

2004-05 Fee Schedule

	Approved 2003-04	Approved 2004-05	Change
Austin Energy			
Customer Call Center			
Same Day Service Fee - Guarantee of same day initiation or re-initiation service M - F 7:00 a.m. to 9:00 p.m., and re-initiation service Sat 9:00 a.m. to 1:00 p.m., in addition to the regular initiation or re-initiation fee.	\$55.00	\$55.00	
Apartment Read and Change Initiation Fee (ARCP) - to initiate electric service at an address whose owner participates in the manager read and change program (will be waived for apartment complexes in compliance with ARCP Contract).	\$10.00	\$0.00	Delete
Continuous Service Program Initiation Fee - For owners and apartment managers to enroll in the continuous service program.	\$20.00 per unit, one-time charged upon joining the program	\$20.00 per unit, one-time charged upon joining the program	
Continuous Service Program Disconnect Fee - to disconnect service at the meter for owners and apartment managers participating in the continuous service program.	\$20.00 per disconnect	\$20.00 per disconnect	
Broken Seal Fee - to replace a broken meter seal; charged to the customer who could reasonably be expected to benefit from service received through the meter	\$25.00	\$25.00	
Construction Loop Fee - to install an electric meter for construction purposes only	\$25.00	\$25.00	
Re-initiation of Service Fee - to reinitiate utility service at an address where a customer had previous service at the same address	\$20.00	\$25.00	\$5.00
Initiation Fee - to initiate new utility services, except for participants in the continuing service program	\$20.00	\$20.00	
Customer Requested Minimum Meter Test Fee - to retest a meter upon a customer's second request in a 12 month period & the error is ≤ 2% fast or slow	\$25.00	\$25.00	
Returned Payment Fee - to process account payments that are returned, dishonored or denied by a bank, lender or 3rd party payer	\$25.00	\$25.00	
Meter Tampering Fee - to investigate tampered meters (in addition to utility diversion charges)	\$100.00	\$106.80	\$6.80
Utility Diversion Charges:			
Administrative Costs	\$100.00	\$100.00	
Burnt Meter Blocks - 1	\$4.85	\$7.80	\$2.95
Burnt Meter Blocks - 2	\$9.70	\$15.60	\$5.90
Damaged Meter Base	\$34.00	\$34.00	
Labor and Support	\$50.60	\$89.60	\$39.00
Meter Can	\$15.95	\$15.95	
Meter Test and Repairs	\$5.01	\$5.01	
Damaged A-Base Adapter	\$17.50	\$17.50	
Broken Test Seal	\$20.00	\$20.00	
1 Phase Meter	\$34.00	\$34.00	
Damaged Lock	\$9.98	\$19.50	\$9.52
Damaged Lid	\$4.12	\$6.50	\$2.38
Damaged Locking	\$5.70	\$13.00	\$7.30
Damaged Sealing Ring	\$2.40	\$3.90	\$1.50
Missing Blank Off	\$1.50	\$1.50	
Latch Kit	\$4.24	\$6.50	\$2.26

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Austin Energy			
Customer Call Center (continued)			
Broken Glass	\$4.00	\$4.00	
Other Utility Diversion Charges	Cost	Cost	
Automated Meter (using radio wave transmission)	\$75.00	\$75.00	
Account Research Fee for Accounting Information - to research accounting/billing information.	\$25.00 /hour	\$25.00 /hour	
Streetlight Installation			
Cost per lot for Underground (UG) Street Lighting Installation	\$325.00	\$325.00	
Cost per lot for Overhead (OH) Street Lighting Installation	\$250.00	\$250.00	
Construction/Installation			
Additional Electric Facility Design(s) due to customer changes (No cost for first design)	Cost + 15% per design	Cost + 15% per design	
After hours Outage requested by customer outside of normal working hours Normal working hours 8 a.m. to 4 p.m. Monday through Friday, excluding City recognized holidays	\$250.00 minimum 2 hours \$150.00 each additional hour	\$250.00 minimum 2 hours per trip \$150.00 each additional hour	
Relocating existing distribution or secondary circuits	Cost + 15%	Cost + 15%	
Constructing electrical facilities for primary metered customers	Cost + 15%	Cost + 15%	
Constructing overhead distribution or secondary circuits to underground or vice versa	Cost + 15%	Cost + 15%	
Installing customer conduit in the vicinity of Austin Energy Facilities	Cost + 15%	Cost + 15%	
Installation of and Billing for Meter Totalization	Cost	Cost	New
Repair to Damaged Austin Energy Facilities	\$50.00	\$50.00	
Return Trip to connect Homebuilders and Temporary loop	\$325.00	\$325.00	
Installing and Removing of Street Banner (Banner up for two weeks)	\$50.00	\$50.00	
Re-inspection Fee for Conduit in the vicinity of Austin Energy Facilities	\$150.00	\$150.00	
Setting and Removing Single-Phase Voltage Recorder	\$200.00	\$200.00	
Setting and Removing Three-Phase Voltage Recorder	\$250.00	\$250.00	
Special Locates of Underground AE Electric Facilities	\$125.00	up to 2 hours \$125.00 each additional hour	
Dual Feed Service			
Initial Assessment Fee	\$4,000.00	\$4,000.00 per site	
Customer Requested Changes to the Initial Assessment	\$2,000.00	\$2,000.00 per change	
Facilities Design and Construction	Cost + 15%	Cost + 15%	
Capacity Reservation & Maintenance Fee (unless customer is served under the LPS Special Contract Rider or the State LPS tariff)	\$3,100.00	\$3,100.00 / MVA per month	
Transformer Oil Testing (Primary & Secondary Pad Mounted Only)		\$550.00 per transformer	New
If outage is not required		\$800.00 per transformer	New
Austin Energy GIS Maps			
Map C (18" x 24")	\$15.00	\$15.00	
Map D (24" x 36")	\$22.00	\$22.00	
Map E (36" x 48")	\$35.00	\$35.00	

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Austin Energy			
Austin Energy Logo Items (available for AE employees only)			
Shirts-Polo	\$22.00	\$22.00	
Shirts- Denim	\$19.00	\$19.00	
Shirts - Moonlight Tower	\$10.55	\$10.55	
Infrastructure Rental			
Pole Attachments			
Pole Attachments Filing Fee (per application)			
First 1 - 50 Poles	\$25.00 per Pole	\$25.00 per Pole	
Next 51 - 100 Poles	\$15.00 per Pole	\$15.00 per Pole	
Next 100 + Poles	\$10.00 per Pole	\$10.00 per Pole	
Make ready assessment/report fee	direct costs + overhead & general/administrative costs	direct costs + overhead & general/administrative costs	
Mobilization fee for AE crews that are dispatched	direct costs + overhead & general/administrative costs	direct costs + overhead & general/administrative costs	
Transfer fee for transferring licensee's attachments	\$100 minimum charge	\$100 minimum charge	
Pole change out fee for setting new pole	direct costs + overhead & general/administrative costs	direct costs + overhead & general/administrative costs	
Construction assistance fee for aiding in construction	\$100 minimum charge	\$100 minimum charge	
Inspection / Engineering Assistance:			
Inspector			
Regular time	\$33.00 / hour	\$33.00 / hour	
Overtime (Regular time X 2.55)	\$84.15 / hour	\$84.15 / hour	
Holiday (Regular time hourly rate X 3.05)	\$100.65 / hour	\$100.65 / hour	
Engineer A			
Regular time	\$50.00 / hour	\$50.00 / hour	
Overtime (Regular time X 2.55)	\$127.50 / hour	\$127.50 / hour	
Holiday (Regular time hourly rate X 3.05)	\$152.50 / hour	\$152.50 / hour	
Engineer B			
Regular time	\$56.00 / hour	\$56.00 / hour	
Overtime (Regular time X 2.55)	\$142.80 / hour	\$142.80 / hour	
Holiday (Regular time hourly rate X 3.05)	\$170.80 / hour	\$170.80 / hour	
Engineer C			
Regular time	\$66.00 / hour	\$66.00 / hour	
Overtime (Regular time X 2.55)	\$168.30 / hour	\$168.30 / hour	
Holiday (Regular time hourly rate X 3.05)	\$201.30 / hour	\$201.30 / hour	

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Austin Energy

	Approved 2003-04	Approved 2004-05	Change
Pole Attachments			
Pole loading analysis fee			
Basic analysis	\$75.00 per Pole	\$75.00 per Pole	
Detailed analysis	\$225.00 per Pole	\$225.00 per Pole	
Ground space fee for ground equipment			
Fenced by licensee	\$30.00 per sq. ft.	\$30.00 per sq. ft.	
Unfenced	\$15.00 per sq. ft.	\$15.00 per sq. ft.	
Annual usage and occupancy charge	per contract	per contract	
Tower Attachments			
Tower attachment			
Filing fee	\$1,300.00	\$1,300.00	
Filing fee renewal	\$2,000.00	\$2,000.00	
Escort fee for non-Austin Energy personnel in locked sites			
Regular time	\$52.00 /hour	\$52.00 /hour	
Overtime (Regular time X 2.55)	\$132.60 /hour	\$132.60 /hour	
Holiday (Regular time hourly rate X 3.05)	\$158.60 /hour	\$158.60 /hour	
Austin Energy support personnel and engineers			
Regular time	\$48.00 to	\$48.00 to	
	\$72.00 /hour	\$72.00 /hour	
Overtime (Regular time X 2.55)	\$122.40 to	\$122.40 to	
	\$183.60 /hour	\$183.60 /hour	
Holiday (Regular time hourly rate X 3.05)	\$146.40 to	\$146.40 to	
	\$219.60 /hour	\$219.60 /hour	
	\$400.00 /hour	\$400.00 /hour	
High Voltage clearance lose of use fee			
High Voltage clearance personnel fee			
Regular time (Austin Energy staff rate)	staff rate /hour	staff rate /hour	
Overtime hourly rate	staff rate x 2.55 /hour	staff rate x 2.55 /hour	
Holiday hourly rate	staff rate x 3.05 /hour	staff rate x 3.05 /hour	
Vehicle / Equipment use charge	direct costs	direct costs	
Ground space fee for ground equipment	\$30.00 per sq. ft.	\$30.00 per sq. ft.	
Fenced area in substation / space-confined property	\$15.00 per sq. ft.	\$15.00 per sq. ft.	
Unfenced substation or fenced area on other property			
Annual usage and occupancy charge	per contract	per contract	

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Austin Energy Approved

PRICING GUIDELINES FOR ELECTRIC UTILITY PRODUCTS AND SERVICES

The pricing of electric products and services shall be derived from a competition-based pricing strategy. Competition-based pricing, also known as going-rate pricing, shall correlate prices for Austin Energy electric utility products and services to those of competitors for like goods and services in Austin, Texas or similar marketplaces. By including market-based surveys in the pricing process, competition based pricing includes within the pricing calculation the consumer's perception of the value of the product or service. The competition-based prices for products and services shall be selected by combining two standard pricing data sets and using pricing based on marginal cost.

- (1) The first pricing data set is the price range between the average lowest and average highest prices of the product or service. This price range shall be determined by researching the prices of the product or service in the current marketplace. Both internal and external market price surveys may be used. This range becomes the competition-based price range as established by competition in the market place.
- (2) The second pricing data set is the internally computed marginal cost of the product or service. Marginal cost is calculated by combining the determined total fixed and total variable costs to establish the floor of the profit margin.
- (3) The final price of the product or service shall not be offered below the marginal cost of the product or service and must be within the determined competition-based price range.
- (4) Calculation of the final price shall assume a product life cycle (to be determined for each product) for the purposes of determining the number of units or amount of service that will be sold.
- (5) The final price for a particular product or service shall be a ratio of the sum of the marginal cost and targeted profit to the anticipated number of units to be sold.

Competition-based pricing assumes that the selected price represents the collective pricing wisdom of the electric utility product and service marketplace. It reflects a price that affords a fair profit in a competitive marketplace.

LIGHTING PRODUCTS AND SERVICES

This service includes the supply and installation of lights or poles for commercial facilities and residences. Lights and poles may be owned and maintained by the Utility.

MAINTENANCE CONTRACTS FOR CUSTOMER-OWNED MEDIUM-VOLTAGE EQUIPMENT

This service provides specific maintenance contracts for customers requesting assistance in repairing or providing maintenance on medium-voltage equipment (over 600 volts). A maintenance contract will be prepared for each customer.

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POWER QUALITY OR RELIABILITY CONTRACTING

This service provides contracts to improve customer power quality or reliability through the sale, lease, installation and maintenance of electrical devices. The final product or service offering will be based on that customer's specific needs.

SURGE PROTECTION

This service provides whole building and point-of-use surge protection from voltage spikes. These products will be suitable for residential and commercial establishments. Customers have the option of choosing either whole building surge protection installed at the meter or high quality surge protection strips for individual or grouped devices, or both.

AUSTIN ANALYTICAL SERVICES

Austin Analytical laboratory services can benefit other customers as well as the City of Austin. The laboratory is equipped to provide PCB, lead, asbestos, and other environmental and analytical testing to customers.

EDUCATIONAL SERVICES

This service provides information and education on utility and competitive issues such as safety, power quality, planning, and energy services.

GREEN BUILDING PROGRAM

The Green Building Program is a voluntary building rating system that encourages environmentally sound building, remodeling, and building maintenance practices. This program includes those services connected with providing "green building" practices: professional consulting, educational and informational "green building" services, and marketing of the same, all connected with providing and promoting environmentally sound building practices and systems ("green building"). Green Building services are available to individuals and business outside the City of Austin's electric service area as well to businesses within the service area boundary.

DISTRICT HEATING AND COOLING SERVICE

This service provides customers and their facilities with thermal energy (in the form of chilled water, heated water, or steam) from central plant facilities and distribution systems operated by Austin Energy.

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CONSTRUCTION / INSTALLATION

This service consists of pole or tower construction and conduit installation for electric or communications companies.

PULSE METERING, SUBMETERING, AND INTERVAL LOAD DATA SERVICES

This service provides installation of pulse metering, submetering, or interval load data recorders at a customer's facility, and electronic collection of relevant data from a customer's facility, and provides customers with timely operating data to assist with the efficient operation of its equipment and facility.

ENERGY MANAGEMENT SERVICES

Services include energy audits, feasibility studies, cost estimates, project management, providing, installing, and/or maintaining energy-efficient equipment, and arranging for project financing for governmental, commercial, and industrial customers.

DISTRIBUTED GENERATION

This service provides on-site analysis for large industrial or commercial customers to assess opportunities for on-site electrical generation for these customers for peak shaving or emergency outage situations. If circumstances for on-site generation are favorable, Austin Energy may provide or assist customers in obtaining distributed generation equipment. Austin Energy may own, operate, and/or maintain such equipment.

ELECTRIC RELIABILITY COUNCIL OF TEXAS WHOLESALE MARKET SERVICES

These services may be offered to eligible parties desiring to participate in the Electric Reliability Council of Texas (ERCOT) wholesale market. Austin Energy is currently registered as a Qualified Scheduling Entity in ERCOT and, as such, may provide scheduling, dispatching, communication, and a broad range of other services related to the ERCOT wholesale market.

**CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
SUMMARY**

	Winter (November - April)	Summer (May - October)
Residential Service (E01)⁽¹⁾		
Customer Charge	\$6.00	\$6.00
Energy Rate	3.55¢ per kWh, through 500 kWh 6.02¢ per kWh, over 500 kWh	3.55¢ per kWh, through 500 kWh 7.82¢ per kWh, over 500 kWh
Solar Explorer Rider	\$3.50	\$3.50
General Service - Non-Demand (E02)		
Customer Charge	\$6.00	\$6.00
Energy Rate	4.64¢ per kWh	6.44¢ per kWh
Solar Explorer Rider	\$3.50	\$3.50
General Service - Demand (20 kW+) (E06)		
Energy Rate	1.80¢ per kWh	1.80¢ per kWh
Demand Rate	\$12.65 per kW	\$14.03 per kW
Coincident Load Special Contract Rider		
Customer Charge	\$250.00	\$250.00
Energy Rate	1.45¢ per kWh	1.45¢ per kWh
Demand Rate (Coincident Peak)	\$8.35 per kW	\$9.10 per kW
Demand Rate (Non-Coincident Peak)	\$7.50 per kW	\$8.25 per kW
Primary Service (E07)		
Energy Rate	1.51¢ per kWh	1.51¢ per kWh
Demand Rate	\$11.11 per kW	\$12.10 per kW
Large Primary Service (3000 kW+) (E08)		
Energy Rate	1.50¢ per kWh	1.50¢ per kWh
Demand Rate	\$11.81 per kW	\$12.60 per kW
Large Primary Service Time-Of-Use (E09)⁽²⁾		
On-Peak Energy Rate	2.10¢ per kWh	2.80¢ per kWh
Off-Peak Energy Rate	0.10¢ per kWh	0.95¢ per kWh
On-Peak Demand Rate	\$11.81 per kW	\$12.60 per kW
Off-Peak Demand Rate	\$0.00 per kW	\$0.00 per kW
Large Primary Service Special Contract Rider (E)		
Energy Rate	1.11¢ per kWh	1.11¢ per kWh
Demand Rate	\$11.40 per kW	\$12.54 per kW
Large Primary Service Special Contract Rider Time-Of-Use (E)⁽²⁾		
On-Peak Energy Rate	1.71¢ per kWh	2.41¢ per kWh
Off-Peak Energy Rate	(0.29)¢ per kWh	0.56¢ per kWh
On-Peak Demand Rate	\$11.40 per kW	\$12.54 per kW
Off-Peak Demand Rate	\$0.00 per kW	\$0.00 per kW
Transmission Service (E11)		
Energy Rate	1.40¢ per kWh	1.40¢ per kWh
Demand Rate	\$10.98 per kW	\$11.72 per kW
State General Service – Non-Demand (E13)⁽⁴⁾		
Customer Charge	\$6.00	\$6.00
Energy Rate	3.19¢ per kWh	4.99¢ per kWh

	Winter (November - April)	Summer (May - October)
State General Service – Demand (E14)⁽⁴⁾ Energy Rate Demand Rate	1.07¢ per kWh \$10.94 per kW	1.07¢ per kWh \$11.64 per kW
State Primary Service (E17)⁽⁴⁾ Energy Rate Demand Rate	1.07¢ per kWh \$10.94 per kW	1.07¢ per kWh \$11.64 per kW
State Large Primary Service (E15) Energy Rate Demand Rate	1.07¢ per kWh \$10.94 per kW	1.07¢ per kWh \$11.64 per kW
State Large Primary Service Time-Of-Use (E16)⁽²⁾ On-Peak Energy Rate Off-Peak Energy Rate On-Peak Demand Rate Off-Peak Demand Rate	1.67¢ per kWh (0.33)¢ per kWh \$10.94 per kW \$0.00 per kW	2.37¢ per kWh 0.52¢ per kWh \$11.64 per kW \$0.00 per kW
Independent School Districts General Service - Demand (E10) Energy Rate Demand Rate	2.28¢ per kWh \$5.68 per kW	2.28¢ per kWh \$7.95 per kW
Independent School Districts Time-Of-Use (E23)⁽²⁾ On-Peak Energy Rate Off-Peak Energy Rate On-Peak Demand Rate Off-Peak Demand Rate	2.47¢ per kWh 1.99¢ per kWh \$5.68 per kW \$0.00 per kW	2.72¢ per kWh 2.02¢ per kWh \$7.95 per kW \$0.00 per kW
Texas Department of Transportation⁽⁴⁾ Sign Lighting and Safety Illumination Service (Non-Metered) Energy Rate	2.96¢ per kWh	2.96¢ per kWh
Water and Wastewater (E03) Energy Rate	2.77¢ per kWh	6.48¢ per kWh
Other City (E04) Energy Rate	3.54¢ per kWh	5.21¢ per kWh
Streetlighting and Traffic Signals (E05) Energy Rate	14.98¢ per kWh	14.98¢ per kWh
Security Lighting (ENW) 175 Watt Mercury Vapor 100 Watt High Pressure Sodium 400 Watt Mercury Vapor 250 Watt High Pressure Sodium	<u>Pole Charge</u> <u>Energy Charge</u> \$1.74 \$7.34 \$1.74 \$4.28 \$1.74 \$17.11 \$1.74 \$11.00	<u>Pole Charge</u> <u>Energy Charge</u> \$1.74 \$7.34 \$1.74 \$4.28 \$1.74 \$17.11 \$1.74 \$11.00
Non-Metered Outdoor Lighting (ENW) Energy Rate Fuel Rate	\$0.0428 per watt X bulb wattage 0.35 hours X bulb wattage X FAC	\$0.0428 per watt X bulb wattage 0.35 hours X bulb wattage X FAC
Primary Standby Capacity⁽⁴⁾ Standby Capacity Rate State Standby Capacity Rate	\$2.62 per kW \$2.23 per kW	\$2.62 per kW \$2.23 per kW
Transmission Standby Capacity (E12)⁽⁴⁾ Standby Capacity Rate State Standby Capacity Rate	\$2.41 per kW \$1.93 per kW	\$2.41 per kW \$1.93 per kW

	Winter (November - April)	Summer (May - October)
Economic Development		
Energy Rate	1.11¢ per kWh	1.11¢ per kWh
Demand Rate	\$11.40 per kW	\$12.54 per kW
Experimental Residential Time-Of-Use⁽³⁾		
Customer Charge	\$6.00	\$6.00
Energy Rate	3.55¢ per kWh, through 500 kWh 6.02¢ per kWh, over 500 kWh	
Energy Rate (if total consumption is between):		<u>On-Peak</u> <u>Off-Peak</u> 13.71¢ per kWh 3.43¢ per kWh 15.48¢ per kWh 3.87¢ per kWh 16.95¢ per kWh 4.24¢ per kWh 18.25¢ per kWh 4.56¢ per kWh
Interruptible Service		
Customer Charge	\$200.00	\$200.00
Energy Rate	1.50¢ per kWh	1.50¢ per kWh
Demand Rate	\$6.00 per kW	\$6.00 per kW
Load Cooperative Rider⁽⁵⁾ (200 kW+)	Unavailable during this time	Available June 1 through Sept. 30
Energy Rate		
Load Reduction Premium		\$1.25 per kW for Delivered kW ⁽⁶⁾
Consumption Incentive		\$0.15 per kWh for Delivered kWh
GreenChoice[®] Energy Rider		
Residential Service and		
General Service Non-Demand:		
Batch-1 Green Power Charge	\$0.0170 per kWh	\$0.0170 per kWh
Batch-2 Green Power Charge	\$0.0285 per kWh	\$0.0285 per kWh
Batch-3 Green Power Charge	\$0.0330 per kWh	\$0.0330 per kWh
Large Commercial Service:		
Batch-1 Green Power Charge	\$0.0170 per kWh	\$0.0170 per kWh
Batch-2 Green Power Charge	\$0.0285 per kWh	\$0.0285 per kWh
Batch-3 Green Power Charge	\$0.0330 per kWh	\$0.0330 per kWh
Unmetered Non-Demand for Communications Equipment		
Customer Charge (annual)	\$72.00 per contract and per tower	\$72.00 per contract per tower
Energy Rate	4.64¢ per kWh	6.44¢ per kWh

In addition, a Fuel Adjustment Clause is assessed on all energy consumption except for those customers participating under the GreenChoice[®] Energy Rider.

Rider TOU - Thermal Energy Storage may be attached to the General Service - Demand, Primary Service, Large Primary Service, Large Primary Service Special Contract Rider, State General Service - Demand, State Primary Service, State Large Primary Service, Independent School Districts - Demand, and Independent School Districts Time-of-Use rate.

- (1) Certain customers may qualify for a waiver of the customer service charge.
- (2) On-peak hours are 1:00 p.m. to 9:00 p.m. weekdays May through October and 8:00 a.m. through 10:00 p.m. everyday November through April. Off-Peak hours are all other hours including Memorial Day, Independence Day, and Labor Day.
- (3) On-peak hours are 2:00 p.m. to 8:00 p.m. weekdays May through October. Off-Peak hours are all other hours including Memorial Day, Independence Day, and Labor Day.
- (4) An agreement between the State of Texas and the City of Austin amended these rates as of October 1, 1995 for State accounts only.
- (5) Available for the following tariffs: 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).

(6) In the event that no curtailment session occurs during one or more months of the Contract Period, the Load Reduction Premium incentive payment for that month(s) shall be the lesser of:

- ♦ \$1.25/kW multiplied by the Contracted kW; or
- ♦ \$1.25/kW multiplied by the monthly average of the Delivered kW for the previous months of the current Contract Period.

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 can be expressed by the following formula:

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

Where F is the estimated cost of fuels and related expenses, including refunds and the cost of purchased power for the calendar year for service-area sales.

Where 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 calendar year and 2) the estimated cost of the ERCOT ISO Administrative Fee for the calendar year.

Where S is the estimated service-area sales of kWh for the calendar year.

Where E is the actual cost of fuels and related expenses, including refunds and the cost of purchased power, less any fuel costs for sales of energy or firm power for the twelve months ended November 30.

Where 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 twelve months ended November 30.

Where A is the actual cost recovered from service-area sales for the twelve months ended November 30.

If, at any time, there is more than a ten-percent (10%) over-recovery from the projected calendar year fuel and purchased power costs, the City of Austin shall adjust the FAC for the remaining months of the calendar year to reflect the revised estimates of fuel and purchased power costs. If, at any time, there is more than a ten-percent (10%) under-recovery from the projected calendar year fuel and purchased power costs, the City of Austin may adjust the FAC for the remaining months of the calendar year to reflect the revised estimates of fuel and purchased power costs.

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. 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 Austin/Travis County Medical Assistance Program (MAP) within the last twelve months. In addition, customers who qualify for the customer charge waiver will also receive a green power credit to the residential fuel charge. The green power credit will be the difference between the residential fuel charge and the Batch-1 Green Power Charge multiplied by 1,000 kWh. However, this amount will be prorated per customer if the number of customers qualifying for the customer charge waiver exceeds 8,300, 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, no credit will be given. Austin Energy will re-evaluate the green power credit at least twice a year to determine if the credit should be adjusted. The credit 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 green power credit but becomes ineligible for the customer charge waiver will no longer be eligible to receive the green power credit, 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 green power credit 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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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:

1. 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.

1. 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 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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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.

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. When 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.

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.

When 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.

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.

Definitions:

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

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

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

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

Terms and Conditions:

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

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

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

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

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

If it is determined at any time by the City of Austin that the customer has not acted appropriately so that there can be compliance with the provisions of this tariff, then the customer will be immediately billed on the General Service Demand rate schedule, or as amended, from the date service was first commenced under this tariff. 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 tariff, shall immediately become due by customer to the City of Austin.

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

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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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.

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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% and dividing by the lower peak power factor.

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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% 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:

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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 to customer.

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 executes a separate contract, in form and substance acceptable with 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 up to ten years, subject to certain rights of first refusal as set forth below. The City of Austin, acting by and through its Electric Utility Department, enters and executes the contract and assumes its obligations 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 on a long-term basis.

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):	<u>Winter</u>	<u>Summer</u>
	<u>Billing Months of</u> <u>November through April</u>	<u>Billing Months of</u> <u>May through October</u>
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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% 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.

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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.

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

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

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

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

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

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

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

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

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

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

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

This Special Contract Rider shall be extended to all of an LPS 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 10 year 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 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

If it is determined at any time by the City of Austin that the customer violated the provisions of this tariff or the contract implementing the tariff, then the customer will be immediately billed on the LPS rate schedule, or as amended, from the date service was first commenced under this tariff. 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 tariff, shall immediately become due by customer to the City of Austin.

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

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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% 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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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.

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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% and dividing by the lower peak power factor.

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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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.

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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% and dividing by the lower peak power factor.

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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% 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:

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% and dividing by the lower peak power factor.

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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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.

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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% and dividing by the lower peak power factor.

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:

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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):

	<u>Facilities Charge</u>	<u>Energy Charge</u>	<u>Monthly kWh</u>
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:

	<u>25' Steel</u>	<u>30' Steel</u>	<u>35' Wood</u>
Labor	\$ 349	\$ 349	\$ 391
Pole	<u>495</u>	<u>568</u>	<u>105</u>
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.

Minimum Bill:

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

CITY OF AUSTIN
ELECTRIC RATE SCHEDULE
TRANSMISSION STANDBY CAPACITY

Application:

This rate is applicable to any customer who has on-site power-production facilities, receives power at the transmission voltage level 69,000 volts (nominal) or higher, 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, 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 (Transmission):

\$2.41 per kilowatt of Standby Capacity
\$1.93 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.

Minimum Bill:

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

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:

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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 Billing Demand 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 the City of Austin. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% and dividing by the lower peak power factor.

Conditions Of Service:

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

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

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

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

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

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

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

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

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

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

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

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

	<u>Rate for all Off-Peak</u> <u>kWh</u>	<u>Rate for all On-Peak</u> <u>kWh</u>
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.

Conditions of Service:

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

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

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

**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 shift to off-peak time periods no less than 20% of the customer's normal on-peak summer Billed Demand 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):

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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. When power factor during the interval of greatest use is less than 85%, Billing Demand shall be determined by multiplying the indicated demand by 85% 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 200 kW of load that can be curtailed for a period of three hours. 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).

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

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

- (1) **Contracted kW:** the agreed-upon estimate of the electric load available for each curtailment session.
- (2) **Baseline kW:** the average kW recorded during the one-hour period beginning two hours before the start of the curtailment session, unless superseded by the agreement.
- (3) **Curtailment kW:** the average kW recorded during the curtailment session.
- (4) **Delivered kW:** the monthly average kW of the curtailed load (Baseline kW minus Curtailment kW).
- (5) **Delivered kWh:** the kWh reduced during the curtailment session (Delivered kW multiplied by the number of hours in the curtailment session).

Rate:

Incentive payments will consist of two components:

- 1) **Load Reduction Premium:** Austin Energy shall pay a premium of \$1.25 per kW for Delivered kW which has been delivered that month.
In the event that no curtailment session occurs during one or more of the months of the contract period, the Load Premium's incentive payment for that month(s) will be the lesser of:
 - ◆ \$1.25/kW multiplied by the Contracted kW, or;
 - ◆ \$1.25/kW multiplied by the customer's previous Delivered kW.
- 1) **Consumption Incentive:** Austin Energy will pay customer \$0.15 per kWh for all Delivered kWh that month.
If no curtailment session occurs during one or more of the months in the contract period, the Consumption Incentive for that month(s) is not applicable.

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

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

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 on or after December 6, 2003 and shall become effective on January 19, 2004.

On or after March 28, 2001, GreenChoice® participants will 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, its 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

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 and until December 31, 2013 for Batch 3. In order to participate in the GreenChoice® program under this rider, a residential service customer or general service non-demand customer must have designated its entry into the program by means of a form provided by Austin Energy, either in writing or through Austin Energy's web site.

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

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, or December 31, 2013 for Batch 3 participants.

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:

	<u>Winter</u> <u>Billing Months of</u> <u>November through April</u>	<u>Summer</u> <u>Billing Months of</u> <u>May through October</u>
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.

Rate:

1. In a billing month after a customer receives approval to interconnect the customer's on-site generating system from the City of Austin, if the energy delivered by the customer's approved

system to the City of Austin's electric system exceeds the amount of energy delivered by the City of Austin to the customer, the City shall credit the customer's account for the energy generated as described below.

2. The monthly credit, if any, is calculated as follows:
 - a. Except as provided in paragraph b., each kWh delivered from the customer's approved system to the City of Austin's electric system in excess of the kWh delivered by the City of Austin is multiplied by the Fuel Rate as adjusted by the appropriate multiplier in the then current Fuel Adjustment Clause of the Electric Rate Schedule.
 - b. If the customer participates in the GreenChoice[®] program, each kWh delivered from the customer's approved system to the City of Austin's electric system in excess of the kWh delivered by the City of Austin is multiplied by the appropriate Green Power Charge.
3. Any credit shall be applied to the utility charges due from the customer to the City of Austin.