

**FIRST AMENDMENT TO  
RETAIL ELECTRIC ENERGY SERVICES AGREEMENT**

THIS FIRST AMENDMENT TO THE RETAIL ELECTRIC ENERGY SERVICES AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the City of Roseville, a municipal corporation (“CITY”), and TSI Semiconductors America LLC, a Delaware limited liability company (“TSI”); and

W I T N E S S E T H:

WHEREAS, CITY and TSI previously entered into a Retail Electric Energy Services Agreement dated February 6, 2019 (“Agreement”) regarding the supply and distribution of retail electric energy; and

WHEREAS, the parties desire to extend the term of that Agreement pursuant to the terms of this First Amendment to Agreement.

NOW, THEREFORE, the parties agree as follows:

1. Section 3 of the Agreement is amended by adding an additional paragraph to read as follows:

“The term of this Agreement shall be extended to December 31, 2022.”

2. The Pricing Formula section of Attachment A of the Agreement is amended to include language stating that the

rate discount for the third year shall be 5.0% and therefore the Pricing Formula section shall now read as follows:

“The Customer shall pay the applicable charges for the connected GS class service as provided in Roseville Municipal Code Chapter 14.24.

The Customer shall receive a rate discount of 15% for the first year of the Term, 7.5% for the second year of the Term, and 5% through the Term of this First Amendment per each metered energy and energy-related charge item on the GS4 class service. All standard rate components are subject to change and may be revised per commercial class rate adjustments as made from time to time by the City Council during the term of this Agreement. The Customer's rate discount shall be automatically increased or decreased proportionally to the rate change of each service's corresponding GS class service. The rate discount shall not apply to Demand, Power Factor, Stand By, Flat, or other miscellaneous electric service-related charges, nor city, state or federal pass-through charges for which the Roseville Electric Utility may be required to collect. With regard to the GS-4 and other industrial class services, Customer shall pay all rates/charges/costs as specified in Roseville Municipal Code Chapter 14.24, as amended from time to time by the Roseville City Council.”

3. All other provisions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the City of Roseville, a municipal corporation, has authorized the execution of this First Amendment to Agreement in duplicate by its City Manager and attested to by its City Clerk under the authority of Resolution No. \_\_\_\_\_, adopted by the

Council of the City of Roseville on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and TSI has caused this  
First Amendment to Agreement to be executed.

CITY OF ROSEVILLE, a  
municipal corporation

TSI SEMICONDUCTORS AMERICA  
LLC, a Delaware limited liability company

BY: \_\_\_\_\_  
DOMINICK CASEY  
City Manager

BY: Bruce Gray  
its: CEO

ATTEST:

and

BY: \_\_\_\_\_  
SONIA OROZCO  
City Clerk

BY: \_\_\_\_\_  
its: \_\_\_\_\_

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
ROBERT R. SCHMITT  
City Attorney

APPROVED AS TO SUBSTANCE:

BY:   
Michelle Bertolino (Oct 13, 2020 10:30 PDT)  
MICHELLE BERTOLINO  
Electric Utility Director

# TSI First Amendment to Retail Energy Services Agreement

Final Audit Report

2020-10-13

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