

**Issue:** Motion to approve the first option as inserted in bullet number three under the Settlement Rules Section of the DaRUC whitepaper.

Date: 5-Apr-2004  
Time: 11:40 AM  
Prepared by: I. Flores

**TALLY TOTAL**

**32.4% 67.6%**

Sector/Entity	Representative	Present	Vote	Yes	No	Abstain
<b>COOP</b>						
Brazos Electric Cooperative	Roy True (proxy)	y	y	0.167	--	--
LCRA	Brad Belk	y	y	0.167	--	--
Big Country Electric Coop	Jerry Stapp			--	--	--
Rayburn Country	Eddy Reece			--	--	--
MEC	Henry Wood (web)	y	y	0.167	--	--
STEC	Mike Troell (web)	y	y	0.167	--	--
Victoria Electric	Kurt Johnson			--	--	--
Coleman County Coop				--	--	--
Southwest Texas Electric Coop				--	--	--
Taylor Electric				--	--	--
Tex-La	Valerie Anderson (alt. Rep.)	y	y	0.167	--	--
Concho Valley	Roy True (proxy)	y	y	0.167	--	--

**COOP Totals:** 6 **1.000 0.000** 0

**Municipal**

Austin Energy	Mark Dreyfus	y	y	0.167	--	--
BTU	Ray Schwertner	y	a	--	--	A
City of Garland	Dan Bailey	y	n	--	0.167	--
City of Greenville	Pat Wilkins (proxy)	y	n	--	0.167	--
CPS of San Antonio	Dan Jones	y	y	0.167	--	--
College Station	David Massey			--	--	--
Denton Municipal Utilities	Pat Wilkins (alt rep)	y	n	--	0.167	--
Brownsville	Richard Crozier	y	n	--	0.167	--

**Municipal Totals:** 7 **0.333 0.667** 1

**Investor Owned Utilities**

AEP				--	--	--
CenterPoint	Adrian Pieniazek	y	n	--	0.333	--
First Choice	Steven Moss	y	n	--	0.333	--
TXU	Larry Gurley	y	n	--	0.333	--

**IOU Totals:** 3 **0.000 1.000** 0

**Independent Generator**

ANP	Bob Helton	y	n	--	0.250	--
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Sector/Entity	Representative	Present	Vote	Yes	No	Abstain
Calpine	Randy Jones	y	n	--	0.250	--
Dynegy	Barry Huddleston			--	--	--
				--	--	
FPL Energy	Beth Garza			--	--	--
Frontera	Greg Ramon			--	--	--
PSEG Texgen I	Rafael Lozano	y	n	--	0.250	--
Tenaska	Brad Cox	y	a	--	--	A
Tractebel	Cesar Seymour	y	n	--	0.250	--
<b>Ind Gen Total:</b>		5		<b>0.000</b>	<b>1.000</b>	<b>1</b>

## Consumers

### Consumers/Residential

OPC	Kenan Ögelman	y	n	--	0.333	--
				--	--	--
Residential Consumers	Shannon McClendon			--	--	--
<b>Residential Total:</b>		1		0.000	0.333	<b>0</b>

### Consumers/Commercial

HEB				--	--	--
Walmart	Kenan Ögelman (Proxy)	y	n	--	0.333	--
CDM Energy Management				--	--	--
Seven Eleven				--	--	--
Randall's				--	--	--
<b>Commercial Total:</b>		1		0.000	0.333	<b>0</b>

### Consumers/Industrial

BP Energy	Jeff Holligan			--	--	--
Air Products & Chemicals	Steve Madden (proxy)	y	y	0.048	--	--
Marathon Oil				--	--	--
Halliburton	Steve Madden (proxy)	y	y	0.048	--	--
BOC Gases	Steve Madden (proxy)	y	y	0.048	--	--
Texas Instruments	Steve Madden (proxy)	y	y	0.048	--	--
Chevron Phillips				--	--	--
Prexair, Inc				--	--	--
Flint Hills Resources, L.P.				--	--	--
Valero Refining - Texas, L.P.	Steve Madden (proxy)	y	y	0.048	--	--
Exxon Mobil & Gas Services				--	--	--
Dow Chemical	Eliezer Maldonado	y	y	0.048	--	--
Oxy	Steve Madden	y	y	0.048	--	--
<b>Industrial Total:</b>		7		0.333	0.000	<b>0</b>
<b>Consumer Subgroups Present:</b>		3				
<b>Consumer Subgroups Abstaining:</b>		0				
<b>Consumers Total:</b>		9		<b>0.333</b>	<b>0.667</b>	<b>0</b>

### Independent Rep

Green Mountain	Terri Eaton	y	n	--	0.111	--
Direct Energy	Smith Day (web)	y	n	--	0.111	--
Constellation	Clayton Greer	y	n	--	0.111	--
Cirro	William Lewis	y	n	--	0.111	--
Gexa	William Lewis (proxy)	y	n	--	0.111	--
Tara Energy				--	--	--

Sector/Entity	Representative	Present	Vote	Yes	No	Abstain
TCE				--	--	--
Hino	Margarita Fournier (proxy)	y	n	--	0.111	--
Spark Energy L.P.	Margarita Fournier (alt rep)	y	n	--	0.111	--
TriEgle Energy	Margarita Fournier (proxy)	y	n	--	0.111	--
CAPP				--	--	--
Entergy Solutions	James Striedel			--	--	--
Strategic Energy	Read Comstock (web)			--	--	--
Utility Choice	Gary Waters (proxy)	y	n	--	0.111	--

<b>Ind Rep Total:</b>	9	<b>0.000</b>	<b>1.000</b>	<b>0</b>
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#### Independent Power Marketers

				--	--	--
Cargill Power & Gas Mkts	Gabriel C. Ejebe			--	--	--
Longhorn Power	Bob Wittmeyer	y	y	0.200	--	--
Exelon	Kristy Ashley	y	n	--	0.200	--
Coral Power	Jeff Brown	y	n	--	0.200	--
Reliant Energy	John Meyer	y	y	0.200	--	--
				--	--	--
Mirant	Dottie Stockstill	y	y	0.200	--	--

<b>Ind Power Marketers Total:</b>	5	<b>0.600</b>	<b>0.400</b>	<b>0</b>
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<b>All Sectors Voting Totals</b>		<b>2.267</b>	<b>4.733</b>	<b>7.000</b>
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<b>Tally Total</b>	<b>32.4%</b>	<b>67.6%</b>
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