



# City of Houston

## **Proposed Amendment to 30 Megawatt (MW) Solar Power Purchase Agreement (PPA)**

**Budget and Fiscal Affairs Committee  
December 8, 2015**



# Why Amend?

- City agreed to execute additional documents and take actions reasonably necessary to more fully effectuate the terms and provision of PPA (Section 10.17).
- Current PPA with City of Houston is for 30MW, which has not changed. Hecate has decided to build a 50MW facility and will provide the following:
  - Offering the City the option of increasing PPA from 30 MW to 50 MW at same price.
  - Exclusivity of Option expires March 1, 2016.
  - Option to increase to 50 MW will require a separate council action.



# Proposed Clarifying Amendments

- To clarify the following:
  - The amount of energy not delivered because of a force majeure event or forced outage is deducted from the amount required to be delivered each year in Exhibit B.
  - The City cannot both collect minimum energy liquidated damages and declare an event of default entitling it to double recovery of damages.
  - To make the warranty provisions in Section 10.2 match the delivery obligations in Section 2.8 if there is a material change in the Texas REC program.
  - Definition of forced outage.
- Extend the deadline for certifying the exact installed capacity from January 1 to March 1, 2016.