

TERMS AND CONDITIONS

VIII. SELECTION OF SCHEDULE

A. The Company, upon request, will provide any Applicant or Customer with a copy of the Rate Schedules and Terms and Conditions under which the Company provides Electric Service.

B. Each Customer will select the particular Rate Schedule, of those available and applicable to the Customer, under which the Customer desires to purchase Electric Service. However, pursuant to the requirements of Va. Code § 56-234.1, the Company shall, upon written request from the Customer, determine the Customer's lowest rate applicable. The Company will not be required to provide such a determination more often than once annually for any individual Customer. The Company may require the Customer to provide the expected demand for and use of the utility service. When so provided by the Customer, the Company shall rely on such information when making the determination of the Customer's lowest rate applicable.

C. The Company shall be liable to the Customer for the amount of the difference between the actual lowest rate applicable and the rate charged to the Customer in the event that the Company provides the Customer a determination of the lowest rate applicable, the Customer selects such rate, and such rate is not the lowest rate applicable. Notwithstanding the above, if the Company relied upon (1) the Customer's actual historical demand and use of the utility service information on record with the Company at the time that the lowest rate applicable was determined or (2) the Customer-provided expected demand and use of the utility service information, then the Company shall not be liable to the Customer for such difference when the information in item (1) or (2), above, did not reflect the Customer's actual demand and use of the utility service after the Company's determination of the lowest rate applicable.

D. The Company cannot guarantee that the Customer will be served under the most favorable applicable Rate Schedule if the Customer does not select the Rate Schedule recommended by the Company after written request, and no refund will be made by the Company to the Customer of the difference in the charge made under the Rate Schedule applied and that which would have been made if a more favorable applicable Rate Schedule had been chosen by the Customer and applied.