



December 29, 2023

ACNR Coal Sales, Inc.  
 46226 National Road  
 St. Clairsville, OH 43950  
 Attn: Coal Contract Administration

Re: Coal Purchase and Sale Agreement No. 07-77-05-900 dated January 6, 2006 by and between Wheeling Power Company (assignee from Kentucky Power Company) ("Buyer") and ACNR Coal Sales, Inc. (assignee from Consolidation Coal Company and McElroy Coal Company) ("Seller")

Amendment No. 2023-2

Gentlemen:

Reference is made to the above-captioned Coal Purchase and Sale Agreement, as amended (the "Agreement"), under which Seller is supplying Coal to Buyer and Buyer is purchasing Coal from Seller. Capitalized terms not defined herein shall have the meaning set forth in the Agreement.

Buyer and Seller do hereby agree to the following amendments to the Agreement, which amendments shall be deemed effective as of the Effective Date set forth in the Settlement Agreement and Release, dated December 29, 2023, between Buyer and Seller:

- 1.) Article V, Section 5.1, Contract Price, is amended by deleting Table 5.1.1 and its Associated Footnotes in their entirety and inserting the following Table 5.1.1 and its Associated Footnotes in lieu thereof:

Table 5.1.1

<b>Contract Price (8)</b>		
<b><u>Contract Year</u></b>	<b><u>Marshall County Mine/ Non-Mitchell</u></b> <sup>(1)</sup>	<b><u>Marshall County Mine/ Mitchell</u></b> <sup>(1)</sup>
2016	\$49.177	\$50.177
2017	\$50.139 <sup>(2)</sup>	\$51.139
2018	\$42.062 <sup>(3)</sup>	\$43.062
2019	\$38.858 <sup>(4)</sup>	\$39.858
2020	\$41.287 <sup>(5)</sup>	\$42.287
2021	\$40.921 <sup>(6)</sup>	\$41.921
2022	\$41.157 <sup>(7)</sup>	\$42.157
2023	\$36.500	\$37.500
2024	\$40.750	\$41.750

Table 5.1.1 Associated Footnotes:

- (1) Unless otherwise stated, the Segment prices contain a WV Special Reclamation Tax rate of \$0.279 per Ton, effective as of July 1, 2012. Said tax rate is subject to change based on periodic reviews by the West Virginia State Legislature.
- (2) The Contract Price reflects 667,000 Tons at \$55.620 per Ton and 666,000 Tons at \$44.650 per Ton.
- (3) The Contract Price reflects 666,000 Tons at \$46.630 per Ton and 667,000 Tons at \$37.500 per Ton.
- (4) The Contract Price reflects 667,000 Tons at \$40.000 per Ton and 333,000 Tons at \$36.570 per Ton.
- (5) The Contract Price reflects 333,000 Tons at \$37.150 per Ton and 333,000 Tons at \$42.250 per Ton and 334,000 Tons at \$44.450 per Ton.
- (6) The Contract Price reflects 333,000 Tons at \$43.100 per Ton, 334,000 Tons at \$44.900 per Ton and 333,000 Tons at \$34.750 per Ton.
- (7) The Contract Price reflects 334,000 Tons at \$45.800 per Ton, 333,000 Tons at \$36.500 per Ton and 333,000 Tons at \$38.00 per Ton.
- (8) Due to the establishment of firm Contract Prices (except for adjustments to pricing due to Quality Adjustments), Section 5.2 (a), (b), and (c) are not applicable for Contract Years 2023 and thereafter.

Except as amended herein, all other provisions of the Agreement shall remain in full force and effect. If you are in agreement with the foregoing, kindly indicate your acceptance thereof by signing in the space provided below and by returning to Buyer as provided in the Agreement.

Sincerely,

Agreed and Accepted by:  
ACNR Coal Sales, Inc.

DocuSigned by:  
*Joel H. Jansen*  
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Joel H. Jansen  
Vice President  
Wheeling Power Company

<sup>DS</sup> *KKC*   <sup>DS</sup> *DC*   <sup>DS</sup> *EJ*

By: Robert D. Moore  
President

1/15/2024 | 5:04 AM PST

Dated: \_\_\_\_\_

Dated: December 29, 2023