

Viridian Pipeline Schedule 3 Terms of Transportation Summary

Commencement Date (conversion complete and system placed in service)	Targeted start-up date of May 2010; could be as early as Fourth Quarter 2009
Initial Operational Capacity	At least 100 mbd
Potential Expanded Operational Capacity	200 mbd
Commitment Term(s)	10 year and 15 year options
Minimum Volume Commitment	5 mbd
Transportation Rate(s)	10 Year Commitment - \$1.57 per barrel 15 Year Commitment - \$1.37 per barrel Uncommitted Rate - \$1.88 per barrel
Rates increased annually per FERC index	Yes, starting with the Effective Date of the TSA
Total Capacity available to Committed Shippers	Up to 90%
Committed Capacity Proration	BP Pipelines proposes that shippers will be guaranteed "firm" capacity to the extent their commitments are accepted in the Open Season process. The Proration Policy will apply to the extent a force majeure event occurs reducing available capacity on the total system.
Uncommitted Capacity Proration	Shippers using the uncommitted capacity will build historical proration rights. New Shippers will be allocated 10% of uncommitted capacity.

Committed Capacity Extension Terms	As the committed capacity expires and becomes available in the future an open season may be held in which all interested shippers will be given an opportunity to commit to transport a specified volume of crude oil in the pipeline.
Operating Tankage at Cushing	Operating tankage will be available to allow for redelivery of the barrels to connecting carriers and/or terminals and will be included in the published tariff.
Penalty for failure to meet Commencement Date	Parties to the agreement will not be liable for delays in estimated Commencement Date.
Deficiency Payments	If Actual Shipments total less than the product of Volume Commitment multiplied by number of days in that Month, Shipper will make a payment equal to the Monthly Deficiency Quantity multiplied by the applicable Committed Rate.
Deficiency Carryforward	Deficiency Payments shall be treated as prepaid transportation during the one (1) year period immediately following the expiration of the applicable month during which the deficiency occurred, subject always to there being sufficient Available Capacity. Prepaid transportation credits will be forfeited at the expiration of such one (1) year period, whether or not there was sufficient Available Capacity to permit utilization of credit.
Commitment	Upon execution of the TSAs by the parties, Shippers will be committed to take capacity pursuant to the terms thereof, notwithstanding any changes to the rates, and/or terms and conditions required by any state or federal regulators.