

**NEBRASKA COMMERCIAL CHOICE GAS PROGRAM
SUPPLIER DELEGATION AGREEMENT
(CHOICE GAS PROGRAM YEAR COMMENCING JUNE, 2021)**

THIS FORM AUTHORIZES A SUPPLIER TO MAKE THE CUSTOMER'S SELECTION OF A COMPETITIVE SUPPLIER AND TO SELECT THE PRICE OPTION ON BEHALF OF THE CUSTOMER FOR THE CHOICE GAS PROGRAM YEAR(S) SHOWN BELOW.

A CUSTOMER MAY ONLY COMPLETE AND SUBMIT ONE CHOICE GAS PROGRAM SUPPLIER DELEGATION AGREEMENT. IF A CUSTOMER SUBMITS MULTIPLE DELEGATION AGREEMENTS, THEN ONLY THE EARLIEST DATED SUPPLIER DELEGATION AGREEMENT WILL BE ACCEPTED.

Specifically, Customer's execution of this Supplier Delegation Agreement authorizes Supplier to obtain Customer's control number from the Choice Gas Administrator. By authorizing Supplier to obtain Customer's control number Customer is authorizing Supplier to make the official Supplier and Gas Supply Price selection on Customer's behalf. Customer agrees to select Supplier as Customer's gas Supplier.

A fully executed Supplier Delegation Agreement must be either (a) submitted to the Supplier or (b) received by Black Hills Nebraska Gas, LLC as the Choice Gas Program administrator (Administrator) prior to the selection deadline for the applicable Choice Gas Program Year (i.e., 11:59 p.m. on the last day of the applicable balloting period).

Customer and Supplier acknowledge that Administrator, its officers, agents, affiliates and parent companies are third party beneficiaries to this Delegation Agreement and by execution hereof, Customer and Supplier, individually and jointly agree to indemnify and hold Administrator, its officers, agents, affiliates and parent companies harmless from any and all liabilities, losses, damages, expenses and other obligations of any nature whatsoever including attorney fees incurred in defense of such actions that Administrator, its officers, agents, affiliates and parent companies that they may suffer either individually or collectively as a result of any and all claims, demands, costs, attorney fees and judgments made against them resulting from their reliance on this Delegation Agreement and/or the Supplier's actions, including but not limited to actions taken by Administrator pursuant to Supplier's actions or inaction under this Agreement.

By signing this Agreement, Supplier represents that it has provided Customer with agreed upon gas supply pricing details along with a complete and true copy of this Supplier Delegation Agreement. Supplier further accepts its designation and appointment for the Customer and agrees to act as Supplier for Customer in accordance with the terms hereof.

By signing this Agreement, Customer acknowledges that it has not signed a Delegation Agreement with another Supplier for this Choice Gas year, is in receipt of a fully executed copy of this Supplier Delegation Agreement, and accepts the Price Option and Customer Price designated below.

COMMERCIAL CUSTOMER

Account No(s). _____

By: _____
(Customer Signature)

Name: _____
(Customer Print Name)

Email: _____

Address: _____

Phone No.: _____

Date: _____

CHOICE GAS PROGRAM SUPPLIER

SUPPLIER: **Black Hills Energy Services**

By: *Rena Ferguson*

Printed Name: Rena Ferguson

Title: Program Supervisor



NEBRASKA COMMERCIAL CHOICE GAS PROGRAM

GAS PRICE: Supplier price option _____ Choice Gas Program Year Customer Price _____.

TERM: Check Appropriate Box: Nebraska Commercial Customer One-Year Two-Year Three-Year