid proposal, subject only to conditions and contingencies specified by Bidder in its Phase 1 or Phase 2 proposal.

The Bidder hereby represents that, if designated a standard offer provider by the Commission, Bidder will, subject to the terms and conditions of its Phase 2 proposal(s) accept, abide by and fulfill all applicable obligations and terms and conditions of Maine law and regulations, and all applicable obligations, requirements, terms and, except as set forth herein, conditions stated in the RFB and the Standard Offer Provider Standard Service Agreements entered into with the applicable T&D utilities (the "SOP Agreements"), and that Bidder will submit to the jurisdiction of the courts of the State of Maine and the Maine Public Utilities Commission in matters relating to the provision of standard offer service, and that Bidder agrees that all legal proceedings relating to Bidder's provision of standard offer service will be conducted before Maine courts or the Maine Public Utilities Commission. Bidder further represents that, if designated a standard offer provider by the Commission, Bidder will provide standard offer service in the amounts, for the term lengths, and at the prices specified in its Phase 2 proposal throughout the term of service except that Bidder's obligation to provide standard offer service may terminate at the Bidder's option if the necessary SOP Agreements become ineffective or if the Commission promulgates, enacts or amends any rules or regulations or otherwise causes any changes to occur which materially affect the Bidder's ability to provide standard offer service including but not limited to a material impact on the cost to the Bidder of providing such service, provided that the Bidder, after being notified by the Commission in a timely fashion by a Notice of Rulemaking or Notice of Proceeding sent directly to Bidder, informs the Commission within the comment period provided for in said Notice of Rulemaking or Notice of Proceeding pursuant to Commission procedures that a matter under consideration would have a material affect on the Bidder's ability to provide standard offer service.

The Bidder hereby certifies that all of the statements and representations made in its proposal are true to the best of the Bidder's knowledge and belief.

This Statement of Commitment shall supercede and replace the previous Statement of Commitment signed by Bidder and submitted to the Maine Public Utilities Commission.

**Company submitting proposal:**

\_\_\_\_\_  
**(exact legal name of company)**

**Bidder Name:**

\_\_\_\_\_  
**(if different than above)**

**Signature of an Officer of Bidder:**

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**Print or type name of Officer above:**

\_\_\_\_\_

**Officer Title:**

\_\_\_\_\_

**Date Signed:**

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