

**NOTICE OF COMMITMENT TO SELL THE OUTPUT OF A QUALIFYING FACILITY
TO NORTH CAROLINA ELECTRIC MEMBERSHIP CORPORATION**

1. _____ (“Seller”) hereby commits to sell to North Carolina Electric Membership Corporation (“Company”) all or part of the electrical output of the Seller’s qualifying facility (“QF”) pursuant to 18 C.F.R. § 292.304(d)(2).
2. Contact information for Seller is:
Legal Name of Seller: _____
Contact Person: _____
Address: _____
#911 Address of the Facility: _____
Telephone/Email: _____/_____
3. Seller has submitted, contemporaneously with the submission of this notice, the Facility’s production profile in 8760 format using the Company form available on its website.
4. Initial the applicable option below (a. or b.):
a. _____ Seller hereby commits to sell *all* of its electric output to Company; or
b. _____ Seller hereby commits to sell *part* of its electric output to Company, that part being fully described as [describe partial commitment]: _____
5. Initial the applicable Seller certification below (a. or b.) Please include a copy of the filing:
a. _____ Seller has received a certificate of public convenience and necessity (“CPCN”) for the construction of its _____ kW (net capacity AC) Facility from the North Carolina Utilities Commission (“NCUC”), which CPCN was granted by NCUC on [insert date] _____ in Docket No. _____; or
b. _____ Seller is exempt from the CPCN requirements and has filed a report of proposed construction (“ROPC”) for its _____ kW (net capacity AC) Facility with the NCUC, dated _____, in Docket No. _____.
6. Seller submitted an Interconnection Request on _____ [date], together with any applicable fee or upfront deposit, to _____ [identify EMC/other to which the Facility seeks to interconnect]. Please include a copy of the Interconnection Request with this Notice of Commitment.
7. Seller meets the requirements and has either obtained certification from the Federal Energy Regulatory Commission (“FERC”) to operate as a QF in Docket No. QF _____, or Seller has a net power production capacity 1 MW or less and is therefore exempt from the certification requirement. [If Seller has completed and filed a Form 556, please include a copy of the form with this Notice of Commitment].
8. This Notice of Commitment shall take effect, if completed in full, on its “Submittal Date” as hereinafter defined. “Submittal Date” means (a) the receipted date of deposit of this Notice of Commitment with the U.S. Postal Service for certified mail delivery to the Company, (b) the receipted date of deposit of this Notice of Commitment with a third-party courier (e.g., Federal Express, United Parcel Service) for trackable delivery to the Company, (c) the receipted date of hand delivery of this Notice of Commitment to the Company at the address set forth in paragraph 1 of the Instructions, below, or (d) the date on which an electronic copy of this Notice of Commitment is sent via email to the Company if such email is sent during regular business hours (9:00 a.m. to 5:00 p.m.) on a business day (Monday through Friday excluding federal and state holidays). Emails sent after regular business hours or on days that are not business days shall be deemed submitted on the next business day.
9. By execution and submittal of this Notice of Commitment, and assuming that the certifications provided herein are accurate, Seller acknowledges that the legally enforceable obligation date (“LEO Date”) for the Facility will be established as of the Submittal Date. The Company shall use the LEO Date to determine the rates, terms, and conditions applicable to the Seller’s commitment to sell all or part of its electrical output to of the Company.
10. Seller agrees this Notice of Commitment shall automatically terminate and be of no further force and effect in the following circumstances: **a.** Upon execution of a power purchase agreement (“PPA”) between Seller and Company; or **b.** Where no PPA between Seller and Company has been executed and Seller has not, within 120 days of the Submittal Date (absent

extension by mutual written agreement of Seller and Company), initiated formal action seeking to compel Company to execute a PPA between Seller and Company. Notwithstanding the foregoing, in the event of Seller's failure to execute a PPA or initiate formal action, Seller understands and acknowledges that Seller shall only be offered Company's variable rate for a two-year period following termination of this Notice, following which Seller may elect to submit a new Notice of Commitment.

I swear or affirm, in my capacity as a duly-appointed officer of the Seller, that I have personal knowledge of the facts and information presented in this Notice of Commitment, I am competent to testify to those facts, and I have authority to make this binding legally enforceable obligation to the Company on behalf of Seller. I further swear or affirm that all of the statements and representations made in this Notice of Commitment are true and correct as of the date hereof. I further swear or affirm that Seller will comply will all requirements of this Notice of Commitment.

_____ [Seller]	_____ [Date]
By: _____ [Signature]	_____ [Printed Name of Signer]
_____ [Signer's Title]	

Instructions

1. The QF shall deliver, via certified mail, courier, hand delivery or email, its executed Notice of Commitment to:
North Carolina Electric Membership Corporation
Attn: Director – Resource Planning
3400 Sumner Boulevard
Raleigh, NC 27616
Email: ncemcrenewables@ncemcs.com
2. Any subsequent notice that Seller's QF is required to provide to Company pursuant to this Notice of Commitment shall be delivered to the same address by one of the foregoing delivery methods.
3. Note: Effective June 10, 2025, FERC granted NCEMC's Application to terminate the requirement to enter into new contracts or obligations to purchase electric energy and capacity from small power production QFs with a net capacity greater than five MW and/or cogeneration QFs with a net capacity greater than twenty MW that fall within the PJM footprint and service territories of NCEMC's six member-owners located within PJM: Albemarle EMC, Cape Hatteras Electric Cooperative, Edgemcombe-Martin County EMC, Halifax EMC , Roanoke Cooperative, and Tideland EMC.