

**TEXAS** Law

## What is an Off-Take Contract?

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PPA = secure, long-term revenue stream

### **Common Off-Take Structures**

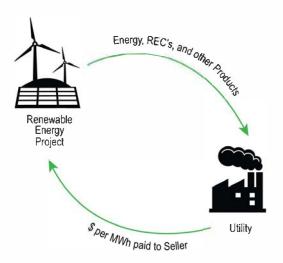
- Physical PPA
- Virtual PPA
- Tariff Programs
- Tolling Agreements
- Merchant Sales
- REC or Other Product Sales



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# **Physical PPA**



- Bilateral agreement
- Seller sells energy and other products to Buyer
- Energy is physically delivered so requires transmission
- Buyer pays Seller \$/MWh

### **Virtual PPA**

Map of Regional Transmission Organizations and Independent System Operators



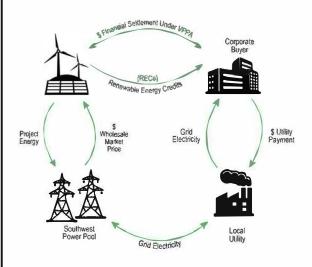
- Financially-settled arrangement
- Seller sells energy to market (may sell other products to Buyer)
- Seller and Buyer can be in different markets
- Buyer effectively guarantees Seller minimum \$/MWh

Credit: Federal Energy Regulatory Commission (FERC), https://www.ferc.gov/introductory-guide-electricity-markets-regulated-federal-energy-regulatory-commission

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## Virtual PPA (a/k/a contract for differences)



- 1. Buyer continues to purchase electricity from market or local utility
- 2. Parties sign VPPA = Seller delivers RECs to Buyer and Buyer guarantees a fixed price payment for each MWh of Project energy produced
- 3. Seller sells "brown" electricity into market and receives wholesale market price at Project node
- 4. Parties financially settle difference between VPPA fixed price and wholesale market price at Settlement Point
  - If VPPA fixed price is greater than Settlement Point market price, Buyer pays Seller the difference
  - If Settlement Point market price is greater than VPPA fixed price, Seller pays Buyer the difference



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