

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ELECTRIC RATE SCHEDULE IN EXHIBIT A TO ORDINANCE NO. 20080908-006 TO ADD A BATCH 6 GREEN POWER CHARGE TO THE GREENCHOICE® ENERGY RIDER, CHANGE THE POWER FACTOR ADJUSTMENT IN ALL BILLING DEMAND CLAUSES FROM 85% TO 95%, RAISE THE LIMIT ON ALLOWABLE ON-SITE GENERATION FROM RENEWABLE RESOURCES IN THE LARGE PRIMARY SERVICE – SPECIAL CONTRACT RIDERS I & II AND THE LARGE PRIMARY SERVICE SPECIAL CONTRACT – INDUSTRIAL RIDER FROM 20KW TO 500KW, AND REPEAL THE LOAD COOPERATIVE RIDER.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Electric Rate Schedule in Exhibit A to Ordinance No. 20080908-006 is amended to read:

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
FUEL ADJUSTMENT CLAUSE

Application:

This clause is applicable to all City of Austin electric rates for which a Fuel Adjustment Clause (FAC) is prescribed.

Fuel Rate:

The Fuel Rate is expressed by the following formula:

$$\text{Fuel Rate} = \frac{F + I}{S} + \frac{(E + T) - A}{S}$$

In the Fuel Rate Formula:

F is the estimated cost of fuels and related expenses, including refunds and the cost of purchased power for the twelve (12) month period used to calculate the FAC year for service-area sales.

I is 1) the estimated fees and charges from the Electric Reliability Council of Texas (ERCOT) Independent System Operator (ISO) incurred by the City of Austin when providing energy and capacity

needed to meet its service-area obligations for the twelve (12) month period used to calculate the FAC and 2) the estimated cost of the ERCOT ISO Administrative Fee for the twelve (12) month period used to calculate the FAC.

S is the estimated service-area sales of kWh for the twelve (12) month period used to calculate the FAC.

E is the actual cost of fuels and related expenses, including refunds and the cost of purchased power, less any fuel costs for off system sales of energy for the latest twelve (12) month period of data available.

T is 1) the actual fees and charges from the ERCOT ISO incurred by the City of Austin when providing energy and capacity needed to meet its service-area obligations and 2) the actual Administrative Fee for the latest twelve (12) month period of data available.

A is the actual cost recovered from service-area sales for the latest twelve (12) month period of data available.

The fuel rate shall be effective January 1st, unless adjusted for over- or under-recovery.

If, at any time, there is more than a ten percent over-recovery from the total projected fuel and purchased power costs for the twelve month period used to calculate those costs, the City of Austin shall initiate a review of the FAC to project whether the over-recovery will be within ten percent for the remaining months of the twelve month period used to calculate those costs. If the review indicates an over-recovery of more than ten percent for the remainder of the period, the City of Austin shall adjust the FAC for the next twelve months to eliminate over-recovery.

If, at any time, there is more than a ten percent projected under-recovery from the total projected fuel and purchased power costs for the twelve month period used to calculate those costs, the City of Austin will initiate a review of the FAC to project whether the under-recovery will be within ten percent for the remaining months of the twelve month period used to calculate those costs. If the review indicates an under-recovery of more than ten percent for the remainder of the period, the City of Austin may adjust the FAC for the next twelve months to eliminate under-recovery.

Calculation:

The Fuel Rate will be multiplied by the following voltage level adjustment factors:

Secondary Multiplier:	1.004854
Primary Multiplier	.974939
Transmission Multiplier:	.964826

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
RESIDENTIAL SERVICE

Application:

This rate is applicable to electric service required by residential customers in single-family dwellings, mobile homes, town houses, or individually metered apartment units. When a portion of a residence or household unit is used for non-residential purposes only as defined by Section 13-2-260 of the Austin City Code, this rate may be applied.

This rate is further applicable to any church, synagogue or other public place which is used for the purpose of conducting group religious worship services and whose demand for power does not qualify the facility for the general service – demand (E06) rate. This rate also applies to any church, synagogue or other place of public group religious worship services that would otherwise qualify under the general service – demand (E06) rate unless such customer opts in writing to receive service under the general service – demand (E06) rate as of the beginning of the following monthly billing period. Such option shall be binding for a period of not less than twelve months. This rate is not applicable for service to any dormitory, school, child care facility, lodge, gymnasium, meeting hall, office, or any other indoor or outdoor facility which is not used by the public for group religious worship services.

The customer charge shall be waived if the customer or a person residing in the household of a customer is either a certified recipient of Supplemental Security Income (SSI); an aged, blind, or disabled Medicaid recipient; or has been receiving assistance under one of the Travis County energy assistance programs (CEAP, FEMA, or ENTERP) or the Travis County Hospital District Medical Assistance Program (MAP) within the last twelve months. In addition, customers who qualify for the customer charge waiver shall be charged an amount equal to the Batch-1 Green Power Charge in lieu of the residential fuel charge. This charge shall be applied to the customer's total metered monthly usage. However, this charge may be applied to a prorated usage per customer so as not to exceed the total 100,000 MWh allocated to this program. If the Batch-1 Green Power Charge exceeds the residential fuel charge, the residential fuel charge will be applied to the customer's total metered monthly usage. Austin Energy will re-evaluate the availability of energy allocated to this program as needed. The charge will only be applicable until March 1, 2011, the last date through which the Batch-1 Green Power Charge will be valid. A customer who receives the charge equal to the Batch-1 Green Power Charge but becomes ineligible for the customer charge waiver is not eligible to receive the charge equal to the Batch-1 Green Power Charge, but may participate in the GreenChoice® program by signing up for the GreenChoice® Batch and Green Power Charge in place through the GreenChoice® Energy Rider. Austin Energy will determine if a participant is eligible to continue to receive the customer charge waiver and the charge equal to the Batch-1 Green Power Charge by contacting each participant through a mail-out sent between October 1 and January 31.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter.

Rate (E01):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Customer Charge *	\$6.00	\$6.00
Energy Rate (E01)	3.55¢ per kWh, first 500 kWh	3.55¢ per kWh, first 500 kWh
	6.02¢ per kWh, for all kWh over 500 kWh	7.82¢ per kWh, for all kWh over 500 kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

* Customer will be assessed a monthly charge of \$6.00 for service of at least 10 days.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
GENERAL SERVICE - NON-DEMAND

Application:

This rate is applicable to electric service required by any customer to whom no other specific rate applies and whose demand for power does not meet or exceed 20 kilowatts for any month within the most recent six summer billing months or as determined by the City of Austin.

This rate is also applicable to athletic field accounts whose connected load is more than 85% attributable to lighting as verified by the City of Austin.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter.

Rate (E02):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Customer Charge [*]	\$6.00	\$6.00
Energy Rate (E02)	4.64¢ per kWh, for all kWh	6.44¢ per kWh, for all kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

* Customer will be assessed a monthly charge of \$6.00 for service of at least 10 days.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
SOLAR EXPLORER RIDER

Application:

This rider applies to any person who agrees to voluntarily participate in the Solar Explorer Program.

The program supports a specific community scale solar photovoltaic system. Several systems will be installed during the Solar Explorer Program. Program participation shall be limited to ensure that oversubscription does not occur.

Character of Service:

A participant will continue to receive electric service as already provided to the participant's premises.

Rate:

Flat Monthly Rate

Customer Charge:

\$3.50 per 50 Watt block

Subject to preventing oversubscription, a participant may purchase as many 50 Watt blocks as desired. The Customer Charge shall be in addition to any other charges the participant incurs under other applicable tariffs.

Conditions of Use:

A participant must complete a separate application with the City of Austin for this rider. Participation in the program must be for a minimum of two years. Participation may be terminated by mutual consent, or on three months written notice by either party at any time after the end of the twenty-first month of participation in the program. Until such termination, participation shall continue automatically on a month-to-month basis.

The participant shall continue to be serviced under the terms and conditions of, and shall continue to comply with, all rules and regulations of the City of Austin as amended from time to time during the term of the agreement, except for those participants who reside outside the service area.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
GENERAL SERVICE - DEMAND

Application:

This rate applies to electric service required by any customer to whom no other specific rate applies and whose demand for power meets or exceeds 20 kilowatts for any month within the most recent six summer billing months or as determined by the City of Austin. This rate is also available for buildings, parks, and other establishments owned and operated by the City of Austin that enter into a performance contract with an energy service company, including the City of Austin's Energy Services Unit, or that have installed a thermal energy storage system. The intent of the performance contract shall be to lower peak demand of the City establishment by at least 5 percent. The performance contract shall be verified and approved by the City before receiving this rate.

This rate classification shall be applied for a term of not less than twelve months following the month in which the criteria ~~is~~are met. If a customer has made significant changes in its connected load which prevents the customer from meeting or exceeding 20 kilowatts in any summer billing month and if the change has been certified by the Electric Utility Department, the City of Austin may waive the one year requirement.

Rider TOU-Thermal Energy Storage may be attached to this rate.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter.

Rate (E06):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E06)	1.80¢ per kWh, for all kWh	1.80¢ per kWh, for all kWh
Demand Rate (ELD)	\$12.65 per kW	\$14.03 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

1
2 Billing Demand:
3

4 The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month
5 as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009,
6 w[~~W~~]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand
7 shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak
8 power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is
9 less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95
10 percent and dividing by the lower peak power factor.
11
12

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
COINCIDENT LOAD SPECIAL CONTRACT RIDER

Application:

This rate applies to any General Service – Demand customer that executes a separate contract, in form and substance acceptable to the City of Austin, for this service. The contract will require the customer to remain a “full requirements” customer of the City of Austin for a period of one year. This tariff is specifically designed for General Service – Demand customers that have a peak demand during the system’s off-peak period (midnight to 8 AM) that is significantly higher than their on-peak demand.

Character of Service:

The Character of Service provided under this rate shall be altering current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point on the customer’s premises and measured through one meter.

Monthly Rate:

Rate:	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate	1.45¢ per kWh for all kWh	1.45¢ per kWh for all kWh
Demand Rates:		
Coincident Peak	\$8.35 per kW	\$9.10 per kW
Non-coincident Peak Rate	7.50 per kW	8.25 per kW
Customer Charge	\$250.00	\$250.00

Fuel Adjustment Clause (FAC) – plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Until October 1, 2009, w[~~h~~]hen the power factor during the interval of greatest use is less than 85%, each Demand charge shall be determined by multiplying the indicated demand by 85% and dividing by the lower peak power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95 percent and dividing by the lower peak power factor.

Minimum Bill: Customer will be assessed a monthly Minimum Bill of \$250.00 if the above calculations result in a charge of less than \$250.00.

1
2 Definitions:

3
4 “Peak Period” is the time period during the billing month that a customer’s non-coincident peak demand
5 may be set. The time periods are: 8:00 a.m. to midnight, Monday through Friday: May 1 through
6 October 31, 8:00 a.m. to midnight, Monday through Sunday: November 1 through April 30.

7 “Non-coincident peak demand” is the customer’s kilowatt demand during the fifteen-minute interval of
8 greatest use during the peak period for the current billing month as indicated or recorded by metering
9 equipment installed by the City of Austin.

10
11 “Coincident peak demand” is the customer’s kilowatt demand during the one hour interval of greatest
12 use on the City of Austin retail system during each of the customer’s billing months.

13
14 “Full requirements” service shall refer to generation, transmission and distribution (i.e. “bundled”)
15 service as presently supplied by the City of Austin to customer.

16
17 Terms and Conditions:

18
19 The Coincident Load Special Contract rider shall apply for a primary term of one year, and year to year
20 thereafter until terminated by not less than 90 days notice by either party. The rate will begin when the
21 first bill is rendered in the month following the effective date of this tariff, provided a separate contract
22 has been executed between the City of Austin and the customer.

23 Nothing in this tariff or the contract shall operate to prevent, prohibit, or delay the City of Austin from
24 recovering “stranded” costs from the customer, to the extent authorized by law, including those
25 described in the Public Utility Regulatory Act.

26
27 If, notwithstanding the foregoing paragraph, any subsequent legislation would in any way operate to
28 prevent, prohibit or delay recovery of the full amount, otherwise authorized by law, of “stranded” costs
29 through any surcharge or additional charge or any new or revised rate level or element solely because of
30 the existence or contents of this tariff or the contract, then the contract rates specified in this tariff for
31 energy, demand and/or fuel shall be deemed to be changed by an amount designed to exactly equal the
32 revenue the City of Austin would otherwise recover but for the existence or contents of this tariff or
33 contract. Any change shall take effect on the same date that the surcharge, additional charge or new or
34 revised rate level or element would otherwise go into effect. If necessary the change may take the form
35 of a one-time charge, assessable prior to or after customer switches generation suppliers. To the extent
36 possible, while still allowing full recovery of the otherwise authorized amount, the change shall be
37 incorporated into prospective monthly recurring charges.

38
39 The contract to be signed by customer shall explicitly incorporate the terms of the preceding two
40 paragraphs, and also provide that the results contemplated by the paragraphs are essential and non-
41 severable terms of the contract.

42
43 Notwithstanding any provision of this tariff, neither customer nor the City of Austin shall be precluded
44 from challenging the legal validity of any statute, regulations, or other provisions of law.

45
46 If it is determined at any time by the City of Austin that the customer has not acted appropriately so that
47 there can be compliance with the provisions of this tariff, then the customer will be immediately billed

1 on the General Service Demand rate schedule, or as amended, from the date service was first
2 commenced under this tariff. The difference, plus interest at one percent (1%) per month, or the
3 maximum allowable legal interest rate, whichever is less, from the date service was first commenced
4 under this tariff, shall immediately become due by customer to the City of Austin.

5 The contract executed under this tariff shall address the rights of the City and the customer relating to
6 the transfer or assignment of rights under this tariff.
7

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
PRIMARY SERVICE

Application:

This rate is applicable to electric service required by any customer who receives service at 12,500 volts (nominal) or higher and whose demand for power does not meet or exceed 3,000 kilowatts for any two months within the previous twelve months or as determined by the City of Austin. This rate is also available for buildings, parks, and other establishments owned and operated by the City of Austin that implement conservation and peak shaving technologies, such as thermal energy storage systems. The installation shall be verified and approved by the City of Austin Electric Utility Department before receiving this rate. This rate shall be applied for a term of not less than one year (twelve months).

This customer shall own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery.

Rider TOU - Thermal Energy Storage may be attached to this rate.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point on the customer's premises and measured through one meter.

Rate (E07):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E07)	1.51¢ per kWh, for all kWh	1.51¢ per kWh, for all kWh
Demand Rate (ELD)	\$11.11 per kW	\$12.10 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

1 Billing Demand:

2
3 The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month
4 as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009,
5 w[~~W~~]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand
6 shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak
7 power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is
8 less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95
9 percent and dividing by the lower peak power factor.
10

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
LARGE PRIMARY SERVICE

Application:

This rate is applicable to electric service required by any customer who receives service at 12,500 volts (nominal) or higher and whose demand for power meets or exceeds 3,000 kilowatts for any two months within the previous twelve months or as determined by the City of Austin. This rate is also available for buildings, parks, and other establishments owned and operated by the City of Austin that implement conservation and peak shaving technologies, such as thermal energy storage systems. The installation shall be verified and approved by the City of Austin Electric Utility Department before receiving this rate. This rate shall be applied for a term of not less than one year (twelve months).

This customer shall own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery.

Rider TOU - Thermal Energy Storage or the Optional Time-Of-Use Rate may be attached to this rate.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point on the customer's premises and measured through one meter.

Rate (E08):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E08)	1.50¢ per kWh, for all kWh	1.50¢ per kWh, for all kWh
Demand Rate (ELD)	\$11.81 per kW	\$12.60 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

Billing Demand:

The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009, w[~~W~~]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand

shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95 percent and dividing by the lower peak power factor.

Optional Time-Of-Use Rate:

At the option of the customer, a separate agreement may be entered into between the City and the customer for a time-of-use incentive rate. The customer shall permit the City to install all equipment necessary for time-of-use metering and to permit reasonable access to all electric service facilities installed by the City for inspection, maintenance, repair, removal, or data recording purposes.

The rate shall be structured as follows:

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E09)		
On-Peak	2.10¢ per kWh	2.80¢ per kWh
Off-Peak	0.10¢ per kWh	0.95¢ per kWh
Demand Rate (ELD)		
On-Peak	\$11.81 per kW	\$12.60 per kW
Off-Peak	\$0.00 per kW	\$0.00 per kW

Billed demand will be based on the fifteen-minute interval of greatest use during an On-Peak period for the current billing month. All other adjustments will be included as described above (See Billing Demand).

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

On-Peak: 1:00 p.m. to 9:00 p.m., Monday through Friday; May 1 through October 31. 8:00 a.m. to 10:00 p.m., Monday through Sunday; November 1 through April 30.

Off-Peak: 9:00 p.m. to 1:00 p.m., Monday through Friday; all day Saturday, Sunday, Memorial Day, Independence Day, and Labor Day; May 1 through October 31. 10:00 p.m. to 8:00 a.m. Monday through Sunday; November 1 through April 30.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
LARGE PRIMARY SERVICE SPECIAL CONTRACT RIDER

Definitions:

FULL REQUIREMENTS service means generation, transmission, and distribution, (i.e., "bundled") service as presently supplied by City of Austin (sometimes referred to as City) to customer; provided, however, that the customer may self-generate up to ~~[20]~~500 kW of its requirements from customer-owned, on-site renewable energy technology, subject to the terms and condition of the City of Austin's Distributed Generation from Renewable Sources Rider.

BEST OFFER means the cost of generation of a competing supplier, plus other costs, fees or expenses that a customer incurs in order to bring the generation to its point of service, including but not limited to: (1) transmission wheeling costs to the City of Austin Electric System; (2) transmission and distribution wheeling costs to the customer's point of service; and (3) costs to install or construct any on-site generation, interconnection or metering facilities.

COMPETING SUPPLIERS includes but is not limited to a provider of generation, energy services, and ancillary services, whether or not the supplier is located inside the City of Austin's current service territory, to the extent that the provider is permitted by law to serve the customer load.

Application:

This rate applies to a large primary service (LPS) customer that executed a separate contract for service under this rider prior to October 9, 2006. This rate and the other terms of this rider shall remain available to customer only for the remainder of the term currently specified in customer's contract. Any amendments to customer's current contract shall be subject to the terms of the City of Austin's Large Primary Service – Special Contract Rider II

The Rider TOU – Thermal Energy Storage and the Optional Time-of-Use Rate may be attached to this rate.

Character of Service:

The Character of Service provided under this rate is alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin and which may be amended from time to time. Electric service of one standard character will be delivered to one point on the customer's premises and measured through one meter.

Monthly Rate:

Rate (E):	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E)	1.11¢ per kWh, for all kWh	1.11¢ per kWh, for all kWh

Demand Rate (ELD) \$11.40 per kW \$12.54 per kW

Fuel Adjustment Clause (FAC) – plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

Billing Demand:

The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009, w[hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95 percent and dividing by the lower peak power factor.

Optional Time-Of-Use Rate:

At the option of the customer, a separate agreement may be entered into between the City and the customer for a time-of-use incentive rate. The customer shall permit the City to install all equipment necessary for time-of-use metering and to permit reasonable access to all electric service facilities installed by the City for inspection, maintenance, repair, removal, or data recording purposes.

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E)		
On-Peak	1.71¢ per kWh	2.41¢ per kWh
Off-Peak	(.29)¢ per kWh	.56¢ per kWh
Demand Rate (ELD)		
On-Peak	\$11.40 per kW	\$12.54 per kW
Off-Peak	\$0.00 per kW	\$0.00 per kW

Billed demand will be based on the fifteen-minute interval of greatest use during an On-Peak period for the current billing month. All other adjustments will be included as described above (See Billing Demand).

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

1 On-Peak: 1:00 p.m. to 9:00 p.m., Monday through Friday; May 1 through October 31. 8:00 a.m. to
2 10:00 p.m., Monday through Sunday; November 1 through April 30.

3
4 Off-Peak: 9:00 p.m. to 1:00 p.m., Monday through Friday; all day Saturday, Sunday, Memorial Day,
5 Independence Day, and Labor Day; May 1 through October 31. 10:00 p.m. to 8:00 a.m. Monday
6 through Sunday; November 1 through April 30.

7
8 **Terms and Conditions:**

9
10 The special contract rate begins on the first day of the customer's billing cycle following the date that a
11 separate contract has been executed between the City of Austin and the customer, and shall be in effect
12 for a period of thirty-six (36) months thereafter.

13
14 Not earlier than the first day of the thirty-seventh month after the effective date and not later than the
15 last day of the seventy-second month after the effective date, a most favored nations clause applies
16 (which clause does not apply to a rate paid by a governmental entity of the State of Texas, that is
17 mandated by Federal or State law, the Public Utility Commission, a judicial body, or a retail pilot
18 program affecting a customer of the City of Austin). It is the intent of this provision that the most
19 favored nations clause will not apply unless the City of Austin voluntarily charges a lower rate to
20 another LPS customer or large industrial primary service or transmission level customer (who receives
21 power at 12,500 volts or higher and has a demand for power that meets or exceeds 3,000 kW for any two
22 months within the previous twelve months). If the City of Austin is required by Federal or State law, the
23 Public Utility Commission, or a judicial body to charge a lower rate to a customer or group of
24 customers, then the most favored nations clause does not apply.

25 For the remainder of the term of this contract after the seventy-second month after the effective date, the
26 City of Austin may keep customer loads on-system by exercising a continuing right of first refusal to
27 match the best offer of any competing suppliers. The City of Austin shall have until the later of sixty
28 (60) months from the effective date, or seventy-five (75) days from the date it receives proper notice
29 from Customer to exercise its right of first refusal. All alternative proposals may be disclosed to the City
30 of Austin on a confidential trade secret basis to the extent permitted by law, and shall be supported by a
31 sworn affidavit signed by a corporate officer of the customer involved.

32 For the remainder of the term of this contract after the seventy-second month after the effective date,
33 provided that retail competition in the electric utility industry in Texas is allowed and is available in
34 Austin, Texas, the City of Austin shall not be obligated to charge the customer the special contract rate.
35 In the event that retail competition is not allowed in Texas, or is not available in Austin, Texas, the
36 customer shall continue to take power from the City of Austin at the special contract rate (with Time-Of-
37 Use option) and be subject to extended application of the most favorable nations clause, until the end of
38 the term of the contract.

39 This tariff does not obligate the City of Austin to match the best offer of any competing supplier. In
40 addition, nothing herein shall obligate the City of Austin to match any portion of an offer or other
41 consideration not directly related to the supply of electric energy (i.e. generation, transmission and
42 distribution) to the customer's facilities in the Austin area. In other words, the City of Austin would be
43 required to match the total delivered cost of electric energy to the customer.

1 Contracts entered into under the provisions of this tariff shall protect the integrity and enforceability of
2 the City's right of first refusal. After a customer commences to purchase electric generation from a
3 competing supplier (and the City of Austin fails to exercise its right of first refusal or to match the offer
4 of a competing supplier), provision of generation service by the City of Austin to that portion of
5 customer's total load removed from the City of Austin Electric System shall thereafter be at the sole
6 option of the City of Austin. However, the City of Austin shall have a continuing obligation to provide
7 transmission and distribution services, including ancillary services if needed, pursuant to its tariffs and
8 the Public Utility Commission's Substantive Rules or other applicable laws and regulations.

9
10 A customer may not submit bids or offers received from competing suppliers, and thereby cause or
11 require the City of Austin to exercise its right of first refusal in accordance with the terms of this tariff,
12 more than once every twelve months.

13 Nothing in this tariff or a contract under this tariff shall operate to prevent, prohibit, or delay the City of
14 Austin from recovering "stranded" costs from the customer, to the extent authorized by law, including
15 those described in the Public Utility Regulatory Act.

16 If, notwithstanding the foregoing paragraph, any subsequent legislation would in any way operate to
17 prevent, prohibit or delay recovery of the full amount, otherwise authorized by law, of "stranded" costs
18 through any surcharge or additional charge or any new or revised rate level or element solely because of
19 the existence or contents of this tariff or the contract, then the contract rates specified in this tariff for
20 energy, demand and/or fuel shall be deemed to be changed by an amount designed to exactly equal the
21 revenue the City of Austin would otherwise recover but for the existence or contents of this tariff or
22 contract. Any change shall take effect on the same date that the surcharge, additional charge or new or
23 revised rate level or element would otherwise go into effect. If necessary the change may take the form
24 of a one-time charge, assessable prior to or after customer switches generation suppliers. To the extent
25 possible, while still allowing full recovery of the otherwise authorized amount, the change shall be
26 incorporated into prospective monthly recurring charges.

27
28 The contract to be signed by customer shall explicitly incorporate the terms of the preceding two
29 paragraphs, and also provide that the results contemplated by the paragraphs are essential and non-
30 severable terms of the contract.

31
32 Notwithstanding any provision of this tariff, neither customer nor the City of Austin shall be precluded
33 from challenging the legal validity of any statute, regulations, or other provisions of law.

34
35 This Special Contract Rider shall be extended to all of an LPS customer's accounts having a maximum
36 demand of at least 500 kW.

37 Upon request, customers receiving service under this Special Contract Rider will be provided dual feed
38 service with reserve capacity and maintenance under the 10 year long term contract provisions of the
39 Special Contract Rider, except that the customer will be responsible for the initial assessment fee,
40 customer requested changes to the initial assessment, and facilities design and construction costs, as
41 established in the fee schedule. Dual feed service with reserve capacity is electric service provided to the
42 customer's premise(s) through two (or more) independent distribution feeders, with one feeder in normal
43 service and the other in back-up service. Capacity is reserved for the second feeder, and is placed into
44 service upon an outage of the primary feeder
45

1 If it is determined at any time by the City of Austin that the customer violated the provisions of this
2 tariff or the contract implementing the tariff, then the customer will be immediately billed on the LPS
3 rate schedule, or as amended, from the date service was first commenced under this tariff. The
4 difference, plus interest at one percent (1%) per month, or the maximum allowable legal interest rate,
5 whichever is less, from the date service was first commenced under this tariff, shall immediately become
6 due by customer to the City of Austin.
7

8 The contract executed under this tariff shall address the rights of the City and the customer relating to
9 the transfer or assignment of rights under this tariff.
10

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
TRANSMISSION SERVICE

Application:

This rate is applicable to electric service required by any customer who receives service at 69,000 volts (nominal) or higher. This rate shall be applied for a term of not less than one year (twelve months).

This customer shall furnish, install, own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery and shall enter into a separate agreement with the City of Austin concerning the operation of customer's equipment.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point on the customer's premises and measured through one meter.

Rate (E11):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E11)	1.40¢ per kWh, for all kWh	1.40¢ per kWh, for all kWh
Demand Rate (ELD)	\$10.98 per kW	\$11.72 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

Billing Demand:

The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009, w[hen] the power factor during the interval of greatest use is less than 85 percent, Billing Demand shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95 percent and dividing by the lower peak power factor.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
STATE GENERAL SERVICE - NON-DEMAND

Application:

This rate is applicable to electric service required for buildings, facilities, and other establishments occupied and operated by the State of Texas.

This rate is applicable to State of Texas accounts only whose demand for power does not meet or exceed 20 kilowatts for any month within the most recent six summer billing months or as determined by the City of Austin. This rate is also applicable to athletic field accounts whose connected load is more than 85% attributable to lighting as verified by the City of Austin.

The contract with the State of Texas, dated August 22, 1995, as amended effective October 1, 2002, is incorporated by reference into this tariff.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter.

Rate (E13):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Customer Charge *	\$6.00	\$6.00
Energy Rate (E13)	3.19¢ per kWh, for all kWh	4.99¢ per kWh, for all kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

* Customer will be assessed a monthly charge of \$6.00 for service of at least 10 days.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
STATE GENERAL SERVICE - DEMAND

Application:

This rate is applicable to electric service required for buildings, facilities, and other establishments occupied and operated by the State of Texas. This rate is applicable to State of Texas accounts only whose demand for power meets or exceeds 20 kilowatts for any month within the most recent six summer billing months or as determined by the City of Austin.

This rate classification shall be applied for a term of not less than one year (twelve months) following the month in which the criteria is met. If a customer has made significant changes in its connected load which prevents the customer from meeting or exceeding 20 kilowatts in any summer billing month and if the change has been certified by the Electric Utility Department, the City of Austin may waive the one year requirement.

The contract with the State of Texas, dated August 22, 1995, as amended October 1, 2002, is incorporated by reference into this tariff.

Rider TOU - Thermal Energy Storage may be attached to this rate.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter.

Rate (E14):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E14)	1.07¢ per kWh, for all kWh	1.07¢ per kWh, for all kWh
Demand Rate (ELD)	\$10.94 per kW	\$11.64 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

1 Billing Demand:

2
3 The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month
4 as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009,
5 w[~~W~~]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand
6 shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak
7 power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is
8 less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95
9 percent and dividing by the lower peak power factor.
10

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
STATE PRIMARY SERVICE

Application:

This rate is applicable to electric service required for buildings, facilities, and other establishments occupied and operated by the State of Texas.

This customer shall furnish, install, own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery.

This rate is applicable to State of Texas accounts that receive service at 12,500 volts (nominal) or higher and whose demand for power does not meet or exceed 3,000 kilowatts for any two months within the previous twelve months or as determined by the City of Austin. This rate shall be applied for a term of not less than one year (twelve months).

The contract with the State of Texas, dated August 22, 1995, as amended effective October 1, 2002, is incorporated by reference into this tariff.

Rider TOU - Thermal Energy Storage may be attached to this rate.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point on the customer's premises and measured through one meter.

Rate (E17):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E17)	1.07¢ per kWh, for all kWh	1.07¢ per kWh, for all kWh
Demand Rate (ELD)	\$10.94 per kW	\$11.64 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

1 Billing Demand:

2
3 The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month
4 as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009,
5 w[~~W~~]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand
6 shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak
7 power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is
8 less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95
9 percent and dividing by the lower peak power factor.
10

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
STATE LARGE PRIMARY SERVICE

Application:

This rate is applicable to electric service required for buildings, facilities, and other establishments occupied and operated by the State of Texas.

This customer shall furnish, install, own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery.

This rate is applicable to State of Texas accounts that receive service at 12,500 volts (nominal) or higher and whose demand for power meets or exceeds 3,000 kilowatts for any two months within the previous twelve months or as determined by the City of Austin.

Rider TOU - Thermal Energy Storage and the Optional Time-Of-Use Rate may be attached to this rate.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point on the customer's premises and measured through one meter.

Rate (E15):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E15)	1.07¢ per kWh, for all kWh	1.07¢ per kWh, for all kWh
Demand Rate (ELD)	\$10.94 per kW	\$11.64 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

Billing Demand:

The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009, w[W]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand

shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95 percent and dividing by the lower peak power factor.

Optional Time-Of-Use Rate:

At the option of the customer, a separate agreement may be entered into between the City and the customer for a time-of-use incentive rate. The customer shall permit the City to install all equipment necessary for time-of-use metering and to permit reasonable access to all electric service facilities installed by the City for inspection, maintenance, repair, removal, or data recording purposes.

The rate shall be structured as follows:

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E16)		
On-Peak	1.67¢ per kWh	2.37¢ per kWh
Off-Peak	(0.33)¢ per kWh	0.52¢ per kWh
Demand Rate (ELD)		
On-Peak	\$10.94 per kW	\$11.64 per kW
Off-Peak	\$0.00 per kW	\$0.00 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

On-Peak: 1:00 p.m. to 9:00 p.m., Monday through Friday; May 1 through October 31. 8:00 a.m. to 10:00 p.m., Monday through Sunday; November 1 through April 30.

Off-Peak: 9:00 p.m. to 1:00 p.m., Monday through Friday; all day Saturday, Sunday, Memorial Day, Independence Day, and Labor Day; May 1 through October 31. 10:00 p.m. to 8:00 a.m. Monday through Sunday; November 1 through April 30.

Terms and Conditions:

Upon request, customers receiving service under this tariff will be provided dual feed service with reserve capacity, except that the customer will be responsible for the initial assessment fee, customer requested changes to the initial assessment, and the facilities design and construction costs, as established in the fee schedule. Dual feed service with reserve capacity is electric service provided to the customer's premise(s) through two (or more) independent distribution feeders, with one feeder in normal service and the other in back-up service. Capacity is reserved for the second feeder, and is placed into service upon an outage of the primary feeder.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
INDEPENDENT SCHOOL DISTRICTS GENERAL SERVICE - DEMAND

Application:

This rate is applicable to electric service required by any institution providing formal educational training for kindergarten, elementary, middle, or high school students with a pronounced reduction in demand during June, July, and August or any independent school district account. This rate is further applicable to a customer whose demand for power meets or exceeds 20 kilowatts for any month within the most recent six summer billing months or as determined by the City of Austin. This rate classification shall be applied for a term of not less than one year (twelve months) following the month in which the criteria is met. If a customer has made significant changes in his connected load which prevents the customer from meeting or exceeding 20 kilowatts in any summer billing month and if the change has been certified by the Electric Utility, the City of Austin may waive the one year requirement.

Rider TOU - Thermal Energy Storage may be attached to this rate.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter.

Rate (E10):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E10)	2.28¢ per kWh, for all kWh	2.28¢ per kWh, for all kWh
Demand Rate (ELD)	\$5.68 per kW	\$7.95 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

Billing Demand:

The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009, w[W]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand

1 shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak
2 power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is
3 less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95
4 percent and dividing by the lower peak power factor.
5

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
INDEPENDENT SCHOOL DISTRICTS TIME-OF-USE

Application:

This rate is applicable to electric service required by all accounts in any independent school district upon execution of a separate contract for service under this rate.

This rate is applicable to a customer whose demand for power meets or exceeds 20 kilowatts for any month within the most recent six summer billing months or as determined by the City of Austin. This rate classification shall be applied for a term of not less than one year (twelve months) following the month in which the criteria are met. If a customer has made significant changes in its connected load which would prevent that customer from meeting or exceeding 20 kilowatts in any summer billing month and if the change has been certified by the Electric Utility, the City of Austin may waive the one year requirement.

Rider TOU – Thermal Energy Storage may be attached to this rate.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter.

Rate (E23):

	Winter Billing Months of November through April	Summer Billing Months of May through October
On-Peak Energy Rate (E23)	2.47¢ per kWh, for all kWh	2.72¢ per kWh, for all kWh
Off-Peak Energy Rate (E23)	1.99¢ per kWh, for all kWh	2.02¢ per kWh, for all kWh
Demand Rate (ELD)		
On-Peak	\$5.68 per kW	\$7.95 per kW
Off-Peak	\$0.00 per kW	\$0.00 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

1
2 Billing Demand:
3

4 The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month
5 as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009,
6 w[~~W~~]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand
7 shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak
8 power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is
9 less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95
10 percent and dividing by the lower peak power factor.
11
12
13
14

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
TEXAS DEPARTMENT OF TRANSPORTATION
SIGN LIGHTING AND SAFETY ILLUMINATION SERVICE

Application:

This rate is applicable to non-metered electric service required by the Texas Department of Transportation for sign lighting and safety illumination at various locations in the City of Austin Electric Utility service area as agreed by the Texas Department of Transportation and the City of Austin.

The contract with the State of Texas, dated August 22, 1995, as amended effective October 1, 2002, is incorporated by reference into this tariff.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase.

Rate:

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate	2.96¢ per kWh, for all kWh	2.96¢ per kWh, for all kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
WATER AND WASTEWATER

Application:

This rate is applicable to electric service required for the operation of water pumping and sewage disposal systems owned, operated, and maintained by the City of Austin.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time.

Rate (E03):

	Winter Billing Months of November through April	Summer Billing Months of May through October
--	---	--

Energy Rate (E03)

2.77¢ per kWh,
for all kWh

6.48¢ per kWh,
for all kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
OTHER CITY

Application:

This rate is applicable to electric service required for buildings, parks, and other establishments owned and operated by the City of Austin.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time.

Rate (E04):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E04)	3.54¢ per kWh, for all kWh	5.21¢ per kWh, for all kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
STREETLIGHTING AND TRAFFIC SIGNALS

Application:

This rate is applicable to electric service required for the illumination and operation of traffic signals on all dedicated public streets, highways, and expressways or thoroughfares within the city limits of Austin or any other incorporated area or municipal utility district requesting streetlighting service. This rate is also applicable for the illumination of any property owned, operated, and/or maintained by the City of Austin.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase.

Rate (E05):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E05)	14.98¢ per kWh, for all kWh	14.98¢ per kWh, for all kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
SECURITY LIGHTING

Application:

This rate applies to private outdoor overhead lighting installed, owned, operated, and maintained by the City of Austin. It applies to service received under a contract that was effective before passage of the Non-Metered Outdoor Lighting Tariff.

Rate (ENW):

	Facilities Charge	Energy Charge	Monthly
kWh			
175W Mercury Vapor	\$1.74	\$ 7.34	60
100W High Pressure Sodium	\$1.74	\$ 4.28	35
400W Mercury Vapor	\$1.74	\$17.11	140
250W High Pressure Sodium	\$1.74	\$11.00	90

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

CONTRIBUTIONS IN AID OF CONSTRUCTION
FEES FOR THE INSTALLATION OF
SECURITY LIGHTING POLES

A Contribution in Aid of Construction will be required for the installation of poles for security lighting. The fee will be based on the sum of (1) the average labor cost for installing (machine set) a pole and (2) the direct cost of the pole itself. The fees will be recalculated annually.

The current required contributions for the most common installations are:

	25' Steel	30' Steel	35' Wood
Labor	\$ 349	\$ 349	\$ 391
Pole	495	568	105
Total	\$ 844	\$ 917	\$ 498

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
NON-METERED OUTDOOR LIGHTING

Application:

This rate applies to non-metered outdoor lighting installed, owned, operated and maintained by the City of Austin. Lights are subject to availability.

Rate (ENW):

Energy Rate \$0.0428 per watt X wattage of bulb

Fuel Rate 0.35 hours X wattage of bulb X FAC

Fuel Adjustment Clause (FAC) – an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
PRIMARY STANDBY CAPACITY

Application:

This rate is applicable to any customer who has on-site power-production facilities, receives power at the primary voltage level 12,500 volts (nominal), has dedicated service directly from a City of Austin substation, and executes a separate contract with the City of Austin for standby electric service.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time.

The contract with the State of Texas, dated August 22, 1995, as amended effective October 1, 2002, is incorporated by reference into this tariff.

Monthly Standby Capacity Rate (Primary):

\$2.62 per kilowatt of Standby Capacity
\$2.23 per kilowatt of Standby Capacity - State of Texas accounts

Standby Capacity:

The Standby Capacity will be equivalent to the maximum demand of the load to be served by the City of Austin during a scheduled or unscheduled outage of the customer's power production facilities or as stipulated in the contract between the City of Austin and the customer.

1
2 Minimum Bill:

3
4 Customer will be assessed a monthly Minimum Bill equal to the Standby Capacity Rate times the
5 Standby Capacity.
6

7
8 CITY OF AUSTIN
9 ELECTRIC RATE SCHEDULE
10 TRANSMISSION STANDBY CAPACITY

11 Application:

12
13 This rate is applicable to any customer who has on-site power-production facilities, receives power at
14 the transmission voltage level 69,000 volts (nominal) or higher, and executes a separate contract with
15 the City of Austin for standby electric service.
16

17 Character of Service:

18
19 The Character of Service provided under this rate shall be alternating current, 60 cycles, three phase, in
20 accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended
21 from time to time.
22

23 The contract with the State of Texas, dated August 22, 1995, as amended effective October 1, 2002, is
24 incorporated by reference into this tariff.
25

26
27 Monthly Standby Capacity Rate (Transmission):

28
29 \$2.41 per kilowatt of Standby Capacity
30 \$1.93 per kilowatt of Standby Capacity - State of Texas accounts
31

32 Standby Capacity:

33
34 The Standby Capacity will be equivalent to the maximum demand of the load to be served by the City of
35 Austin during a scheduled or unscheduled outage of the customer's power production facilities or as
36 stipulated in the contract between the City of Austin and the customer.
37

38 Minimum Bill:

39
40 Customer will be assessed a monthly Minimum Bill equal to the Standby Capacity Rate times the
41 Standby Capacity.
42

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
ECONOMIC DEVELOPMENT

Application:

This rate is applicable to existing manufacturing customers whose demand for power meets or exceeds 3,000 kilowatts for any two months within the previous twelve months and who contract for not less than an additional 1,000 kilowatts. This rate also is applicable to new manufacturing customers who contract for not less than 3,000 kilowatts of electric utility service. This rate is not applicable to customers who are not full requirements customers of the Electric Utility or for temporary service for construction power.

Character Of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, three phase, 12,500 (nominal) volts or higher, in accordance with the Utilities Criteria Manual prescribed by the City as may be amended from time to time.

Rate:

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate	1.11¢ per kWh, for all kWh	1.11¢ per kWh, for all kWh
Demand Rate (ELD)	\$11.40 per kW	\$12.54 per kW

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

A new customer shall be assessed a monthly Minimum Bill under this rate equal to the product of the Demand Rate and the Billing Demand, but in no event shall the monthly Minimum Bill for a new customer be less than the product of the Demand Rate under this rate and 3,000 kilowatts.

An existing customer shall be assessed a monthly Minimum Bill under this rate equal to the product of the Demand Rate and the Billing Demand, but in no event shall the monthly Minimum Bill for a new customer be less than the product of the Demand Rate under this rate and 1,000 kilowatts.

Billing Demand:

The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009, w[~~W~~]hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak

1 power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is
2 less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95
3 percent and dividing by the lower peak power factor.
4

5 Conditions Of Service:

6
7 A. Service under this rate is available only for the additional billing load to an existing manufacturing
8 customer or for the total billing load of a new manufacturing customer. The additional billing load for
9 an existing customer must be accompanied by the creation of an additional 300 Full-Time Equivalent
10 Positions (FTEs) over and above the customer's FTEs as of the end of the customer's Base Period. The
11 total billing load for a new customer must be accompanied by the creation of an additional 1,000 FTEs
12 over and above the customer's FTEs as of the end of the customer's Base Period. FTEs for either an
13 existing customer or a new customer are to be created within 3 years of the end of the Base Period.
14

15 The term "Full-Time Equivalent Position" shall mean any person employed by the customer either in a
16 contract capacity or in an employer-employee relationship where the employment is for a minimum of
17 40 hours per week on a permanent basis. The Base Period shall be the 24 months immediately
18 preceding the month that the rate is formally requested.
19

20 B. Prior to service being rendered under this rate schedule, the customer shall furnish the Electric
21 Utility with a formal request for service with the number of FTEs the customer employs as of the end of
22 the Base Period. Additionally, the customer shall furnish the Electric Utility with the number of FTEs
23 as of December 31 for each of the subsequent three years and at the end of the three year period. The
24 information shall be submitted to the Electric Utility in writing within 30 days of the end of the reporting
25 period.
26

27 The Electric Utility may also, at any time, request and the customer shall provide, within 45 days of the
28 request, the number of FTEs as of the end of any given month or the average number of FTEs during
29 any given month since service commenced under this rate. Any report(s) required as a condition of
30 service under this rate shall be accompanied with an affidavit attesting to the authenticity and accuracy
31 of the report(s) and be attested to by a duly authorized representative of the customer. The Electric
32 Utility shall have the right to audit the customer's records to determine the customer's continued
33 eligibility to receive service under this rate.
34

35 C. The customer shall furnish, install, own, maintain, and operate all facilities and equipment on the
36 customer's side of the point(s) of delivery. Electric service of one standard character will be delivered to
37 designated point(s) of delivery on the customer's premises and otherwise in accordance with the Utilities
38 Criteria Manual prescribed by the City of Austin which may be amended from time to time.
39 Notwithstanding any provision to the contrary, the Electric Utility shall have the right to install at the
40 customer's expense whatever equipment it deems necessary to measure the power and energy taken by
41 the customer under this rate.
42

43 D. An applicant for service under this rate schedule must actively participate in the City's energy
44 conservation programs by completing a technical energy audit and initiating the highest quality, cost
45 efficient energy management improvements.
46

47 E. The maximum term that a customer may take service under this rate shall be 5 years from initial
48 operation of the meter, unless the term is extended by the City Council.

1
2 F. If a customer taking service under this rate does not create the requisite number of FTEs within the
3 three-year period referred to herein, then the customer shall pay to the City the difference between the
4 rate the customer would have paid under the otherwise applicable rate schedule and the rate the
5 customer paid under this rate schedule, at the prime interest rate as quoted in The Wall Street Journal
6 during the same period. Thereafter, the customer shall be charged under the appropriate rate schedule.
7

8 G. Notwithstanding any other provision of this rate schedule, this rate shall be available only in a year
9 in which the Electric Utility has an annual reserve margin which is greater than or equal to 35% at the
10 time of formal request for service.
11

12 H. A new manufacturing customer must apply for this rate no later than the time of application for
13 electric service. An existing manufacturing customer must apply for this rate prior to initiation of the
14 customer's expansion.
15

16 I. Upon termination of this rate, the customer shall be charged under the appropriate rate schedule.
17

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
EXPERIMENTAL VOLUNTARY RESIDENTIAL SUMMER TIME-OF-USE

Application:

The experimental voluntary residential time-of-use rate is applicable to electric service required by residential customers in single-family dwellings, town houses, or individually metered apartment units. Service under this rate is provided at the sole option of the City of Austin. The goal of the experiment is to lower the on-peak consumption of a customer to 20% or less. This rate shall be limited to customers participating in the Customer Communication System (CCS) remote metering project.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time.

Rate (RTOU):

Winter Billing Months of November through April

Customer Charge* \$6.00

Energy Rate 3.55¢ per kWh for the first 500 kWh
6.02¢ per kWh for all kWh over 500 kWh

Summer Billing Months of May through October

Customer Charge* \$6.00

Energy Rate

	Rate for all Off-Peak kWh	Rate for all On-Peak kWh
If total consumption is between 0-1000 kWh	3.43¢ per kWh	13.71¢ per kWh
If total consumption is between 1001-1500 kWh	3.87¢ per kWh	15.48¢ per kWh
If total consumption is between 1501-2750 kWh	4.24¢ per kWh	16.95¢ per kWh
If total consumption is over 2750 kWh	4.56¢ per kWh	18.25¢ per kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

On-peak: 2:00 p.m. to 8:00 p.m., Monday through Friday, except holidays; May 1 through October 31.

Off-Peak: 8:00 p.m. to 2:00 p.m., Monday through Friday, May 1 through October 31; All day Saturday, Sunday, Memorial Day, Independence Day, and Labor Day.

1
2 Conditions of Service:
3

4 A. The customer must enter into a separate agreement with the City of Austin for this rate which will be
5 for a minimum of one year.
6

7 B. The customer shall permit the City to install all equipment necessary for time-of-use metering. The
8 customer shall also permit reasonable access to all electric service facilities installed by the City for
9 inspection, maintenance, repair, removal, or data recording purposes.
10

11 * Customer will be assessed a monthly charge of \$6.00 for service of at least 10 days.
12
13

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
RIDER TOU - THERMAL ENERGY STORAGE

Application:

This rate is applicable to any customer on the General Service - Demand, Primary Service, Large Primary Service (including Time-Of-Use), Large Primary Special Contract Rider (including Time-Of-Use), State General Service - Demand, State Primary Service, State Large Primary Service (including Time-Of-Use), or Independent School Districts General Service - Demand (including Time-Of-Use) rate who shifts to off-peak time periods no less than the lesser of 20% of the customer's normal on-peak Summer Billed Demand or 2,500 kW through the use of Thermal Energy Storage technology. The normal on-peak Summer Billed Demand shall be the maximum Summer Billed Demand recorded prior to attaching this rider, or as may be determined by the City of Austin.

Rate:

The customer shall continue to be billed under the applicable current rate ordinance with the following provisions:

Summer Billed Demand: From May through October, the Summer Billed Demand shall be the highest fifteen-minute demand recorded during the on-peak period. The Summer Billed Demand shall not be less than 50% of the normal on-peak Summer Billed Demand. If more than 50% of the customer's load is attributable to cooling, the 50% floor will be waived.

Winter Billed Demand: From November through April, the Winter Billed Demand shall be the highest fifteen-minute demand recorded during the month, or 90% of the Summer Billed Demand set in the previous summer; whichever is less.

On-Peak: 4:00 p.m. to 8:00 p.m., Monday through Friday; May 1 through October 31.

Off-Peak: 8:00 p.m. to 4:00 p.m., Monday through Friday; all day Saturday, Sunday, Memorial Day, Independence Day, and Labor Day; May 1 through October 31. All day November 1 through April 30.

Conditions of Service:

- A. The customer shall enter into a separate agreement with the City of Austin for this rider.
- B. The customer shall continue to be served under the terms and conditions of, and shall continue to comply with, all rules and regulations of the City of Austin as amended from time to time during the term of this agreement.
- C. The on-peak load shall be shifted to off-peak, not eliminated or replaced by alternative fuels.
- D. The customer shall permit the City to install all equipment necessary for time-of-use metering and to permit reasonable access to all electric service facilities installed by the City for inspection, maintenance, repair, removal, or data recording purposes.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
INTERRUPTIBLE SERVICE

Application:

This rate is applicable to any customer who has on-site power-production facilities, receives power at the primary voltage level 12,500 volts (nominal), has dedicated service directly from a City of Austin substation, and executes a separate contract with the City of Austin for interruptible electric service.

Character of Service:

The Character of Service provided under this rate shall be alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin which may be amended from time to time.

Interruptible Rate (Primary):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E11)	1.50¢ per kWh, for all kWh	1.50¢ per kWh, for all kWh
Demand Rate (ELD)	\$6.00 per kW	\$6.00 per kW
Customer Charge	\$200.00	\$200.00

Fuel Adjustment Clause (FAC) - calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

The Minimum Bill shall be the Customer Charge of \$200.

Billing Demand:

The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009, w[hen] the power factor during the interval of greatest use is less than 85 percent, Billing Demand shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95 percent and dividing by the lower peak power factor.

Conditions of Service:

1. The City may make intentional interruptions at any time, at the City's sole discretion, for up to 24 hours in any calendar year for the term of the contract. Intentional interruptions are those interruptions caused by any emergency such that the City is required to interrupt service to firm customers in order to protect the general public and preserve the integrity of the City's electric system and the electric system of utilities which are interconnected with City's system. In the event of an intentional interruption, the customer may be interrupted before the City interrupts its firm customers.

In the event of an interruption for emergency conditions, the City will attempt to provide as much prior notice as possible but is in no way obligated to give more than fifteen minutes notice prior to interruptions. Emergency conditions are deemed to exist at any time, in the sole judgment of the City, that demands for electricity exceed or are expected to exceed the City's available electrical supply for whatever reasons including, but not limited to, failure of generating units, transmission equipment or other critical facilities; short- or long-term shortages of fuel or generation, transmission, and other facilities; and requirements or orders of governmental agencies.

In the event of any interruption for non-emergency purposes, the City will provide at least four hours notice prior to interruption.

2. An hour of interruption shall be any clock-hour or part thereof during which the City invokes an intentional interruption. The number of hours of interruption remaining during the calendar year for the term of the contract shall be reduced by a minimum of two hours for each interruption occasion, even though the actual interruption may last for a lesser time period. No more than two interruptions may be required in any calendar day.
3. Unintentional interruptions shall not be considered to be intentional interruptions, and shall not be subject to the limitation on interruptions contained in the contract. Unintentional interruptions are interruptions caused by an act of God, public enemy, strikes, governmental interference (other than the governing body of the City of Austin), lightning, thunderstorm, windstorm, flood, fire, explosion, or any matter or thing over which the City has no control, which prevent the City from making a timely request for interruption in accordance with the provisions of the contract.
4. If, at any time, the customer fails in whole or in part to implement and maintain any requested load reduction or interruption, the customer shall pay to the City as agreed damages, an amount of money calculated as the difference in billing to the customer as a full requirements customer applying the rates set forth in the City's Large Primary Service tariff contained within and the actual billing to the customer as set forth in the contract.
5. If the customer experiences two occurrences of non-compliance in a year, in addition to the damages above, the City may, at its option, elect to cancel the contract immediately. In such event, the customer shall revert to the terms and conditions of the applicable Standby Capacity agreement.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
LINE EXTENSION & ELECTRIC SWITCHOVER POLICY

EXTENSION OF SERVICE - The City of Austin generally does not charge the customer for the normal extension of service. A customer may be required to make a Contribution in Aid of Construction for the extension of service if the current source is more than 300 feet from the point of delivery. Any required contribution will not include costs for facilities that are normally provided by the City of Austin, such as transformers, meters, and service drops.

The distance is measured along the route of the new line from an existing source to the point of delivery. The customer will be required to pay for all costs not normally provided for by the City of Austin less a share of revenues described below.

If more than one customer is requesting service from the same extension, the length of service extended without a fee is equal to the product of (1) the number of customers to be served from the line, and (2) 300 feet.

The required contribution for an extension beyond 300 feet will be the difference between (1) the excess costs for the extension, and (2) 20% of the estimated base revenues collected from the new customer over a three year period

CUSTOMER SWITCHOVER - In a dually certified service area, a customer is required to pay all current balances before being disconnected from the City of Austin Electric system. The customer will also be required to pay, in advance, for any costs associated with the disconnection of service. There will not be a disconnect fee in addition to the above costs.

A customer switching to the City of Austin Electric system from another system will be required to present a receipt or other evidence from the disconnecting utility that all current charges for electric service and for the service disconnection have been paid.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
LOAD COOPERATIVE RIDER

[Application:

~~The Load Cooperative Rider is an incentive-based rate to achieve voluntary system load reductions via utility initiated requests to participating customers to curtail loads. Each Load Cooperative participant agrees to reduce temporarily its load on the Austin Energy electrical system by stopping non-critical electric equipment, such as motors, compressors, chillers, and pumps, or by using on-site electrical generation equipment, such as diesel generators. In the short term, this program will reduce the need for Austin Energy to purchase peak period energy on the open market and will also delay the building of generation capacity.~~

~~The Load Cooperative Program is available to any large commercial, industrial, or governmental customer of Austin Energy (specified below) that executes a separate agreement for this service, in form and substance acceptable to the City of Austin. The customer must have a minimum of 100 kW of load that can be curtailed for a period of three hours. The curtailed load may be no less than 15 percent of the customer's normal on-peak summer billed demand. Austin Energy will provide engineering expertise to aid customers in identifying suitable equipment loads that can be curtailed. The customer shall sign an agreement specifying the amount of load that the customer will curtail during specific hours of the day during the months of June, July, August, and September as a condition of taking service under this rider.~~

Conditions of Service:

~~This rider is available to the General Service Demand (E06), Primary Service (E07), Large Primary Service and Large Primary Service Special Contract Rider (E08, E09, and E), Economic Development, Transmission Service (E-11), State General Service Demand (E14), State Primary Service (E17), State Large Primary Service (E16), Independent School Districts General Service Demand and Time of Use (E10 and E23), Water and Wastewater (E03), and Other City tariffs (E04). The incentive payment for Time of Use riders (E09 and E23) will be for load reductions that are not associated with thermal storage technologies. The customer shall continue to be billed under the applicable tariff with the following provisions:~~

~~Curtailment Window: 12 Noon to 8:00 p.m., Monday through Friday, June 1 through September 30 (excluding Independence Day and Labor Day).~~

~~Minimum Curtailment in any 24-hour period: 3 Hours.~~

~~Maximum Number of Curtailments per Year: 15 sessions (with a maximum of 3 consecutive days).~~

~~Maximum Number of Consecutive Days with a Curtailment Session: 3~~

~~Austin Energy will dispatch curtailment notification to the customer via digital page, e-mail, or telephone at least one hour before the start of a curtailment period. The notification will identify the official starting time of the curtailment period.~~

~~The customer's designated representative must confirm the receipt of the curtailment notification and the intent to curtail load with Austin Energy's Load Cooperative designee via digital page, e-mail, or~~

1 telephone within 30 minutes. The customer must shut down the identified equipment or operate the
2 identified on-site generation equipment throughout the entire curtailment period under the terms of the
3 agreement.

4 Definitions: The following definitions apply in the computation of the incentive payments.

5 (1) Contracted kW: the agreed-upon estimate of the electric load available for each curtailment session.

6 (2) Baseline kW: the average kW recorded during the one-hour period beginning two hours before the
7 start of the curtailment session, unless superseded by the agreement.

8 (3) Curtailment kW: the average kW recorded during the curtailment session.

9 (4) Delivered kW: the monthly average kW of the curtailed load (Baseline kW minus Curtailment kW).

10 (5) Delivered kWh: the kWh reduced during the curtailment session (Delivered kW multiplied by the
11 number of hours in the curtailment session).

12 Rate:

13 Incentive payments will consist of two components:

14 1) Load Reduction Premium: Austin Energy shall pay a premium of \$1.25 per kW for Delivered kW
15 which has been delivered that month.

16 In the event that no curtailment session occurs during one or more of the months of the contract
17 period, the Load Premium's incentive payment for that month(s) will be the lesser of:

18 ◆ \$1.25/kW multiplied by the Contracted kW, or;

19 ◆ \$1.25/kW multiplied by the customer's previous Delivered kW.

20 2) Consumption Incentive: Austin Energy will pay customer \$0.15 per kWh for all Delivered kWh that
21 month.

22 If no curtailment session occurs during one or more of the months in the contract period, the
23 Consumption Incentive for that month(s) is not applicable.

24 Austin Energy shall provide all necessary metering equipment and data analysis to determine the
25 customer's incentive payments and all records and calculations are open for inspection during business
26 hours (8:00 AM – 5:00 PM, Monday – Friday).

27 If a Load Cooperative customer fails to curtail the load identified in the agreement, Austin Energy may
28 terminate the agreement. Austin Energy may waive one failure to meet the curtailment request per year
29 if Austin Energy determines that circumstances prevented the customer from meeting the curtailment
30 request and the customer notified Austin Energy of the inability to comply with the request before the
31 start of the curtailment period. A customer whose agreement is terminated is ineligible for future
32 incentive payments, but will not be required to refund any payments previously received.]
33

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
GREENCHOICE[®] ENERGY RIDER

Application:

The charges set forth in this rider apply to those customers who choose to participate in Austin Energy's GreenChoice[®] program. By subscribing to the GreenChoice[®] program, participants will assist Austin Energy in adding renewable energy resources by paying a Green Power Charge as provided by this rider. The Batch-1 Green Power Charge applies to residential service and general service non-demand customers who subscribed in writing to Austin Energy's GreenChoice[®] program before October 13, 2000, except as provided for in the Electric Rate Schedule Residential Service, and to other customers who subscribed in writing before September 22, 2000. The Batch-2 Green Power Charge applies to those customers who subscribe in writing to the GreenChoice[®] program after the Batch-1 dates, but before December 6, 2003. The Batch-3 Green Power Charge applies to those customers who subscribe in writing to the GreenChoice[®] program after the Batch-2 dates, but before April 22, 2005. The Batch-4 Green Power Charge applies to those customers who subscribe to the GreenChoice[®] program after the Batch-3 dates but before March 31, 2006. The Batch-5 Green Power Charge applies to those customers who subscribe to the GreenChoice[®] program after January 14, 2008. The Batch-6 Green Power Charge applies to those customers who subscribe to the GreenChoice[®] program after January 1, 2009.

On or after March 28, 2001, GreenChoice[®] participants pay a Green Power Charge, rather than the normal Fuel Adjustment Factor, on that portion of their monthly energy use that is designated as GreenChoice[®] energy. Subscriptions to GreenChoice[®] shall continue for the full term of this rider unless terminated sooner in accordance with the terms of this rider. Aside from the Green Power Charge, participants' usage will otherwise be priced in accordance with all applicable rate tariffs and riders otherwise governing participant's electric service, including all energy rates, demand rates, and other charges and adjustments that may apply to participant's service.

Participants' subscriptions under this rider will support Austin Energy's acquisition of renewable energy. This energy cannot be directed to any one particular destination on the ERCOT electric grid, including participant's premises. Participants' subscriptions may be satisfied by Renewable Energy Credits (RECs) as provided for in the Public Utility Regulatory Act. The availability of energy from the renewable sources in question may vary from time to time and is dependent upon weather conditions, force majeure, and third-party actions for which Austin Energy cannot be responsible. This may produce periodic shortfalls of GreenChoice[®] energy during the term of this rider.

Participation in the GreenChoice[®] program is contingent upon the participant's remaining an Austin Energy customer for the duration of the GreenChoice[®] program as set forth by this rider. If participant's electric service is involuntarily terminated by Austin Energy, or if participant discontinues electric service and relocates outside of the Austin Energy service area, participation in the GreenChoice[®] program shall end immediately. If participant relocates to another premise within Austin Energy's service area, participant may cancel its participation within 15 days of the relocation. If participant chooses another electric provider after any deregulation of the Austin electric retail market, Austin Energy may terminate participant's participation in this program at Austin Energy's sole discretion. Participants who are terminated from the GreenChoice[®] program or who cancel their participation shall be ineligible for further subscriptions to the program. Subscriptions are not transferable from customer to customer.

Character of Service:

Each GreenChoice® participant will receive electric service under the applicable service tariff.

Residential Service and General Service Non-Demand:

Batch-1 Green Power Charge:	\$0.0170 per kWh
Batch-2 Green Power Charge:	\$0.0285 per kWh
Batch-3 Green Power Charge:	\$0.0330 per kWh
Batch-4 Green Power Charge:	\$0.0350 per kWh
Batch-5 Green Power Charge:	\$0.0550 per kWh
Batch-6 Green Power Charge:	<u>\$0.0800 or 0.0950 per kWh*</u>

With respect to residential service and general service non-demand participants, the Green Power Charge will be applied to the participant's entire monthly consumption until March 1, 2011 for both Batch 1 and Batch 2, until December 31, 2013 for Batch 3, until June 30, 2015 for Batch 4, ~~and until~~ December 31, 2023 for Batch 5, and until either December 31, 2013 or December 31, 2018 for Batch 6*.

In order to participate in the GreenChoice® program under this rider, a residential service customer or general service non-demand customer must subscribe to the program as required by Austin Energy.

Large Commercial Service:

Batch-1 Green Power Charge:	\$0.0170 per kWh
Batch-2 Green Power Charge:	\$0.0285 per kWh
Batch-3 Green Power Charge:	\$0.0330 per kWh
Batch-4 Green Power Charge:	\$0.0350 per kWh
Batch-5 Green Power Charge:	\$0.0550 per kWh
Batch-6 Green Power Charge:	<u>\$0.0800 or 0.0950 per kWh*</u>

All eligible customers other than residential service or general service non-demand customers must enter into a separate written agreement with Austin Energy that either specifies a monthly quantity of GreenChoice® energy or designates 100% of the customer's monthly energy consumption as GreenChoice® usage. The resulting monthly portion of the participant's consumption will be subject to the applicable Green Power Charge for the term of the agreement, not to exceed March 1, 2006 for Batch 1 participants, March 1, 2011 for Batch 2 participants, December 31, 2013 for Batch 3 participants, June 30, 2015 for Batch 4 participants, ~~or~~ December 31, 2023 for Batch 5 participants, and either December 31, 2013 or December 31, 2018 for Batch 6*.

* Customers subscribing to Batch 6 shall commit to an initial term extending through either December 31, 2013, or December 31, 2018. The Green Power Charge of \$0.0800 per kWh shall apply to customers subscribing under an initial term ending in 2013, throughout the length of that term. These customers shall have the option to renew for up to two additional consecutive 5-year terms, from January 1, 2014 through December 31, 2018 and from January 1, 2019 through December 31, 2023, but at the Green Power Charge then in effect under this tariff as it may be amended. The Green Power Charge of \$0.0950 per kWh shall apply to customers subscribing under an initial term ending in 2018, throughout the length of that term. These customers shall have the option to renew for one additional 5-

1 year term, from January 1, 2019 through December 31, 2023, but at the Green Power Charge then in
2 effect under this tariff as it may be amended.

3 Energy Resale:

4
5 Energy available from a contract supply source because of subscription agreement expiration or
6 cancellation and allocated to earlier Batches may be resold at the current Batch rate and term for a
7 period not to exceed the remaining term of the original supply contract.
8

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
UNMETERED NON-DEMAND FOR COMMUNICATIONS EQUIPMENT

Application:

This rate is applicable, at the City of Austin's sole discretion, to the electrical usage of each item of customer-owned equipment that is not on a premises receiving metered service but is directly attached or connected to City-owned electric distribution poles or transmission towers for the purpose of providing telecommunication, cable, internet, or other communication or data services, where metering is impractical because of multiple attachment locations and the monthly electrical consumption for each piece of equipment is reasonably low and can be estimated or predicted to a reasonable degree of accuracy based upon testing or manufacturer specifications. This rate may also be applied, at the City's sole discretion, to unmetered electrical usage by wireless telecommunication towers and related equipment located in City substations or rights-of-way.

The City will bill customer for such usage based upon the number of customer attachments drawing unmetered power from its infrastructure during the billing period and the average electrical consumption of each such attachment. The City may base its determination upon its own records, information provided by the customer, and/or information and testing independently obtained by the City. To obtain service under this tariff, Customer must first enter into a written contract with the City using a form that has been approved and promulgated by the general manager of Austin Energy or his designee. Invoicing and payment for energy consumed under this tariff shall be governed exclusively by the terms of such contract between customer and the City, notwithstanding any other City-enacted service regulations concerning such matters.

Character of Service:

The Character of Service provided by this tariff shall be alternating current, 60 hertz, single phase in accordance with the Utilities Criteria Manual prescribed by the City of Austin as amended from time to time.

Rate:

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate	4.64¢ per kWh	6.44¢ per kWh

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Customer will be assessed an annual customer charge of \$72.00 per attachment contract and per communication tower, as may be applicable.

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
DISTRIBUTED GENERATION FROM RENEWABLE SOURCES RIDER

Application:

This Rider is available to any retail customer receiving electric service under a City of Austin electric rate schedule who owns and operates an on-site generating system powered by a renewable resource capable of producing not more than 20 kW of power, and who interconnects with the City of Austin's electric system. Renewable energy technology is any technology that exclusively relies on an energy source that is naturally regenerated over a short time and derived directly from the sun, indirectly from the sun, or from moving water or other natural movements and mechanisms of the environment. Renewable energy technologies include those that rely on energy derived directly from the sun, on wind, geothermal, hydroelectric, wave, or tidal energy, or on biomass or biomass-based waste products, including landfill gas. A renewable energy technology does not rely on energy resources derived from fossil fuels, waste products from fossil fuels, or waste products from inorganic sources. This Rider applies to a customer-owned generating system that primarily offsets part or all of the customer's electric service provided by the City of Austin.

Conditions of Service:

1. All charges, character of service, and terms and conditions of the City of Austin Electric Rate Schedule under which the customer receives service apply except as expressly altered by this Rider.
2. The customer shall comply with the current City of Austin technical requirements for distributed generation interconnection for facilities under 20 kW and any revisions to the requirements. The customer shall obtain approval from the City of Austin before the customer energizes the customer's on-site generating system or interconnects it with the City of Austin's electric system. If the customer is a participant in the Austin Energy Solar Rebate Program, the customer shall comply with the guidelines of the program. The customer shall submit to the City a completed interconnection application form and signed agreement. The minimum term of an agreement under this Rider is one year, extended automatically unless terminated by either party with sixty days written notice. If the customer is a participant in the Austin Energy Solar Rebate Program, the minimum term of the agreement is the period required by the Program.
3. The customer is responsible for the costs of interconnecting with the City of Austin's electric system, including transformers, service lines, or other equipment determined necessary by the City for safe installation and operation of the customer's equipment with the City's system. The customer is responsible for any costs associated with required inspections and permits.

Metering:

Metering under this Rider shall be performed by a single meter capable of registering the flow of electricity in two directions (delivered and received) to determine the customer's net energy flow.

1 Rate:

- 2
- 3 1. In a billing month after a customer receives approval to interconnect the customer's on-site
- 4 generating system from the City of Austin, if the energy delivered by the customer's approved
- 5 system to the City of Austin's electric system exceeds the amount of energy delivered by the
- 6 City of Austin to the customer, the City shall credit the customer's account for the energy
- 7 generated as described below.
- 8
- 9 2. The monthly credit, if any, is calculated as follows:
- 10
- 11 a. Except as provided in paragraph b., each kWh delivered from the customer's approved
- 12 system to the City of Austin's electric system in excess of the kWh delivered by the City
- 13 of Austin is multiplied by the Fuel Rate as adjusted by the appropriate multiplier in the
- 14 then current Fuel Adjustment Clause of the Electric Rate Schedule.
- 15 b. If the customer participates in the GreenChoice[®] program, each kWh delivered from the
- 16 customer's approved system to the City of Austin's electric system in excess of the kWh
- 17 delivered by the City of Austin is multiplied by the appropriate Green Power Charge.
- 18
- 19 3. Any credit shall be applied to the utility charges due from the customer to the City of Austin.
- 20
- 21
- 22
- 23

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
LARGE PRIMARY SERVICE – SPECIAL CONTRACT RIDER II

Definitions:

FULL REQUIREMENTS service means full and exclusive generation, transmission, and distribution, (i.e., “bundled”) service as presently supplied by City of Austin (sometimes referred to as City) to customer; provided, however, that the customer may self-generate up to ~~20~~500 kW of its requirements from customer-owned, on-site renewable energy technology, subject to the terms and condition of the City of Austin’s Distributed Generation from Renewable Sources Rider.

Application:

This rate applies to a large primary service (LPS) customer that executes a separate contract for this service on or after October 9, 2006, in form and substance acceptable to the City of Austin. The contract will require the customer to remain a full requirements customer of the City of Austin through May 31, 2015, on which date customer’s contract and the terms of this rider shall terminate; provided, however, that if the City of Austin subsequently adopts a tariff that provides more favorable rates, terms, or conditions than provided by this rider and which describes a customer class for which customer’s large primary service accounts qualify, customer may terminate its contract and receive service pursuant to such subsequent tariff. The City of Austin, acting by and through its Electric Utility Department, enters and executes the contract and assumes its obligation in its proprietary capacity as the owner and operator of a utility enterprise increasingly in competition with other power suppliers for the attraction and retention of industrial loads, and in order to induce customer to remain a customer of the City of Austin.

The Rider TOU – Thermal Energy Storage and the Optional Time-of-Use Rate may be attached to this rate.

Character of Service:

The Character of Service provided under this rate is alternating current, 60 cycles, single phase or three phase, in accordance with the Utilities Criteria Manual prescribed by the City of Austin and which may be amended from time to time. Electric service of one standard character will be delivered to one point on the customer's premises and measured through one meter.

Monthly Rate:

Rate (E):	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E)	1.11¢ per kWh, for all kWh	1.11¢ per kWh, for all kWh
Demand Rate (ELD)	\$11.40 per kW	\$12.54 per kW

Fuel Adjustment Clause (FAC) – plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Minimum Bill:

Customer will be assessed a monthly Minimum Bill of \$12.00 if the above calculations result in a charge of less than \$12.00.

Billing Demand:

The kilowatt demand during the fifteen-minute interval of greatest use during the current billing month as indicated or recorded by metering equipment installed by the City of Austin. Until October 1, 2009, w[hen the power factor during the interval of greatest use is less than 85 percent, Billing Demand shall be determined by multiplying the indicated demand by 85 percent and dividing by the lower peak power factor. On and after October 1, 2009, when the power factor during the interval of greatest use is less than 95 percent, Billing Demand shall be determined by multiplying the indicated demand by 95 percent and dividing by the lower peak power factor; provided, however, the power factor adjustment specified in this paragraph shall be superseded by any subsequent tariff or ordinance governing power factor that may be enacted or amended by the City of Austin from time to time.

Optional Time-Of-Use Rate:

At the option of the customer, a separate agreement may be entered into between the City and the customer for a time-of-use incentive rate. The customer shall permit the City to install all equipment necessary for time-of-use metering and to permit reasonable access to all electric service facilities installed by the City for inspection, maintenance, repair, removal, or data recording purposes.

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate (E)		
On-Peak	1.71¢ per kWh	2.41¢ per kWh
Off-Peak	(.29)¢ per kWh	.56¢ per kWh
Demand Rate (ELD)		
On-Peak	\$11.40 per kW	\$12.54 per kW
Off-Peak	\$0.00 per kW	\$0.00 per kW

Billed demand will be based on the fifteen-minute interval of greatest use during an On-Peak period for the current billing month. All other adjustments will be included as described above (See Billing Demand).

Fuel Adjustment Clause (FAC) - plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

On-Peak: 1:00 p.m. to 9:00 p.m., Monday through Friday; May 1 through October 31. 8:00 a.m. to 10:00 p.m., Monday through Sunday; November 1 through April 30.

1 Off-Peak: 9:00 p.m. to 1:00 p.m., Monday through Friday; all day Saturday, Sunday, Memorial Day,
2 Independence Day, and Labor Day; May 1 through October 31. 10:00 p.m. to 8:00 a.m. Monday
3 through Sunday; November 1 through April 30.
4

5 Terms and Conditions:

6
7 The special contract rate is effective on the first day of the customer's billing cycle following the date
8 that a separate contract under this tariff has been executed between the City of Austin and the customer,
9 and shall be in effect through May 31, 2015.
10

11 Notwithstanding any provision of this tariff, neither customer nor the City of Austin shall be precluded
12 from challenging the legal validity of any statute, regulations, or other provisions of law.
13

14 This Special Contract Rider shall be extended to all of an LPS customer's accounts having a maximum
15 demand of at least 500 kW.
16

17 Upon request, customers receiving service under this Special Contract Rider will be provided dual feed
18 service with reserve capacity and maintenance under the long term contract provisions of this Special
19 Contract Rider, except that the customer will be responsible for the initial assessment fee, customer
20 requested changes to the initial assessment, and facilities design and construction costs, as established in
21 the fee schedule. Dual feed service with reserve capacity is electric service provided to the customer's
22 premise(s) through two (or more) independent distribution feeders, with one feeder in normal service
23 and the other in back-up service. Capacity is reserved for the second feeder, and is placed into service
24 upon an outage of the primary feeder
25

26 If it is determined at any time by the City of Austin that the customer violated the provisions of this
27 tariff or the contract implementing the tariff, then the customer will be immediately billed on the LPS
28 rate schedule, or as amended, from the date service was first commenced under this tariff. The
29 difference, plus interest at one percent (1%) per month, or the maximum allowable legal interest rate,
30 whichever is less, from the date service was first commenced under this tariff, shall immediately become
31 due by customer to the City of Austin.
32

33 The contract executed under this tariff shall address the rights of the City and the customer relating to
34 the transfer or assignment of rights under this tariff.
35

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
LARGE PRIMARY SERVICE SPECIAL CONTRACT – INDUSTRIAL RIDER

Application:

This rate applies to electric service to any customer that qualifies for service and has executed a contract under the Large Primary Service – Special Contract Rider I or II and thereafter has (1) reached a billing demand of at least 25,000 kilowatts during any two months within the previous six months, and (2) maintained an average load factor of at least 85% during the previous six months. Any action by the customer resulting in measurable reduction in peak demand or energy use may be taken into account by the City, in its sole discretion, when applying the demand and load factor requirements of this tariff. The City will also take into account up to ~~20~~500 kilowatts of power generated by customer-owned, on-site renewable energy technology in accordance with the Distributed Generation from Renewable Sources Rider, when applying the demand requirement of this tariff.

The customer shall continue to receive service under the Large Primary Service – Special Contract Rider I or II tariff, as applicable, and comply with the terms of its Large Primary Service Special Contract; provided, that customer at its option shall receive the energy and billing demand rates specified by this Rider for accounts which meet criteria (1) and (2) above, so long as this Rider remains in effect.

The Rider TOU – Thermal Energy Storage may be attached to this rate.

Monthly Rate:

Rate (E):

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate	1.08¢ per kWh, for all kWh	1.08¢ per kWh, for all kWh
Demand Rate (ELD)	\$11.12 per kW	\$12.23 per kW

Fuel Adjustment Clause (FAC) – plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Tariff, multiplied by all kWh.

Optional Time-Of-Use Rate:

	Winter Billing Months of November through April	Summer Billing Months of May through October
Energy Rate		
On-Peak	1.67¢ per kWh	2.35¢ per kWh
Off-Peak	(.30)¢ per kWh	.55¢ per kWh
Demand Rate		
On-Peak	\$11.12 per kW	\$12.23 per kW

\$0.00 per kW

COA Law Department
Responsible Att'y: A.