

LETTER OF AMENDMENT

October 31, 2023

Trillium Transportation Fuels, LLC  
2929 Allen Parkway, Suite 4100  
Houston, TX 77019

Attn: Ryan Erickson

Re: Letter of Amendment  
220909E

Dear Development Entity:

Per the terms of the Public-Private Transportation Partnership Agreement, as amended (hereinafter "PPA"), specifically Section 1.2.1 of Schedule 8 of the PPA, the Parties seek to amend the CNG Readiness Date and associated Maximum Infrastructure Fee Table for LCTA-Wilkes-Barre. Based on the Project Working Schedule, the parties agree the CNG Readiness Deadline for LCTA-Wilkes-Barre from November 1, 2023 to May 30, 2024.

In accordance with Section 1.2.1 of Schedule 8 of the PPA, Schedule 8 (Payment Mechanism) of the PPA is updated. Additionally, implicant in Section 1.2.1 of Schedule 8 of the PPA, is the amendment of Table 2 of Schedule 18 (Technical Provisions) of the PPA, of which an amended version is also attached.

Lastly, the Department's Deputy Secretary for Multimodal Transportation in Schedule 11 of the PPA is amended as reflected on the attached Schedule 11.

Copies of these updated Exhibits are attached hereto and hereby supersede and replace the corresponding exhibit attached to the PPA.

This Letter of Amendment will become effective once all required signatures are affixed to this document.

We are requesting your concurrence as to the amendment of the PPA. If you agree to the terms of this Letter of Amendment amending the PPA, please indicate below by signing and noting your title where indicated.

On behalf of the above-named Development Entity, I agree to the amendment of the above-referenced agreement. I agree to all terms and conditions included in the subject agreement and all previous amendments thereto, if any.

Signature:  \_\_\_\_\_

Date: 11/13/2023

Title: VP \_\_\_\_\_

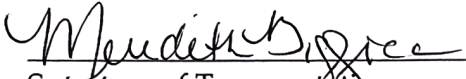
All terms and conditions of the PPA not affected by this Letter of Amendment remain in full force and effect.

This Letter of Amendment is not effective until the Office of Chief Counsel and the Office of Comptroller Operations sign and date this Letter of Amendment. The Department will forward a copy of the fully executed Letter of Amendment for your files.

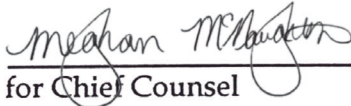
Sincerely,

  
\_\_\_\_\_  
Pennsylvania Department of Transportation


**Approved for Form and Legality:**

  
\_\_\_\_\_  
Secretary of Transportation

11/14/2023  
Date

  
\_\_\_\_\_  
for Chief Counsel

11/15/2023  
Date

  
\_\_\_\_\_  
Comptroller Signature

Digitally signed by Katalin Gotshall  
Date: 2023.11.20 12:10:51 -05'00'

\_\_\_\_\_  
Date

**SCHEDULE 8****PAYMENT MECHANISM****1. PAYMENT****1.1 Milestone Payments**

- (a) A Milestone Payments shall be payable upon the achievement of CNG Readiness at each Project Site.
- (b) The amount of the Milestone Payment in respect of each Project Site shall be equal to the amount set forth in respect of such Project Site in Table 1 below.

<i>Project Site</i>	<i>Milestone Payment</i>	<i>Project Site</i>	<i>Milestone Payment</i>
CATA	\$2,079,882	LCTA	\$2,521,680
EMTA	\$2,723,877	MCTA	\$1,112,212
CPTA – York	\$3,120,605	CRATA	\$1,478,419
CPTA – Gettysburg	\$1,403,933	COLT/LT	\$1,781,158
CAMTRAN – Johnstown	\$2,598,905	STS	\$1,213,098
CAMTRAN - Ebensburg	\$1,537,890		
INDIGO	\$1,883,472		
MMVTA	\$1,878,930	BTA	\$2,279,529
LANTa – Allentown	\$2,674,140	MCRCOG	\$1,601,012
		FACT	\$1,629,846
WCTA	\$2,501,609		
COLTS	\$3,068,060		
NCATA	\$2,440,327	CAT	\$2,191,393
AMTRAN	\$1,972,909	HPT	\$2,467,540
BCTA	\$2,178,312	<b>AGGREGATE</b>	<b>\$50,338,738</b>

## 1.2 Monthly Payments After CNG Readiness

(a) Monthly Payments for any Month (m) in a Calendar Year (y) during the Term shall be calculated using the following formula. The first month using the following formula will be when y = 2023 m = February and m-1 = January:

(b)  $MP_{my} = IF_{my} + CF_{m-1,y} - MMPD_{m-1} - MRF_{m-1} - MLA_{m-1} - EC_{m-1} - NGC_{m-1}$

(c) Where:

- (a)  $IF_{my}$  = the Infrastructure Fee for Month (m) in a Calendar Year (y) calculated as set forth in Section 1.2.1 below;
- (b)  $CF_{m-1}$  = the Compression Fee for Month (m-1) in a Calendar Year (y) calculated as set forth in Section 1.2.2 below;
- (c)  $MMPD_{m-1}$  = the Monthly Maintenance Payment Deduction for Month (m-1) calculated in accordance with Section 2.1 (Payment Deductions) of this Schedule 8 (Payment Mechanism);
- (d)  $MRF_{m-1}$  = the Monthly Royalty Fee for Month (m-1) calculated in accordance with Section 2.1 (Payment Deductions) of this Schedule 8 (Payment Mechanism);
- (e)  $MLA_{m-1}$  = the Monthly Liquidated Damages Amount for Month (m-1) calculated in accordance with Section 2.1 (Payment Deductions) of this Schedule 8 (Payment Mechanism);
- (f)  $EC_{m-1}$  = the cost of kwh supplied to any CNG Fueling Station Facilities for Month (m-1) to enable the Development Entity to conduct Commercial Sales in accordance with Section 16.2 (Supply for Commercial Sales) of the PPA, calculated in accordance with Section 2.1 (Payment Deductions) of this Schedule 8 (Payment Mechanism);
- (g)  $NGC_{m-1}$  = the cost of natural gas supplied to any CNG Fueling Station Facilities for Month (m-1) to enable the Development Entity to conduct Commercial Sales in accordance with Section 16.2 (Supply for Commercial Sales) of the PPA, calculated in accordance with Section 2.1 (Payment Deductions) of this Schedule 8 (Payment Mechanism);

**provided**, that to the extent the sum of the Monthly Maintenance Payment Deduction, Monthly Royalty Fee, Monthly Liquidated Damages Amount and the cost of electricity and natural gas supplied to CNG Fueling Station Facilities to enable the Development Entity to conduct Commercial Sales in accordance with Section 16.2 (Supply for Commercial Sales) of the PPA, in each case for Month (m-1), exceeds the aggregate value of CF for Month (m-1) and IF for Month (m), such excess shall be added to the calculation of MMPD, MRF, MLA, EC and NGC in respect of the succeeding Month.

### 1.2.1 Infrastructure Fee

The Infrastructure Fee (IF) for any Month (m) in a Calendar Year (y) during the Term shall be calculated using the following formula:

$$IF_{m,y} = \sum_1^X (MIF_{m,y})$$

Where, in respect of each Project Site (x):

$MIF_{m,y}$  = the Maximum Infrastructure Fee for Month (m) in Calendar Year (y) in respect of each Project Site which shall have achieved CNG Readiness calculated as:

$$MIF_{m,y} = \left( \frac{d_{m,y}}{d_y} \right) \times MIF_y$$

where:

- (A)  $d_{m,y}$  = the number of days in Month (m) in Calendar Year (y) from the start of Month (m) (or the date on which CNG Readiness in respect of such Project Site occurs, if later than the first day of such Month (m)) to the end of Month (m) (or the Termination Date if earlier);
- (B)  $d_y$  = the number of days in Calendar Year (y) from the start of Calendar Year (y) (or the date on which CNG Readiness in respect of such Project Site occurs, if later than the first day of such Calendar Year (y)) to the end of Calendar Year (y) (or the Termination Date, if earlier); and
- (C)  $MIF_y$  = the Maximum Infrastructure Fee for any Calendar Year (y) in respect of such Project Site (x) as set forth in the table below (including, in respect of any Project Site which shall have achieved Site Completion, the applicable increase in the Maximum Infrastructure Fee in respect of such Project Site set forth in the table below):

The Maximum Infrastructure Fee Table, below, is based on the anticipated CNG Readiness Dates for each Project Site. Therefore, a delay in the achievement of CNG Readiness at a Project Site that arises as a direct result of either a Compensation Event or a Relief Event shall be handled pursuant to Section 12.2 (Compensation Event) and/or Section 12.3 (Relief Event).

Furthermore, if an anticipated CNG Readiness Date for a Project Site as listed in the Maximum Infrastructure Fee Table, below, is not consistent with the actual CNG Readiness Date, the parties shall execute a Letter of Amendment that will include a revised Maximum Infrastructure Fee Table. Adequate funds must be available before the parties execute a Letter of Amendment. The Letter of Amendment is not effective until the duly authorized representatives of the Department, the Development Entity, the Department's Office of Chief Counsel, and the Office of Comptroller Operations sign and date the Letter of Amendment.

Maximum Infrastructure Fee																					
Project Site	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
CATA	\$199,283	\$199,283	\$199,283	\$199,283	\$199,283	\$248	\$253	\$258	\$263	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,373	\$45,210	\$13,653
EMTA				\$260,987	\$260,987	\$260,987	\$260,987	\$262,017	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
CPTA – York	\$299,000	\$299,000	\$299,000	\$299,000	\$299,000	\$990	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,480	\$45,210	\$13,653
CPTA – Gettysburg																					
CAMTRAN – Johnstown	\$249,013	\$249,013	\$249,013	\$249,013	\$249,013	\$134,517	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
CAMTRAN – Ebensburg	\$122,121	\$147,352	\$147,352	\$147,352	\$147,352	\$25,232	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
INDIGO		\$180,464	\$180,464	\$180,464	\$180,464	\$180,464	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
MMVTA	\$170,015	\$186,353	\$186,353	\$186,353	\$186,353	\$16,338	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
LANTa – Allentown		\$256,222	\$256,222	\$256,222	\$256,222	\$256,221	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171									
WCTA	\$158,590	\$239,691	\$239,691	\$239,691	\$239,691	\$81,101	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
COLTS								\$240,721	\$240,742	\$257,894	\$253,282	\$259,862	\$19,946	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
NCATA		\$233,819	\$233,819	\$233,819	\$233,819	\$233,819	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
AMTRAN		\$189,034	\$189,034	\$189,034	\$189,034	\$189,034	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
BCTA	\$103,213	\$208,714	\$208,714	\$208,714	\$208,714	\$105,501	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
LCTA								\$242,644	\$242,665	\$259,817	\$255,204	\$262,795	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
MCTA				\$106,566	\$106,566	\$106,566	\$106,566	\$106,566	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
CRATA	\$22,703	\$141,654	\$141,654	\$141,654	\$141,654	\$118,951	\$1,010	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
COLT/LT		\$126,710	\$170,661	\$170,661	\$170,661	\$170,661	\$43,951	\$1,030	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
STS							\$116,233	\$117,262	\$117,283	\$134,435	\$129,823	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653

<b>Maximum Infrastructure Fee</b>																					
Project Site	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
HPT						\$164,503	\$164,503	\$164,503	\$164,503	\$164,503	\$164,503	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
BTA			\$177,507	\$239,963	\$239,963	\$239,963	\$239,963	\$62,456	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
MRCOG				\$153,400	\$153,400	\$153,400	\$153,400	\$153,400	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
FACT			\$115,518	\$156,163	\$156,163	\$156,163	\$156,163	\$40,645	\$1,051	\$18,203	\$13,591	\$20,171	\$18,936	\$26,301	\$24,690	\$32,892	\$30,878	\$39,974	\$40,689	\$45,210	\$13,653
CAT								\$183,768	\$183,768	\$183,769	\$197,359	\$203,939	\$18,936	\$26,301	\$24,690	\$32,892	\$7,720	\$9,197	\$9,381	\$10,424	\$3,148

**1.2.2 Compression Fees**

The Compression Fee (CF) for any Month (m-1) in a Calendar Year (y) during the Term shall be calculated using the following formula:

$$CF_{m-1,y} = \sum_1^x (V_{m-1,y} \times F_y)$$

Where, in respect of each Project Site (x):

- (a)  $V_{m-1,y}$  = the actual volume of natural gas compressed for Transit Agency Vehicles by the CNG Equipment Compound located at such Project Site for Month (m-1) in Calendar Year (y); and
- (b)  $F_y$  = the fee charged per GGE in accordance with the following (subject to Indexation in accordance with Section 2.2 of this Schedule 8 (Payment Mechanism)). By February 15 of each Calendar Year (y), beginning with Calendar Year 2023 (y=2023), the Department will set the fee in conjunction with the Development Entity based on the projected volume ( $PV_y$ ) of natural gas to be compressed for Transit Agency Vehicles by the CNG Equipment Compound located at all Project Sites for Calendar Year (y):

$PV_y$	$F_y$
0 to 1,500,000.000 GGEs	\$0.88
1,500,000.001 to 2,000,000.000 GGEs	\$0.76
2,000,000.001 to 2,500,000.000 GGEs	\$0.67
2,500,000.001 to 3,000,000.000 GGEs	\$0.61
3,000,000.001 to 3,500,000.000 GGEs	\$0.56
3,500,000.001 to 4,000,000.000 GGEs	\$0.51
4,000,000.001 to 4,500,000.000 GGEs	\$0.47
4,500,000.001 to 5,000,000.000 GGEs	\$0.43
5,000,000.001 to 5,500,000.000 GGEs	\$0.40
5,500,000.001 to 6,000,000.000 GGEs	\$0.37
6,000,000.001 and greater	\$0.35

**2. PAYMENT ADJUSTMENTS**

**2.1 Payment Deductions**

- (a)  $MMPD_{m-1,y}$  = the Monthly Maintenance Payment Deduction (MMPD) for any Month (m-1) in Calendar Year (y) during the Term shall be calculated as follows:



$$MMPD_{m-1,y} = \sum_1^X (NCPV \times NCP_{m-1})$$

where:

- (i) NCPV = the unit value of \$25 for each Noncompliance Point accrued during Month (m), subject to indexation in accordance with Section 2.2 (Indexation) of this Schedule 8 (Payment Mechanism); and
  - (ii) NCP<sub>m-1</sub> = the aggregate number of Noncompliance Points accrued in Month (m-1) in accordance with Article 11 (Noncompliance Events) and Schedule 7 (Noncompliance Points Table).
- (b) MRF<sub>m-1</sub> = Monthly Royalty Fee for Month (m-1), calculated in accordance with the following formula:

$$MRF_{m-1} = AVS_{m-1} \times CSF_y$$

Where:

- (i) AVS<sub>m-1</sub> = the actual volume of Commercial Sales at the applicable Project Site for Month (m-1); and
  - (ii) CSF<sub>y</sub> = \$0.08 (subject to Indexation in accordance with Section 2.2 of this Schedule 8 (Payment Mechanism)).
- (c) MLA<sub>m-1</sub> = the Monthly Liquidated Damages Amount, calculated as the cumulative amount of all costs and expenses due and payable by the Development Entity to the Department pursuant to Section 7.9 (Late Completion Costs), together with all liquidated damages due and payable by the Development Entity to the Department pursuant to Section 11.4 (Liquidated Damages), in each case as of the end of Month (m-1).
- (d) EC<sub>m-1</sub> = the cost of kwh supplied to any CNG Fueling Station Facilities for Month (m-1) to enable the Development Entity to conduct Commercial Sales in accordance with Section 16.2 (Supply for Commercial Sales) of the PPA, calculated in accordance with the following formula:

$$EC_{m-1} = FPEC_{m-1} + SPEC_{m-1}$$

Where:

- (i) FPEC<sub>m-1</sub> = the first portion of the cost of kwh in Month (m-1) supplied to any CNG Fueling Station Facilities for the electricity billing period including Month (m-2) and Month (m-1) to enable the Development Entity to conduct Commercial Sales in accordance with Section 16.2 (Supply for Commercial Sales) of the PPA, calculated in accordance with the following formula:

$$FPEC_{m-1} = [GGECF_{m-1} / GGETF] \times TAEPPF$$

- (ii)  $GGECE_{m-1}$  = the volume of natural gas compressed and dispensed by the Development Entity on the corresponding days of Month (m-1) included in the electric bill that includes portions of Month (m-2) and Month (m-1) that enables the Development Entity to conduct Commercial Sales pursuant to Section 16.2 (Supply for Commercial Sales), as evidenced by the monthly billing reports.
- (iii)  $GGETF$  = the volume of natural gas compressed and dispensed at the applicable CNG Fueling Station Facilities for portions of Month (m-2) and Month (m-1) that match the dates of the electric bill that includes Month (m-2) and Month (m-1), as evidenced by the monthly billing reports.
- (iv)  $TAEPE$  = the actual amount paid by the applicable Transit Agency in respect of electricity consumed by the applicable Project Site for portions of Month (m-2) and Month (m-1), as evidenced by the electricity provider's invoice that includes portions of Month (m-2) and Month (m-1);
- (v)  $SPEC_{m-1}$  = the second portion of the cost of kwh in Month (m-1) supplied to any CNG Fueling Station Facilities for the electricity billing period including Month (m-1) and Month (m) to enable the Development Entity to conduct Commercial Sales in accordance with Section 16.2 (Supply for Commercial Sales) of the PPA, calculated in accordance with the following formula:
- $$SPEC_{m-1} = [GGECS_{m-1} / GGETS] \times TAEPE$$
- (vi)  $GGECS_{m-1}$  = the volume of natural gas compressed and dispensed by the Development Entity and notified to the Department on the corresponding days of Month (m-1) included in the electric bill that includes portions of Month (m-1) and Month (m) that enables the Development Entity to conduct Commercial Sales pursuant to Section 16.2 (Supply for Commercial Sales).
- (vii)  $GGETS$  = the volume of natural gas compressed and dispensed at the applicable CNG Fueling Station Facilities for portions of Month (m-1) and Month (m) that match the dates of the electric bill that includes Month (m-1) and Month (m), as evidenced by the monthly billing report.
- (viii)  $TAEPE$  = the actual amount paid by the applicable Transit Agency in respect of electricity consumed by the applicable Project Site for portions of Month (m-1) and Month (m), as evidenced by the electricity provider's invoice that includes portions of Month (m-1) and Month (m);
- (e)  $NGC_{m-1}$  = the cost of natural gas supplied to any CNG Fueling Station Facilities for Month (m-1) to enable the Development Entity to conduct Commercial Sales in accordance with Section 16.2 (Supply for Commercial Sales) of the PPA, calculated in accordance with the following formula:

$$NGC_{m-1} = [NGCT_{m-1}] \times [PCF_{m-1}]$$

Where:

- (i)  $NGCT_{m-1}$  = the portion of Transit Agency's monthly natural gas invoice allocated to the applicable CNG Fueling Station Facilities calculated in accordance with the following formula:

$$NGCT_{m-1} = [TAGP_{m-1}] X ([VF_{m-1}]/[VT_{m-1}])$$

- (ii)  $TAGP_{m-1}$  = the actual amount paid by the applicable Transit Agency in respect of natural gas consumed by the applicable Project Site for Month (m-1), as evidenced by the natural gas provider's invoice;
- (iii)  $VT_{m-1}$  = the total volume of natural gas consumed by the applicable Project Site for Month (m-1), as evidenced by the natural gas supplier's invoice;
- (iv)  $VF_{m-1}$  = the volume of natural gas consumed by the applicable CNG Fueling Station Facilities for Month (m-1), as evidenced by the natural gas supplier's invoice or installed meter or sub-meter;
- (v)  $PCF_{m-1}$  = the portion of the natural gas consumed by the applicable CNG Fueling Station Facilities allocated to Commercial Sales, calculated in accordance with the following formula:

$$PCF_{m-1} = VCF_{m-1} / VF_{m-1}$$

- (vi)  $VCF_{m-1}$  = the volume of natural gas notified by the Development Entity to the Department in respect of Month (m-1) to enable the Development Entity to conduct Commercial Sales pursuant to Section 16.2 (Supply for Commercial Sales).

## 2.2 Indexation

- (a) On each Indexation Review Date, each Indexable Element shall be adjusted by applying to it the Indexation Formula set forth in Section 2.2(c) below; **provided**, that the Indexable Elements shall not be adjusted in the event that the value of CPI as of the relevant Indexation Review Date is less than the value of CPI as of the Indexation Base Date.
- (b) On each occasion that an Indexable Element is to be adjusted in accordance with this Section 2.2(b), the Indexation Formula shall be applied to the Indexable Element applicable immediately before the relevant Indexation Review Date.
- (c) For the purposes of calculating indexation pursuant to Section 2.2(a), the following definitions apply:

(a) **Indexation Formula** means  $IE_m = IE_{base} \times \left(\frac{b}{a}\right)$ ;

- (b)  $IE_m$  means the Indexable Element applicable on or immediately after the relevant Indexation Review Date;

- (c)  $IE_{base}$  means the Indexable Element applicable as of the Indexation Base Date;

- (d) **a** means the value of CPI as of the Indexation Base Date; and
- (e) **b** means the value of CPI as of the relevant Indexation Review Date.

**3. ANNUAL PAYMENT ADJUSTMENTS**

**3.1 Previous Calendar Year Compression Fee Determination**

Upon approval of the February Monthly Performance Payments for Calendar Year (y), beginning with Calendar Year 2024 (y=2024), for all of the Project Sites for payment by the Department, the following analysis will take place regarding the need for an adjustment to the Compression Fees that were paid for the volume of natural gas compressed in Calendar Year (y-1) using the following Table where:

- (a)  $AF_{y-1}$  = the actual fee to have been charged per GGE for Calendar Year (y-1) in accordance with the following (subject to Indexation in accordance with Section 2.2 of this Schedule 8 (Payment Mechanism)):

$AV_{y-1}$	$AF_{y-1}$
0 to 1,500,000.000 GGEs	\$0.88
1,500,000.001 to 2,000,000.000 GGEs	\$0.76
2,000,000.001 to 2,500,000.000 GGEs	\$0.67
2,500,000.001 to 3,000,000.000 GGEs	\$0.61
3,000,000.001 to 3,500,000.000 GGEs	\$0.56
3,500,000.001 to 4,000,000.000 GGEs	\$0.51
4,000,000.001 to 4,500,000.000 GGEs	\$0.47
4,500,000.001 to 5,000,000.000 GGEs	\$0.43
5,000,000.001 to 5,500,000.000 GGEs	\$0.40
5,500,000.001 to 6,000,000.000 GGEs	\$0.37
6,000,000.001 and greater	\$0.35

Where, in respect of each Project Site (x):

$$TV_{x,y-1} = \sum_{m=1}^{12} V_{m,y-1}$$

- (b)  $TV_{x,y-1}$  = the actual volume of natural gas compressed for Transit Agency Vehicles by the CNG Equipment Compound located at such Project Site (x) in Calendar Year (y-1); and
- (c)  $V_{m,y-1}$  = the actual volume of natural gas compressed for Transit Agency Vehicles by the CNG Equipment Compound located at such Project Site (x) for Month (m) in Calendar Year (y-1);

Where, in respect to the Project:

- (d)  $AV_{y-1}$  = the actual volume of natural gas compressed for Transit Agency Vehicles by the CNG Equipment Compounds located at all Project Sites in Calendar Year (y-1); and

$$AF_{y-1} = \sum_{i=1}^n TV_{i,y-1}$$

### 3.2 Previous Calendar Year Compression Fee Reconciliation

Upon approval of the February Monthly Performance Payments for Calendar Year (y), beginning with Calendar Year 2024 (y=2024), for all of the Project Sites for payment by the Department, the following analysis will take place regarding the need for an adjustment to the Compression Fees that were paid for the volume of natural gas compressed in Calendar Year (y-1). The Department will generate an invoice to the attention of the Development Entity. The Development Entity will have thirty (30) calendar days by which to pay the Department the indicated amount.

The Compression Fee Reconciliation should be determined in accordance with the following: the Compression Fee that should have been paid for Calendar Year (y-1) will be compared with the actual fee ( $AF_{y-1}$ ) versus the fee ( $F_{y-1}$ ) for the actual volume ( $AV_{y-1}$ ) of natural gas compressed for Calendar Year (y-1) for all Project Sites.

- (a) The Development Entity submits a Compression Fee Reconciliation when  $AF_{y-1} > F_{y-1}$  for the amount:

$$\text{Compression Fee Reconciliation} = AV_{y-1} \times (AF_{y-1} - F_{y-1})$$

- (b) The Development Entity remits payment to the Department when  $AF_{y-1} < F_{y-1}$  for the amount:

$$\text{Payment to the Department} = AV_{y-1} \times (F_{y-1} - AF_{y-1})$$

- (c) Nothing is done when  $AF_{y-1} = F_{y-1}$ .

## SCHEDULE 11

### INITIAL DESIGNATION OF AUTHORIZED REPRESENTATIVES

#### DEPARTMENT

Deputy Secretary for Multimodal Transportation (as of the date hereof, Meredith Biggica) (or such person's designee, as notified by the Department to the Development Entity in writing in accordance with this PPA)

Tel: 717 787 8197

Email: mebiggica@pa.gov

#### DEVELOPMENT ENTITY

Ryan Erickson

Tel: 713-332-4800

Email: ryan.erickson@trilliumenergy.com

11.2 Table 2: Site Specific Performance Requirements

Table 2: Site Specific Performance Requirements (Amendment D)									
	Agency	Location	CNG Readiness Deadline	Fueling Window	Dispatch Time	Maintenance & Storage Facilities Modification Part of the Project	Type of Fueling Station	Design Vehicle Length (feet)	Required CNG Commercialization Activities
<b>Tier 1</b>	CAMTRAN	Johnstown	11-Apr-17	Monday - Friday: 3:00PM - 10:30PM Saturday - Sunday: 2:00PM - 7:30PM	Monday - Friday: 4:30AM Saturday 6:00AM Sunday 9:00AM	Yes	Permanent	35	Yes
	CATA	State College	26-July-17	Full Service for 33 Weeks Monday - Friday: 12:30PM - 5:00AM Saturday: 6:00PM - 5:00AM Sunday: 10:00PM - 1:30AM Red Service for 19 Weeks Monday - Friday: 6:00PM - 2:30AM Saturday - Sunday: 8:00PM - 2:00AM	Monday - Friday: 4:20AM Saturday: 5:45AM Sunday: 6:45AM	No	Permanent	40	No
	CPTA	York	23-May-17	Monday - Saturday: 6:00PM - 12:00 AM Sunday: 9:00PM - 10:00PM	Monday - Sunday: 4:30AM (Paratransit) Monday - Sunday: 5:30AM (Fixed Route Buses)	No	Permanent	45	Yes
<b>Tier 2</b>	MMVTA	Donora	30-May-17	Monday - Sunday: 6:00PM - 10:00PM	Monday - Friday: 4:00AM; Saturday: 5:00AM; Sunday: 7:00AM	Maintenance - Yes Storage - No	Permanent	40	No
	CAMTRAN	Ebensburg	26-July-17	Monday - Friday: 7:00AM - 6:00PM	Monday - Friday: 6:30AM	Yes	Permanent	35	No
	INDIGO	Indiana	10-Oct-18	Monday - Sunday: 5:00PM - 3:00AM	Monday - Friday: 5:30AM Saturday: 7:00AM Sunday: 11:30AM	Yes	Permanent	35	Yes
	LANTa	Allentown	26-Feb-18	Monday - Saturday: 4:00PM - 12:30AM Sunday: 5:00PM - 8:00PM	Monday - Saturday: 4:40AM Sunday: 6:00AM	Yes	Permanent	40	No
	WCTA	Greensburg	30-Jun-17	Monday - Friday: 7:00AM - 10:00PM Saturday: 7:00AM - 5:00PM	Monday - Friday: 4:50AM Saturday: 7:00AM	Yes	Permanent	45	No
	COLTS	Scranton	30-Apr-24	Monday - Saturday: 6:00PM - 2:00 AM	Monday - Saturday: 5:30AM	Yes	Permanent	35	No
	NCATA	New Castle	2-Feb-18	Monday - Saturday: 3:00PM - 8:30PM	Monday - Friday: 6:00AM Saturday: 6:00AM	Yes	Permanent	40	Yes
	AMTRAN	Altoona	30-Mar-18	Monday - Saturday: 3:00PM-10:40PM	Monday - Saturday: 5:50AM	Yes	Permanent	35	No
	BCTA	Aliquippa	13-Sep-17	Monday - Friday: 4:00PM - 12:00AM Saturday: 12:00PM - 8:30PM	Monday - Friday: 4:30AM; Saturday: 6:00AM	Yes	Permanent	45	No
	CPTA	Gettysburg	16-Oct-18	Monday - Sunday: 4:00PM - 10:00PM	Monday - Saturday (Paratransit Buses): 4:00AM Monday - Sunday (Fixed Route Buses): 7:00AM Monday - Friday (Express Buses): 5:45 AM & 1:45PM	Yes	Permanent	40	No
	LCTA	Wilkes-Barre	30-May-24	Monday - Saturday: 3:00PM - 12:00AM	Monday - Saturday: 5:00AM	Yes	Permanent	35	No
	CRATA	Meadville	6-Dec-17	Monday - Saturday: 4:00PM - 12:00AM	Monday - Friday: 6:00 AM; Saturday: 7:00 AM	No	Permanent	30	No

Table 2: Site Specific Performance Requirements (Amendment D)

Agency	Location	CNG Readiness Deadline	Fueling Window	Dispatch Time	Maintenance & Storage Facilities Modification Part of the Project	Type of Fueling Station	Design Vehicle Length (feet)	Required CNG Commercialization Activities
EMTA	Erie	23-Sept-20	Monday - Sunday: 3:30PM - 10:30PM	Monday - Sunday: 5:00AM	No	Permanent	40	Yes
COLT/LT	Lebanon	30-Mar-18	Monday - Saturday: 4:00PM - 7:00PM	Monday-Saturday: 6:00AM	Yes	Permanent	40	No
STS	St. Clair	28-Feb-23	Monday - Saturday: 3:00PM - 7:00PM	Monday - Saturday: 6:30AM	Yes	Permanent	35	No
MCTA	Swiftwater	31-Aug-20	Monday - Saturday: 4:00PM - 10:00PM	Monday - Saturday: 4:00AM	Yes	Permanent	40	No
BTA	Butler	28-Feb-19	Monday - Saturday: 4:00PM - 6:00PM (Paratransit) 6:00PM - 1:00PM (Others)	Monday - Saturday: 5:00AM (Paratransit) Monday - Saturday: 7:00AM (Others)	No	Permanent	45	No
MCRCOG	Hermitage - Virginia Rd	22-Jul-20	Monday - Saturday: 12:00PM - 8:00PM	Monday - Saturday: 4:15AM	Yes	Permanent	30	No
FACT	Lemont Furnace	12-Nov-19	Monday - Saturday: 4:00PM - 6:00PM	Monday - Saturday: 5:30AM	Yes	Permanent	30	No
HPT	Hazleton	29-Nov-23	Monday - Friday 6:30PM - 8:30PM	Monday - Friday 4:50AM	No	Permanent	30	No
CAT	Harrisburg	31-Dec-2024	Monday - Saturday: 6:00PM - 9:30PM	Monday - Saturday: 3:45AM	No	Permanent	45	No
<b>Tier 3</b>								