

RESOLUTION NO.: R-2010-056

*Authorizing the City Manager to execute an Amendment to Agreement between
South Carolina Electric & Gas Company and the City of Columbia*

BE IT RESOLVED by the Mayor and City Council this 21st day of July, 2010, that the City Manager is authorized to execute the attached Amendment to Agreement between South Carolina Electric & Gas Company and the City of Columbia to establish the reserve account amount due South Carolina Electric & Gas Company under the Conveyance Agreement and arrange for the repayment thereof in annual installments.

ORIGINAL
STAMPED IN RED

Requested by:

City Manager _____



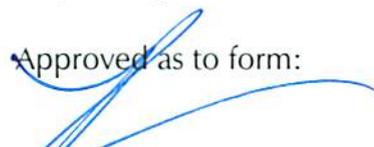
Mayor

Approved by:



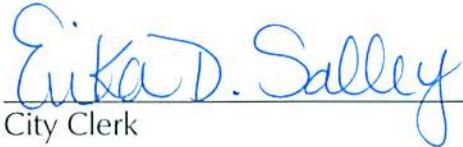
City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 7/21/2010
Final Reading: 7/21/2010

3. Continued Rights and Duties of the Parties. The Parties hereto agree, without reservation, that all their rights and duties, pursuant to and under, the Conveyance Agreement referenced hereinabove, the Franchise Agreement referenced hereinabove and otherwise, continue, except as expressly changed by this document, and previous mutually approved Amendments, hereto.

4. Mutual Release. Each of the Parties hereby releases the other for any actions or inactions arising out of the operation or management of the Columbia Hydroelectric Project and the calculation of the Finally Agreed Upon Figure. This document is intended to constitute a settlement of these issues.

5. Final Approval. This Amendment shall not be binding upon the City until such time as voted on and approved by a majority of Columbia City Council by legislative enactment authorizing the City Manager to execute the same on behalf of the City.

WITNESSES:

Paula C. Rowland

Carin J. Arnett

SOUTH CAROLINA ELECTRIC & GAS COMPANY

BY: Kevin B. Marsh
Kevin B. Marsh

ITS: President and Chief Operating Officer

CITY OF COLUMBIA, SOUTH CAROLINA

BY: Steven A. Gantt
Steven A. Gantt

ITS: City Manager

City of Columbia Monthly and Annual Credits Applied for Columbia Canal

Monthly Credits	2002	2003	2004	2005	2006	2007	2008	2009	Total
January		\$ 116,222.60	\$ 105,553.49	\$ 153,320.26	\$ 207,322.09	\$ 149,891.01	\$ 69,856.71	\$ 86,212.23	\$ 888,378.39
February		125,537.44	112,145.94	140,125.32	165,086.66	130,349.46	99,818.35	45,769.77	818,832.94
March		125,605.80	142,331.84	159,078.09	162,102.40	117,096.51	156,900.59	138,210.24	1,001,325.47
April		114,922.93	128,226.99	150,624.72	134,161.20	93,477.91	107,848.47	177,377.50	906,639.72
May		148,100.21	110,928.01	138,871.78	98,504.52	51,237.62	32,056.92	121,751.95	701,451.01
June		121,559.68	115,525.64	134,612.94	79,704.78	8,151.29	-	121,691.52	581,245.85
July		147,184.38	109,794.78	148,832.38	60,326.61	-	-	2,142.89	468,281.04
August		142,397.04	89,178.41	117,401.51	43,141.57	-	298.48	-	392,417.01
September		107,704.35	109,112.11	39,641.10	90,622.94	-	-	17,984.18	365,064.68
October	\$ 50,402.65	99,899.05	110,649.67	85,666.66	58,445.90	-	10,722.59	70,945.09	486,731.61
November	113,345.68	96,825.54	108,900.45	86,000.64	90,663.68		-	122,879.35	618,615.34
December	119,085.20	113,452.21	136,252.32	185,154.05	112,264.19	6,958.66	99,877.74	125,920.85	898,965.22
Total Monthly Credits Applied	\$ 282,833.53	\$ 1,459,411.23	\$ 1,378,599.65	\$ 1,539,329.45	\$ 1,302,346.54	\$ 557,162.46	\$ 577,379.85	\$ 1,030,885.57	\$ 8,127,948.28

Annual Credits									
January - August 2006					\$ 409,345.19				
September - October 2006					-				
Annual Credits Applied	-	-	\$ 111,884.02	\$ 98,438.05	\$ 409,345.19	\$ 1,210,850.97	\$ 2,017,153.82	NONE	\$ 3,847,672.05
Total Credits to A/R	\$ 282,833.53	\$ 1,459,411.23	\$ 1,490,483.67	\$ 1,637,767.50	\$ 1,711,691.73	\$ 1,768,013.43	\$ 2,594,533.67	\$ 1,030,885.57	\$ 11,975,620.33

\$	619,667.26
\$	3,228,004.79
\$	3,847,672.05

Per Item #3 of an Agreement, SCE&G entered into with the City in July 2002, SCE&G agreed NOT TO charged the Reserve Account during the "interim period". The "interim period" is defined in the Agreement as the period from the issuance of new FERC license on May 30, 2003 to the installation of the fish ladder, which occurred on August 4, 2006. These items are excluded when determining "how much has gone against the Reserve".

Credits Applied to Reserve