

3. **Tacoma Power Commitment:**

- A. Tacoma Power agrees to provide the customer with its *EverGreen Options* product in accordance with the terms specified above.
- B. Tacoma Power represents that its *EverGreen Options* product is derived from new wind power generation located in the Oregon and Washington, and meets the criteria for Green-e certification established by the Center for Resource Solutions.
- C. Green power for LEED® certification - Tacoma Power represents that its *EverGreen Options* product meets the requirements for a green power product for purposes of qualifying for the LEED® - versions 2.0 – 2.2, Energy & Atmosphere, Credit 6 – Green Power, and the LEED® Innovation & Design Process, Credit 1 – Innovation in Design. Tacoma Power staff will work with the Customer to facilitate the documentation required for LEED® certification relevant to green power.

By signing below, the Parties accept this Agreement and agree to perform according to the terms and conditions stated above.

Customer

*Dorcas Nepple*  
Customer Signature

*Dorcas Nepple*  
Name - print

*Port of Tacoma*  
Company

*Jan 10, 2008*  
Date

Tacoma Power

*Peter A. Meyer*  
Tacoma Power representative

*Peter A. Meyer*  
Name - print

*Assistant Energy Services Manager*  
Title

*2/12/08*  
Date

*Richard K. Baker*  
Finance

This Agreement form has been pre-approved  
as to form by TPU Legal Department.