APPENDIX D3

Instructions

The form of Energy Storage Services Agreement (Appendix D1) provided as part of the Request for Proposals made by Central Hudson Gas & Electric (Central Hudson) reflects comments made by interested parties to the FINAL Energy Storage Services Agreement (Appendix D1) posted by Central Hudson on October 4, 2021. Central Hudson expects that bidders will submit commercially viable bids on the basis of terms and conditions substantially the same as those reflected in the form.

Indication of Changes

If bidder determines that changes to the form of Energy Storage Services Agreement (Appendix D1) are necessary to give effect to bidder's proposal, then the bidder shall provide at the deadline for Round 2 Offer information:

(1) a mark-up of the form of agreement to indicate proposed changes, with specific additions (**bold and underlined**) and deletions (~~strike through~~) marked, and

(2) a separate document with a table in the format provided below explaining each change bidder included in its mark-up of the form of Energy Storage Services Agreement (Appendix D1).

Any revisions in a mark-up of the form of Energy Storage Services Agreement (Appendix D1) not explained in the table to be provided by bidder may be disregarded by Central Hudson.

Any proposed changes, especially changes to material terms, may negatively impact the competitiveness of a bid. Changes to material terms are changes that would affect the value of bidder's proposal, modify the risks and benefits provided for in the form of Energy Storage Services Agreement (Appendix D1), or are commercially or legally unacceptable in the sole judgment of Central Hudson.

Table. Proposed Changes to the form of Energy Storage Services Agreement (Appendix D1)

Section/ Exhibit	Change proposed	Explanation for change