ORDINANCE NO. 20120607-055

AN ORDINANCE PRESCRIBING AND LEVYING RATES AND CHARGES FOR SALES MADE AND SERVICES RENDERED IN CONNECTION WITH THE ELECTRIC LIGHT AND POWER SYSTEM OF THE CITY OF AUSTIN FOR RESIDENTIAL, COMMERCIAL, PUBLIC, AND OTHER USES OF ELECTRIC LIGHT AND POWER SOLD AND SERVED BY THE CITY OF AUSTIN.

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

- **PART 1.** The monthly rates and charges for sales made and services rendered by any part of the electric light and power works and system of the City of Austin are hereby established, levied, fixed, and prescribed pursuant to the retail rate schedules attached hereto as Exhibit A and incorporated by reference.
- **PART 2.** Service rendered under these retail rate schedules shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin.
- PART 3. These retail rate schedules have been adopted after a complete investigation of facts and policies bearing upon them, including formation of a Public Involvement Committee, five hearings before the Electric Utility Commission, twelve Council work session meetings, and three public hearings before the Council. Based on such investigation and hearings, the City Council finds and determines that these rates and charges are fair, just, and reasonable; are equal, uniform, and nondiscriminatory; are necessary to meet the operating and maintenance expenses and provide for depreciation and replacement of assets of the electric system, to provide for reasonable extensions and additions thereto in order to render efficient service, and to pay principal and interest on revenue bonds; and are sufficient to provide only a reasonable and proper return on the fair value of the electric system's properties dedicated to the furnishing of electric service.
- PART 4. The Council further finds that the 2009 test year data, adjusted for known and measurable changes, support an annual utility revenue requirement of \$1,123,477,268 under current City financial and reserve policies. To mitigate the magnitude of rate increase required to achieve this requirement, the Council adopts these retail rate schedules to achieve annual revenues of \$1,089,529,780. It is the intent of the City Council to move toward full recovery of utility revenue requirements through the further examination of reserve policies, prudent cost reduction measures, and allocations of offsystem sales net revenues, the implementation of revised retail rate schedules by October 1, 2014 (to the extent then supported by most recent available test year data), and the

automatic expiration of all existing fixed-rate service contracts pursuant to their terms on May 31, 2015.

- **PART 5.** These retail rate schedules reflect a consolidation of customer classes and a move toward rates based upon cost-of-service but adjusted to mitigate rate shock and support the community priorities of energy efficiency, peak demand reduction, and assistance to low-income customers.
- **PART 6.** The Council adopts as policy the use of the A&E 4CP methodology to allocate production demand costs among customer rate classes.
- **PART 7.** The Council adopts a policy of targeting a debt-to-equity ratio of 60/40 for financing electric utility capital projects until October 1, 2014, and reaffirms the current long-term policy of maintaining a 50/50 ratio.
- **PART 8.** The Council finds that a tiered residential rate structure promotes energy efficiency and peak demand reduction.
- **PART 9.** The Council finds that a discount for Independent School Districts and a rate cap for group worship facilities currently receiving residential service are fair, just, and reasonable, and support the community priorities of well-funded public education and avoidance of unplanned-for budget impacts.
- **PART 10.** The Council finds that rising utility rates affect low-income residential households and that it is necessary and reasonable to provide discounted rates, targeted energy efficiency programs, and bill payment assistance for residential customers with an inability to pay due to poverty. To mitigate the effect of the rate increase on low-income residential households, the Council establishes a Customer Assistance Program as set forth in the Community Benefit Charge Rate Schedule.
- **PART 11.** The retail rate schedules established herein shall be effective on all bills rendered on or after October 1, 2012, at which time all other ordinances, resolutions, or orders in conflict with this ordinance are repealed. The rate schedules set forth in Ordinance No. 20110912-007, as amended by Ordinances Nos. 20111208-133 and 20120524-141, shall continue in full force and effect on all bills rendered before October 1, 2012.
- **PART 12.** The Council adopts as policy that Austin Energy's rates should be reviewed at least once every five years. The Council will establish a process for rate policy development and decision making that will ensure that all customer classes have an opportunity to participate and that their interests are considered. As part of this process, the City will hire a consumer advocate who is knowledgeable and experienced in ratemaking issues to represent residential and small business customers. The City may

also hire an impartial hearing examiner to conduct the review and make recommendations.

PART 13. This ordinance takes effect on June 18, 2012.

PASSED AND APPROVED

June 7 , 2012

Lee Leffingwell
Mayor

APPROVED:

Karen M. Kennard City Attorney ATTEST:

Shirley A Gentry

City Clerk

EXHIBIT A CITY OF AUSTIN ELECTRIC RATE SCHEDULES

RESIDENTIAL

Application

This rate applies to electric service for residential purposes to single-family dwellings and single metered apartment units. This rate does not apply if a portion of the dwelling or unit is used for non-residential purposes unless such use qualifies as a home occupation as defined by City Code Section 25-2-900. This rate does not apply to electric service for separately-metered non-residential uses at the same premises, such as water wells, gates, barns, garages, boat docks, pools, and lighting.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$10.00	\$10.00
Energy Charges		
First 0- 500 kWh	1.8 ¢ Per kWh	3.3 ¢ Per kWh
From 501-1,000 kWh	5.6 ¢ Per kWh	8.0 ¢ Per kWh
From 1,001-1,500 kWh	7.2 ¢ Per kWh	9.1 ¢ Per kWh
From 1,501-2,500 kWh	8.4 ¢ Per kWh	11.0 ¢ Per kWh
From 2,501 kWh and greater	9.6 ¢ Per kWh	11.4 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Ber	nefit Charge Schedule
Regulatory Charge	See Regulatory	Charge Schedule

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

Time-Of-Use Option

In lieu of the Charges above, customers receiving service under this rate schedule may choose the following time-of-use charges to be applied for a term of not less than twelve consecutive billing months.

Customers selecting this time-of-use option shall permit Austin Energy to install all equipment necessary for time-of-use metering and permit reasonable access to all electric service facilities installed by Austin Energy for inspection, maintenance, repair, removal, or data recording purposes. Customers selecting this option are not eligible to participate in levelized billing. Austin Energy may administratively suspend availability of this time-of-use rate option to additional customers.

Monthly Time-Of-Use Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$12.00	\$12.00
Energy Charges		
Total Monthly kWh 0-500		
Off-Peak	-0.924 ¢ Per kWh	0.493 ¢ Per kWh
Mid-Peak	1.201 ¢ Per kWh	5.040 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	9.761 ¢ Per kWh
Total Monthly kWh 501-1,000		
Off-Peak	-0.427 ¢ Per kWh	1.188 ¢ Per kWh
Mid-Peak	3.673 ¢ Per kWh	6.218 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	11.003 ¢ Per kWh
Total Monthly kWh 1,001-1,500		
Off-Peak	-0.014 ¢ Per kWh	2.182 ¢ Per kWh
Mid-Peak	4.891 ¢ Per kWh	7.134 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	12.196 ¢ Per kWh
Total Monthly kWh 1,501-2,500		
Off-Peak	0.692 ¢ Per kWh	2.679 ¢ Per kWh
Mid-Peak	6.282 ¢ Per kWh	7.934 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	13.031 ¢ Per kWh
Total Monthly kWh 2,501 plus		
Off-Peak	4.170 ¢ Per kWh	6.158 ¢ Per kWh
Mid-Peak	9.761 ¢ Per kWh	9.512 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	14.979 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Bene	efit Charge Schedule
Regulatory Charge	See Regulatory C	Charge Schedule

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

Time-Of-Use Periods

	Billing Months October Through May
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday
Mid-Peak Hours	6:00 A.M. – 10:00 P.M. Everyday
On-Peak Hours	None
	Billing Months June Through September
	0
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday
Mid-Peak Hours	6:00 A.M. – 2:00 P.M. and 8:00 P.M. – 10:00 P.M. Monday – Friday
	6:00 A.M 10:00 P.M. Saturday - Sunday

GreenChoice Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

RESIDENTIAL SOLAR

Application

This rider applies to any customer receiving residential electric service who owns and operates an on-site solar photovoltaic system with a capacity of 20 kW or less that is interconnected with Austin Energy's electric distribution system.

Monthly Charges

Billable kWh under this rate schedule shall be based on the customer's total energy consumption during the billing month, including energy delivered by Austin Energy's electric system and energy consumed from an on-site solar system. All non-kWh-based charges under this rate schedule shall remain unaffected by the application of this rider.

Solar Credit

For each billing month the customer shall receive a non-refundable credit equal to the metered kWh output of the customer's photovoltaic system, times the current Value-of-Solar Factor plus any carry-over credit from the previous billing month. The Value-of-Solar Factor shall initially be \$0.128 per kWh, and shall be administratively adjusted annually, beginning with each year's January billing month, based upon the marginal cost of displaced energy, avoided capital costs, line loss savings, and environmental benefits.

Any amount of solar credit in excess of the customer's total charges for electric service under the residential rate schedule shall be carried forward and applied to the customer's next electric bill. The customer's carry-over credit, if any, shall be reset to zero in the first billing month of each calendar year.

SECONDARY VOLTAGE LESS THAN 10 kW

Application

This rate applies to secondary voltage (less than 12,470 volts nominal line to line) electric service, to which no other specific rate schedule applies, to any customer whose kW demand did not meet or exceed 10 kW at any interval during the most recent June through September billing months, or as determined by Austin Energy if insufficient usage history is available.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$18.00	\$18.00
Energy Charge	4.598 ¢ Per kWh	6.198 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Ben	efit Charge Schedule
Regulatory Charge	See Regulatory	Charge Schedule

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Time-Of-Use Option

In lieu of the Charges above, customers receiving service under this rate schedule may choose the following time-of-use charges to be applied for a term of not less than twelve consecutive billing months. Customers selecting this time-of-use option shall permit Austin Energy to install all equipment necessary for time-of-use metering and permit reasonable access to all electric service facilities installed by Austin Energy for inspection, maintenance, repair, removal, or data recording purposes. Customers selecting this option are not eligible to participate in levelized billing. Austin Energy may administratively suspend availability of this time-of-use rate option to additional customers.

Monthly Time-Of-Use Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$21.60	\$21.60
Demandi@harge		
On-Peak	\$0.00 Per Billed kW	\$3.00 Per Billed kW
Mid-Ŗeak	\$1450)Per-BilledkW	\$0.00 Per Billed kW
Energy Charge	right of 1975 and the second of the second o	
Off:Peak	0.798(c) Per-kWh	0.798 c Per Wh
Mid-Peak	5.847 ¢ Per kWh	5.847 ¢ Per kWh
On-Reak	0.000 & Per kWh	9.188 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	Sec Community Ber	efit Charge Schedule
Regulatory Charge		Charge Schedule

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

_	Billing Months October Through May
ACC D. L. H.	TO DO DAY
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday
Mid*Peak Hours	6:00 A Mr = 10:00 P.Mr Everyday
On-Peak Hours	None
	Billing Months
THE ACT PRODUCTION AND ACT MADE AND ACT PRODUCTION AND ACT PROTEINS AND ACT PRODUCTION AND ACT PROTEINS ACT	June Through September
	June Through September
Off-Peak Hours	June Through September 10:00 P.M. – 6:00 A.M. Everyday
	June Through September 10:00 P.M. – 6:00 A.M. Everyday A.M. = 2:00 P.M. and 8:00 P.M. = 10:00 P.M. Monday – Friday
Off-Peak Hours Mid:Peak Hours 6:00%	June Through September 10:00 P.M. – 6:00 A.M. Everyday

GreenChoice® Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

Terms And Conditions

The monthly electric bill for any Independent School District account served under this rate schedule will be discounted by an effective rate of 10%.

For service under this rate schedule to a customer that received the group religious worship rate under the Residential Service rate schedule on June 6, 2012, the customer's total monthly electric bill for that account shall not exceed an amount equaling the billed kWh usage times an initial rate of \$0.125 per kWh, but shall not be less than the Customer Charge. This initial rate shall be adjusted to include any increase or decrease in the Fuel, Regulatory, and Community Benefit Charge implemented after June 7, 2012.

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

SECONDARY VOLTAGE GREATER THAN OR EQUAL TO 10 kW BUT LESS THAN 50 kW

Application

This rate applies to electric service at a secondary voltage (less than 12,470 volts nominal line to line), for which no other specific rate is provided, to a customer whose demand for power was greater than or equal to 10 kW but was less than 50 kW at any interval during the most recent June through September billing months, or as determined by Austin Energy if insufficient usage history is available. This rate shall apply for not less than twelve months following the last month in which the required demand level was met. If a customer has made significant changes in their connected load which prevents the customer from meeting or exceeding the minimum kW threshold of this rate schedule and these changes have been verified by Austin Energy, the twelve month requirement may be waived by Austin Energy.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$25.00	\$25.00
Electric Delivery	\$4.00 Per Billed kW	\$4.00 Per Billed kW
Demand Charge	\$5.15 Per Billed kW	\$6.15 Per Billed kW
Energy Charge	2.414 ¢ Per kWh	2.914 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Ber	nefit Charge Schedule
Regulatory Charge	See Regulatory	Charge Schedule

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Time-Of-Use Option

In lieu of the Charges above, customers receiving service under this rate schedule may choose the following time-of-use charges to be applied for a term of not less than twelve consecutive billing months. Customers selecting this time-of-use option shall permit Austin Energy to install all equipment necessary for time-of-use metering and permit reasonable access to all electric service facilities installed by Austin

Energy for inspection, maintenance, repair, removal, or data recording purposes. Customers selecting this option are not eligible to participate in levelized billing. Austin Energy may administratively suspend availability of this time-of-use rate option to additional customers.

Monthly Time-Of-Use Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$30.00	\$30.00
Electric Delivery	\$4.00 Per Billed kW	\$4.00 Per Billed kW
Demand Charge		
On-Peak	\$0.00 Per Billed kW	\$6.50 Per Billed kW
Mid-Peak	\$3.25 Per Billed kW	\$0.00 Per Billed kW
Energy Charge		
Off-Peak	-0.067 ¢ Per kWh	-0.067 ¢ Per kWh
Mid-Peak	3.912 ¢ Per kWh	3.912 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	6.544 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Ber	nefit Charge Schedule
Regulatory Charge	See Regulatory	Charge Schedule

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

	Billing Months October Through May
Off-Peak Hours	10:00 P.M 6:00 A.M. Everyday
Mid-Peak Hours	6:00 A.M 10:00 P.M. Everyday
On-Peak Hours	None
	Billing Months June Through September
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday
Mid-Peak Hours	6:00 A.M. – 2:00 P.M. and 8:00 P.M. – 10:00 P.M. Monday – Friday
	6:00 A.M. – 10:00 P.M. Saturday – Sunday

On-Peak Hours 2:00 P.M. – 8:00 P.M. Monday – Friday

GreenChoice® Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

Terms And Conditions

Except as noted below, Billed kW shall be measured as the kilowatt demand during the fifteen-minute interval of greatest use during the billing month as determined by Austin Energy's metering equipment, adjusted for power factor corrections as follows:

When power factor during the interval of greatest use is less than 90 percent as indicated or recorded by metering equipment installed by Austin Energy, Billed kW shall be determined by multiplying kilowatt demand during the fifteen-minute interval of greatest use by 90 percent and dividing by the indicated or recorded power factor during the interval of greatest use.

For example:

The kilowatt demand during the fifteen-minute interval of greatest monthly use = 13.5 kW

The power factor during the fifteen-minute interval of greatest monthly use = 86.7%

The Billed $kW = 13.5 \text{ kW} \times 0.90 \text{ power factor} / 0.867 \text{ power factor}$ = 14.0 kW

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

For service under this rate schedule to a customer that received the group religious worship rate under the Residential Service rate schedule on June 6, 2012, Billed kW shall be the kilowatt demand during the fifteen-minute interval of greatest use during weekday days (excluding weekends) during the current billing month as indicated or recorded by metering equipment installed by Austin Energy, adjusted for power factor as described above. Such worship customer's total monthly electric bill for that account shall not exceed an amount equaling the billed kWh usage times an initial rate of \$0.125 per kWh, but shall not be less than the Customer Charge. This initial rate shall be adjusted to include any increase or decrease in the Fuel, Regulatory, and Community Benefit Charge implemented after June 7, 2012.

The monthly electric bill for any Independent School District account served under this rate schedule will be discounted by an effective rate of 10%.

SECONDARY VOLTAGE GREATER THAN OR EQUAL TO 50 kW

Application

This rate applies to electric service at a secondary voltage (less than 12,470 volts nominal line to line), for which no other specific rate is provided, to a customer whose demand for power met or exceeded 50 kW at any interval during the most recent June through September billing months, or as determined by Austin Energy if insufficient usage history is available. This rate shall apply for not less than twelve months following the last month in which the required demand level was met. If a customer has made significant changes in their connected load which prevents the customer from meeting or exceeding the minimum kW threshold of this rate schedule and these changes have been verified by Austin Energy, the twelve month requirement may be waived by Austin Energy.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$65.00	\$65.00
Electric Delivery	\$4.50 Per Billed kW	\$4.50 Per Billed kW
Demand Charge	\$6.85 Per Billed kW	\$7.85 Per Billed kW
Energy Charge	1.747 ¢ Per kWh	2.247 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Ber	nefit Charge Schedule
Regulatory Charge	See Regulatory	Charge Schedule

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Time-Of-Use Option

In lieu of the Charges above, Customers may choose the following time-of-use charges to be applied for a term of not less than twelve consecutive billing months. Customers selecting this time-of-use option shall permit Austin Energy to install all equipment necessary for time-of-use metering and permit reasonable access to all electric service facilities installed by Austin Energy for inspection, maintenance, repair, removal, or data recording purposes. Customers selecting this option are not eligible to participate in

levelized billing. Austin Energy may administratively suspend availability of this time-of-use rate option to additional customers.

Monthly Time-Of-Use Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$68.25	\$68.25
Electric Delivery	\$4.50 Per Billed kW	\$4.50 Per Billed kW
Demand Charge		
On-Peak	\$0.00 Per Billed kW	\$8.00 Per Billed kW
Mid-Peak	\$4.00 Per Billed kW	\$0.00 Per Billed kW
Energy Charge		
Off-Peak	-0.222 ¢ Per kWh	-0.222 ¢ Per kWh
Mid-Peak	3.565 ¢ Per kWh	3.565 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	6.070 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Be	nefit Charge Schedule
Regulatory Charge	See Regulatory	Charge Schedule

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

	Billing Months October Through May
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday
Mid-Peak Hours	6:00 A.M. – 10:00 P.M. Everyday
On-Peak Hours	None
	Billing Months
	June Through September
Off-Peak Hours	
	June Through September
Off-Peak Hours Mid-Peak Hours	June Through September 10:00 P.M. – 6:00 A.M. Everyday

GreenChoice® Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

Terms And Conditions

Except as noted below, Billed kW shall be 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 Austin Energy and adjusted for power factor corrections as follows:

When power factor during the interval of greatest use is less than 90 percent as indicated or recorded by metering equipment installed by Austin Energy, Billed kW shall be determined by multiplying kilowatt demand during the fifteen-minute interval of greatest use by 90 percent and dividing by the indicated or recorded power factor during the interval of greatest use.

For example:

The kilowatt demand during the fifteen-minute interval of greatest monthly use = 135 kW

The power factor during the fifteen-minute interval of greatest monthly use = 86.7%

The Billed kW = $135 \text{ kW} \times 0.90 \text{ power factor} / 0.867 \text{ power factor}$ = 140 kW

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

For service under this rate schedule to a customer that received the group religious worship rate under the Residential Service rate schedule on June 6, 2012, Billed kW shall be the kilowatt demand during the fifteen-minute interval of greatest use during weekday days (excluding weekends) during the current billing month as indicated or recorded by metering equipment installed by Austin Energy and adjusted for power factor corrections as described above. Such worship customer's total monthly electric bill for that account shall not exceed an amount equaling the billed kWh usage times an initial rate of \$0.125 per kWh, but shall not be less than the Customer Charge. This initial rate shall be adjusted to include any increase or decrease in the Fuel, Regulatory, and Community Benefit Charge implemented after June 7, 2012.

The monthly electric bill for any Independent School District account served under this rate schedule will be discounted by an effective rate of 10%.

PRIMARY VOLTAGE LESS THAN 3 MW

Application

This rate applies to electric service at a primary voltage (12,470 to 69,000 volts nominal line to line) to any customer whose demand for power did not meet or exceed 3,000 kW at any interval during the most recent June through September billing months, or as determined by Austin Energy if insufficient usage history is available. The customer shall own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$250.00	\$250.00
Electric Delivery	\$2.50 Per Billed kW	\$2.50 Per Billed kW
Demand Charge	\$9.00 Per Billed kW	\$10.00 Per Billed kW
Energy Charge	0.763 ¢ Per kWh	1.263 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Time-Of-Use Option

In lieu of the Charges above, customers receiving service under this rate schedule may choose the following time-of-use charges to be applied for a term of not less than twelve consecutive billing months. Customers selecting this time-of-use option shall permit Austin Energy to install all equipment necessary for time-of-use metering and permit reasonable access to all electric service facilities installed by Austin Energy for inspection, maintenance, repair, removal, or data recording purposes. Customers selecting this option are not eligible to participate in levelized billing. Austin Energy may administratively suspend availability of this time-of-use rate option to additional customers.

Monthly Time-Of-Use Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$262.50	\$262.50
Electric Delivery	\$2.50 Per Billed kW	\$2.50 Per Billed kW
Demand Charge		
On-Peak	\$0.00 Per Billed kW	\$10.50 Per Billed kW
Mid-Peak	\$9.10 Per Billed kW	\$0.00 Per Billed kW
Energy Charge		
Off-Peak	-0.862 ¢ Per kWh	-0.862 ¢ Per kWh
Mid-Peak	2.042 ¢ Per kWh	2.042 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	3.963 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

	Billing Months October Through May	
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday	
Mid-Peak Hours	6:00 A.M 10:00 P.M. Everyday	
On-Peak Hours	None	
	Billing Months June Through September	
	<u> </u>	
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday	
Off-Peak Hours Mid-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday 6:00 A.M. – 2:00 P.M. and 8:00 P.M. – 10:00 P.M. Monday – Friday 6:00 A.M. – 10:00 P.M. Saturday – Sunday	

GreenChoice® Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

Terms And Conditions

Billed kW shall be measured as the kilowatt demand during the fifteen-minute interval of greatest use during the billing month as determined by Austin Energy's metering equipment, adjusted for power factor as follows:

When power factor during the interval of greatest use is less than 90 percent as indicated or recorded by metering equipment installed by Austin Energy, Billed kW shall be determined by multiplying kilowatt demand during the fifteen-minute interval of greatest use by 90 percent and dividing by the indicated or recorded power factor during the interval of greatest use.

For example:

The kilowatt demand during the fifteen-minute interval of greatest monthly use = 1,350 kW

The power factor during the fifteen-minute interval of greatest monthly use = 86.7%

The Billed $kW = 1,350 \text{ kW} \times 0.90 \text{ power factor} / 0.867 \text{ power factor}$ = 1,400 kW

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

The monthly electric bill for any Independent School District account served under this rate schedule will be discounted by an effective rate of 10%.

PRIMARY VOLTAGE GREATER THAN OR EQUAL TO 3 MW AND LESS THAN 20 MW

Application

This rate applies to electric service at a primary voltage (12,470 to 69,000 volts nominal line to line) to any customer whose demand for power met or exceeded 3,000 kW but was less than 20,000 kW at any interval during the most recent June through September billing months, or as determined by Austin Energy if insufficient usage history is available. This rate shall apply for not less than twelve months following the last month in which the required demand level was met. If a customer has made significant changes in their connected load which prevents the customer from meeting or exceeding the minimum kW threshold of this rate schedule and these changes have been verified by Austin Energy, the twelve month requirement may be waived by Austin Energy. The customer shall own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$2,000.00	\$2,000.00
Electric Delivery	\$3.50 Per Billed kW	\$3.50 Per Billed kW
Demand Charge	\$10.25 Per Billed kW	\$11.25 Per Billed kW
Energy Charge	0.765 ¢ Per kWh	1.265 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Time-Of-Use Option

In lieu of the Charges above, customers receiving service under this rate schedule may choose the following time-of-use charges to be applied for a term of not less than twelve consecutive billing months. Customers selecting this time-of-use option shall permit Austin Energy to install all equipment necessary

for time-of-use metering and permit reasonable access to all electric service facilities installed by Austin Energy for inspection, maintenance, repair, removal, or data recording purposes. Customers selecting this option are not eligible to participate in levelized billing. Austin Energy may administratively suspend availability of this time-of-use rate option to additional customers.

Monthly Time-Of-Use Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$2,000.00	\$2,000.00
Electric Delivery	\$3.50 Per Billed kW	\$3.50 Per Billed kW
Demand Charge		
On-Peak	\$0.00 Per Billed kW	\$12.90 Per Billed kW
Mid-Peak	\$11.50 Per Billed kW	\$0.00 Per Billed kW
Energy Charge		
Off-Peak	-1.211 ¢ Per kWh	-1.211 ¢ Per kWh
Mid-Peak	1.263 ¢ Per kWh	1.263 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	2.899 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

	Billing Months October Through May	
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday	
Mid-Peak Hours	6:00 A.M 10:00 P.M. Everyday	
On-Peak Hours	None	
	Billing Months June Through September	
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday	
Mid-Peak Hours	6:00 A.M 2:00 P.M. and 8:00 P.M 10:00 P.M. Monday - Friday	
	6:00 A.M 10:00 P.M. Saturday - Sunday	

On-Peak Hours	2:00 P.M. – 8:00 P.M. Monday – Friday

GreenChoice® Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

Terms And Conditions

Billed kW shall be measured as the kilowatt demand during the fifteen-minute interval of greatest use during the billing month as determined by Austin Energy's metering equipment, adjusted for power factor as follows:

When power factor during the interval of greatest use is less than 90 percent as indicated or recorded by metering equipment installed by Austin Energy, Billed kW shall be determined by multiplying kilowatt demand during the fifteen-minute interval of greatest use by 90 percent and dividing by the indicated or recorded power factor during the interval of greatest use.

For example:

The kilowatt demand during the fifteen-minute interval of greatest monthly use = 10,350 kW

The power factor during the fifteen-minute interval of greatest monthly use = 86.7%

The Billed kW = $10,350 \text{ kW} \times 0.90 \text{ power factor} / 0.867 \text{ power factor}$ = 10,400 kW

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

PRIMARY VOLTAGE GREATER THAN OR EQUAL TO 20 MW

Application

This rate applies to electric service at a primary voltage (12,470 to 69,000 volts nominal line to line) to a customer whose demand for power met or exceeded 20,000 kW at any interval during the most recent June through September billing months, or as determined by Austin Energy if insufficient usage history is available. This rate shall apply for not less than twelve months following the last month in which the required demand level was met. If a customer has made significant changes in their connected load which prevents the customer from meeting or exceeding the minimum kW threshold of this rate schedule and these changes have been verified by Austin Energy, the twelve month requirement may be waived by Austin Energy. The customer shall own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$2,500.00	\$2,500.00
Electric Delivery	\$3.50 Per Billed kW	\$3.50 Per Billed kW
Demand Charge	\$11.00 Per Billed kW	\$12.00 Per Billed kW
Energy Charge	0.529 ¢ Per kWh	1.029 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Time-Of-Use Option

In lieu of the Charges above, customers receiving service under this rate schedule may choose the following time-of-use charges to be applied for a term of not less than twelve consecutive billing months. Customers selecting this time-of-use option shall permit Austin Energy to install all equipment necessary for time-of-use metering and permit reasonable access to all electric service facilities installed by Austin

Energy for inspection, maintenance, repair, removal, or data recording purposes. Customers selecting this option are not eligible to participate in levelized billing. Austin Energy may administratively suspend availability of this time-of-use rate option to additional customers.

Monthly Time-Of-Use Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$2,500.00	\$2,500.00
Electric Delivery	\$3.50 Per Billed kW	\$3.50 Per Billed kW
Demand		
On-Peak	\$0.00 Per Billed kW	\$13.13 Per Billed kW
Mid-Peak	\$11.73 Per Billed kW	\$0.00 Per Billed kW
Energy		
Off-Peak	-0.981 ¢ Per kWh	-0.981 ¢ Per kWh
Mid-Peak	1.775 ¢ Per kWh	1.775 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	3.599 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

	Billing Months October Through May
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday
Mid-Peak Hours	6:00 A.M 10:00 P.M. Everyday
On-Peak Hours	None
	Billing Months June Through September
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday
Mid-Peak Hours	6:00 A.M. – 2:00 P.M. and 8:00 P.M. – 10:00 P.M. Monday – Friday
	6:00 A.M 10:00 P.M. Saturday - Sunday

On-Peak Hours	2:00 P.M. – 8:00 P.M. Monday – Friday

GreenChoice® Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

Terms And Conditions

Billed kW shall be measured as the kilowatt demand during the fifteen-minute interval of greatest use during the billing month as determined by Austin Energy's metering equipment, adjusted for power factor as follows:

When power factor during the interval of greatest use is less than 90 percent as indicated or recorded by metering equipment installed by Austin Energy, Billed kW shall be determined by multiplying kilowatt demand during the fifteen-minute interval of greatest use by 90 percent and dividing by the indicated or recorded power factor during the interval of greatest use.

For example:

The kilowatt demand during the fifteen-minute interval of greatest monthly use = 31,000 kW

The power factor during the fifteen-minute interval of greatest monthly use = 86.7%

The Billed kW = $31,000 \text{ kW} \times 0.90 \text{ power factor} / 0.867 \text{ power factor}$ = 32,180 kW

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

TRANSMISSION VOLTAGE

Application

This rate applies to electric service at a transmission voltage (69,000 volts or above nominal line to line). The customer shall own, maintain, and operate all facilities and equipment on the customer's side of the point of delivery.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$2,500.00	\$2,500.00
Demand Charge	\$11.00 Per Billed kW	\$12.00 Per Billed kW
Energy Charge	0.615 ¢ Per kWh	0.815 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Time-Of-Use Option

In lieu of the Charges above, customers receiving service under this rate schedule may choose the following time-of-use charges to be applied for a term of not less than twelve consecutive billing months. Customers selecting this time-of-use option shall permit Austin Energy to install all equipment necessary for time-of-use metering and permit reasonable access to all electric service facilities installed by Austin Energy for inspection, maintenance, repair, removal, or data recording purposes. Customers selecting this option are not eligible to participate in levelized billing. Austin Energy may administratively suspend availability of this time-of-use rate option to additional customers.

Monthly Time-Of-Use Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$2,500.00	\$2,500.00
Demand		
On-Peak	\$0.00 Per Billed kW	\$11.45 Per Billed kW
Mid-Peak	\$10.05 Per Billed kW	\$0.00 Per Billed kW
Energy		
Off-Peak	-0.974 ¢ Per kWh	-0.974 ¢ Per kWh
Mid-Peak	1.741 ¢ Per kWh	1.741 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	3.537 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment -- plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

	Billing Months October Through May	
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday	
Mid-Peak Hours	6:00 A.M. – 10:00 P.M. Everyday	
On-Peak Hours	None	
	Billing Months	
	Billing Months June Through September	
Off-Peak Hours		
	June Through September	
Off-Peak Hours Mid-Peak Hours	June Through September 10:00 P.M. – 6:00 A.M. Everyday	

GreenChoice® Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

Terms And Conditions

Billed kW shall be measured as the kilowatt demand during the fifteen-minute interval of greatest use during the billing month as determined by Austin Energy's metering equipment, adjusted for power factor as follows:

When power factor during the interval of greatest use is less than 90 percent as indicated or recorded by metering equipment installed by Austin Energy, Billed kW shall be determined by multiplying kilowatt demand during the fifteen-minute interval of greatest use by 90 percent and dividing by the indicated or recorded power factor during the interval of greatest use.

For example:

The kilowatt demand during the fifteen-minute interval of greatest monthly use = 31,000 kW

The power factor during the fifteen-minute interval of greatest monthly use = 86.7%

The Billed kW = $31,000 \text{ kW} \times 0.90 \text{ power factor} / 0.867 \text{ power factor}$ = 32,180 kW

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

THERMAL ENERGY STORAGE

Application

This rate applies to any customer who shifts from the Thermal Energy Storage period (TES period) at least the lesser of 20% of the customer's normal on-peak June through September billed demand or 1,000 kW through the use of thermal energy storage technology. The normal on-peak June through September billed demand shall be the maximum June through September billed demand recorded prior to taking service on this rate, or as may be determined by Austin Energy.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges: Secondary Voltage Customers

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$206.02	\$206.02
Electric Delivery	\$5.19 Per Billed kW	\$5.19 Per Billed kW
Demand	•	
On-Peak	\$0.00 Per Billed kW	\$11.77 Per Billed kW
Mid-Peak	\$10.34 Per Billed kW	\$0.00 Per Billed kW
Energy		
Off-Peak	-1.38 ¢ Per kWh	-1.38 ¢ Per kWh
Mid-Peak	0.93 ¢ Per kWh	0.93 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	2.50 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Monthly Charges: Primary Voltage Less Than 3 MW Customers

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$850.21	\$850.21
Electric Delivery	\$2.73 Per Billed kW	\$2.73 Per Billed kW
Demand		
On-Peak	\$0.00 Per Billed kW	\$10.23 Per Billed kW
Mid-Peak	\$8.86 Per Billed kW	\$0.00 Per Billed kW
Energy		
Off-Peak	-1.41 ¢ Per kWh	-1.41 ¢ Per kWh
Mid-Peak	0.87 ¢ Per kWh	0.87 ¢ Per kWh
On-Peak	0.000 ¢ Per kWh	2.33 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

	Billing Months October Through May	
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday	
Mid-Peak Hours	6:00 A.M. – 10:00 P.M. Everyday	
On-Peak Hours	None	
	Billing Months June Through September	
Off-Peak Hours	10:00 P.M. – 6:00 A.M. Everyday	
Mid-Peak Hours	6:00 A.M 2:00 P.M. and 8:00 P.M 10:00 P.M. Monday - Frid	
	6:00 A.M 10:00 P.M. Saturday - Sunday	
On-Peak Hours	2:00 P.M. – 8:00 P.M. Monday – Friday	

Thermal Energy Storage (TES) Periods

	Billing Months October Through May
TES Off-Peak Hours	All
TES On-Peak Hours	None
	Billing Months June Through September
TES Off-Peak Hours	6:30 p.m. to 3:30 p.m. Monday through Friday, all day Saturday, Sunday, Independence Day, and Labor Day
TES On-Peak Hours	3:30 p.m. to 6:30 p.m. Monday through Friday

GreenChoice® Option

Service under this rate schedule is eligible for application of the GreenChoice Energy Rider.

Terms And Conditions

Billed kW for the Electric Delivery and Regulatory Charges shall be measured as the kilowatt demand during the fifteen-minute interval of greatest use during the billing month as determined by Austin Energy's metering equipment, adjusted for power factor as set forth below.

Billed kW for the Demand Charge shall be calculated as follows, and shall be adjusted for power factor as set forth below:

For the June through September billing months, the billed kW shall be the highest 15-minute demand recorded during the TES on-peak period. The June through September billed kW shall not be less than 50% of the normal on-peak June through September billed kW. If more than 50% of the customer's load is attributable to cooling, the 50% floor will be waived.

For the October through May billing months, the billed kW shall be the highest 15-minute demand recorded during the Mid-Peak period of the month, or 90% of the June through September billed kW set in the previous June through September billing months, whichever is less.

When power factor during the interval of greatest use is less than 90 percent as indicated or recorded by metering equipment installed by Austin Energy, billed kW shall be determined by multiplying kW demand during the 15-minute interval of greatest use during the appropriate time period by 90 percent and dividing by the indicated or recorded power factor during the interval of greatest use.

For example:

The kilowatt demand during the 15-minute interval of greatest monthly use = 1,000 kW

The power factor during the 15-minute interval of greatest monthly use = 86.7%

The billed $kW = 1,000 kW \times (0.90 power factor / 0.867 power factor) = 1,380 kW$

The customer shall enter into a separate agreement with Austin Energy for this rate.

The customer shall continue to be served under the terms and conditions of, and shall continue to comply with, all rules and regulations of Austin Energy as amended from time to time during the term of this agreement. The customer shall permit Austin Energy to install all equipment necessary for time-of-use metering and to permit reasonable access to all service facilities installed by Austin Energy for inspection, maintenance, repair, removal, or data recording purposes.

The TES on-peak period load shall be shifted, not eliminated or replaced by alternative fuels.

DISTRIBUTED GENERATION FROM RENEWABLE SOURCES RIDER

Application

This Rider is available to any non-residential customer who owns and operates an on-site generating system powered by a renewable resource with a capacity of not more than 20 kW that is interconnected with Austin Energy's electric system. A 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.

Conditions of Service

All charges, character of service, and terms and conditions of the rate schedule under which the customer receives service apply except as expressly altered by this rider. The customer shall comply with applicable Austin Energy interconnection requirements, including submittal of any required interconnection application and signed agreement. The customer is responsible for the costs of interconnecting with Austin Energy's electric system, including transformers, service lines, or other equipment determined necessary by Austin Energy for safe installation and operation of the customer's equipment. The customer is responsible for any costs associated with required inspections and permits.

Metering

Metering under this rider shall be by a single meter capable of registering the flow of electricity in both directions to determine the customer's net energy flow.

Net Energy

The customer's billed kWh shall be the customer's monthly net energy (kWh) use, which is the energy delivered by Austin Energy to the customer less any energy delivered from the customer's system to the Austin Energy distribution system during the billing month. If in any billing month the customer's monthly net energy use is negative, the customer's electric bill shall be credited as follows:

If the Power Supply Adjustment applies, the monthly credit equals the monthly net energy times the Power Supply Adjustment (ϕ/kWh) .

If the GreenChoice Energy Rider applies, the monthly credit equals the monthly net energy times the Green Power Charge (ϕ/kWh) .

If the Fuel Adjustment Clause applies, the monthly credit equals the monthly net energy times the Fuel Rate (ϕ/kWh) .

Any charges not collected on a kWh basis are not altered by this calculation. Any credit shall be applied to the customer's bill for electric service. Any credit in excess of the customer's total charges for electric

service, excluding the customer charge, shall be carried forward and applied to the customer's next electric bill.

LIGHTING

Customer-Owned, Non-Metered Lighting

Application

This rate applies to non-metered electric service to the Texas Department of Transportation for sign lighting and safety illumination at various locations in the Austin Energy service area.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Energy Charge	2.604 ¢ Per kWh	2.604 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Customer-Owned, Metered Lighting

Application

This rate applies to electric service to metered athletic field accounts whose connected load is more than 85% attributable to lighting as verified by Austin Energy. The monthly electric bill for any Independent School District account served under this rate schedule will be discounted by an effective rate of 10%.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter unless at Austin Energy's sole discretion additional metering is required.

Monthly Charges

	Billing Months October Through May	Billing Months June Through September
Customer Charge	\$15.00 Per Month	\$15.00 Per Month
Energy Charge	5.483 ¢ Per kWh	6.983 ¢ Per kWh
Power Supply Adjustment	See Below	See Below
Community Benefit Charge	See Community Benefit Charge Schedule	
Regulatory Charge	See Regulatory Charge Schedule	

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

A customer's bill for electric service of at least 10 days under this rate schedule shall not be less than the customer charge.

City of Austin - Owned Outdoor Lighting

Application

This rate applies to electric service to non-metered outdoor lighting owned and operated by the City of Austin other than Service Area Lighting.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin.

Monthly Charges

Billing Months October Through May	Billing Months June Through September
\$7.03 Per Fixture	\$7.03 Per Fixture
\$12.05 Per Fixture	\$12.05 Per Fixture
\$18.07 Per Fixture	\$18.07 Per Fixture
\$28.12 Per Fixture	\$28.12 Per Fixture
See Below	See Below
	\$7.03 Per Fixture \$12.05 Per Fixture \$18.07 Per Fixture \$28.12 Per Fixture

Power Supply Adjustment – plus an adjustment for variable costs, calculated under the Power Supply Adjustment rate schedule, multiplied by the billable kWh.

Service Area Lighting

Application

This rate applies to electric service for illumination and the operation of traffic signals on all public streets, highways, and expressways or thoroughfares (other than non-metered lighting maintained by the Texas Department of Transportation) within the Austin Energy service area. Revenues received through the Service Area Lighting component of the Community Benefit Charge are applied to offset these charges.

Charges

	Billing Months October Through May	Billing Months June Through September
Energy Charge	23.219 ¢ Per kWh	23.219 ¢ Per kWh
Regulatory Charge	See Regulatory Charge Schedule	

GREENCHOICE ENERGY RIDER

Application

The charges set forth in this rider apply to those customers who choose to participate in City of Austin's GreenChoice® program. By subscribing to the GreenChoice program, participants will assist City of Austin in adding renewable energy resources by paying a Green Power Charge as provided by this rider. The Green Power Charges for Batches 3, 4, and 5 apply to those customers who have existing subscriptions or contracts for those Batches. The Batch-6 Green Power Charge applies to those customers who subscribe to the GreenChoice program after January 1, 2009.

GreenChoice participants pay a Green Power Charge, rather than the normal Fuel Adjustment Factor or Power Supply Adjustment, 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 schedules 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 City of Austin'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 City of Austin 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 a City of Austin customer for the duration of the GreenChoice program as set forth by this rider. If participant's electric service is involuntarily terminated by City of Austin, 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, City of Austin may terminate participant's participation in this program at City of Austin'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 rate schedule.

Residential Service and Secondary Voltage:

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: \$0.0570 per kWh

With respect to residential service and secondary voltage participants, the Green Power Charge will be applied to the participant's entire monthly consumption until December 31, 2013 for Batch 3, until June 30, 2015 for Batch 4, until December 31, 2023 for Batch 5, and until December 31, 2021 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 City of Austin.

Primary Voltage:

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: \$0.0570 per kWh

All eligible customers other than residential service or secondary voltage customers must enter into a separate written agreement with City of Austin 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 December 31, 2013 for Batch 3 participants, June 30, 2015 for Batch 4 participants, December 31, 2023 for Batch 5 participants, and December 31, 2021 for Batch 6.

Energy Resale

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

ELECTRIC VEHICLE PUBLIC CHARGING PILOT PROGRAM

Application

This rate applies to electric service to a customer through a public electric vehicle charging station under the Electric Vehicle Public Charging Pilot Program.

Rate

Six-month subscription: \$23.095 for unlimited charging

Non-subscription: \$1.85 per hour of charging

All other terms and conditions of the program shall be administratively determined.

POWER SUPPLY ADJUSTMENT

Application

The Power Supply Adjustment (PSA) provides for the recovery and crediting of ERCOT settlements, fuel costs, and purchased power agreement costs, and an adjustment for the over/under-recovery balance for the period preceding the adjustment of the PSA. The PSA, to the extent not recovered through the closed Fuel Adjustment Clause, comprises the following costs (PSA costs):

- ERCOT Settlements charges and credits from ERCOT, other than the Administrative and Nodal Fees:
- Fuel Costs costs for fuel and fuel transportation, and hedging gains and losses;
- Net Purchased Power Costs costs and offsetting revenues associated with short and long term purchased power agreements, and costs for distributed generation production; and

The PSA shall be administratively determined by estimating the sum of all net costs that will be attributable to the PSA Costs during the twelve month period following the effective date of the PSA, and adding to that sum the positive or negative balance of any existing over- or under-recovery of PSA Costs. The PSA shall be the resulting sum divided by projected service area sales, less GreenChoice sales, for the twelve month period following the effective date of the PSA. For any particular customer, the PSA shall be adjusted by the following voltage level factors:

Secondary Voltage: 1.0049

Primary Voltage: 0.9821

Transmission Voltage: 0.9696

If, at any time, the balance of PSA costs recovered since the date of the last PSA adjustment is more than 110% of PSA costs actually incurred during such period, and such over-recovery is projected to remain above 110% after 12 months from the date of the last PSA adjustment, the PSA shall be adjusted to eliminate the over-recovery balance within the next 12 months.

If, at any time, the balance of PSA costs recovered since the date of the last PSA adjustment is less than 90% of PSA costs actually incurred, and such under-recovery is projected to remain less than 90% after 12 months from the date of the last PSA adjustment, the PSA may be adjusted to eliminate the under-recovery balance within the next 12 months.

At least once each year, the City Manager will publicly present a report to the City Council that provides the underlying calculations for the PSA by customer class. These calculations will break out fuel costs, ERCOT charges and credits, including ancillary service sales, and purchased power costs and revenues, including bilateral sales. They will also show the extent of over- or under-recovery of PSA costs for the previous twelve months.

Within 30 days of any adjustment of the PSA to eliminate over- or under-recovery of costs, the City Manager will publicly present a report to the City Council that provides the underlying calculations for the PSA both pre- and post-adjustment by customer class.

COMMUNITY BENEFIT CHARGE

Application:

The Community Benefit Charge recovers certain costs incurred by the utility as a benefit to Austin Energy's service area customers and the greater community. This charge shall be determined through the City budget process, and includes three specific programs and services provided to customers throughout Austin Energy's service area. Service Area Lighting (SAL) recovers the cost of street lighting (other than lighting maintained by TxDOT) and the operation of traffic signals throughout the entire Austin Energy service area. Energy Efficiency Services (EES) recovers the cost of energy efficiency rebates and related costs, solar rebates, and the Green Building program offered by Austin Energy throughout its service area.

The Customer Assistance Program (CAP) funds programs to help qualifying low-income and other disadvantaged residential customers, including bill discounts, payment assistance, and free weatherization services. The Customer Assistance Program is available to residential customers receiving assistance from Medicaid, the Supplemental Nutritional Assistance Program (SNAP), the Children's Health Insurance Program (CHIP), and the Telephone Lifeline Program. Medicaid and SNAP recipients will be given priority for program funding, followed by CHIP and then Telephone Lifeline recipients. Customers enrolled in the CAP are exempt from the monthly Customer Charge and the CAP component of the Community Benefit Charge, shall receive a minimum 10 percent discount on kilowatt-hour-based charges, and are eligible for additional bill-payment assistance and weatherization assistance. Eligible residential customers will be matched for automatic enrollment through a third-party, though selfenrollment will be available directly through Austin Energy, Funding for the CAP shall be made available at the level of revenues collected through the CAP component of the Community Benefit Charge, including unexpended but re-appropriated funds. Information regarding the CAP shall be made available quarterly, including the number of residential customers enrolled automatically and through selfenrollment, the total and average amount of benefits provided, and the number of residential customers referred to the low-income weatherization program. With Council approval funds unspent at the end of a fiscal year shall be rolled over to the next fiscal year's budget for the CAP and low-income weatherization programs.

Customer Class	SAL (¢/kwh)	EES (¢/kwh)	CAP (¢/kwh)	Community Benefit Charge
Residential	0.093	0.289	0.172	0.554 ¢ Per kWh
Secondary Voltage < 10 kW	0.096	0.300	0.065	0.461 ¢ Per kWh
Secondary Voltage ≥ 10 kW < 50 kW	0.076	0.238	0.065	0.379 ¢ Per kWh
Secondary Voltage ≥ 50 kW	0.068	0.213	0.065	0.346 ¢ Per kWh
Primary Voltage < 3 MW	0.058	0.182	0.065	0.305 ¢ Per kWh
Primary Voltage ≥ 3 MW < 20 MW	0.054	0.169	0.065	0.288 ¢ Per kWh
Primary Voltage ≥ 20 MW	0.051	0.158	0.065	0.274 ¢ Per kWh
Transmission Voltage	0.045	0.141	0.065	0.251 ¢ Per kWh
Thermal Energy Storage – Secondary	0.068	0.213	0.065	0.346 ¢ Per kWh
Thermal Energy Storage – Primary	0.058	0.182	0.065	0.305 ¢ Per kWh
Customer-Owned, Non-Metered Lighting	0.048		0.065	0.113 ¢ Per kWh
Customer-Owned, Metered Lighting	0.081		0.065	0.146 ¢ Per kWh

REGULATORY CHARGE

Application

The Regulatory Charge recovers the following costs, excluding any costs recovered through the closed Fuel Adjustment Clause:

ERCOT transmission service charges; NERC/TRE regulatory fees and penalties;

The ERCOT Nodal and Administrative Fees; and

Other material regulatory fees or penalties specific to the electric industry.

Changes to the Regulatory Charge shall be determined after notice and public hearing under City Code Section 2-5-45.

Customer Class	Current Charge
Residential	0.728 ¢ Per kWh
Secondary Voltage < 10 kW	0.711 ¢ Per kWh
Secondary Voltage ≥ 10 kW < 50 kW	\$ 2.47 Per kW
Secondary Voltage ≥ 50 kW	\$ 2.59 Per kW
Primary Voltage < 3 MW	\$ 2.28 Per kW
Primary Voltage ≥ 3 MW < 20 MW	\$ 2.92 Per kW
Primary Voltage ≥ 20 MW	\$ 2.91 Per kW
Transmission Voltage	\$ 2.48 Per kW
Thermal Energy Storage – Secondary	\$ 2.59 Per kW
Thermal Energy Storage – Primary	\$ 2.28 Per kW
Customer-Owned, Non-Metered Lighting	0.094 ¢ Per kWh
Customer-Owned, Metered Lighting	0.316 ¢ Per kWh
Service Area Street And Traffic Lighting	0.092 ¢ Per kWh
	1

STANDBY CAPACITY (CLOSED)

THIS RATE SCHEDULE IS CLOSED TO NEW CUSTOMERS. This rate applies to a customer who received service under this rate schedule on June 7, 2012 under a contract with Austin Energy.

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point of service on the customer's premises and measured through one meter.

Monthly Standby Capacity Rate:

\$2.62 per kilowatt of Primary Voltage Standby Capacity

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

\$2.41 per kilowatt of Transmission Voltage Standby Capacity

\$1.93 per kilowatt of Transmission Voltage 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 Austin Energy during a scheduled or unscheduled outage of the customer's power production facilities or as stipulated in the contract between Austin Energy and the customer.

Minimum Bill:

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

LARGE PRIMARY SERVICE SPECIAL CONTRACT RIDER II (CLOSED)

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 500 kW of its requirements from customer-owned, on site renewable energy technology, subject to the terms and condition of Austin Energy's Distributed generation from Renewable Sources Rider.

Application

THIS RIDER IS CLOSED TO NEW CUSTOMERS. This rate applies to a customer that executed a separate contract for this service on or after October 9, 2006, in form and substance acceptable to Austin Energy, but before May 24, 2012. This rate is unavailable to customers that did not execute a contract for this service before May 24, 2012. The contract requires the customer to remain a full requirements customer of Austin Energy through May 31, 2015, on which date customer's contract and the terms of this rider shall terminate; provided, however, that if Austin Energy subsequently adopts a rate schedule 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 rate schedule. Austin Energy 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 Austin Energy.

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

Character of Service

Service under this rate schedule shall be provided pursuant to City Code Section 15-9, Utility Service Regulations, and the Utility Criteria Manual, as both may be amended from time to time, and such other rules and regulations as may be prescribed by the City of Austin. Electric service of one standard character will be delivered to one point on the customer's premises and measured through one meter.

Charges

	Billing Months May Through October	Billing Months November Through April
Demand Charge	\$12.54 Per Billed kW	\$11.40 Per Billed kW
Energy Charge	1.110 ¢ Per kWh	1.110 ¢ Per kWh

Fuel Adjustment Clause (FAC) – plus an adjustment for variable costs, calculated according to the Fuel Adjustment Clause Rate schedule, 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 Austin Energy. When customer's 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; provided, however, the power factor adjustment specified in this paragraph shall be superseded by any subsequent rate schedule 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 Austin Energy and the customer for a time-of-use incentive rate. The customer shall permit Austin Energy to install all equipment necessary for time-of-use metering and to permit reasonable access to all electric service facilities installed by Austin Energy for inspection, maintenance, repair, removal, or data recording purposes.

	Billing Months May Through October	Billing Months November Through April
Demand Charge	\$12.54 Per Billed kW	\$11.40 Per Billed kW
Energy Charge		
Off-Peak	0.560 ¢ Per kWh	(0.290) ¢ Per kWh
On-peak	2.410 ¢ Per kWh	1.710 ¢ Per kWh

Billing 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 Rate schedule, 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:

The special contract rate is effective through May 31, 2015.

Notwithstanding any provision of this rate schedule, neither customer nor Austin Energy shall be precluded from challenging the legal validity of any statute, regulations or other provisions of the law.

This Special Contract Rider shall be extended to all of a qualifying customer's accounts having a maximum demand of at least 500 kW.

Upon request, customers receiving service under this Special Contract Rider will be provided dual feed service with reserve capacity and maintenance under the long term contract provisions of the Special Contract Rider, except that the customer will be responsible for the initial assessment fee, customer requested changes to the initial assessment, and 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 premises(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.

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

The contract executed under this rate schedule shall address the rights of Austin Energy and the customer relating to the transfer or assignment of rights under this rate schedule.

LARGE PRIMARY SERVICE SPECIAL CONTRACT INDUSTRIAL RIDER (CLOSED)

Application

THIS RIDER IS CLOSED TO NEW CUSTOMERS. This rate applies to electric service to any customer that qualifies for service and 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, (2) maintained an average load factor of at least 85% during the previous six months and (3) received service under this rider before May 24, 2012. This rate is unavailable to customers that did not receive service under this rider before May 24, 2012. Any action by the customer resulting in measurable reduction in peak demand or energy use may be taken into account by Austin Energy, in its sole discretion, when applying the demand and load factor requirements of this tariff. Austin Energy will also take into account up to 20 kilowatts of power generated by customerowned, 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 rate schedule, as applicable, and comply with 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 and the Optional Time-of-Use Rate may be attached to this rate.

Charges

	Billing Months May Through October	Billing Months November Through April
Demand Charge	\$12.23 Per Billed kW	\$11.12 Per Billed kW
Energy Charge	1.080 ¢ Per kWh	1.080 ¢ Per kWh

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

Optional Time-Of-Use Rate:

	Billing Months May Through October	Billing Months November Through April
Customer Charge	\$0.00 Per Month	\$0.00 Per Month
Electric Delivery	\$0.00 Per Billed kW	\$0.00 Per Billed kW
Demand Charge	\$12.23 Per Billed kW	\$11.12 Per Billed kW
Energy Charge		

Off-Peak	0.550 ¢ Per kWh	(0.300) ¢ Per kWh
On-Peak	2.350 ¢ Per kWh	1.67 ¢ Per kWh

Billing 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 Rate schedule, 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.

FUEL ADJUSTMENT CLAUSE (CLOSED)

Application

This clause applies to customers receiving service under the Large Primary Service – Special Contract Rider II or Large Primary Special Service – Industrial Rider.

Fuel Rate:

The Fuel Rate is expressed by the following formula:

Fuel Rate =
$$\frac{F+1}{S}$$
 + $\frac{(E+T)-A}{S}$

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 Austin Energy when providing energy and capacity needed to meet its service-area obligations for the twelve (120 month period used to calculate the FAC and 2) the estimated cost of the ERCOT ISO Administrative Fee for the 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 ERCOT ISO incurred by Austin Energy 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, Austin Energy 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 of the remainder of the period, Austin Energy 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, Austin Energy 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, Austin Energy may adjust the FAC for the next twelve to eliminate under-recovery.

Calculation:

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

Secondary Multiplier: 1.004854 Primary Multiplier: 0.974939 Transmission Multiplier: 0.964826

At least once each year, the City Manager will publicly present a report to the City Council that provides the underlying calculations for the Fuel Rate by customer class. These calculations will break out fuel costs, ERCOT charges and credits, including ancillary service sales, and purchased power costs and revenues, including bilateral sales. They will also show the extent of over- or under-recovery of Fuel Rate costs for the previous twelve months.

Within 30 days of any adjustment of the Fuel Rate to eliminate over- or under-recovery of costs, the City Manager will publicly present a report to the City Council that provides the underlying calculations for the Fuel Rate both pre- and post-adjustment by customer class.

TRANSMISSION SERVICE ADJUSTMENT RIDER (CLOSED)

Application:

This clause applies to customers receiving service under the Large Primary Service – Special Contract Rider II or Large Primary Special Service – Industrial Rider.

Monthly Rate:

The customer's transmission service adjustment charge will be determined by multiplying the customer's billed kilowatt hours (kWh) or, in the case of a customer subject to a billing demand charge, the customer's billed kilowatt demand (kW), by the Transmission Service Adjustment Factor (TSAF) applicable to the customer's rate classification. The TSAF shall be calculated for each rate class using the following formula:

TSAF =
$$\frac{((PSR_{cym} - PSR_{08m}) \times 4CP_{cym} \times CLS_{cym}) + OU}{B}$$

Where:

PSR_{cym} is the transmission postage stamp rate published in the Electric Reliability Council of Texas (ERCOT) wholesale transmission service charge matrix most recently approved by the Public Utility Commission of Texas pursuant to PUCT Substantive Rule 25,192.

PSR_{08m} is the 2008 matrix-year ERCOT postage stamp rate of \$22.72772 per kW.

4CP_{cym} is Austin Energy's average kilowatt share of the ERCOT average coincident peak demand for the months of June through September used in the calculation of the PSR_{cym}.

CLS_{cym} is the rate class's percentage load share of the 4CP_{cym}, determined using Austin Energy's metering data.

B is the total billed kWh for the rate class, or the total billed kW for the rate class if the class is subject to a billing demand charge, for the time period used in the calculation of the PSR_{cvm}.

OU is the amount of Austin Energy's over-collection or under-collection of ERCOT transmission service charges with respect to the prior wholesale transmission service charge matrix, calculated as follows:

OU =
$$(TSC_{pym} - (PSR_{08m} - 4CP_{pym}) - TSR_{pym}) \times CLS_{pym}$$

Where:

TSC_{pym} is the amount of actual ERCOT transmission service charges incurred by Austin Energy since the last adjustment to the TSAF.

4CP_{pym} is Austin Energy's average kilowatt share of the ERCOT average coincident peak demand for the months of June through September used in the calculation of the postage stamp rate for the prior wholesale transmission service charge matrix.

 TSR_{pym} is the amount billed by Austin Energy to all rate classes under this rider since the last adjustment to the TSAF.

CLS_{pym} is the rate class's percentage load share of the 4CP_{cym} determined using Austin Energy's metering data.

Until the first adjustment of the TSAF after the effective date of this rider, OU shall equal zero. The TSAF applicable to each rate class may be administratively adjusted to reflect any changes made to the annual ERCOT wholesale transmission service charge matrix.