

Issue: Motion by Kenan Ögelman & second by C. Greer to approve the greater of 10.5 MMBTU/MWh x FIP or Resource's verifiable costs plus a capacity factor adder for RT Mitigation. Amendment to exempt new MWs on-line after January 1, 2004, these will have a heat rate of 14.5 MMBTU/MWh. This motion eliminates the 25% adder in the DaRUC whitepaper.

Date: 14-May-2004

Time: 11:40 AM

Prepared by: I. Flores

TALLY TOTAL

72.6% 27.4%

Sector/Entity	Representative	Present	Vote	Yes	No	Abstain
COOP						
Brazos Electric Cooperative	Billy Helpert (web)	y	y	0.333	--	--
LCRA	Brad Belk	y	y	0.333	--	--
Big Country Electric Coop	Jerry Stapp			--	--	--
Rayburn Country	Eddy Reece			--	--	--
MEC	Henry Wood (web)	y	y	0.333	--	--
STEC	Mike Troell (web)	y	a	--	--	A
Victoria Electric	Kurt Johnson			--	--	--
Coleman County Coop				--	--	--
Southwest Texas Electric Coop				--	--	--
Taylor Electric				--	--	--
Tex-La	Valerie Anderson (alt. Rep.)			--	--	--
Concho Valley	Weldon Gray			--	--	--

COOP Totals: 4 **1.000 0.000** 1

Municipal

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

Municipal Totals: 6 **1.000 0.000** 0

Investor Owned Utilities

AEP				--	--	--
CenterPoint	Adrian Pieniazek	y	a	--	--	A
First Choice	Jeremy Jackson	y	y	0.500	--	--
TXU	Jerry Ward	y	y	0.500	--	--

IOU Totals: 3 **1.000 0.000** 1

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 (web)	y	n	--	0.250	--
PSEG Texgen I	Randa Stephenson (web)	y	n	--	0.250	--
Tenaska	Brad Cox			--	--	--
Tractebel	Cesar Seymour			--	--	--
Ind Gen Total:		4		0.000	1.000	0

Consumers

Consumers/Residential

OPC	Kenan Ögelman	y	y	0.333	--	--
				--	--	--
Residential Consumers	Shannon McClendon			--	--	--
Residential Total:		1		0.333	0.000	0

Consumers/Commercial

HEB				--	--	--
Walmart	Kenan Ögelman (proxy)	y	y	0.333	--	--
CDM Energy Management				--	--	--
Seven Eleven				--	--	--
Randall's				--	--	--
Commercial Total:		1		0.333	0.000	0

Consumers/Industrial

BP Energy	Jeff Holligan	y	n	--	0.167	--
Nucor				--	--	--
TXI				--	--	--
Air Products & Chemicals				--	--	--
Marathon Oil				--	--	--
Halliburton				--	--	--
BOC Gases				--	--	--
Texas Instruments				--	--	--
Chevron Phillips				--	--	--
Prexair, Inc				--	--	--
Flint Hills Resources, L.P.				--	--	--
Valero Refining - Texas, L.P.				--	--	--
Exxon Mobil & Gas Services				--	--	--
Dow Chemical				--	--	--
Oxy	Kenan Ögelman (proxy)	y	y	0.167	--	--
Industrial Total:		2		0.167	0.167	0
Consumer Subgroups Present:		3				
Consumer Subgroups Abstaining:		0				
Consumers Total:		4		0.833	0.167	0

Independent Rep

Green Mountain				--	--	--
Direct Energy	Smith Day (web)			--	--	--
Constellation	Clayton Greer	y	y	0.167	--	--
Cirro	William Lewis (web)	y	y	0.167	--	--

Sector/Entity	Representative	Present	Vote	Yes	No	Abstain
Gexa				--	--	--
Tara Energy				--	--	--
TCE				--	--	--
Hino	Margarita Fournier (alt rep)	y	y	0.167	--	--
Spark Energy L.P.	Margarita Fournier (proxy)	y	y	0.167	--	--
TriEgle Energy	Margarita Fournier (proxy)	y	y	0.167	--	--
CAPP				--	--	--
Entergy Solutions	James Striedel			--	--	--
Strategic Energy	Read Comstock (web)			--	--	--
Utility Choice	Margarita Fournier (proxy)	y	y	0.167	--	--
Ind Rep Total:		6		1.000	0.000	0

Independent Power Marketers

Cargill Power & Gas Mkts	Gabriel C. Ejebe			--	--	--
Longhorn Power	Bob Wittmeyer	y	n	--	0.250	--
Exelon	Kristy Ashley			--	--	--
Coral Power	Jeff Brown	y	n	--	0.250	--
Reliant Energy	John Meyer	y	y	0.250	--	--
				--	--	--
Mirant	Dottie Stockstill	y	n	--	0.250	--
Ind Power Marketers Total:		4		0.250	0.750	0
All Sectors Voting Totals				5.083	1.917	7.000
Tally Total				72.6%	27.4%	