



Appendix C
Preliminary Due Diligence
Questionnaire

2025 Request for Proposals

for

***Developmental Combined-Cycle
Combustion Turbine Capacity and
Energy Resources***

for

Entergy Arkansas, LLC

Entergy Arkansas, LLC

September 3~~May 27~~, 2025

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PRELIMINARY DUE DILIGENCE QUESTIONNAIRE

Bidders submitting a proposal in the RFP must provide a comprehensive response to each question or request set forth in this Preliminary Due Diligence Questionnaire. Bidders should respond to any question or request that does not apply to the proposed resource with an “N/A” or “not applicable.” **Bidders must respond to each question by 5:00 pm CPT on the Proposal Submission Deadline.** Bidders are required to submit their responses to the questions and request below in such a way that clearly identifies the question or request to which each response pertains, and then provide the full set of responses via PowerAdvocate to the Bid Event Coordinator.

Failure to submit a response to a question or request as required will increase the likelihood of a Bidder’s proposal being rejected as non-conforming and rejected from further consideration. Bidders should keep in mind that this Preliminary Due Diligence Questionnaire is not intended to function as a complete or prescriptive list of requirements for its proposed facility, but instead is a list of items that the RFP evaluation teams will use to assess the viability of individual projects. Any item requested in this Preliminary Due Diligence Questionnaire that is not available, not presently known, or not otherwise provided by Bidder may count against its final viability score, but will not necessarily, in and of itself, cause its proposal to be declared non-conforming.

PRELIMINARY DUE DILIGENCE QUESTIONNAIRE

1. Project Overview

Bidder must provide a reasonably thorough and accurate summary description of the project, including, but not limited to, the proposed location, site description, generation technology, nameplate capacity and the capacity of the proposed Facility at Summer Conditions, design basis, water source(s), fuel supply and transportation source(s), plan for engineering/procurement/construction, environmental compliance and permitting, status of electric and other utility interconnection, financing plan, O&M plan, and non-standard project components/considerations. Bidder must also provide operations and maintenance expectations and philosophy for the project after project completion, including, without limitation, the use of any third-party operator and any long-term service agreement with respect to any of the plant equipment. Any description in the summary will not serve to limit Bidder’s obligations to respond fully and accurately to any of the questions or requests below.

2. Bidder Experience

2.1. Relevant Background.

- 2.1.1.** Provide a detailed description regarding the background and experience of Bidder and all relevant Affiliates involved in the proposal, including the key project team members, their relation to Bidder (e.g., employee of Bidder or Bidder parent), their backgrounds, development experience, and resumes. Confirm that key project team members, in the aggregate, have had direct responsibility for the development of at least three (3) completed utility-scale projects, regardless of generation technology. Provide a list of

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all projects of similar size and technology developed, financed, and operated relative to the proposal submitted. Include in the listing the location of the project, size, in-service date, years of operations, generation technology used, and annual availability.

- 2.1.2. Provide a list of sites where Bidder has developed, built, operated, and/or maintained at least one (1) utility-scale project with the generation technology included in Bidder's proposal, including year(s) of installation, size, major equipment make and model information, and previous operational project successes and failures. Include details, such as project schedules, historical performance, and operating history.
- 2.2. Provide a list of affiliated companies, including the proposed Seller (if different from Bidder), parent companies of Bidder (as referenced in Appendix E and the Bidder Registration Form), holding subsidiaries, and predecessor companies.

3. Project Development

- 3.1. Engineering
 - 3.1.1. Has a preliminary design study been performed for the facility? If so, provide the study. If not, when is this activity expected to be completed?
 - 3.1.2. Has a detailed engineering study been performed for the facility? If so, provide the study. If not, when is this activity expected to be completed?
 - 3.1.3. Have operation and maintenance budget estimates been established for the facility under each of the following categories?:
 - Variable O&M costs – fuel, disposal, make-up water, and other costs
 - Fixed O&M costs – labor, maintenance materials, overhead burden, insurance, extraordinary maintenance, property taxes.If so, provide the supporting information reflecting the budget estimates for the categories above. If not, when are these activities expected to be completed?
 - 3.1.4. Provide the O&M Plan for the project.
 - 3.1.5. Have heat balance, material balance, and process flow diagrams been developed? If so, provide the supporting information, such as the flow diagrams, etc. If not, when is this activity expected to be completed?
 - 3.1.6. Have auxiliary power requirements been established? If so, provide the supporting information such as the amount and drivers of aux load. If not, when is this activity expected to be completed?
 - 3.1.7. What design criteria were used for the following?:
 - Architectural
 - Civil Structural
 - Controls and Instrumentation
 - Electrical
 - Mechanical.Provide supporting information, such as the design codes and summary descriptors. If the design criteria have not been completed, when are they expected to be completed?
 - 3.1.8. Has the design basis, including the following, been established for the facility site plan?

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- General arrangement
- Road and rail access
- Water supply
- Wastewater.

If so, provide the supporting information, such as would be included in an engineering study. If not, when are these activities expected to be completed?

3.1.9. Has the design basis, including the following, been established for the facility plot plan?

- The power island
- Fuel systems.

If so, provide the supporting information, such as the plot plan. If not, when are these activities expected to be completed?

3.1.10. Has the architectural design basis been established? If so, provide the supporting information, such as a summary of the design basis and corresponding documentation. If not, when is this activity expected to be completed? Confirm that all state and local building codes and zoning requirements will be met.

3.1.11. Has the civil structural design basis, including the following, been established?

- Foundations
- Proposed loads
- Design codes and materials
- Structural steel
- Roads
- Drainage
- Solid waste disposal area (if applicable)
- Chimney (if applicable).

If so, provide the supporting information, such as would be included in an engineering study. If not, when are these activities expected to be completed?

3.1.12. Has the design basis been established for controls and instrumentation, including the distributed control system and functional logic diagrams? If so, provide the supporting information. If not, when is this activity expected to be completed? Will the facility be designed and equipped to operate under automatic generation control?

3.1.13. Have the electrical design basis and specifications been established, including single line diagram and electrical system descriptions? If yes, provide the supporting information, such as the diagrams and descriptions. If not, when is this activity expected to be completed?

3.1.14. Has the design basis for mechanical design, including the following, been established?

- Gas turbine and steam turbine specifications
- HRSG, if applicable
- Fuel feed systems
- Control systems
- Heat exchangers
- Auxiliary equipment.

If so, provide the supporting information, such as would be included in an engineering study. If not, when are these activities expected to be completed?

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- 3.1.15. Has the design basis been established for balance of plant equipment? If so, provide the supporting information, such as would be included in an engineering study. If not, when is this activity expected to be completed?
- 3.1.16. Operating Parameters – The items below are required to be included or specifically addressed in any Definitive Agreement.
- Start-Up Charge (\$/Completed Start/CT) for hot, warm, and cold starts (each)
 - Start Fuel Amount (MMBtu (HHV)) for hot, warm, and cold starts (each)
 - Maximum number of Completed Starts per day and per contract year (each)
 - Minimum Run Time following a Completed Start
 - Minimum Down Time required between Completed Starts
 - Maximum Start-Up time (the amount of time permitted to achieve a start)
 - Maximum Ramp Rate.

3.2. Project Schedule

Provide a Level 2 schedule that includes major milestone events and critical path activities and associated estimated dates to achieve the successful completion of the project. Milestones that should be addressed in the schedule include, but are not limited to, the following:

- 3.2.1. Receipt of major permits (including air permits).*
- 3.2.2. Execution of major project contracts (e.g., MISO Generator Interconnection Agreement and related interconnection or deliverability contracts), prime EPC contract, site purchase).*
- 3.2.3. Proposed Full Notice to Proceed (“FNTTP”) Expiration Date (BOT proposals) or Buyer’s Required Regulatory Approvals receipt (PPA Proposals).*
- 3.2.4. Project construction financial closing (if applicable).
- 3.2.5. Site Mobilization Date.
- 3.2.6. Delivery of major equipment.
- 3.2.7. EPC contract procurement (if applicable).
- 3.2.8. Major equipment procurement dates.
- 3.2.9. Expected Mechanical Completion date.*
- 3.2.10. Expected Closing Date (BOT proposals only).*
- 3.2.11. Closing Expiration Date (BOT proposals only).*
- 3.2.12. Expected Substantial Completion Date.*
- 3.2.13. Delivery Term commencement date (PPA Proposals).*
- 3.2.14. Guaranteed Substantial Completion (BOT proposals) or Guaranteed Commercial Operation Date (PPA Proposals).*
- 3.2.15. Proposed Substantial Completion Termination Trigger Date (BOT proposals only)*
- 3.2.16. Expected Final Completion (BOT proposals only).*
- 3.2.17. Proposed Final Completion Expiration Date (BOT proposals only).*

Note: Items above marked by an asterisk “” are required to be included or specifically addressed in any Definitive Agreement.*

- 3.2.18. How much time has been allowed in the construction schedule for resolving unforeseen start-up and operations problems?
- 3.2.19. Have permits for construction been obtained? If so, provide a copy of the permit(s). If not, when is this activity expected to be completed?

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3.2.20. Has a construction project team been assembled? If not, when is this activity expected to be completed?

3.3. Cost Estimate

Provide a description of the current capital cost estimate for the project, including the following:

3.3.1. Indication of the accuracy of the estimate using an appropriate cost estimate classification system (for example, Class 1 through Class 5).

3.3.2. How the estimate was developed (e.g., third party engineering firm, in-house, vendor-supplied bids, etc.)? At a minimum, estimates should account for the following:

- Mechanical and electrical equipment
- Instrumentation and controls
- Piping
- Miscellaneous buildings and structural steel
- Site work and foundations
- Retrofit allowance (if applicable)
- Taxes (including sales taxes and tariffs)
- Engineering costs
- Indirect costs
- Spare parts
- Escalation and AFUDC/IDC
- Construction finance costs
- Fuel handling and storage equipment
- Pipeline(s) interconnection costs
- Electrical interconnection and deliverability costs
- Costs to support credit support requirements
- Any other category not listed here and reasonably expected to be included for the proposed technology.

Nothing in this request is intended to limit Bidder's responsibility to develop an all-in cost and price for the proposal or items certain costs, as expressly contemplated by the Main Body.

3.4. Insurance

3.4.1. Confirm the level of insurance coverage that will be included in the project for the following:

- Worker's compensation
- Business auto liability
- Comprehensive general liability
- Errors and omissions
- Equipment
- Excess liability insurance
- Builder's all risk insurance.

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3.5. Site Control and Assessment

Describe the status of the proposed project site, including the following:

- 3.5.1. Is the proposed site under the legal control of Bidder, and if so, under what legal form? Provide evidence of legal site control. Note that EAL prefers to acquire fee simple ownership of the plant site.
- 3.5.2. List the real estate and related facilities and real property interests, with legal description(s), required for development, ownership, use, and/or operation of the resource.
- 3.5.3. Confirm that site control could be extended if the term plus the extension option(s) is for a period less than 40 years. If less, explain the options to pursue a longer term or additional extension option(s).
- 3.5.4. If the site is not currently under the legal control of Bidder, describe the process required to gain control and provide an assessment of the risks to gaining control of the site.
- 3.5.5. Provide a site map indicating the expected boundary of the full project site, indicating which parcels are currently under Bidder's control and which are not.
- 3.5.6. Provide evidence that the project site is properly zoned for the project and the use contemplated by this RFP.
- 3.5.7. Has the proposed site been formally assessed for risks related to environmental contamination, habitat, cemeteries/buried remains, matters of historical, archeological, or cultural significance, and/or other pre-existing conditions that may render the site unusable or delay or otherwise impair or modify development? Provide the executive summary of any formal reports.
- 3.5.8. If the site has not been formally assessed for such risks, what supporting facts or actions provide assurance that the site is fit for the intended use?
- 3.5.9. Indicate what construction related surveying or testing has been performed at the site. Summarize the results.
- 3.5.10. Is the proposed project site within a floodplain or flood zone? If so, identify the flood plain or FEMA zone and the corresponding level of exposure. (See also items 5.2.7 and 5.2.8).
- 3.5.11. Are any easements, rights-of-way, servitudes, and other land or facility use agreements or real estate rights or privileges or variances required with regard to the development, engineering procurement, construction (including equipment laydown, parking, and storage), installation, commissioning, testing, ownership, use, operation, or maintenance of the facility or the project site? If so, briefly describe the needed easement(s) (or similar real estate right(s) or privilege(s)) or variance(s) and explain why they are needed.
- 3.5.12. Indicate what construction-related surveying or testing has been performed at the site and summarize the results or provide any executive summaries related to the surveying or testing.
- 3.5.13. Confirm that a geotechnical site assessment, including soil borings, has been performed. If it has, provide a copy of the report and explain how the project design takes into consideration the results of the geotechnical studies.
- 3.5.14. If a geotechnical site assessment has not been performed, state when this assessment is expected to be completed.
- 3.5.15. Describe the status of any necessary site infrastructure, including, but not limited to:

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- Water supply
 - Water conveyance, storage (detention and/or retention), and discharge features
 - Transportation/road access for construction activities and ongoing operations
 - Lay down area access for construction
 - Fuel receiving, storage, and processing area.
- 3.5.16. Provide the following details regarding the proposed site:
- Describe the exact location, i.e., street address or latitude and longitude if in a rural location
 - Provide a property plat, if available
 - Other available acreage adjacent to the site.
- 3.5.17. Provide the following documentation for the proposed site:
- Title insurance and title insurance commitments covering all real property (including appurtenant easements) comprising the proposed site
 - ALTA surveys, referencing the above title commitments, covering all real property (including appurtenant easements) comprising the proposed site, showing all existing improvements and site features, access to nearest public roads, and plotting all plottable exceptions listed on such title commitments (or noting that such exceptions are either unplottable or do not affect the site)
 - Copies of the vesting instruments for the proposed site (including appurtenant easements), and all documents listed as exceptions in such title commitments or surveys
 - Copies of real property tax documentation
 - Other available real property documentation.
- 3.6. Plant and Equipment
- 3.6.1. Describe the plant and the associated equipment in as much detail as available. Describe the status of procurement of major equipment. If procurement of the plant and equipment is not yet completed, provide details of the procurement plans.
- 3.6.2. For each piece of major equipment (prime movers, boilers, turbines, generator transformers, etc.), provide the manufacturer, make, model, and performance rating.
- 3.6.3. Describe the viability of the proposed technology, the operational reliability, and the experience, industry standing, and creditworthiness of the manufacturers of the major equipment.
- 3.6.4. Provide the rationale for the selection of the major equipment, including a description of the procurement process used.
- 3.6.5. Itemize and describe the warranties for the major components of the project.
- 3.6.6. Describe and provide published reports demonstrating that the proposed technology for the facility and related infrastructure is commercially proven.
- 3.6.7. Provide an equipment list for other equipment to be utilized at the site.
- 3.6.8. Describe the plan or Bidder/manufacturer requirements and/or expectations for operation and maintenance of the facility, including prior to the Closing, during testing, and after the Closing (BOT proposals) or the Delivery Term commencement date (PPA proposals).

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3.7. Contract Status

- 3.7.1. Provide a project team and contractor/sub-contractor organization chart.
- 3.7.2. Describe in reasonable detail the contracting plan for this proposed resource.
- 3.7.3. List and describe the licenses and other authorizations required for Bidder/Seller to undertake and complete the project or perform the associated work under applicable rules, regulations, and other laws.
- 3.7.4. Is a signed EPC contract in place for the facility? If so, identify the EPC contractor and the EPC pricing structure. If not, provide the following information and answer the following questions:
 - When is the EPC contract for the facility expected to be executed?
 - Is a signed letter of intent in place with an EPC provider?
 - If no such letter of intent is in place, have proposals been requested from possible EPC providers?
 - Provide the EPC pricing structure contemplated for the project.
- 3.7.5. If Bidder does not intend to use a traditional EPC contract for the facility, provide the following information and answer the following questions:
 - Describe contracting methodology.
 - Are signed contracts in place for construction/construction management? If so, provide supporting documentation as well as the pricing structure. If not, provide the following information and answer the following questions:
 - When the construction/management contracts expected to be signed?
 - Are signed letters of intent in place with providers of construction/construction management services for the project? If so, provide supporting documentation as well as the pricing structure.
 - If no such letters of intent are in place, have proposals been requested from providers of construction/construction management services?
 - Provide the pricing structure contemplated for a definitive agreement.
 - Are signed contracts in place for cost and schedule control? If not, when are they expected to be put in place?
- 3.7.6. Are signed contracts in place for the following matters:
 - Project scoping
 - Design engineering
 - Support of permitting
 - Major equipment purchase
 - Long-term service agreements
 - Third-Party operators
 - Other.

If so, provide supporting information, such as a summary description of those contracts.
If not, provide a procurement plan for each of these activities.

3.8. Safety

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- 3.8.1. Provide a copy of Bidder's corporate health, safety, quality control, engineering construction, workplace, and security policies applicable to the project.
- 3.8.2. Provide metrics for safety for the last three (3) years, plus current metrics, for Bidder's and any of Bidder's proposed or expected prime contractors and subcontractors, including, without limitation, total recordable incident rate (TRIR), Days Away Restricted or Transferred (DART), OSHA willful or serious citations, near-miss incidents, fatalities, # of years in business, AVETTA data, etc.

4. Electric Interconnection & Transmission

4.1. Interconnection/Deliverability

- 4.1.1. If available, provide the interconnection and transmission costs for the proposed facility and a description of each associated upgrade or improvement; otherwise, provide:
 - The interconnection and transmission costs and associated upgrades or improvements that have been identified and/or estimated by MISO with respect to the interconnection application for the proposed facility (inclusive of any request for ERIS and NRIS and/or ERIS and NITS, as applicable, and any other required deliverability service for the proposed facility)
 - The interconnection and transmission costs and associated upgrades or improvements that have been identified and/or estimated by Bidder for the proposed facility, and if different from the MISO estimate, the reason(s) for the difference
 - The interconnection and transmission costs for the proposed facility included in the proposal pricing.
- 4.1.2. If available, provide a copy of the generator interconnection agreement and any and all related or similar agreements for the resource that have been executed or that are material for the facility's interconnection, deliverability, or transmission capabilities.
- 4.1.3. Include in the response(s) to item 4.1.1 above a breakdown of the actual (if available) or estimated (if not) transmission owner interconnection facilities costs, standalone network upgrade costs, network upgrade costs, affected system costs, and any other material interconnection, deliverability, or transmission costs for the resource.
- 4.1.4. Include in the response(s) to item 4.1.1 above the estimated timeframe for completion of each estimated upgrade.
- 4.1.5. Confirm that the interconnection, deliverability, and transmission costs included in Bidder's proposed pricing are adequate, in Bidder's judgment and experience, for the costs and risks associated with the interconnection of the resource to the transmission system in MISO and the deliverability and transmission of power to and from the point of interconnection.
- 4.1.6. Confirm that Bidder has agreed to accept the risk that the final interconnection, deliverability, and transmission costs may exceed the costs included in the proposal pricing and that the interconnection, deliverability, and transmission upgrades may be completed later (or earlier) than scheduled or expected.
- 4.1.7. If not included in a response above under Site Control and Assessment, provide any available information or Bidder's plan regarding land options, land purchase agreements, permits, etc. required for the installation of or to use the interconnection

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facilities, e.g., transmission line (including any gen-tie line) or interconnection rights-of-way.

5. Environmental

- 5.1. List any known or potential environmental impediments to project development. Provide any associated documentation and describe the plan to mitigate each such impediment.
- 5.2. Land/Groundwater
 - 5.2.1. Have the previous land uses for the facility/site been identified? If so, list those uses or provide the supporting information.
 - 5.2.2. Have any potentially contaminated sites adjacent or reasonably near the project site been identified? If so, list and describe those identified.
 - 5.2.3. Has an environmental impact study been conducted for the facility/site? If so, provide a copy of the study.
 - 5.2.4. Provide the number of groundwater monitoring, extraction, or production wells at the facility/site and provide copies of state registrations for each well.
 - 5.2.5. Does documentation exist on the details of the geological or hydrogeological nature of the soil and groundwater underneath the project site? If so, provide the supporting information.
 - 5.2.6. Has a wetlands survey been completed for the proposed site? Have any potential wetlands been identified on the property? Provide a copy of each wetlands survey (if any) that has been completed, including desktop reviews and on-site surveys.
 - 5.2.7. Has the site been evaluated to determine if it is located in a flood hazard area? If so, identify the FEMA flood zone, the corresponding level of exposure and provide a copy of the study.
 - 5.2.8. If the site is within a 100-year floodplain or flood prone area, provide a detailed flood mitigation plan.
- 5.3. Permitting
 - 5.3.1. Provide a list of all environmental, construction, and operation permits required for the ownership, use, operation, or maintenance of the project by the project owner or operator or any of its Affiliates. Provide a copy of any permits received for the project to date.
 - 5.3.2. Provide evidence that Bidder has completed all permitting due diligence necessary to prepare to apply for all required permits (e.g., a copy of the draft permit application(s), or a summary of the permit application requirements, including how those requirements will be met).
 - 5.3.3. Provide a “Phase I” environmental site assessment according to ASTM E1527-21 or evidence and documentation of due diligence specific to the proposed site necessary and sufficient to support such an assessment (e.g., documentation of work necessary to meet the primary components required under a Phase I according to ASTM E1527-21).
 - 5.3.4. Describe the Cross-State Air Pollution Rule (CSAPR) (or the equivalent regulation in place or proposed) compliance requirements and the quantity of emission allowances allocated to the generating facility.

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- 5.3.5. Bidder must disclose any reasonably anticipated permitting obstacles and any pending claims, actions or disputes related to permitting activities completed to date.
- Has Bidder contacted or otherwise been in communication, directly or indirectly, with any of the local governing bodies regarding the proposed project?
 - If so, for each such governing body, indicate whether it has expressed opposition to or support of the project and briefly summarize its position.
- 5.3.6. Will the site be required to have a Spill Prevention Control and Countermeasure (SPCC) plan? If so, describe and provide a copy of the plan.
- 5.3.7. Were any de minimis conditions identified in the project site assessments? If so, describe the condition and any expected effect on the project development or schedule.
- 5.4. Air/Noise/Aviation/Wetlands/Archeological/Endangered Species
- 5.4.1. Have the requirements for the project site or the facility to comply with applicable noise, Federal Aviation Administration, Department of Defense, avian, wetlands, archeological, cultural resources, historical preservation, protected species, and endangered species rules, regulations, and laws been determined and assessed? If so, state any special concerns or limitations and note whether any studies or regulatory compliance activity has been undertaken by or for the current project owner or any Affiliate (or is held by the current project owner any Affiliate as a successor in interest) or submitted to any governmental agency.
- 5.4.2. Has the site or facility been evaluated to determine air permitting concerns or needs related to project construction? If so, state any special concerns or limitations and note whether any air permitting activity has been undertaken by the project owner or any Affiliate (or is held by the current project owner any Affiliate as a successor in interest) or submitted to any government agency.
- 5.4.3. Provide the current National Ambient Air Quality Standards (NAAQS) attainment status for the project region, and address any potential changes to the status based on proposed or recently promulgated NAAQS standards, on a pollutant basis for all criteria pollutants?
- 5.4.4. What are the anticipated controls for air emissions and noise related to the project?
- 5.4.5. Have the anticipated hourly maximum and annual emissions of NO_x, SO₂, CO, VOC, PM₁₀, and PM_{2.5} from the project been determined? If so, provide the emission values.
- 5.4.6. What are the OEM design emission rates for NO_x, SO₂, CO, VOC, PM₁₀, and PM_{2.5} for the project's generating technologies prior to any planned or designed-in-place emissions control? What are the OEM design emission rates for NO_x, SO₂, CO, VOC, PM₁₀, and PM_{2.5} for the generating technologies in consideration of any planned or designed-in-place emissions controls?
- 5.4.7. Identify the location of the nearest residence.
- 5.4.8. Identify the location of the nearest business.
- 5.5. Water/Tanks/Waste
- 5.5.1. Describe the proposed primary source for the plant's raw water supply, including physical and contractual requirements to access, adequacy, and availability, quality specifications and requirements, maximum design flow rates capable of meeting

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- generating resource requirements at full load (including duct-firing if included as part of the facility), and any available alternatives.
- 5.5.2. Has a compliance plan been developed to meet federal 316(b) regulations, if applicable? If so, provide a copy of the compliance plan.
- 5.5.3. What is the anticipated source and estimated daily usage of water at the proposed facility? Are there any state usage fees or taxes associated with the water source?
- 5.5.4. Has a water supply source been identified? If so, provide and describe the supply type.
- 5.5.5. Are identified water source(s) capable of supplying the maximum design requirements of the facility?
- 5.5.6. What is the expected daily wastewater discharge rate (in mgd) of the facility?
- 5.5.7. Describe the type and disposal management method for waste generated or anticipated to be generated at the project site.
- 5.6. Environmental Compliance (applicable to brownfield project development sites or existing facilities except where noted)
- 5.6.1. Provide copies of any facility or project site environmental audit reports, including results and corrective actions (including audits conducted internally and externally by federal or state agencies).
- 5.6.2. Have there been any compliance actions as a result of prior environmental audit findings?
- 5.6.3. Has the facility/site received or been the subject of any complaints from governmental authorities, citizen groups, or activists concerning environmental matters involving the project owner or any of its Affiliates or, to Bidder's or any such Affiliate's knowledge, any prior owner or developer? (Greenfield development proposals should respond as well.)
- 5.6.4. Does the Bidder/project owner have (i) an environmental policy or statement of environmental commitment and (ii) an environmental management system? (Greenfield development proposals should respond as well.) If so, provide a copy of the policy(ies).
- 5.6.5. Has an assessment been made to determine if any material capital expenditures or material expenses need to be incurred to comply with any existing or proposed (whether in preliminary or final form) environmental regulations? If so, describe the assessment and its results.
- 5.7. Operations (applicable to brownfield sites except where noted)
- 5.7.1. Are there any proposed or pending environmental regulatory changes that would affect the plant operating status? Will facility equipment changes be required? If so, list and describe each pending change.
- 5.7.2. Are there any environmental authorizations that (i) limit production or throughput or (ii) would render it necessary to increase significantly the volume of production or throughput at the facility? (Greenfield development proposals should respond as well.)
- 5.7.3. Have there been any discontinued operations of the owner and any of its Affiliates at the location of the facility/site?
- 5.7.4. Has an assessment been made to determine if any material capital expenditures or material expenses need to be incurred to comply with any existing environmental regulations? (Greenfield development proposals should respond as well.)

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5.7.5. Has an assessment been made to determine if any material capital expenditures or material expenses need to be incurred to comply with any environmental regulations that have been proposed (whether in preliminary or final form) but have not become effective? (Greenfield development proposals should respond as well.)

5.8. Community Outreach

5.8.1. Provide your plan for community outreach.

5.8.2. Provide a summary of Bidder's actions to date for community outreach and/or communication with nearby businesses and residences.

5.8.3. Provide documentation of any community support or opposition.

6. Project Structure, Credit, and Financial Information

6.1. Provide a detailed description and organizational chart of the projected ownership structure for the project on and at least three years following the Closing (BOT Transaction) or Delivery Term commencement date (PPA/Toll Transaction).

6.2. Provide a reasonably detailed summary of the Bidder's/developer's plan for structuring and funding the project financing, including the sources of debt and equity.

6.3. For BOT Transactions, advise whether Seller intends to use balance sheet or unaffiliated third-party financing.

6.4. Provide evidence of at least one recent successful financing completed by Bidder (or an Affiliate) or that potential lenders have been engaged in initial, bona fide discussions to ascertain interest in, and market conditions and indicative terms for, financing the project.

6.5. Provide Bidder's/seller's plan for meeting the credit and collateral requirements outlined in the RFP (including Appendix E), including the form of collateralization Bidder intends to offer to meet the credit and collateral requirements.

6.6. For BOT Transactions, describe the form of collateralization (letter of credit, cash holdback, or combination of both) that Seller will utilize during the period from the Closing through the release of post-Closing credit support, including, if a blend will be used, the percentage that will come via letter of credit and the percentage from cash holdback.

6.7. With respect to the proposed project, list any actual or expected

- Plant-specific debt instruments
- Credit agreements, indentures, letters of credit, reimbursement agreements, guarantees, indemnity or assumption agreements and agreements relating to contingent obligations and any amendments thereto
- Security or pledge agreements
- Agreements or instruments evidencing a lien or encumbrance on or other right with respect to any plant assets relevant to financing the project.

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- 6.8. Provide, in PDF form, the current pro forma financial statements for the proposed project, the audited financial statements for Seller for the most recent two years, and the current-year reviewed quarterly financial statements, including the auditor's opinion and notes to the financial statements, the balance sheet, the income statement, and the cash flow statement (indicating which of the following are being submitted: 10-Ks, 8-Ks, 10-Qs, and Other (describe)), along with the long-term debt structure and lien information that might affect the creditworthiness of Bidder.
- 6.9. Any proposal must include the information requested below for Seller in respect of any Definitive Agreement:
- 6.9.1. Type of Business
- Corporation
 - Limited Liability Company
 - Partnership
 - Other (describe).
- 6.9.2. Organization
- Legal Corporate Name
 - Street Address
 - City, State, Zip Code
 - Dun & Bradstreet Number
 - Federal Tax ID Number
 - Beneficial Ownership
 - List of Executives and Directors.
- 6.9.3. Credit Contact
- Name
 - Title
 - Phone Number
 - Email Address.
- 6.9.4. For Corporations/Limited Liability Companies
- Date and State of Incorporation/Registration
 - Street Address
 - City, State, Zip Code
- 6.9.5. For General Partnerships
- Name of General Partner
 - Address of General Partner/Registered Agent
 - City, State, Zip Code
- 6.9.6. Most recent credit rating (if any) as determined by Moody's and/or S&P and/or Fitch.

To the extent the information in 6.9 and 6.10 was requested and provided as part of the Bidder Registration Process, Bidder may note that fact in its response and provide only the material and information not previously provided. If financial information is consolidated with other entities, the

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data related to Seller or Seller Parent Guarantor must be extracted and submitted as separate documents by Bidder.

- 6.10. A list and summary of any pending claims, actions, disputes, or other proceedings currently pending or threatened against the project.
- 6.11. Copies of all bankruptcy court filings or orders, including the order releasing Bidder or Seller, from or terminating the applicable bankruptcy proceedings, and any order that could reasonably be expected to adversely affect the proposed project or credit support for Seller's obligations with respect to the project.

7. Taxes

- 7.1. Provide any tax abatement or other tax reduction or similar agreement executed by or on behalf of Bidder/Seller or any Affiliate with any federal, state, or local authority with respect to or affecting the project or the project site, including all amendments to any such agreement. If no such agreement is in place, identify and describe any proposed tax abatement or tax reduction proposed for the project (including, without limitation, any arrangement involving industrial development bonds) or assumed in the proposed purchase price.
- 7.2. Provide relevant documents related to any formal or informal property tax protests, litigation filed, related correspondence, legal opinions received, and judicial or administrative decisions rendered during the last ten years and year-to-date, and current status of any such proceedings.
- 7.3. Provide copies of any formal or informal property tax agreements (i.e., PILOT, TIP, etc.) with state or local authorities in force during the preceding five years, or effective in the current year or succeeding years.
- 7.4. List of all applicable tax jurisdictions, tax rates, millage rates, assessment ratios, current equalization ratio.
- 7.5. As addressed in more detail in Section 10 below, for all proposed transaction types BOT resources, including, without limitation, BOT, PPA, and Tolling Agreements, EAL desires to preserve the ability for to install CCS (as defined in Section 10 below) facilities to be installed on the proposed ~~reduce the volume of certain emissions released into the atmosphere from the~~ generation facility. The feasibility of the addition of CCS facilities for the generation facility would depend on the availability of an increased amount of federal tax credits under section 45Q of the Internal Revenue Code of 1986, as amended (Increased 45Q Credits). To be eligible for the Increased 45Q Credits, the construction, alteration, and repair of the generating facility and the CCS facility must satisfy certain requirements under the Prevailing Wage and Apprenticeship section of the Inflation Reduction Act of 2022 and related guidance and laws (PWA Requirements). The scope of work to be performed by

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Bidder/Seller as part of the proposed BOT transaction will include compliance with the PWA Requirements applicable to the receipt of Increased 45Q Credits for CCS facilities.

- 7.5.1. Confirm that Bidder/Seller will comply (and cause its project contractors and subcontractors of any tier to comply) with the PWA Requirements applicable to the receipt of Increased 45Q Credits for CCS facilities in the performance of the work under the proposed transaction BOT Agreement.
- 7.5.2. Confirm that the proposed purchase-price for the proposed transaction project and related assets accounts for and includes Bidder's/Seller's costs to comply with (and to cause its project contractors and subcontractors of any tier to comply with) the PWA Requirements.

8. NERC/CIP Compliance

- 8.1. Provide a summary of Bidder's compliance plan for the proposed resource that will form the basis for a more detailed plan to ensure compliance with any applicable NERC/CIP requirements for the proposed project before, upon, and after placement in service.
- 8.2. If known, provide the CIP impact level of the interconnection and plant facilities.

9. Fuel Supply & Transportation

- 9.1. Identify what natural gas pipelines are available to interconnect to the facility.
 - 9.1.1. Have the interconnect agreements been completed? If so, provide a copy of the contract(s). If not, when is this activity expected to be completed?
 - 9.1.2. For planned or executed interconnections, provide the identity of the pipeline, the pipeline zone of service, and the pipeline operating pressure.
 - 9.1.3. For each pipeline that is expected to be interconnected to the project, provide an estimated timeline for the completion of the interconnection (and any related work), with key milestones for approvals to completion. Also provide the meter size for the interconnection and other material information pertinent to the performance and capabilities or limitations of each of the gas meters and interconnections.
 - 9.1.4. Provide the designed range of gas flow capability for each pipeline to be connected to the generating facility.
 - 9.1.5. If the generating facility will interconnect with multiple pipelines, will those pipelines be able to flow gas to the facility simultaneously? If so, what mode (pressure or flow control) will each pipeline be designed and contracted to operate under during simultaneous flow? Will they be able to operate in either mode or limited to one only?
 - 9.1.6. Do any pipeline or fuel-related easements, rights-of-way, servitudes, and other land or facility use agreements need to be executed or contemplated for fuel service to or by the Facility or the project site? If so, list all easement agreements expected to be executed.
 - 9.1.7. Are there any natural gas pipelines within five (5) miles of the development site that will not be interconnected with the generating facility? If so, list the pipeline(s).
 - 9.1.8. Will any piping under the generating facility's ownership extend beyond the boundaries of the facility? If so, which regulatory authorities will have jurisdiction over and regulate that piping? If so, will that piping be operated and maintained by the owner of

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- the facility? [Note that Buyer strongly prefers not to own segments of gas pipelines located beyond the boundaries of the main project site]
- 9.1.9. Provide the planned design pipeline pressure and the maximum allowable operating pressure (MAOP) for the in-plant gas piping. Confirm the pipeline's ability to maintain the pressure necessary and appropriate to serve the project and identify any necessary or recommended compression equipment (including capacity) or other pressure regulation equipment or systems for gas service to the generation units. Will the in-plant piping be designed to exceed the MAOP of the delivery pipelines? If not, what protection will be put in place to prevent over-pressurization of the in-plant piping?
- 9.1.10. For each new pipeline include material details such as type, size, length, number/length of river or wetlands crossings.
- 9.1.11. Bidder must separately identify the cost estimate to interconnect the resource with each natural gas pipeline that would be directly interconnected to the project.
- 9.1.12. Provide reasonable evidence that the natural gas pipeline(s) that would serve the project can provide firm capacity as well as necessary flexible flow parameters that would meet the operating design parameters of the unit, such as gas quality, and identify any additional services offered by the pipeline (e.g., imbalance, non-ratable service, swing capability, imbalance provisions) and level of firm deliverability (e.g., primary firm, secondary firm, any access to storage) and any other aspects that could meet the appropriate level of reliability.
- 9.1.13. Identify the pipeline easements and rights-of-way necessary for each pipeline interconnection covered in and supported by the project cost estimate.
- 9.2. Have gas transportation agreements been executed? If so, provide a copy of the agreement(s). If not, when is this activity expected to be completed?
- 9.3. Have the following elements been determined for the facility's fuel supply:
- 9.3.1. Pipeline ability to deliver gas according to the technical requirements of the generation unit(s)?
- 9.3.2. Minimum pipeline pressure required to operate the facility's generating unit(s)?
- 9.3.3. Adequate measurement facilities and ability to access and monitor such equipment?
- 9.3.4. Determination of which party controls gas flow, the delivering pipeline or the facility operators?
- 9.3.5. Clarification of points of ownership and clarification of maintenance responsibilities between pipeline and facility owners or operators?
- 9.3.6. Process required to adjust gas flow?
If so, provide the supporting information. If not completed, specify when each of these activities is expected to be completed.
- 9.4. Have the following elements of the gas supply contract been completed:
- 9.4.1. Counterparty?
- 9.4.2. Source of supply?
- 9.4.3. Price?
- 9.4.4. Term of Contract?
- 9.4.5. Firmness of Service?

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- 9.4.6. Also clarify the pipeline capacity reserved for this supply service, through transporting pipeline to facility?
- 9.4.7. Imbalance provisions?
If they have been completed, provide the supporting information. If not completed, specify when each of these activities is expected to be completed.
- 9.5. If the elements in item 9.4 above have been agreed to with the provider/counterparty, are there any executed supply agreements or other commitments in place? If so, provide the specific elements of each agreement and/or a copy of the agreement(s) as listed in item 9.4 above.
- 9.6. Will natural gas purchases be “FOB to the development site” or require separate transportation arrangements through pipelines for delivery to the development site?
- 9.7. What type of assurances are planned to protect the facility from fuel curtailments during severe conditions such as hurricanes and other extreme weather conditions?
- 9.8. Provide the hourly (instantaneous) and daily swing flexibility expected under each planned fuel supply source. Define limitations of fuel delivery which may limit the operation of the generating facility between its minimum and maximum.
- 9.9. Define any applicable state and local taxes which apply to the fuel(s) planned to be in use at the facility.
- 9.10. Confirm that sufficient firm gas transportation capacity and service for the facility will be contracted for from at least one interstate or intrastate natural gas pipeline to the facility at the necessary operating pressure for operation of the generator(s) at the facility (accounting for, if applicable, pressure loss between the gas delivery point(s) at the facility and the applicable generating unit).
- 9.11. Confirm that, in addition to providing sufficient capacity at the necessary operating pressure for the facility to operate a full load, the natural gas pipeline will have the capability to provide an incremental 30,000 Dth/day to 35,000 Dth/day of capacity to meet the requirements associated with potential future carbon capture and storage facilities for the project at the project site (see item 10 below).
- 9.12. If booster compression is needed or will be utilized on the gas pipeline lateral(s) to the facility to meet the operating pressure requirements of the facility’s generation units, confirm that there will be full compression redundancy on the pipeline to meet the operating pressure and fuel requirements for operation of the facility’s generation units at full load.
- 9.13. Will the generating unit(s) be designed with dual fuel or blended fuel (e.g., natural gas and hydrogen) capability? (Note that the Scope Book requires Bidder to retain any inherent hydrogen capability of the generation components of the proposed plant (see, e.g., Sections A-6.26.23.5 and A-18.1.2.2.18). To ensure clarity, EAL is not requiring Bidder to implement
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all balance of plant improvements and requirements for the proposed generation facility to co-fire hydrogen, but rather to design the proposed generation facility in a way that anticipates and reasonably allows for future hydrogen co-firing (e.g., sizing of piping that is below foundation).

- 9.13.1. If so, describe the type of fuels and/or fuel blends that can be combusted (including blend composition percentage limitations and quality requirements/specs) and clarify any operating restrictions placed on the unit(s).
- 9.13.2. Provide the hydrogen co-firing capability of any equipment submitted into the RFP, including information on the inherent capabilities of the proposed power island equipment and any balance of plant equipment.
- 9.14. If an alternative or dual fuel capability is planned, and that fuel is either diesel or some other type of liquid commodity, provide the storage capacity of the tanks designed to contain the fuel. Also provide the mechanism for re-supply of the alternative fuel. If storage tanks are used, detail the maintenance schedule used to ensure their condition is maintained. Can the alternative fuel be delivered and off loaded simultaneously, while the facility is burning that fuel?
- 9.15. If the generating facility consists of more than one power block, will each power block have separate fuel metering equipment?
- 9.16. Provide the OEM primary and alternative fuel quality design requirements for the generating units to be installed.
- 9.17. Will separate fuel metering equipment be installed to measure the amount of fuel consumed by the project? If so, will such equipment meet the same AGA specifications used by the delivering pipelines, which measure and operate the “custody transfer” metering equipment? Provide the manufacturer and type of metering equipment. Include check meters and relevant details of the plan for check metering.

10. Carbon Capture & Storage (BOT Resources Only)

- 10.1 EAL estimates that at least 75 acres of land will be required to preserve the potential addition of carbon capture and storage (CCS) facilities to any proposed generation facility that meets the requirements of the RFP.
 - 10.1.1 Confirm that at least 75 acres of land that could accommodate the potential future construction, installation, ownership, use, operation, maintenance, repair, and removal of CCS facilities for the proposed generation project is under Bidder’s (or an Affiliate of Bidder’s) control, specifying the type of control (e.g., ownership in fee or one or more binding purchase options, and, for the latter, details relevant to the exercise of the purchase option(s)).
 - 10.1.2 Describe such land, including maps and legal descriptions. If the land is not included in the project site used for purposes of other questions and requests herein, provide responses with respect to such land to other questions or information requests in item 3.5 above and other provisions of this Preliminary Due Diligence Questionnaire.

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- 10.1.3 If at least 75 acres is not under Bidder's (or an Affiliate of Bidder's) control, provide an explanation and documentation demonstrating that CCS optionality for the proposed generation facility is or will be preserved.
- 10.2 In addition to adequate land, preservation of the potential to add CCS facilities to the proposed generation facility will require that the design and layout of the generation facility anticipate and reasonably allow for the construction, installation, ownership, use, operation, maintenance, repair, and removal of the CCS facilities that would serve the generation facility. For example, the design and layout of the proposed generation facility will need to preserve a reasonable route for duct work to transfer flue gas from the HRSG/stack to the carbon capture facilities.

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