



## AGENDA

### CITY COUNCIL MEETING

**June 7, 2011 @ 7:00 P.M.**

Notice is hereby given the City Council for the City of Parker will meet in a Regular Meeting on Tuesday, June 7, 2011 at 7:00 P.M. at Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002.

#### **CALL TO ORDER – Roll Call and Determination of a Quorum**

#### **PLEDGE OF ALLEGIANCE**

American Pledge: I pledge allegiance to the flag of the United States of America; and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

Texas Pledge: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

**PUBLIC COMMENTS** The City Council invites any person with business before the Council not scheduled on the agenda to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

#### **INDIVIDUAL CONSIDERATION ITEMS**

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR MAY 17, 2011.
2. UPDATE BY GERALD PERRIN, ONCOR AREA MANAGER ON TRANSMISSION LINE.
3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 669 APPROVING A NEGOTIATED RESOLUTION BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR ("STEERING COMMITTEE") AND ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR" OR "COMPANY")
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AN AMENDED PLAT FOR BROOKS FARMS.
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PARK GRANT.

6. QUARTERLY REPORT BY CHAIRMAN JOE STERK, PARKS AND RECREATION COMMISSION.
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE SALE OF THE WATER TOWER.
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION APPROVING RESOLUTION 2011-334 APPOINTING MEMBERS OF THE PERSONNEL COMMITTEE.

## **ROUTINE ITEMS**

### **9. FUTURE AGENDA ITEM REQUESTS.**

### **10. UPDATES**

- a. Chief Fragoso – Springhill Estates
- b. Finance/H.R. Manager Boyd – Planning Session

### **11. ADJOURN**

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on June 3, 2011 by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at [www.parkertexas.us](http://www.parkertexas.us).

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Date Notice Removed

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Carrie L. Smith, TRMC, CMC  
City Secretary

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972 442 6811.



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	June 7, 2011
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	Carrie Smith
Estimated Cost:		Date Prepared:	June 1, 2011
Exhibits:	1) Proposed Minutes		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES  
FOR MAY 17, 2011.

### SUMMARY

Please review the proposed minutes, if you find any errors or would like to recommend a change please contact Dena or me prior to the meeting.

### POSSIBLE ACTION

- Move to approve as written.
- Move to approve as amended.

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Dena L. Lanzel</i>	Date:	6-3-11

**MINUTES**  
**CITY COUNCIL MEETING**

**May 17, 2011**

**CALL TO ORDER – Roll Call and Determination of a Quorum**

The Parker City Council met in a regular scheduled meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002.

Mayor Cordina called the meeting to order at 7:09 p.m. with Councilmembers Marshall, Sumrow, Evans and Levine present. Threadgill was absent. A quorum was present.

Staff Present: City Administrator Dena Daniel, City Attorney James Shepherd, Assistant City Administrator Jeff Flanigan, City Secretary Carrie Smith, Finance/HR Manager Johnna Boyd, Police Chief Tony Fragoso and Fire Chief Mike Sheff.

**PLEDGE OF ALLEGIANCE**

American Pledge: David Leamy led the pledge.

Texas Pledge: Z Marshall led the pledge

1. ADMINISTER OATH OF OFFICE TO Z MARSHALL, ALLISON SUMROW AND DAVID LEAMY.

Mayor Cordina issued the new Council their Oath of Office.

BRIEF RECESS FOR A “MEET AND GREET”

Council took a brief recess.

Councilmember Leamy took his seat at the bench.

**PUBLIC COMMENTS** The City Council invites any person with business before the Council not scheduled on the agenda to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Joe Sterk, 4200 Pecan Orchard – spoke in opposition to Council allowing concealed handguns into City Hall.

**INDIVIDUAL CONSIDERATION ITEMS**

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR MAY 3, 2011.

MOTION: Councilmember Levine moved to approve the minutes subject to amending page 3, first sentence by adding "...increase in projected cost." Councilmember Sumrow seconded with Councilmembers Marshall, Sumrow, Evans and Levine voting for. Leamy abstained. Motion carried 4-0.

3. CONSIDER ORDINANCE 668 AUTHORIZING THE ISSUANCE OF CITY OF PARKER TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,930,000; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF THE BONDS; LEVYING AN ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING THERETO.

First Southwest representative Erick Macha gave the Council a brief presentation on the proposed refunding bond series. (See Exhibit 3A)

Mr. Macha's statement:

"Due to covenants within the City's recent financing, certain constraints would be applicable to eligible financings undertaken for the remainder of the year. Based on discussions with bond counsel and general counsel the attached refunding structure would meet the requirements and be eligible for issuance. The attached figures are based on the same interest rate assumptions as prior analysis for comparison purposes. As indicated on page 2 (Sources & Uses), the issuance constraints do not allow for bond premium to go towards financing costs. The attached illustrates a City contribution and transfer from the debt service fund to be used towards financing costs. The savings page illustrates an approximate \$95,000 loss in FY 2011 due to the required contributions. However, savings in FY 2012 have been structured to offset the loss in FY 2011. We will be glad to prepare alternate saving structures or contribution allocation after review with the City."

MOTION: Councilmember Marshall moved to approve Ordinance 668 subject to a 5% minimum debt service savings. Councilmember Leamy seconded with Councilmembers Marshall, Sumrow, Leamy, Evans and Levine voting for. Motion carried 5-0.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON APPOINTING A MAYOR PRO-TEM.

MOTION: Councilmember Evans nominated Councilmember Marshall for Mayor Pro-tem. Councilmember Sumrow seconded with Councilmembers Marshall, Sumrow, Leamy, Evans and Levine voting for. Motion carried 5-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION RESOLUTION 2011-331 DESIGNATING SIGNATORIES FOR BANKING TRANSACTIONS WITH AMERICAN NATIONAL BANK.

MOTION: Councilmember Levine moved to approved Resolution 2011-331 subject to adding Z Marshall and Eleanor Evans as authorized ANB signers. Mayor Pro-

tem Marshall seconded with Councilmembers Marshall, Sumrow, Leamy, Evans and Levine voting for. Motion carried 5-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2011-332 APPOINTING MEMBERS OF THE INVESTMENT COMMITTEE.

MOTION: Councilmember Evans moved to approve Resolution 2011-332 subject to appointing Scott Levine to the investment committee. Mayor Pro-tem Marshall seconded with Councilmembers Marshall, Sumrow, Leamy, Evans and Levine voting for. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2011-333 APPOINTING MEMBERS OF THE BOARD OF DIRECTORS OF THE CITY OF PARKER, TEXAS CULTURAL EDUCATION FACILITIES FINANCE CORPORATION.

MOTION: Mayor Pro-tem Marshall moved to approve Resolution 2011-333 subject to re-appointing Jim Threadgill to the corporation. Councilmember Leamy seconded with Councilmembers Marshall, Sumrow, Leamy, Evans and Levine voting for. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION APPROVING RESOLUTION 2011-334 APPOINTING MEMBERS OF THE PERSONNEL COMMITTEE.

Councilmember Sumrow requested this item be postponed to allow her the opportunity to prepare the purpose and role of the committee. There was discussion of the Mayor being an ex-officio member with a vote or not.

MOTION: Councilmember Levine moved to table this item to the next regular meeting. Councilmember Sumrow seconded with Councilmembers Marshall, Sumrow, Leamy, Evans and Levine voting for. Motion carried 5-0.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION APPROVING RESOLUTION 2011-335 APPOINTING MEMBERS OF THE EMERGENCY MANAGEMENT COMMITTEE.

MOTION: Councilmember Marshall moved to approve Resolution 2011-335 subject to appointing David Leamy to the Committee. Councilmember Levine seconded with Councilmembers Marshall, Sumrow, Leamy, Evans and Levine voting for. Motion carried 5-0.

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION APPROVING RESOLUTION 2011-336 APPROVING THE NEWSLETTER PROCESS AND PROCEDURES AND APPOINTING MEMBERS TO A NEWSLETTER REVIEW COMMITTEE.

MOTION: Councilmember Levine moved to approve Resolution 2011-336 subject to appointing Joe Cordina and Eleanor Evans to the Committee and approval of the

process. Councilmember Leamy seconded with Councilmembers Marshall, Sumrow, Leamy, Evans and Levine voting for. Motion carried 5-0.

## **ROUTINE ITEMS**

### **11. FUTURE AGENDA ITEM REQUESTS.**

Personnel Committee Resolution  
Amended Plat for Brooks Farms  
Bozeman Rd right of way issues have been settled.

### **12. UPDATES**

#### **a. DEPARTMENT REPORTS:** Building, Animal Control, Police, Fire, Finance and Website

1) Chief Fragoso reported the increased patrol on Springhill Estates is being continued.

### **13. ADJOURN**

Mayor Cordina adjourned the meeting.

APPROVED:

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Joe Cordina  
Mayor

ATTESTED:

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Carrie L. Smith, TRMC, CMC  
City Secretary

APPROVED on the 7th day of  
June, 2011.

Exhibit 3A First Southwest presentation



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	June 7, 2011
Budgeted Amount:		Department/ Requestor:	City Council
Fund Balance-before expenditure:		Prepared by:	Carrie Smith
Estimated Cost:		Date Prepared:	June 1, 2011
Exhibits:			

### AGENDA SUBJECT

UPDATE BY GERALD PERRIN, ONCOR AREA MANAGER ON TRANSMISSION LINE.

### SUMMARY

### POSSIBLE ACTION

Inter – Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Gerald</i>	Date:	<i>6-2-11</i>



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	June 7, 2011
Budgeted Amount:		Department/ Requestor:	Steering Committee of Cities Served by Oncor
Fund Balance-before expenditure:		Prepared by:	Carrie Smith
Estimated Cost:		Date Prepared:	June 1, 2011
Exhibits:	(1) a cover memo, (2) model staff report, (3) model rate ordinance, <b>669</b> (4) PUC 38929 final stipulation, (5) participating cities list, (6) residential increase (calculation for both 1,000 and 1,300 kWh for residential using January 1, 2012 rates) and (7) copy of cities' franchise fee payments (calculation with interest).		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE 669 APPROVING A NEGOTIATED RESOLUTION BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR ("STEERING COMMITTEE") AND ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR" OR "COMPANY")

### SUMMARY

### POSSIBLE ACTION

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:	<i>by email</i>	Date:	<i>5/16/2011</i>
City Administrator:	<i>Resigned</i>	Date:	<i>6-3-11</i>

Mr. Brocato's Direct Line: (512) 322-5857  
Email: [tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com)

## MEMORANDUM

TO: Steering Committee of Cities Served by Oncor

FROM: Thomas Brocato

DATE: May 11, 2011

RE: Oncor Electric Delivery Company's Rate Increase Settlement

### **FINAL ACTION NEEDED BY JUNE 17**

The Executive Committee of the Steering Committee of Cities Served by Oncor, with the advice and input of the Steering Committee consultants and lawyers, has worked to resolve Oncor's pending \$353 million rate increase request without the necessity of a protracted and costly contested case proceeding. The attached tariffs reflect rates that will increase Oncor's revenues by \$136.7 million. The negotiated result reduces Oncor's requested rate increase by more than 60%. The monthly bill impact for an average residential customer will be \$2.35. The Steering Committee recommends approval of the negotiated resolution because it represents an outcome that is equal to or better than the outcome expected from a contested case proceeding, and maintains cities' roles as regulators of electric rates.

Attached to this memo is a model ordinance approving the settlement and staff report. **Please schedule consideration of the ordinance at your next available council meeting. Final council action to approve the ordinance must take place by June 17, 2011.** To assist you, several documents are attached to this memorandum:

- An ordinance setting new rates consistent with the settlement agreement. The approved ordinance should include the attached tariffs ("Attachment A" and "Attachment B" to the ordinance),
- A model staff report,
- PUC 38929 final stipulation,
- participating cities list,
- residential increase (calculation for both 1,000 and 1,300 kWh for residential using January 1, 2012 rates) (excel file), and
- copy of cities' franchise fee payments (calculation with interest) (excel file).

If you have any questions, please feel free to contact Thomas (512/322-5857, [tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com)). Once final action has been taken by your city, please forward a copy of the ordinance to Oncor and to our paralegal, Holly Paxton (fax number 512/472-0535, [hpaxton@lglawfirm.com](mailto:hpaxton@lglawfirm.com)).

## MODEL STAFF REPORT

The City, along with approximately 160 other cities served by Oncor Electric Delivery Company LLC (“Oncor” or “Company”), is a member of the Steering Committee of Cities Served by Oncor (“Steering Committee”). On or about January 7, 2011, Oncor filed with the City an application to increase electric rates.

The Oncor filing sought a \$353 million rate increase. The City worked with the Steering Committee to analyze the schedules and evidence offered by Oncor to support its request to increase rates. The Ordinance and attached rate and tariffs are the result of negotiations between the Steering Committee and the Company to resolve issues raised by the Steering Committee and other intervenors during the review and evaluation of the filing. The Ordinance resolves the Company’s filing by authorizing an increase in the Company’s base rate of \$136.7 million. The monthly bill impact for the average residential customer will be a \$2.35 increase (as opposed to the \$5.00 per bill increase as proposed in the Company’s filing).

The Executive Committee of the Steering Committee and the Steering Committee’s legal counsel recommend that all city members of the Steering Committee adopt the Ordinance implementing the rate change.

### **Background:**

The tariff was approved by the Executive Committee of the Steering Committee as part of the settlement agreement to resolve the Oncor rate filing at the Public Utility Commission of Texas. As stated above, the agreement reduces Oncor’s request for a \$353 million increase to \$136.7 million. The agreement does not change the current authorized capitalization of 60% debt and 40% equity and return on equity of 10.25% from Oncor’s last rate proceeding.

Also, the settlement results in a system-wide rate increase of 6.1%. Residential customers will see an increase of 6.2%, much lower than Oncor’s requested 14.6% increase. Street lighting rates will increase 13.8%, which is also lower than Oncor’s requested increase of 25.9%. Oncor has agreed that it will not file another general base rate case prior to July 1, 2013. However, as cities are regulatory authorities, cities may still initiate a rate case prior to that date.

Additionally, consistent with the District Court’s reversal of the Commission’s decision relating to municipal franchise fees in Docket No. 35717, Oncor will increase franchise fees to the contractually agreed to amounts within 60 days of the final order, or July 1, 2011, whichever is later. Additionally, Oncor will pay cities retroactive franchise fees from the date the rates approved in Oncor’s prior rate case, Docket No. 35717, went into effect.

Oncor will also pay cities’ rate case expenses and recover those amounts over three years with no carrying charges. Finally, at its own expense, the Company will reinstate Rider SCUD, which provides for a 20% discount for institutions of higher learning.

### **Purpose of the Ordinance:**

Rates cannot change and the Settlement Agreement with Oncor cannot be implemented without passage of rate ordinances by cities. The purpose of the Ordinance is to approve rate tariffs (“Attachment A” and “Attachment B”) that reflect the negotiated rate changes pursuant to the process and to ratify a Settlement Agreement recommended by the Steering Committee.

As a result of the negotiations, the Steering Committee was able to reduce the Company’s requested \$353 million increase to \$13.6 million (a decrease of over 60% of the Company’s request). Approval of the Ordinance will result in the implementation of new rates that increase Oncor’s revenues in two phases: by \$93.7 million effective July 1, 2011 (i.e. “Attachment A”) and by \$43 million effective January 1, 2012 (“Attachment B”).

### **Reasons Justifying Approval of the Negotiated Resolution:**

During the time that the City has retained original jurisdiction in this case, consultants working on behalf of the Steering Committee have investigated the support for the Company’s requested rate increase. While the evidence does not support the \$353 million increase requested by the Company, the Steering Committee consultants agree that the Company can justify an increase in revenues of \$136.7 million. The agreement on \$136.7 million is a compromise between the positions of the parties.

The alternative to a settlement of the filing would be a contested case proceeding before the Public Utility Commission of Texas on the Company’s current application, would take several months and cost ratepayers millions of dollars in rate case expenses, and would not likely produce a result more favorable than that to be produced by the settlement. The Executive Committee and counsel for the Steering Committee recommend that Steering Committee member cities take action to approve the Ordinance authorizing new rate tariffs.

### **Explanation of “Be It Ordained” Paragraphs:**

1. This paragraph approves all findings in the Ordinance.
2. This section adopts the attached tariffs (“Attachment A”) in all respects and finds the rates set pursuant to the attached tariffs to be just, reasonable and in the public interest.
3. This section requires the Company to reimburse the Steering Committee for reasonable rate making costs associated with reviewing and processing the application.
4. This section repeals any resolution or ordinance that is inconsistent with this Ordinance.
6. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
7. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair or invalidate the

remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.

8. This section is a “Most Favored Nations” clause, which protects the City by mandating that if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company’s filing would be more beneficial to the City than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City.

9. This section provides for an effective dates upon passage. Approval of the Ordinance will result in the implementation of new rates that increase Oncor’s revenues in two phases: by \$93.7 million effective July 1, 2011 (i.e. “Attachment A”) and by \$43 million effective January 1, 2012 (“Attachment B”).

10. This paragraph directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for the Steering Committee.

**ORDINANCE NO. 669**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, (“CITY”) APPROVING A NEGOTIATED RESOLUTION BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR (“STEERING COMMITTEE”) AND ONCOR ELECTRIC DELIVERY COMPANY LLC (“ONCOR” OR “COMPANY”) REGARDING THE COMPANY’S APPLICATION TO INCREASE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ONCOR’S PROOF OF REVENUES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE’S LEGAL COUNSEL.**

WHEREAS, the City of Parker, Texas (“City”) is an electric utility customer of Oncor Electric Delivery Company LLC (“Oncor” or “Company”), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor (“Steering Committee”), a coalition of approximately 160 similarly situated cities served by Oncor that have joined together to facilitate the review of and response to electric issues affecting rates charged in the Oncor service area; and

WHEREAS, on or about January 7, 2011, Oncor filed with the City its application to increase electric base rates by approximately \$353 million, such increase to be effective in every municipality within Oncor’s service territory; and

WHEREAS, the Steering Committee coordinated their review of Oncor's filing by designating an Executive Committee made up of Steering Committee representatives, assisted by Steering Committee attorneys and consultants, to resolve issues identified by the Steering Committee in the Company's filing; and

WHEREAS, the Company has filed evidence that existing rates are unreasonable and should be changed; and

WHEREAS, independent analysis by the Steering Committee's rate experts concluded that Oncor is able to justify an increase over current rates of \$136.7 million; and

WHEREAS, the Steering Committee has entered a Settlement Agreement ("Attachment C") with Oncor to increase base rate revenues by \$136.7 million; and

WHEREAS, the Executive Committee of the Steering Committee, and the Steering Committee's lawyers and consultants recommend that Steering Committee members approve the attached rate tariffs ("Attachment A" and "Attachment B" to this Ordinance), which will increase the Company's revenue requirement by \$136.7 million; and

WHEREAS, the attached tariffs implementing new rates are consistent with the negotiated resolution reached by the Steering Committee and are just, reasonable, and in the public interest; and

WHEREAS, it is the intention of the parties that if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariff, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City; and

WHEREAS, the negotiated resolution of the Company's filing and the resulting rates are, as a whole, in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS:

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That the City Council finds the existing rates for electric service provided by Oncor are unreasonable and new tariffs, which are attached hereto and incorporated herein as Attachments A and B, are just and reasonable and are hereby adopted.

Section 3. That Oncor shall reimburse the reasonable ratemaking expenses of the Steering Committee in processing the Company's rate application.

Section 4. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Section 5. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 6. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 7. That if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the

City than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City.

Section 8. That this Ordinance and Settlement Agreement (“Attachment C”) shall become effective from and after its passage with rates authorized by attached Tariffs to be effective in two phases. Phase one tariffs (attached to this Ordinance as “Attachment A”), increasing Oncor’s revenues by \$93.7 million, are effective for bills rendered on or after July 1, 2011. Phase two tariffs (attached to this Ordinance as “Attachment B”), increasing Oncor’s revenues by \$43 million, are effective for bills rendered on or after January 1, 2012.

Section 9. That a copy of this Ordinance shall be sent to Oncor, care of Autry Warren, Oncor Electric Delivery Company, LLC, 1601 Bryan St., 23<sup>rd</sup> Floor, Dallas, Texas 75201 and to Thomas Brocato, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED this 7th day of June, 2011.

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Mayor Joe Cordina

ATTEST:

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City Secretary Carrie L. Smith

APPROVED AS TO FORM:

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City Attorney James E. Shepherd

**PUC DOCKET NO. 38929  
SOAH DOCKET NO. 473-11-2330**

## **STIPULATION**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

As of April 8, 2011, Oncor Electric Delivery Company LLC (“Oncor” or “Company”) and certain parties to this docket have reached a Memorandum of Settlement (“MOS”), attached hereto as Exhibit A, concerning the Application of Oncor Electric Delivery Company LLC for Authority to Change Rates. Based upon the MOS, the following parties have joined in this comprehensive and unopposed Stipulation (“Stipulation”) regarding all issues in this docket: Oncor; the Staff of the Public Utility Commission of Texas (“Staff”); the Office of Public Utility Counsel; State agencies and institutions of higher education (“State Agencies”); Texas Industrial Energy Consumers; the Steering Committee of Cities Served by Oncor (“Cities”); the Alliance of Oncor Cities (“AOC”); Wal-Mart Stores Texas, LLC and Sam’s East, Inc.; and The Kroger Co. (hereinafter collectively referred to as “Signatories”). The Signatories agree that a negotiated resolution of this proceeding on the basis set forth in this Stipulation and related tariffs is in the public interest, provides just and reasonable rates, and will conserve the parties’ and the public’s resources and eliminate controversy. Accordingly, the Signatories request approval of this Stipulation by the Public Utility Commission of Texas (“Commission”) and entry of an Order (including findings of fact and conclusions of law) and approval of tariffs (“Tariffs”) as set out in Exhibit B hereto. All of the other parties to this docket have agreed that they do not oppose the Commission entering a final order consistent with this Stipulation.<sup>1</sup>

1.

By this Stipulation, the Signatories resolve all issues among them related to this proceeding and hereby stipulate and agree as follows and request the Commission enter the

<sup>1</sup> The following parties are not Signatories to this Stipulation but have agreed that they do not oppose it and do not oppose the Commission entering a final order consistent with this Stipulation: Reliant Energy Retail Services, LLC; CenterPoint Energy Houston Electric, LLC; Alliance for Retail Markets; Nucor Steel - Texas; TXU Energy Retail Company LLC; Texas Energy Association for Marketers; Environmental Defense Fund; Brazos Electric Power Cooperative, Inc.; Tex-La Electric Cooperative of Texas, Inc.; Rayburn Country Electric Cooperative, Inc.; IBEW Local 69; and Texas Cotton Ginners' Association & St. Lawrence Cotton Growers' Association.

proposed final Order attached hereto as Exhibit B (including the proposed Tariffs attached thereto) that reflects the following:

- A. **Base Rate Revenue Increase:** Oncor's total base rate revenue requirement will be increased by \$136,722,048 over current rate revenues [which include post-test year transmission cost of service ("TCOS") and transmission cost recovery factor ("TCRF") adjustments], resulting in a total cost of service of \$2,945,899,486, as reflected in Column (d) (Proposed Rates) of the attached Exhibit A (MOS) at Exhibit A. The Signatories have also agreed to and developed rates based upon the Proposed Rates for each customer class as reflected in Column (d) of the attached Exhibit A (MOS) at Exhibit A, which results in a change in rates for each customer class as reflected in Column (e) and a percentage change for each customer class as reflected in Column (f). The calculated rates have been incorporated in the Tariffs that are attached hereto at Exhibit B (Proposed Order) at Exhibits B1, B2, B3, and B4.
- B. **Financial Matters:** Oncor's Weighted Average Cost of Capital ("WACC") shall be 8.14% based upon a 6.73% Cost of Debt, an authorized Return on Equity ("ROE") of 10.25%, and an authorized regulatory capital structure of 60% long-term debt and 40% equity. The foregoing WACC, Cost of Debt, ROE, and capital structure will apply, in accordance with PURA<sup>2</sup> and Commission rules, in all Commission proceedings or Commission filings requiring application of Oncor's Cost of Debt, WACC, ROE, or capital structure to the same extent as if these factors had been determined in a final order in a fully-litigated proceeding.
- C. **Prudence Finding Regarding Investment:** The Signatories agree to a Commission finding that all Oncor investment through the end of the test year (June 30, 2010), as presented in Oncor's rate filing package ("RFP"), is prudent and includable in rate base. A determination of prudence regarding Oncor's investment made after June 30, 2010, (whether now in rates through interim TCOS and TCRF or non-TCOS in nature) will be reserved until Oncor's next general base rate case. This paragraph does not waive the rights of certain parties to continue their appeals of Docket No. 35717<sup>3</sup> with respect to the prudence of certain automated meters. This paragraph also does not apply to investment subject to recovery through the Advanced Metering System ("AMS") surcharge approved in Docket No. 35718.<sup>4</sup> The Signatories stipulate that Oncor's total rate base as of June 30, 2010 is \$8,098,414,835.

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<sup>2</sup> Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (Vernon 2007 & Supp. 2010) ("PURA").

<sup>3</sup> *Application of Oncor Electric Delivery Company LLC for Authority to Change Rates*, Docket No. 35717, Order on Rehearing (Nov. 30, 2009).

<sup>4</sup> *Oncor Electric Delivery Company LLC's Request For Approval Of Advanced Metering System (AMS) Deployment Plan And Request For Advanced Metering System (AMS) Surcharge*, Docket No. 35718, Order (Aug. 28, 2009).

D. **Prospective Franchise Fees:** To reflect the opinion of the District Court in the Docket No. 35717 appeal and the Commission's recent decision in Docket No. 38339,<sup>5</sup> Oncor agrees to increase franchise fees to the contractual annual amount, to begin within 60 days after entry of a final order in this proceeding or July 1, 2011, whichever is later, but in any event retrospective to July 1, 2011. With the exception of Staff, the Signatories agree that this Stipulation resolves all outstanding appeals relating to municipal franchise fees in Docket No. 35717. Staff takes no position on that issue.

E. **Regulatory Surcharge (Retrospective Franchise Fees and Rate Case Expenses):** To reflect the opinion of the District Court in the Docket No. 35717 appeal and the Commission's recent decision in Docket No. 38339, within 60 days after entry of a final order in this proceeding, Oncor will pay the municipalities in its service territory retrospective franchise fees (calculated from the date that the rates approved in Docket No. 35717 went into effect through July 1, 2011) and rate case expenses (through July 1, 2011) and recover those amounts, plus Oncor's rate case expenses balance (through July 1, 2011) over three years in a separate surcharge with no carrying charges. Rate case expenses incurred after July 1, 2011 will be captured in a regulatory asset and preserved for recovery consideration in Oncor's next general base rate case.

The total amount of retrospective franchise fees, calculated through June 30, 2011, plus interest at the Commission-established rate, is \$21,848,230. The Regulatory Surcharge rider (Rider RS) included in the proposed Tariffs currently includes only these amounts for retrospective franchise fees. The Signatories have agreed that the issue of the appropriate level of rate case expenses shall be resolved in Docket No. 39239,<sup>6</sup> where that issue is currently pending. Once the Commission has issued an order approving the level of rate case expenses to be recovered, Oncor will make a compliance filing with the Commission to adjust Rider RS to include the approved rate case expenses. The Signatories agree that the allocation factors to be used for Rider RS are reflected in the Supplemental Direct Testimony of J. Michael Sherburne at Exhibit JMS-SD-3. Rider RS will take effect January 1, 2012.

F. **Rate NTS:** The Signatories agree that the transmission cost of service, as reflected in the Network Transmission Revenue row on the attached Exhibit A (MOS) at Exhibit A, shall be set as reflected in the attached Exhibit A (MOS) at Exhibit C.

G. **Rider SCUD (State Colleges and Universities Discount):** Oncor will reinstate Rider SCUD without passing on any revenue shortfall to customers. If subsequent legislation eliminates or changes Rider SCUD, or upon a final, non-appealable court order that Rider SCUD is not applicable under current law, Oncor will change or eliminate the Rider SCUD discount consistent with any such legislation or court order. If Rider SCUD is changed or eliminated, any such change or elimination shall take effect prospectively following the effective date of applicable legislation or the issuance of a

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<sup>5</sup> *CenterPoint Energy Houston Electric, LLC for Authority to Change Rates*, Docket No. 38339 (pending).

<sup>6</sup> *Application of Oncor Electric Delivery Company LLC for Rate Case Expense Severed from PUC Docket No. 38929, SOAH Docket No. 473-11-2330*, Docket No. 39239 (pending).

mandate by the court of last resort. No surcharge will be implemented or applied to recoup any Rider SCUD discount.

H. **Cost Allocation and Rate Design:** The Signatories agree that costs shall be allocated among the customer classes consistent with the Proposed Rates reflected in Column (d) of the attached Exhibit A (MOS) at Exhibit A. The Signatories agree to the rate design and tariff language as proposed by Oncor in its RFP [which includes (1) eliminating the Transmission System Charge and thereby recovering all of Oncor's transmission expense through its TCRF as provided for in proposed Rider TCRF, and (2) modifications to the ratchet provisions in the Secondary >10 kW Class], subject to the following changes:

1. For TCRF, Oncor will use the 2010 unadjusted 4CP figures instead of the 2009 adjusted 4CP figures. The 2010 unadjusted 4CP figures are detailed in the Supplemental Direct Testimony of J. Michael Sherburne at Exhibit JMS-SD-1; and
2. Changes to the tariff language, which have been as reflected in the Tariffs attached to the proposed Order attached hereto as Exhibit B.

I. **Depreciation:** Oncor will use the depreciation rates it proposed in its direct case in this proceeding. Those rates are the same as the rates approved by the Commission in Docket No. 35717, with the exception that Oncor's proposal reflects an increase in the depreciation rate for intangible plant assets, which increase is reflected in the agreed total annual cost of service. The new agreed annual amortization rate for Account 303 (intangible plant) is 12.56%.

J. **Meter Costs:** The Signatories agree to the amount of meter-reading costs and ad valorem taxes included in Oncor's new rates, to the extent those costs are related to meters that are being replaced pursuant to Oncor's Commission-approved AMS Deployment Plan. These numbers can be derived from Oncor's RFP and are as follows:

1. Meter-reading costs – \$15,785,691; and
2. Ad valorem taxes – \$2,478,167.

K. **Regulatory Assets and Certain Accruals:** Oncor will amortize its total regulatory asset balance as of June 30, 2010, as presented in the Company's RFP (old and new, self-insurance or "storm" reserve and pension/other postretirement benefits ("OPEB")), over eight (8) years, with such revised amortization to begin on January 1, 2012. The Signatories agree that the amount of the new annual amortizations are as follows:

1. Self-insurance reserve – \$31,514,420 (\$252,115,362 balance / 8 years);
2. Pensions – \$9,113,738 (\$72,909,900 balance / 8 years); and
3. OPEBs – \$6,921,963 (\$55,375,706 balance / 8 years).

Until January 1, 2012, Oncor will continue the amortizations of its regulatory asset balances at the levels approved in the Order on Rehearing in Docket No. 35717. Oncor will continue annual accruals for the self-insurance reserve, pensions, and OPEBs at the levels approved in the Order on Rehearing in Docket No. 35717.

L. **Effective Dates for Rates and Riders:** Oncor shall phase-in rates as follows:

1. \$93,722,048 million base rate revenue increase to be effective the later of thirty (30) days after a final Commission order is signed, or July 1, 2011 (“Phase I Tariffs”);
2. \$43 million base rate revenue increase effective January 1, 2012 (“Phase II Tariffs”);
3. Regulatory Surcharge effective January 1, 2012 (“Rider RS”); and
4. All new amortizations (self-insurance reserve and pensions/OPEBs) begin January 1, 2012.

M. **Interim Rates:** The Administrative Law Judges or the Commission will approve interim/temporary rates consistent with the Stipulation effective July 1, 2011, pursuant to PURA § 36.109 and Commission Procedural Rule 22.125, should permanent rates not be approved and in effect by that date. In no event shall the permanent rates take effect sooner than 30 days after the Commission order(s) approving the Stipulation and Tariffs are signed.

N. **Rate Freeze for General Base Rate Case:** Oncor will agree to not file a general base rate case before July 1, 2013; provided that Oncor has no obligation to file a rate case on that or any other date, and Oncor is entitled to file interim rate updates and adjust rates as allowed by Texas law and Commission rules, including, but not limited to, interim TCOS updates, TCRF updates, Energy Efficiency Cost Recovery Factor updates, AMS Surcharge filings, and other investment or cost updates that may exist now or in the future as a result of legislative or Commission action. Nothing in this paragraph is intended to limit the ability of a regulatory authority to initiate an Oncor rate case at any time.

## II.

The Signatories agree that the terms of this Stipulation are fair, reasonable, and in the public interest. The Signatories further stipulate to the facts contained in the proposed Order attached hereto as Exhibit B and support and will take all reasonable efforts to obtain the prompt adoption of an order by the Commission consistent with this Stipulation as reflected in the

attached proposed Order. The Signatories further agree to defend the terms of this Stipulation as set forth herein. The Signatories agree that this Stipulation does not affect any pending appeal of the Commission's final decision in Docket No. 35717 except as specifically provided for in this Stipulation.

### **III.**

This Stipulation has been drafted by all Signatories and is the result of negotiation, compromise, settlement, and accommodation. The Signatories agree that the terms and conditions herein are interdependent. The various provisions of this Stipulation are not severable. None of the provisions of this Stipulation shall become fully operative unless the Commission shall have entered a final order approving this Stipulation consistent with the proposed Order. If the Commission does not accept this Stipulation as presented, or issues an interim or final order inconsistent with the terms of this Stipulation or the proposed Order, the Signatories agree that any Signatory adversely affected by that alteration has the right to withdraw from this Stipulation, thereby becoming released from its obligations arising hereunder, and to proceed as otherwise permitted by law to exercise all rights available under the law. The right to withdraw must be exercised by providing the other Signatories written notice within twenty (20) calendar days of the date the Commission order acting on this Stipulation is filed. Failure to provide such notice within the specified time period shall constitute a waiver of the right to withdraw and acceptance of the changes to this Stipulation made by the Commission.

### **IV.**

This Stipulation is binding on each of the Signatories only for the purpose of settling the issues as set forth herein and for no other purposes. The matters resolved herein are resolved on the basis of a compromise and settlement. Except to the extent that this Stipulation expressly governs a Signatory's rights and obligations for future periods, this Stipulation shall not be binding or precedential on a Signatory outside of this proceeding except for a proceeding to enforce the terms of this Stipulation. The Signatories agree that a Signatory's support of the resolution of this docket in accordance with this Stipulation may differ from its position or testimony regarding contested issues of law, policy, or fact in other proceedings before the Commission or other forum. Because this is a Stipulation, a Signatory is under no obligation to

take the same position as set out in this Stipulation in other proceedings not referenced in this Stipulation whether those dockets present the same or a different set of circumstances. A Signatory's agreement to entry of a final order of the Commission consistent with this Stipulation should not be regarded as an agreement to the appropriateness or correctness of any assumptions, methodology, or legal or regulatory principle that may have been employed in reaching this Stipulation.

## **V.**

This Stipulation contains the entire agreement among the Signatories. Moreover, this Stipulation supersedes all other written and oral exchanges or negotiations among the Signatories or their representatives with regard to the subjects contained herein. To the extent this Stipulation may be different from the MOS, or may contain additional terms to the MOS, this Stipulation controls. The Signatories hereby waive the right to an evidentiary hearing in this proceeding and waive cross-examination of all witnesses.

## **VI.**

Each person executing this Stipulation represents that he or she is authorized to sign this Stipulation on behalf of the party represented. Facsimile copies of signatures are valid for purposes of evidencing this Stipulation, which may be executed in multiple counterparts.

## **VII.**

WHEREFORE, PREMISES CONSIDERED, the Signatories respectfully request that this Honorable Commission enter an order consistent with the terms of this Stipulation.

**AGREED:**

**ONCOR ELECTRIC DELIVERY COMPANY LLC**

BY: \_\_\_\_\_

**STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS**

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

**OFFICE OF PUBLIC UTILITY COUNSEL**

BY: \_\_\_\_\_

**STATE AGENCIES**

BY: \_\_\_\_\_

**TEXAS INDUSTRIAL ENERGY CONSUMERS**

BY: \_\_\_\_\_

**AGREED:**

**STEERING COMMITTEE OF CITIES SERVED BY ONCOR**

BY: \_\_\_\_\_

**ALLIANCE OF ONCOR CITIES**

BY: \_\_\_\_\_

**WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.**

BY: \_\_\_\_\_

**THE KROGER CO.**

BY: \_\_\_\_\_

**The following parties do not agree to this Stipulation and are not “Signatories” thereto, but agree that they do not and will not oppose the Commission entering a final order consistent with this Stipulation. The following parties also waive the right to an evidentiary hearing in this proceeding and waive cross-examination of all witnesses:**

**RELIANT ENERGY RETAIL SERVICES, LLC**

BY: \_\_\_\_\_

**CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**

BY: \_\_\_\_\_

**ALLIANCE FOR RETAIL MARKETS**

BY: \_\_\_\_\_

**NUCOR STEEL - TEXAS**

BY: \_\_\_\_\_

**TXU ENERGY RETAIL COMPANY LLC**

BY: \_\_\_\_\_

**TEXAS ENERGY ASSOCIATION FOR MARKETERS**

BY: \_\_\_\_\_

**ENVIRONMENTAL DEFENSE FUND**

BY: \_\_\_\_\_

**BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

BY: \_\_\_\_\_

**TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.**

BY: \_\_\_\_\_

**RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.**

BY: \_\_\_\_\_

**IBEW LOCAL 69**

BY: \_\_\_\_\_

**TEXAS COTTON GINNERS' ASSOCIATION &  
ST. LAWRENCE COTTON GROWERS' ASSOCIATION**

BY: \_\_\_\_\_

**Steering Committee of Cities Served by Oncor  
Participating Cities – Oncor Rate Case (Docket No. 38929)**

Addison	Fate	Northlake
Allen	Flower Mound	Oak Leaf
Alvarado	Forest Hill	Oak Point
Andrews	Fort Worth	Odessa
Anna	Frisco	O'Donnell
Archer City	Frost	Ovilla
Argyle	Gainesville	Palestine
Arlington	Garland	Pantego
Bedford	Glenn Heights	Paris
Bellmead	Grand Prairie	Parker
Belton	Granger	Plano
Benbrook	Grapevine	Pottsboro
Beverly Hills	Gunter	Prosper
Big Spring	Haltom City	Ranger
Boyd	Harker Heights	Red Oak
Breckenridge	Henrietta	Rhome
Bridgeport	Hewitt	Richardson
Brownwood	Highland Park	Richland
Buffalo	Honey Grove	Richland Hills
Burkburnett	Howe	River Oaks
Burleson	Hurst	Roanoke
Caddo Mills	Hutto	Robinson
Cameron	Iowa Park	Rockwall
Canton	Irving	Rosser
Carrollton	Jolly	Rowlett
Cedar Hill	Josephine	Sachse
Celina	Justin	Saginaw
Centerville	Kaufman	Seagoville
Cleburne	Keller	Sherman
Coahoma	Kemp	Snyder
Colleyville	Kennedale	Southlake
Collinsville	Kerens	Springtown
Colorado City	Killeen	Stephenville
Comanche	Krum	Sulphur Springs
Commerce	Lake Worth	Sunnyvale
Coppell	Lakeside	Sweetwater
Copperas Cove	Lamesa	Temple
Corinth	Lancaster	Terrell
Crowley	Lewisville	The Colony
Dallas	Lindale	Trophy Club
Dalworthington Gardens	Little Elm	Tyler
DeLeon	Little River Academy	University Park
De Soto	Malakoff	Venus
Denison	Mansfield	Waco
Duncanville	McKinney	Watauga
Early	Mesquite	Waxahachie
Eastland	Midland	White Settlement
Edgecliff Village	Midlothian	Wichita Falls
Ennis	Murchison	Willow Park
Euless	Murphy	Woodway
Everman	Nacogdoches	Wylie
Fairview	New Chapel Hill	
Farmers Branch	North Richland Hills	

ONCOR ELECTRIC DELIVERY COMPANY LLC  
RESIDENTIAL CALCULATION  
CURRENT vs. SETTLEMENT

Oncor Electric Delivery Company  
Rates at Full Settlement Amount vs Current Rates

<u>Charge</u>	<u>Current Oncor</u>	<u>Settlement</u>	<u>Incremental Increase</u>
Customer Charge	\$0.57 /cust/month	\$0.78 /cust/month	\$0.21 /cust/month
Metering Charge	\$2.20 /cust/month	\$2.28 /cust/month	\$0.08 /cust/month
Energy Efficiency Cost Recovery Factor (per cust)	\$0.91 /cust/month	\$0.91 /cust/month	\$0.00 /cust/month
Advanced Metering Cost Recovery Factor	\$2.19 /cust/month	\$2.19 /cust/month	\$0.00 /cust/month
<b>Subtotal, Fixed Charges</b>	<b>\$5.87 /cust/month</b>	<b>\$6.16 /cust/month</b>	<b>\$0.29 /cust/month</b>
Distribution System Charge	\$0.017744 /kWh	\$0.018583 /kWh	\$0.000839 /kWh
Transmission System Charge	\$0.005918 /kWh	\$0.000000 /kWh	(\$0.005918) /kWh
Transmission Cost Recovery Factor as of 3/1/2011*	\$0.000950 /kWh*	\$0.007462 /kWh**	\$0.006512 /kWh
<b>Subtotal, Basic Wires Charges</b>	<b>\$0.024612 /kWh</b>	<b>\$0.026045 /kWh</b>	<b>\$0.001433 /kWh</b>
<b>Customer Charge and Wires Charge (no non-bypassable charges) 1,000 kWh</b>	<b>\$30.48</b>	<b>\$32.21</b>	<b>\$1.72</b>
<b>Customer Charge and Wires Charge (no non-bypassable charges) 1,300 kWh</b>	<b>\$37.87</b>	<b>\$40.02</b>	<b>\$2.15</b>
<b>Non-Bypassable Charges</b>			
System Benefit Fund	\$0.000655 /kWh	\$0.000654 /kWh	(\$0.000001) /kWh
Nuclear Decommissioning Charge	\$0.000169 /kWh	\$0.000169 /kWh	\$0.000000 /kWh
Transition Charge	\$0.001550 /kWh	\$0.001550 /kWh	\$0.000000 /kWh
Rate Case Expense 1	\$0.000036 /kWh	\$0.000036 /kWh	\$0.000000 /kWh
Rate Case Expense 2 / Franchise Fee Surcharge	\$0.000000 /kWh	\$0.000132 /kWh	\$0.000132 /kWh
<b>Total Wires Charge for 1,000 kWh</b>	<b>\$32.89</b>	<b>\$34.75</b>	<b>\$1.85</b>
	3.29 cents/kWh	3.47 cents/kWh	0.19 cents/kWh
<b>Total Wires Charge for 1,300 kWh</b>	<b>\$41.00</b>	<b>\$43.32</b>	<b>\$2.32</b>
	3.15 cents/kWh	3.33 cents/kWh	0.18 cents/kWh
<b>Fixed Charge Increases</b>			
Customer Charge	\$0.21		
Metering Charge	\$0.08		
<b>TOTAL</b>	<b>\$0.29</b>	per cust per month	
<b>Variable Charge Increase/(Decrease)</b>			
Distribution System Charge	\$0.000839		
Transmission System Charge	(\$0.005918)		
Transmission Cost Recovery Factor **	\$0.006512		
System Benefit Fund	(\$0.000001)		
Rate Case Expense 2 / Franchise Fee Surcharge	\$0.000132		
<b>TOTAL</b>	<b>\$0.001564</b>	per kWh	
<b>Total Wires Charge Increase</b>	<b>1000 kWh</b>	<b>1300 kWh</b>	
	\$ 0.29	\$ 0.29	
	1.56	2.03	
	(1000 kWh * \$0.001564)	(1300 kWh * \$0.001564)	
	\$ 1.85	\$ 2.32	

\*\* Settlement rates include all transmission expense.

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
ABBOTT	593.11	590.48	1,183.59
ACKERLY	1,458.60	0.00	1,458.60
ADDISON	109,782.17	17,903.17	127,685.34
ALEDO	10,012.24	0.00	10,012.24
ALLEN	170,226.73	25,274.55	195,501.28
ALMA	321.98	318.35	640.33
ALTO	1,928.66	291.34	2,220.00
ALVARADO	9,063.88	1,330.54	10,394.42
ALVORD	1,690.52	1,682.57	3,373.09
ANDREWS	22,137.09	4,059.34	26,196.43
ANGUS	1,103.74	0.00	1,103.74
ANNA	7,422.00	0.00	7,422.00
ANNETTA	2,077.38	0.00	2,077.38
ANNETTA NORTH	3,080.43	0.00	3,080.43
ANNETTA SOUTH	1,881.99	0.00	1,881.99
ANNONA	924.21	0.00	924.21
APPLEBY	682.08	0.00	682.08
ARCHER CITY	5,503.63	0.00	5,503.63
ARGYLE	1,559.03	1,625.95	3,184.98
ARLINGTON	906,438.59	155,629.67	1,062,068.26
ARP	1,798.39	539.77	2,338.16
ATHENS	24,290.70	24,176.50	48,467.20
AURORA	1,798.69	0.00	1,798.69
AUSTIN	12,253.03	1,860.09	14,113.12
AZLE	33,617.77	0.00	33,617.77
BALCH SPRINGS	51,395.01	0.00	51,395.01
BANGS	2,351.70	2,340.65	4,692.35
BARDWELL	1,203.34	0.00	1,203.34
BARRY	257.00	255.86	512.86
BARTLETT	30.73	0.00	30.73
BEDFORD	125,821.26	22,375.97	148,197.23
BELLEVUE	974.59	0.00	974.59
BELLMEAD	0.00	0.00	0.00
BELLS	37.89	38.71	76.60
BELTON	47,562.58	7,922.71	55,485.29
BENBROOK	70,795.56	0.00	70,795.56
BEVERLY HILLS	4,988.63	719.17	5,707.80
BIG SPRING	55,010.79	8,325.72	63,336.51

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
BLANKET	467.41	465.21	932.62
BLOOMING GROVE	1,367.52	1,361.46	2,728.98
BLUE MOUND	3,564.60	0.00	3,564.60
BONHAM	20,101.59	3,254.37	23,355.96
BOYD	2,526.49	2,514.62	5,041.11
BRECKENRIDGE	18,904.96	3,264.93	22,169.89
BRIDGEPORT	957.93	0.00	957.93
BROWNSBORO	2,635.62	462.62	3,098.24
BROWNWOOD	46,458.85	7,301.38	53,760.23
BRUCEVILLE-EDDY	2,092.67	0.00	2,092.67
BUCKHOLTS	525.98	523.51	1,049.49
BUFFALO	4,470.92	0.00	4,470.92
BULLARD	5,789.16	0.00	5,789.16
BURKBURNETT	22,723.85	4,034.71	26,758.56
BURKE	1,148.27	0.00	1,148.27
BURLESON	72,950.52	13,598.25	86,548.77
BYNUM	318.74	0.00	318.74
CADDY MILLS	2,119.60	0.00	2,119.60
CAMERON	15,665.54	2,333.18	17,998.72
CAMPBELL	1,920.37	0.00	1,920.37
CANEY CITY	1,207.09	0.00	1,207.09
CANTON	14,234.36	2,013.80	16,248.16
CARBON	621.38	0.00	621.38
CARROLLTON	463,951.64	52,423.68	516,375.32
CASHION COMMUNITY	414.83	412.88	827.71
CEDAR HILL	127,320.26	15,008.64	142,328.90
CELINA	8,806.72	0.00	8,806.72
CENTERVILLE	2,527.39	0.00	2,527.39
CHANDLER	3,700.19	0.00	3,700.19
CHICO	1,771.98	0.00	1,771.98
CHIRENO	552.09	0.00	552.09
CLARKSVILLE	5,800.69	5,773.42	11,574.11
CLEBURNE	69,405.93	71,205.58	140,611.51
COAHOMA	2,940.73	0.00	2,940.73
COCKRELL HILL	5,661.63	828.68	6,490.31
COLLEYVILLE	84,132.59	0.00	84,132.59
COLLINSVILLE	3,979.52	0.00	3,979.52
COLORADO CITY	16,054.23	0.00	16,054.23

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
COMANCHE	10,117.20	1,724.04	11,841.24
COMMERCE	36,789.46	0.00	36,789.46
COMO	974.47	0.00	974.47
COOL	298.84	297.52	596.36
COOLIDGE	4,782.79	730.52	5,513.31
COOPER	3,319.62	0.00	3,319.62
COPPELL	135,758.92	19,611.04	155,369.96
COPPERAS COVE	38,282.74	0.00	38,282.74
CORINTH	40,236.53	5,741.45	45,977.98
CORSICANA	86,491.68	13,192.85	99,684.53
CRANDALL	3,898.94	0.00	3,898.94
CRANE	7,904.55	0.00	7,904.55
CRESSON	1,811.02	255.32	2,066.34
CROCKETT	13,260.67	13,201.94	26,462.61
CROSS ROADS	217.91	226.52	444.43
CROWLEY	31,704.35	5,418.35	37,122.70
CUMBY	1,296.26	1,290.52	2,586.78
CUSHING	978.46	973.86	1,952.32
DALLAS	3,732,106.59	579,756.86	4,311,863.45
DALWORTHINGTON GARDENS	12,466.68	0.00	12,466.68
DAWSON	1,134.83	0.00	1,134.83
DE LEON	5,168.69	849.11	6,017.80
DEAN	663.70	0.00	663.70
DECATUR	18,888.41	18,791.76	37,680.17
DENISON	80,372.25	0.00	80,372.25
DENTON	4,803.54	764.47	5,568.01
DESOTO	104,601.91	15,872.98	120,474.89
DIBOLL	14,693.05	0.00	14,693.05
DISH	40.89	0.00	40.89
DODD CITY	1,155.14	0.00	1,155.14
DORCHESTER	208.61	0.00	208.61
DUBLIN	4,191.28	4,171.57	8,362.85
DUNCANVILLE	85,644.76	13,942.16	99,586.92
EARLY	8,389.26	1,166.83	9,556.09
EASTLAND	11,200.60	2,029.72	13,230.32
ECTOR	851.70	0.00	851.70
EDGECLIFF VILLAGE	4,394.23	0.00	4,394.23
EDGEWOOD	2,415.20	0.00	2,415.20

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City	Actual	Estimate	Total
EDOM	475.42	0.00	475.42
ELECTRA	863.07	0.00	863.07
ELGIN	10,701.15	0.00	10,701.15
ELKHART	2,670.55	0.00	2,670.55
EMHOUSE	170.67	0.00	170.67
ENCHANTED OAKS	1,798.61	0.00	1,798.61
ENNIS	84,309.71	13,344.28	97,653.99
EULESS	119,852.06	20,313.09	140,165.15
EUREKA	433.13	0.00	433.13
EUSTACE	3,113.46	0.00	3,113.46
EVERMAN	12,625.21	0.00	12,625.21
FAIRFIELD	11,570.52	2,014.46	13,584.98
FAIRVIEW	9,680.75	1,779.81	11,460.56
FARMERS BRANCH	163,349.34	23,707.05	187,056.39
FATE	7,650.45	7,614.48	15,264.93
FERRIS	4,424.84	4,404.04	8,828.88
FLORENCE	1,799.36	0.00	1,799.36
FLOWER MOUND	57,752.60	7,364.14	65,116.74
FOREST HILL	31,005.90	0.00	31,005.90
FORNEY	26,911.42	0.00	26,911.42
FORSAN	731.53	0.00	731.53
FORT WORTH	1,896,221.45	299,114.24	2,195,335.69
FRANKSTON	3,193.87	474.13	3,668.00
FRISCO	98,966.15	14,234.85	113,201.00
FROST	784.05	0.00	784.05
GAINESVILLE	50,083.53	7,998.00	58,081.53
GALLATIN	384.58	62.87	447.45
GARLAND	58,038.92	57,766.05	115,804.97
GARRETT	334.38	0.00	334.38
GEORGETOWN	4,141.01	0.00	4,141.01
GHOLSON	155.90	155.17	311.07
GLENN HEIGHTS	8,788.61	0.00	8,788.61
GODLEY	3,294.09	0.00	3,294.09
GOLINDA	1,147.63	0.00	1,147.63
GOODLOW	393.49	0.00	393.49
GORMAN	4,107.65	0.00	4,107.65
GRAFORD	1,807.45	0.00	1,807.45
GRAHAM	30,442.49	0.00	30,442.49

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City	Actual	Estimate	Total
GRAND PRAIRIE	432,296.64	68,740.66	501,037.30
GRANDFALLS	978.99	0.00	978.99
GRANDVIEW	3,106.95	3,093.19	6,200.14
GRANGER	1,797.58	0.00	1,797.58
GRAPELAND	2,394.23	0.00	2,394.23
GRAPEVINE	268,591.26	40,006.52	308,597.78
GROESBECK	6,976.25	933.71	7,909.96
GUN BARREL CITY	20,977.14	0.00	20,977.14
GUNTER	2,170.80	0.00	2,170.80
HALTOM CITY	125,796.15	0.00	125,796.15
HARKER HEIGHTS	55,620.08	9,873.29	65,493.37
HASLET	6,005.56	968.21	6,973.77
HEATH	22,575.60	3,042.56	25,618.16
HEBRON	611.01	0.00	611.01
HENRIETTA	7,862.61	1,392.92	9,255.53
HEWITT	29,715.84	6,176.01	35,891.85
HICKORY CREEK	12,158.90	0.00	12,158.90
HIDEAWAY	3,996.32	4,500.20	8,496.52
HIGHLAND PARK	39,451.09	5,517.09	44,968.18
HILLSBORO	23,961.41	3,824.31	27,785.72
HOLLAND	1,402.17	1,395.96	2,798.13
HOLLIDAY	4,550.69	0.00	4,550.69
HONEY GROVE	3,622.88	551.28	4,174.16
HOWE	3,141.56	0.00	3,141.56
HUBBARD	2,461.10	2,450.20	4,911.30
HUDSON	7,935.18	1,474.07	9,409.25
HUDSON OAKS	5,529.21	0.00	5,529.21
HUNTINGTON	3,915.93	3,897.52	7,813.45
HURST	103,324.14	16,229.28	119,553.42
HUTCHINS	16,857.82	0.00	16,857.82
HUTTO	18,654.98	0.00	18,654.98
IOWA PARK	16,454.36	0.00	16,454.36
IRVING	689,829.47	111,016.11	800,845.58
ITALY	2,722.67	2,829.40	5,552.07
ITASCA	3,457.21	604.02	4,061.23
JACKSBORO	6,179.10	6,150.05	12,329.15
JACKSONVILLE	105,750.63	5,740.82	111,491.45
JARRELL	3,146.83	0.00	3,146.83

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City	Actual	Estimate	Total
JEWETT	2,011.22	0.00	2,011.22
JOLLY	584.36	0.00	584.36
JOSEPHINE	1,837.08	0.00	1,837.08
JOSHUA	7,106.76	0.00	7,106.76
JUSTIN	7,678.02	1,044.98	8,723.00
KAUFMAN	16,785.98	3,796.52	20,582.50
KEENE	5,847.48	0.00	5,847.48
KELLER	42,747.18	5,761.77	48,508.95
KEMP	2,546.97	2,534.99	5,081.96
KENNEDALE	25,258.73	0.00	25,258.73
KERENS	2,164.40	2,154.22	4,318.62
KILLEEN	161,568.06	0.00	161,568.06
KNOLLWOOD	810.87	0.00	810.87
KRUM	9,573.07	0.00	9,573.07
LACY-LAKEVIEW	17,493.72	0.00	17,493.72
LADONIA	630.88	0.00	630.88
LAKE BRIDGEPORT	461.69	459.65	921.34
LAKE DALLAS	10,240.87	0.00	10,240.87
LAKE WORTH	20,192.76	2,959.56	23,152.32
LAKESIDE	4,425.84	0.00	4,425.84
LAKESIDE CITY	2,712.44	0.00	2,712.44
LAMESA	15,808.79	2,357.26	18,166.05
LANCASTER	74,563.37	10,057.04	84,620.41
LATEXO	1,890.54	0.00	1,890.54
LAVON	1,068.06	0.00	1,068.06
LEONA	336.67	0.00	336.67
LEROY	296.46	0.00	296.46
LEWISVILLE	6,736.08	1,082.07	7,818.15
LINDALE	9,649.66	10,321.25	19,970.91
LINDSAY	1,199.14	1,265.76	2,464.90
LIPAN	769.68	766.27	1,535.95
LITTLE ELM	103.41	129.38	232.79
LITTLE RIVER-ACADEMY	5,396.05	0.00	5,396.05
LORAIN	1,607.66	0.00	1,607.66
LORENA	4,712.06	761.76	5,473.82
LOTT	807.46	91.01	898.47
LOVELADY	1,141.06	0.00	1,141.06
LOWRY CROSSING	3,141.23	0.00	3,141.23

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City	Actual	Estimate	Total
LUCAS	2,487.67	0.00	2,487.67
LUFKIN	74,072.42	73,724.17	147,796.59
MABANK	8,165.26	2,658.74	10,824.00
MALAKOFF	8,532.43	0.00	8,532.43
MALONE	427.09	0.00	427.09
MANOR	242.57	0.00	242.57
MANSFIELD	185,493.59	0.00	185,493.59
MARLIN	9,514.86	1,408.44	10,923.30
MARQUEZ	522.05	0.00	522.05
MART	3,939.66	544.76	4,484.42
MAYPEARL	2,679.40	0.00	2,679.40
MCGREGOR	7,431.74	0.00	7,431.74
MCKINNEY	211,933.76	29,053.47	240,987.23
MCLENDON-CHISHOLM	2,246.41	357.25	2,603.66
MELISSA	8,435.25	0.00	8,435.25
MERTENS	175.85	0.00	175.85
MESQUITE	307,167.30	43,334.53	350,501.83
MEXIA	12,836.27	1,673.34	14,509.61
MIDLAND	270,077.48	40,411.59	310,489.07
MIDLOTHIAN	136,943.48	23,448.01	160,391.49
MILANO	880.25	876.35	1,756.60
MILDRED	1,541.03	0.00	1,541.03
MILFORD	889.38	885.20	1,774.58
MILLSAP	999.68	994.98	1,994.66
MINERAL WELLS	43,716.37	6,744.04	50,460.41
MOBILE CITY	203.75	31.67	235.42
MONAHANS	28,592.72	0.00	28,592.72
MOODY	2,008.22	0.00	2,008.22
MORGANS POINT RESORT	9,901.56	0.00	9,901.56
MOUNT CALM	442.46	0.00	442.46
MUENSTER	5,448.07	879.36	6,327.43
MURCHISON	1,434.71	0.00	1,434.71
MURPHY	19,343.86	0.00	19,343.86
MUSTANG	98.19	0.00	98.19
NACOGDOCHES	76,913.21	0.00	76,913.21
NAVARRO	463.17	0.00	463.17
NEVADA	3,601.62	0.00	3,601.62
NEW CHAPEL HILL	946.03	0.00	946.03

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NEW FAIRVIEW	205.77	0.00	205.77
NEW SUMMERFIELD	910.06	292.81	1,202.87
NEWARK	1,701.62	0.00	1,701.62
NEYLANDVILLE	149.01	170.27	319.28
NOLANVILLE	4,217.12	4,198.44	8,415.56
NOONDAY	1,337.55	0.00	1,337.55
NORTH RICHLAND HILLS	217,341.54	0.00	217,341.54
NORTHLAKE	564.13	0.00	564.13
O DONNELL	2,728.83	0.00	2,728.83
OAK GROVE	485.83	0.00	485.83
OAK LEAF	1,660.92	0.00	1,660.92
OAK POINT	3,082.85	3,068.35	6,151.20
OAK VALLEY	764.24	0.00	764.24
OAKWOOD	850.38	0.00	850.38
ODESSA	225,218.54	34,385.08	259,603.62
OGLESBY	609.53	0.00	609.53
OVERTON	2,500.66	2,488.90	4,989.56
OVILLA	4,499.75	0.00	4,499.75
PALESTINE	53,148.49	8,230.53	61,379.02
PALMER	2,755.41	2,743.21	5,498.62
PANTEGO	16,023.91	0.00	16,023.91
PARADISE	2,223.90	0.00	2,223.90
PARIS	109,575.27	17,645.18	127,220.45
PARKER	5,202.44	0.00	5,202.44
PAYNE SPRINGS	1,512.61	1,505.91	3,018.52
PECAN GAP	259.66	258.51	518.17
PECAN HILL	106.92	0.00	106.92
PENELOPE	266.14	264.96	531.10
PFLUGERVILLE	46,141.75	0.00	46,141.75
PLANO	790,618.33	111,835.51	902,453.84
PLEASANT VALLEY	939.46	0.00	939.46
PONDER	5,275.59	0.00	5,275.59
POST OAK BEND CITY	15.76	0.00	15.76
POTTSBORO	3,717.17	0.00	3,717.17
POWELL	622.44	0.00	622.44
POYNOR	1,393.82	0.00	1,393.82
PRINCETON	0.00	0.00	0.00
PROSPER	6,020.42	5,974.32	11,994.74

**Oncor Electric Delivery Company LLC**  
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City	Actual	Estimate	Total
PYOTE	379.65	0.00	379.65
QUINLAN	2,779.40	2,766.33	5,545.73
RANGER	6,455.45	0.00	6,455.45
RAVENNA	438.67	0.00	438.67
RED OAK	31,165.44	0.00	31,165.44
RENO-LAMAR	1,037.17	1,032.29	2,069.46
RENO-PARKER	0.00	0.00	0.00
RETREAT	5,532.22	0.00	5,532.22
RHOME	2,357.92	0.00	2,357.92
RICE	1,367.00	1,360.95	2,727.95
RICHARDSON	404,816.38	63,637.97	468,454.35
RICHLAND	822.16	0.00	822.16
RICHLAND HILLS	23,918.51	0.00	23,918.51
RIESEL	2,591.66	0.00	2,591.66
RIVER OAKS	16,179.47	0.00	16,179.47
ROANOKE	60,295.89	0.00	60,295.89
ROBINSON	15,102.17	15,035.28	30,137.45
ROCKDALE	8,388.32	8,270.21	16,658.53
ROCKWALL	122,817.51	15,189.99	138,007.50
ROGERS	1,795.12	0.00	1,795.12
ROSCOE	3,640.45	0.00	3,640.45
ROSEBUD	1,736.65	273.28	2,009.93
ROSSER	356.25	354.57	710.82
ROUND ROCK	149,788.83	0.00	149,788.83
ROWLETT	115,696.95	16,201.17	131,898.12
ROXTON	675.32	672.15	1,347.47
ROYSE CITY	22,311.19	0.00	22,311.19
RUNAWAY BAY	4,783.04	0.00	4,783.04
RUSK	14,886.82	1,946.83	16,833.65
SACHSE	36,141.10	4,842.11	40,983.21
SADLER	584.15	581.41	1,165.56
SAGINAW	71,555.04	0.00	71,555.04
SALADO	11,563.04	0.00	11,563.04
SANCTUARY	30.23	28.79	59.02
SANSOM PARK	8,412.70	0.00	8,412.70
SAVOY	2,301.98	0.00	2,301.98
SEAGOVILLE	34,380.79	0.00	34,380.79
SHADY SHORES	6,827.02	0.00	6,827.02

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City	Actual	Estimate	Total
SHERMAN	148,812.28	24,466.47	173,278.75
SNYDER	27,980.38	4,598.53	32,578.91
SOUTHLAKE	61,301.49	8,234.86	69,536.35
SOUTHMAYD	1,012.35	0.00	1,012.35
SPRINGTOWN	26,314.38	0.00	26,314.38
ST. PAUL	543.56	0.00	543.56
STANTON	5,539.14	0.00	5,539.14
STEPHENVILLE	31,026.69	32,297.22	63,323.91
STREETMAN	346.91	345.37	692.28
SULPHUR SPRINGS	55,959.87	8,822.39	64,782.26
SUNNYVALE	33,492.85	4,764.49	38,257.34
SWEETWATER	26,527.69	4,451.55	30,979.24
TAYLOR	34,417.44	5,318.25	39,735.69
TEAGUE	7,379.30	1,347.09	8,726.39
TEHUACANA	466.06	93.27	559.33
TEMPLE	214,089.92	35,507.43	249,597.35
TERRELL	78,981.70	0.00	78,981.70
THE COLONY	56,619.71	10,373.21	66,992.92
THORNDALE	3,643.77	0.00	3,643.77
THORNTON	853.88	143.39	997.27
THORNTONVILLE	1,101.12	0.00	1,101.12
THRALL	994.21	989.81	1,984.02
TIRA	323.33	321.80	645.13
TOOL	1,693.86	0.00	1,693.86
TRINIDAD	4,553.66	0.00	4,553.66
TROPHY CLUB	13,099.03	13,041.02	26,140.05
TROUP	4,393.79	0.00	4,393.79
TROY	5,850.65	0.00	5,850.65
TYLER	319,682.02	47,020.04	366,702.06
UNIVERSITY PARK	77,560.85	10,569.15	88,130.00
VALLEY VIEW	3,331.27	0.00	3,331.27
VAN	8,417.60	0.00	8,417.60
VAN ALSTYNE	8,165.49	0.00	8,165.49
VENUS	2,277.44	2,431.57	4,709.01
WACO	409,954.50	61,615.29	471,569.79
WATAUGA	58,582.23	0.00	58,582.23
WAXAHACHIE	119,537.56	0.00	119,537.56
WEATHERFORD	1,378.54	0.00	1,378.54

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City	Actual	Estimate	Total
WEIR	927.03	0.00	927.03
WELLS	1,057.19	1,052.22	2,109.41
WEST	4,538.79	4,517.45	9,056.24
WESTBROOK	873.07	0.00	873.07
WESTOVER HILLS	6,080.32	0.00	6,080.32
WESTWORTH VILLAGE	16,824.90	2,412.53	19,237.43
WHITE SETTLEMENT	33,868.40	5,536.15	39,404.55
WHITEHOUSE	12,335.04	2,128.27	14,463.31
WICHITA FALLS	267,678.21	42,210.91	309,889.12
WICKETT	814.20	0.00	814.20
WILLOW PARK	13,876.94	0.00	13,876.94
WILLS POINT	5,748.51	0.00	5,748.51
WILMER	4,450.94	0.00	4,450.94
WINDOM	624.56	0.00	624.56
WINK	2,805.32	0.00	2,805.32
WOLFE CITY	2,278.25	0.00	2,278.25
WOODWAY	17,075.23	0.00	17,075.23
WORTHAM	2,290.65	377.09	2,667.74
WYLIE	41,269.00	41,086.22	82,355.22
YANTIS	435.33	0.00	435.33
ZAVALLA	2,713.34	0.00	2,713.34
	<b>18,949,526.43</b>	<b>2,898,703.20</b>	<b>21,848,229.63</b>

Oncor Electric Delivery Company LLC  
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City	Payment	Interest	Total
ABBOTT	590.48	2.63	593.11
ACKERLY	1,453.77	4.83	1,458.60
ADDISON	109,266.25	515.92	109,782.17
ALEDO	9,980.81	31.43	10,012.24
ALLEN	169,428.63	798.10	170,226.73
ALMA	320.23	1.75	321.98
ALTO	1,918.00	10.66	1,928.66
ALVARADO	9,017.07	46.81	9,063.88
ALVORD	1,682.18	8.34	1,690.52
ANDREWS	22,051.26	85.83	22,137.09
ANGUS	1,097.15	6.59	1,103.74
ANNA	7,395.60	26.40	7,422.00
ANNETTA	2,070.64	6.74	2,077.38
ANNETTA NORTH	3,070.54	9.89	3,080.43
ANNETTA SOUTH	1,875.94	6.05	1,881.99
ANNONA	920.84	3.37	924.21
APPLEBY	679.65	2.43	682.08
ARCHER CITY	5,485.85	17.78	5,503.63
ARGYLE	1,550.55	8.48	1,559.03
ARLINGTON	902,152.84	4,285.75	906,438.59
ARP	1,788.28	10.11	1,798.39
ATHENS	24,170.87	119.83	24,290.70
AURORA	1,785.19	13.50	1,798.69
AUSTIN	12,196.32	56.71	12,253.03
AZLE	33,508.95	108.82	33,617.77
BALCH SPRINGS	51,095.79	299.22	51,395.01
BANGS	2,340.10	11.60	2,351.70
BARDWELL	1,198.50	4.84	1,203.34
BARRY	255.86	1.14	257.00
BARTLETT	30.62	0.11	30.73
BEDFORD	125,221.15	600.11	125,821.26
BELLEVUE	971.40	3.19	974.59
BELLMEAD	0.00	0.00	0.00
BELLS	37.68	0.21	37.89
BELTON	47,335.27	227.31	47,562.58
BENBROOK	70,563.88	231.68	70,795.56
BEVERLY HILLS	4,964.49	24.14	4,988.63
BIG SPRING	54,796.83	213.96	55,010.79

Oncor Electric Delivery Company LLC  
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City	Payment	Interest	Total
BLANKET	465.10	2.31	467.41
BLOOMING GROVE	1,361.46	6.06	1,367.52
BLUE MOUND	3,553.48	11.12	3,564.60
BONHAM	19,988.99	112.60	20,101.59
BOYD	2,514.03	12.46	2,526.49
BRECKENRIDGE	18,832.20	72.76	18,904.96
BRIDGEPORT	954.65	3.28	957.93
BROWNSBORO	2,622.14	13.48	2,635.62
BROWNWOOD	46,279.49	179.36	46,458.85
BRUCEVILLE-EDDY	2,084.46	8.21	2,092.67
BUCKHOLTS	523.39	2.59	525.98
BUFFALO	4,453.37	17.55	4,470.92
BULLARD	5,755.16	34.00	5,789.16
BURKBURNETT	22,635.56	88.29	22,723.85
BURKE	1,144.39	3.88	1,148.27
BURLESON	72,605.36	345.16	72,950.52
BYNUM	317.65	1.09	318.74
CADDY MILLS	2,112.35	7.25	2,119.60
CAMERON	15,590.36	75.18	15,665.54
CAMPBELL	1,912.80	7.57	1,920.37
CANEY CITY	1,202.33	4.76	1,207.09
CANTON	14,160.83	73.53	14,234.36
CARBON	619.36	2.02	621.38
CARROLLTON	461,835.25	2,116.39	463,951.64
CASHION COMMUNITY	412.78	2.05	414.83
CEDAR HILL	126,798.99	521.27	127,320.26
CELINA	8,774.84	31.88	8,806.72
CENTERVILLE	2,517.47	9.92	2,527.39
CHANDLER	3,689.41	10.78	3,700.19
CHICO	1,765.92	6.06	1,771.98
CHIRENO	550.20	1.89	552.09
CLARKSVILLE	5,772.07	28.62	5,800.69
CLEBURNE	69,028.53	377.40	69,405.93
COAHOMA	2,930.98	9.75	2,940.73
COCKRELL HILL	5,634.90	26.73	5,661.63
COLLEYVILLE	83,859.10	273.49	84,132.59
COLLINSVILLE	3,956.27	23.25	3,979.52
COLORADO CITY	16,001.42	52.81	16,054.23

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Actuals Through March 31, 2011

City	Payment	Interest	Total
COMANCHE	10,068.94	48.26	10,117.20
COMMERCE	36,641.08	148.38	36,789.46
COMO	971.14	3.33	974.47
COOL	297.52	1.32	298.84
COOLIDGE	4,762.93	19.86	4,782.79
COOPER	3,308.27	11.35	3,319.62
COPPELL	135,114.88	644.04	135,758.92
COPPERAS COVE	38,151.84	130.90	38,282.74
CORINTH	40,045.89	190.64	40,236.53
CORSICANA	86,160.43	331.25	86,491.68
CRANDALL	3,885.61	13.33	3,898.94
CRANE	7,878.70	25.85	7,904.55
CRESSON	1,801.70	9.32	1,811.02
CROCKETT	13,201.94	58.73	13,260.67
CROSS ROADS	216.73	1.18	217.91
CROWLEY	31,583.39	120.96	31,704.35
CUMBY	1,290.52	5.74	1,296.26
CUSHING	973.63	4.83	978.46
DALLAS	3,711,235.18	20,871.41	3,732,106.59
DALWORTHINGTON GARDENS	12,433.91	32.77	12,466.68
DAWSON	1,130.38	4.45	1,134.83
DE LEON	5,148.61	20.08	5,168.69
DEAN	661.53	2.17	663.70
DECATUR	18,795.23	93.18	18,888.41
DENISON	80,055.75	316.50	80,372.25
DENTON	4,780.40	23.14	4,803.54
DESOTO	104,196.96	404.95	104,601.91
DIBOLL	14,635.39	57.66	14,693.05
DISH	40.78	0.11	40.89
DODD CITY	1,150.98	4.16	1,155.14
DORCHESTER	207.79	0.82	208.61
DUBLIN	4,170.60	20.68	4,191.28
DUNCANVILLE	85,234.97	409.79	85,644.76
EARLY	8,345.68	43.58	8,389.26
EASTLAND	11,157.27	43.33	11,200.60
ECTOR	849.22	2.48	851.70
EDGECLIFF VILLAGE	4,376.99	17.24	4,394.23
EDGEWOOD	2,405.72	9.48	2,415.20

Oncor Electric Delivery Company LLC  
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 Actuals Through March 31, 2011

City	Payment	Interest	Total
EDOM	474.03	1.39	475.42
ELECTRA	860.24	2.83	863.07
ELGIN	10,664.56	36.59	10,701.15
ELKHART	2,660.07	10.48	2,670.55
EMHOUSE	170.00	0.67	170.67
ENCHANTED OAKS	1,792.98	5.63	1,798.61
ENNIS	83,909.88	399.83	84,309.71
EULESS	119,285.18	566.88	119,852.06
EUREKA	429.90	3.23	433.13
EUSTACE	3,101.19	12.27	3,113.46
EVERMAN	12,584.68	40.53	12,625.21
FAIRFIELD	11,515.56	54.96	11,570.52
FAIRVIEW	9,639.49	41.26	9,680.75
FARMERS BRANCH	162,600.99	748.35	163,349.34
FATE	7,612.71	37.74	7,650.45
FERRIS	4,403.01	21.83	4,424.84
FLORENCE	1,792.30	7.06	1,799.36
FLOWER MOUND	57,439.45	313.15	57,752.60
FOREST HILL	30,906.04	99.86	31,005.90
FORNEY	26,848.96	62.46	26,911.42
FORSAN	729.09	2.44	731.53
FORT WORTH	1,885,608.80	10,612.65	1,896,221.45
FRANKSTON	3,175.90	17.97	3,193.87
FRISCO	98,496.25	469.90	98,966.15
FROST	780.97	3.08	784.05
GAINESVILLE	49,891.36	192.17	50,083.53
GALLATIN	382.38	2.20	384.58
GARLAND	57,752.59	286.33	58,038.92
GARRETT	333.41	0.97	334.38
GEORGETOWN	4,127.61	13.40	4,141.01
GHOLSON	155.13	0.77	155.90
GLENN HEIGHTS	8,754.11	34.50	8,788.61
GODLEY	3,274.80	19.29	3,294.09
GOLINDA	1,139.24	8.39	1,147.63
GOODLOW	391.93	1.56	393.49
GORMAN	4,093.94	13.71	4,107.65
GRAFORD	1,800.92	6.53	1,807.45
GRAHAM	30,342.19	100.30	30,442.49

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Actuals Through March 31, 2011

City	Payment	Interest	Total
GRAND PRAIRIE	430,263.25	2,033.39	432,296.64
GRANDFALLS	975.73	3.26	978.99
GRANDVIEW	3,093.19	13.76	3,106.95
GRANGER	1,790.53	7.05	1,797.58
GRAPELAND	2,386.04	8.19	2,394.23
GRAPEVINE	267,172.36	1,418.90	268,591.26
GROESBECK	6,943.50	32.75	6,976.25
GUN BARREL CITY	20,854.18	122.96	20,977.14
GUNTER	2,164.47	6.33	2,170.80
HALTOM CITY	125,385.10	411.05	125,796.15
HARKER HEIGHTS	55,353.56	266.52	55,620.08
HASLET	5,982.18	23.38	6,005.56
HEATH	22,456.09	119.51	22,575.60
HEBRON	608.83	2.18	611.01
HENRIETTA	7,831.91	30.70	7,862.61
HEWITT	29,598.84	117.00	29,715.84
HICKORY CREEK	12,105.64	53.26	12,158.90
HIDEAWAY	3,974.59	21.73	3,996.32
HIGHLAND PARK	39,262.47	188.62	39,451.09
HILLSBORO	23,828.63	132.78	23,961.41
HOLLAND	1,395.96	6.21	1,402.17
HOLLIDAY	4,536.01	14.68	4,550.69
HONEY GROVE	3,602.29	20.59	3,622.88
HOWE	3,130.82	10.74	3,141.56
HUBBARD	2,450.20	10.90	2,461.10
HUDSON	7,904.70	30.48	7,935.18
HUDSON OAKS	5,511.58	17.63	5,529.21
HUNTINGTON	3,896.61	19.32	3,915.93
HURST	102,924.63	399.51	103,324.14
HUTCHINS	16,799.41	58.41	16,857.82
HUTTO	18,581.77	73.21	18,654.98
IOWA PARK	16,400.80	53.56	16,454.36
IRVING	687,175.06	2,654.41	689,829.47
ITALY	2,707.87	14.80	2,722.67
ITASCA	3,440.33	16.88	3,457.21
JACKSBORO	6,148.62	30.48	6,179.10
JACKSONVILLE	105,330.08	420.55	105,750.63
JARRELL	3,135.46	11.37	3,146.83

**Oncor Electric Delivery Company LLC**  
**Franchise Fee Payments**  
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City	Payment	Interest	Total
JEWETT	2,003.33	7.89	2,011.22
JOLLY	582.42	1.94	584.36
JOSEPHINE	1,830.54	6.54	1,837.08
JOSHUA	7,086.05	20.71	7,106.76
JUSTIN	7,638.50	39.52	7,678.02
KAUFMAN	16,731.73	54.25	16,785.98
KEENE	5,824.53	22.95	5,847.48
KELLER	42,501.96	245.22	42,747.18
KEMP	2,534.40	12.57	2,546.97
KENNEDALE	25,177.21	81.52	25,258.73
KERENS	2,153.72	10.68	2,164.40
KILLEEN	160,934.03	634.03	161,568.06
KNOLLWOOD	808.58	2.29	810.87
KRUM	9,535.49	37.58	9,573.07
LACY-LAKEVIEW	17,424.09	69.63	17,493.72
LADONIA	628.40	2.48	630.88
LAKE BRIDGEPORT	459.65	2.04	461.69
LAKE DALLAS	10,200.68	40.19	10,240.87
LAKE WORTH	20,115.22	77.54	20,192.76
LAKESIDE	4,411.74	14.10	4,425.84
LAKESIDE CITY	2,703.77	8.67	2,712.44
LAMESA	15,747.45	61.34	15,808.79
LANCASTER	74,232.86	330.51	74,563.37
LATEXO	1,876.81	13.73	1,890.54
LAVON	1,064.65	3.41	1,068.06
LEONA	335.35	1.32	336.67
LEROY	295.45	1.01	296.46
LEWISVILLE	6,704.64	31.44	6,736.08
LINDALE	9,597.19	52.47	9,649.66
LINDSAY	1,192.62	6.52	1,199.14
LIPAN	766.27	3.41	769.68
LITTLE ELM	102.85	0.56	103.41
LITTLE RIVER-ACADEMY	5,372.61	23.44	5,396.05
LORAIN	1,602.51	5.15	1,607.66
LORENA	4,693.91	18.15	4,712.06
LOTT	803.77	3.69	807.46
LOVELADY	1,137.16	3.90	1,141.06
LOWRY CROSSING	3,127.73	13.50	3,141.23

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Actuals Through March 31, 2011

City	Payment	Interest	Total
LUCAS	2,469.06	18.61	2,487.67
LUFKIN	73,706.99	365.43	74,072.42
MABANK	8,119.66	45.60	8,165.26
MALAKOFF	8,482.47	49.96	8,532.43
MALONE	425.41	1.68	427.09
MANOR	241.72	0.85	242.57
MANSFIELD	184,896.40	597.19	185,493.59
MARLIN	9,468.59	46.27	9,514.86
MARQUEZ	520.00	2.05	522.05
MART	3,916.93	22.73	3,939.66
MAYPEARL	2,670.70	8.70	2,679.40
MCGREGOR	7,410.08	21.66	7,431.74
MCKINNEY	210,835.82	1,097.94	211,933.76
MCLENDON-CHISHOLM	2,234.70	11.71	2,246.41
MELISSA	8,402.21	33.04	8,435.25
MERTENS	175.16	0.69	175.85
MESQUITE	305,507.28	1,660.02	307,167.30
MEXIA	12,776.48	59.79	12,836.27
MIDLAND	269,036.90	1,040.58	270,077.48
MIDLOTHIAN	136,255.58	687.90	136,943.48
MILANO	876.35	3.90	880.25
MILDRED	1,529.58	11.45	1,541.03
MILFORD	884.99	4.39	889.38
MILLSAP	994.75	4.93	999.68
MINERAL WELLS	43,552.07	164.30	43,716.37
MOBILE CITY	202.99	0.76	203.75
MONAHANS	28,497.88	94.84	28,592.72
MOODY	2,000.34	7.88	2,008.22
MORGANS POINT RESORT	9,828.70	72.86	9,901.56
MOUNT CALM	440.72	1.74	442.46
MUENSTER	5,422.55	25.52	5,448.07
MURCHISON	1,428.99	5.72	1,434.71
MURPHY	19,281.93	61.93	19,343.86
MUSTANG	97.81	0.38	98.19
NACOGDOCHES	76,650.22	262.99	76,913.21
NAVARRO	461.51	1.66	463.17
NEVADA	3,588.78	12.84	3,601.62
NEW CHAPEL HILL	942.80	3.23	946.03

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
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City	Payment	Interest	Total
NEW FAIRVIEW	204.96	0.81	205.77
NEW SUMMERFIELD	906.10	3.96	910.06
NEWARK	1,696.66	4.96	1,701.62
NEYLANDVILLE	148.20	0.81	149.01
NOLANVILLE	4,198.44	18.68	4,217.12
NOONDAY	1,331.65	5.90	1,337.55
NORTH RICHLAND HILLS	216,635.56	705.98	217,341.54
NORTHLAKE	560.33	3.80	564.13
O DONNELL	2,719.44	9.39	2,728.83
OAK GROVE	483.75	2.08	485.83
OAK LEAF	1,654.41	6.51	1,660.92
OAK POINT	3,067.64	15.21	3,082.85
OAK VALLEY	761.55	2.69	764.24
OAKWOOD	847.04	3.34	850.38
ODESSA	224,349.08	869.46	225,218.54
OGLESBY	607.45	2.08	609.53
OVERTON	2,488.32	12.34	2,500.66
OVILLA	4,482.09	17.66	4,499.75
PALESTINE	52,896.30	252.19	53,148.49
PALMER	2,743.21	12.20	2,755.41
PANTEGO	15,971.65	52.26	16,023.91
PARADISE	2,215.03	8.87	2,223.90
PARIS	109,154.74	420.53	109,575.27
PARKER	5,185.75	16.69	5,202.44
PAYNE SPRINGS	1,505.91	6.70	1,512.61
PECAN GAP	258.51	1.15	259.66
PECAN HILL	106.55	0.37	106.92
PENELOPE	264.96	1.18	266.14
PFLUGERVILLE	46,005.84	135.91	46,141.75
PLANO	786,937.10	3,681.23	790,618.33
PLEASANT VALLEY	936.39	3.07	939.46
PONDER	5,258.76	16.83	5,275.59
POST OAK BEND CITY	15.70	0.06	15.76
POTTSBORO	3,702.58	14.59	3,717.17
POWELL	620.63	1.81	622.44
POYNOR	1,389.12	4.70	1,393.82
PRINCETON	0.00	0.00	0.00
PROSPER	5,993.75	26.67	6,020.42

**Oncor Electric Delivery Company LLC**  
**Franchise Fee Payments**  
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City	Payment	Interest	Total
PYOTE	378.38	1.27	379.65
QUINLAN	2,765.69	13.71	2,779.40
RANGER	6,434.44	21.01	6,455.45
RAVENNA	437.23	1.44	438.67
RED OAK	31,042.93	122.51	31,165.44
RENO-LAMAR	1,032.05	5.12	1,037.17
RENO-PARKER	0.00	0.00	0.00
RETREAT	5,512.32	19.90	5,532.22
RHOME	2,351.05	6.87	2,357.92
RICE	1,360.95	6.05	1,367.00
RICHARDSON	402,919.50	1,896.88	404,816.38
RICHLAND	818.89	3.27	822.16
RICHLAND HILLS	23,840.66	77.85	23,918.51
RIESEL	2,584.82	6.84	2,591.66
RIVER OAKS	16,126.64	52.83	16,179.47
ROANOKE	60,077.50	218.39	60,295.89
ROBINSON	15,035.28	66.89	15,102.17
ROCKDALE	8,342.71	45.61	8,388.32
ROCKWALL	122,303.85	513.66	122,817.51
ROGERS	1,788.08	7.04	1,795.12
ROSCOE	3,628.60	11.85	3,640.45
ROSEBUD	1,728.19	8.46	1,736.65
ROSSER	354.49	1.76	356.25
ROUND ROCK	149,201.04	587.79	149,788.83
ROWLETT	115,151.82	545.13	115,696.95
ROXTON	671.99	3.33	675.32
ROYSE CITY	22,223.25	87.94	22,311.19
RUNAWAY BAY	4,767.56	15.48	4,783.04
RUSK	14,816.12	70.70	14,886.82
SACHSE	35,973.67	167.43	36,141.10
SADLER	581.27	2.88	584.15
SAGINAW	71,324.71	230.33	71,555.04
SALADO	11,525.65	37.39	11,563.04
SANCTUARY	30.07	0.16	30.23
SANSOM PARK	8,385.39	27.31	8,412.70
SAVOY	2,292.86	9.12	2,301.98
SEAGOVILLE	34,121.07	259.72	34,380.79
SHADY SHORES	6,800.24	26.78	6,827.02

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
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City	Payment	Interest	Total
SHERMAN	147,997.80	814.48	148,812.28
SNYDER	27,870.98	109.40	27,980.38
SOUTHLAKE	61,011.82	289.67	61,301.49
SOUTHMAYD	1,008.89	3.46	1,012.35
SPRINGTOWN	26,199.37	115.01	26,314.38
ST. PAUL	539.48	4.08	543.56
STANTON	5,520.97	18.17	5,539.14
STEPHENVILLE	30,857.98	168.71	31,026.69
STREETMAN	345.37	1.54	346.91
SULPHUR SPRINGS	55,647.71	312.16	55,959.87
SUNNYVALE	33,336.55	156.30	33,492.85
SWEETWATER	26,424.89	102.80	26,527.69
TAYLOR	34,252.88	164.56	34,417.44
TEAGUE	7,344.29	35.01	7,379.30
TEHUACANA	463.39	2.67	466.06
TEMPLE	213,078.44	1,011.48	214,089.92
TERRELL	78,666.39	315.31	78,981.70
THE COLONY	56,405.06	214.65	56,619.71
THORNDALE	3,629.01	14.76	3,643.77
THORNTON	849.75	4.13	853.88
THORNTONVILLE	1,097.46	3.66	1,101.12
THRALL	989.81	4.40	994.21
TIRA	321.73	1.60	323.33
TOOL	1,687.22	6.64	1,693.86
TRINIDAD	4,534.45	19.21	4,553.66
TROPHY CLUB	13,041.02	58.01	13,099.03
TROUP	4,377.80	15.99	4,393.79
TROY	5,807.28	43.37	5,850.65
TYLER	318,178.24	1,503.78	319,682.02
UNIVERSITY PARK	77,191.65	369.20	77,560.85
VALLEY VIEW	3,319.00	12.27	3,331.27
VAN	8,390.57	27.03	8,417.60
VAN ALSTYNE	8,104.72	60.77	8,165.49
VENUS	2,265.06	12.38	2,277.44
WACO	408,020.14	1,934.36	409,954.50
WATAUGA	58,393.02	189.21	58,582.23
WAXAHACHIE	119,063.87	473.69	119,537.56
WEATHERFORD	1,373.83	4.71	1,378.54

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
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City	Payment	Interest	Total
WEIR	921.50	5.53	927.03
WELLS	1,051.97	5.22	1,057.19
WEST	4,516.40	22.39	4,538.79
WESTBROOK	870.27	2.80	873.07
WESTOVER HILLS	6,034.96	45.36	6,080.32
WESTWORTH VILLAGE	16,760.64	64.26	16,824.90
WHITE SETTLEMENT	33,737.59	130.81	33,868.40
WHITEHOUSE	12,276.44	58.60	12,335.04
WICHITA FALLS	266,644.94	1,033.27	267,678.21
WICKETT	799.88	14.32	814.20
WILLOW PARK	13,832.60	44.34	13,876.94
WILLS POINT	5,725.95	22.56	5,748.51
WILMER	4,433.47	17.47	4,450.94
WINDOM	622.07	2.49	624.56
WINK	2,796.11	9.21	2,805.32
WOLFE CITY	2,269.31	8.94	2,278.25
WOODWAY	17,025.47	49.76	17,075.23
WORTHAM	2,277.54	13.11	2,290.65
WYLIE	41,086.22	182.78	41,269.00
YANTIS	433.88	1.45	435.33
ZAVALLA	2,704.49	8.85	2,713.34
	<b>18,859,520.78</b>	<b>90,005.65</b>	<b>18,949,526.43</b>

Oncor Electric Delivery Company LLC  
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 Estimates Through June 30, 2011

City	Payment	Interest	Total
ABBOTT	590.48	0.00	590.48
ADDISON	17,899.00	4.17	17,903.17
ALLEN	25,268.66	5.89	25,274.55
ALMA	318.20	0.15	318.35
ALTO	291.20	0.14	291.34
ALVARADO	1,329.92	0.62	1,330.54
ALVORD	1,682.18	0.39	1,682.57
ANDREWS	4,059.34	0.00	4,059.34
ARGYLE	1,625.19	0.76	1,625.95
ARLINGTON	155,593.41	36.26	155,629.67
ARP	539.64	0.13	539.77
ATHENS	24,170.87	5.63	24,176.50
AUSTIN	1,859.66	0.43	1,860.09
BANGS	2,340.10	0.55	2,340.65
BARRY	255.86	0.00	255.86
BEDFORD	22,370.76	5.21	22,375.97
BELLS	38.69	0.02	38.71
BELTON	7,920.86	1.85	7,922.71
BEVERLY HILLS	719.00	0.17	719.17
BIG SPRING	8,325.72	0.00	8,325.72
BLANKET	465.10	0.11	465.21
BLOOMING GROVE	1,361.46	0.00	1,361.46
BONHAM	3,252.85	1.52	3,254.37
BOYD	2,514.03	0.59	2,514.62
BRECKENRIDGE	3,264.93	0.00	3,264.93
BROWNSBORO	462.40	0.22	462.62
BROWNWOOD	7,301.38	0.00	7,301.38
BUCKHOLTS	523.39	0.12	523.51
BURKBURNETT	4,034.71	0.00	4,034.71
BURLESON	13,595.08	3.17	13,598.25
CAMERON	2,332.64	0.54	2,333.18
CANTON	2,012.86	0.94	2,013.80
CARROLLTON	52,411.47	12.21	52,423.68
CASHION COMMUNITY	412.78	0.10	412.88
CEDAR HILL	15,001.65	6.99	15,008.64
CLARKSVILLE	5,772.07	1.35	5,773.42
CLEBURNE	71,172.40	33.18	71,205.58
COCKRELL HILL	828.49	0.19	828.68

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Estimates Through June 30, 2011

City	Payment	Interest	Total
COMANCHE	1,723.64	0.40	1,724.04
COOL	297.52	0.00	297.52
COOLIDGE	730.35	0.17	730.52
COPPELL	19,606.47	4.57	19,611.04
CORINTH	5,740.11	1.34	5,741.45
CORSICANA	13,192.85	0.00	13,192.85
CRESSON	255.20	0.12	255.32
CROCKETT	13,201.94	0.00	13,201.94
CROSS ROADS	226.41	0.11	226.52
CROWLEY	5,418.35	0.00	5,418.35
CUMBY	1,290.52	0.00	1,290.52
CUSHING	973.63	0.23	973.86
DALLAS	579,486.75	270.11	579,756.86
DE LEON	849.11	0.00	849.11
DECATUR	18,787.38	4.38	18,791.76
DENTON	764.29	0.18	764.47
DESOTO	15,872.98	0.00	15,872.98
DUBLIN	4,170.60	0.97	4,171.57
DUNCANVILLE	13,938.91	3.25	13,942.16
EARLY	1,166.29	0.54	1,166.83
EASTLAND	2,029.72	0.00	2,029.72
ENNIS	13,341.17	3.11	13,344.28
EULESS	20,308.36	4.73	20,313.09
FAIRFIELD	2,013.99	0.47	2,014.46
FAIRVIEW	1,779.40	0.41	1,779.81
FARMERS BRANCH	23,701.53	5.52	23,707.05
FATE	7,612.71	1.77	7,614.48
FERRIS	4,403.01	1.03	4,404.04
FLOWER MOUND	7,360.71	3.43	7,364.14
FORT WORTH	298,974.88	139.36	299,114.24
FRANKSTON	473.91	0.22	474.13
FRISCO	14,231.53	3.32	14,234.85
GAINESVILLE	7,998.00	0.00	7,998.00
GALLATIN	62.84	0.03	62.87
GARLAND	57,752.59	13.46	57,766.05
GHOLSON	155.13	0.04	155.17
GRAND PRAIRIE	68,724.64	16.02	68,740.66
GRANDVIEW	3,093.19	0.00	3,093.19

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Estimates Through June 30, 2011

City	Payment	Interest	Total
GRAPEVINE	39,987.88	18.64	40,006.52
GROESBECK	933.47	0.24	933.71
HARKER HEIGHTS	9,870.99	2.30	9,873.29
HASLET	968.21	0.00	968.21
HEATH	3,041.14	1.42	3,042.56
HENRIETTA	1,392.92	0.00	1,392.92
HEWITT	6,176.01	0.00	6,176.01
HIDEAWAY	4,498.10	2.10	4,500.20
HIGHLAND PARK	5,515.80	1.29	5,517.09
HILLSBORO	3,822.53	1.78	3,824.31
HOLLAND	1,395.96	0.00	1,395.96
HONEY GROVE	551.02	0.26	551.28
HUBBARD	2,450.20	0.00	2,450.20
HUDSON	1,474.07	0.00	1,474.07
HUNTINGTON	3,896.61	0.91	3,897.52
HURST	16,229.28	0.00	16,229.28
IRVING	111,016.11	0.00	111,016.11
ITALY	2,828.08	1.32	2,829.40
ITASCA	603.88	0.14	604.02
JACKSBORO	6,148.62	1.43	6,150.05
JACKSONVILLE	5,738.15	2.67	5,740.82
JUSTIN	1,044.49	0.49	1,044.98
KAUFMAN	3,794.75	1.77	3,796.52
KELLER	5,759.09	2.68	5,761.77
KEMP	2,534.40	0.59	2,534.99
KERENS	2,153.72	0.50	2,154.22
LAKE BRIDGEPORT	459.65	0.00	459.65
LAKE WORTH	2,959.56	0.00	2,959.56
LAMESA	2,357.26	0.00	2,357.26
LANCASTER	10,054.70	2.34	10,057.04
LEWISVILLE	1,081.82	0.25	1,082.07
LINDALE	10,316.44	4.81	10,321.25
LINDSAY	1,265.17	0.59	1,265.76
LIPAN	766.27	0.00	766.27
LITTLE ELM	129.32	0.06	129.38
LORENA	761.76	0.00	761.76
LOTT	90.99	0.02	91.01
LUFKIN	73,706.99	17.18	73,724.17

**Oncor Electric Delivery Company LLC**  
**Franchise Fee Payments**  
**Estimates Through June 30, 2011**

City	Payment	Interest	Total
MABANK	2,658.12	0.62	2,658.74
MARLIN	1,408.11	0.33	1,408.44
MART	544.51	0.25	544.76
MCKINNEY	29,039.93	13.54	29,053.47
MCLENDON-CHISHOLM	357.08	0.17	357.25
MESQUITE	43,314.34	20.19	43,334.53
MEXIA	1,672.94	0.40	1,673.34
MIDLAND	40,411.59	0.00	40,411.59
MIDLOTHIAN	23,437.09	10.92	23,448.01
MILANO	876.35	0.00	876.35
MILFORD	884.99	0.21	885.20
MILLSAP	994.75	0.23	994.98
MINERAL WELLS	6,744.04	0.00	6,744.04
MOBILE CITY	31.67	0.00	31.67
MUENSTER	879.16	0.20	879.36
NEW SUMMERFIELD	292.81	0.00	292.81
NEYLANDVILLE	170.19	0.08	170.27
NOLANVILLE	4,198.44	0.00	4,198.44
OAK POINT	3,067.64	0.71	3,068.35
ODESSA	34,385.08	0.00	34,385.08
OVERTON	2,488.32	0.58	2,488.90
PALESTINE	8,228.61	1.92	8,230.53
PALMER	2,743.21	0.00	2,743.21
PARIS	17,645.18	0.00	17,645.18
PAYNE SPRINGS	1,505.91	0.00	1,505.91
PECAN GAP	258.51	0.00	258.51
PENELOPE	264.96	0.00	264.96
PLANO	111,809.45	26.06	111,835.51
PROSPER	5,974.32	0.00	5,974.32
QUINLAN	2,765.69	0.64	2,766.33
RENO-LAMAR	1,032.05	0.24	1,032.29
RENO-PARKER	0.00	0.00	0.00
RICE	1,360.95	0.00	1,360.95
RICHARDSON	63,623.14	14.83	63,637.97
ROBINSON	15,035.28	0.00	15,035.28
ROCKDALE	8,266.36	3.85	8,270.21
ROCKWALL	15,189.99	0.00	15,189.99
ROSEBUD	273.22	0.06	273.28

Oncor Electric Delivery Company LLC  
 Franchise Fee Payments  
 Estimates Through June 30, 2011

City	Payment	Interest	Total
ROSSER	354.49	0.08	354.57
ROWLETT	16,197.40	3.77	16,201.17
ROXTON	671.99	0.16	672.15
RUSK	1,946.38	0.45	1,946.83
SACHSE	4,840.98	1.13	4,842.11
SADLER	581.27	0.14	581.41
SANCTUARY	28.78	0.01	28.79
SHERMAN	24,455.07	11.40	24,466.47
SNYDER	4,598.53	0.00	4,598.53
SOUTHLAKE	8,232.94	1.92	8,234.86
STEPHENVILLE	32,282.17	15.05	32,297.22
STREETMAN	345.37	0.00	345.37
SULPHUR SPRINGS	8,818.28	4.11	8,822.39
SUNNYVALE	4,763.38	1.11	4,764.49
SWEETWATER	4,451.55	0.00	4,451.55
TAYLOR	5,317.01	1.24	5,318.25
TEAGUE	1,346.78	0.31	1,347.09
TEHUACANA	93.23	0.04	93.27
TEMPLE	35,499.16	8.27	35,507.43
THE COLONY	10,373.21	0.00	10,373.21
THORNTON	143.36	0.03	143.39
THRALL	989.81	0.00	989.81
TIRA	321.73	0.07	321.80
TROPHY CLUB	13,041.02	0.00	13,041.02
TYLER	47,009.09	10.95	47,020.04
UNIVERSITY PARK	10,566.69	2.46	10,569.15
VENUS	2,430.44	1.13	2,431.57
WACO	61,600.93	14.36	61,615.29
WELLS	1,051.97	0.25	1,052.22
WEST	4,516.40	1.05	4,517.45
WESTWORTH VILLAGE	2,412.53	0.00	2,412.53
WHITE SETTLEMENT	5,536.15	0.00	5,536.15
WHITEHOUSE	2,127.77	0.50	2,128.27
WICHITA FALLS	42,210.91	0.00	42,210.91
WORTHAM	376.91	0.18	377.09
WYLIE	41,086.22	0.00	41,086.22
	<b>2,897,858.33</b>	<b>844.87</b>	<b>2,898,703.20</b>

ATTACHMENT C

PUC DOCKET NO. 38929  
SOAH DOCKET NO. 473-11-2330

APPLICATION OF ONCOR ELECTRIC § BEFORE THE  
DELIVERY COMPANY LLC FOR § PUBLIC UTILITY COMMISSION  
AUTHORITY TO CHANGE RATES § OF TEXAS

**STIPULATION**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

As of April 8, 2011, Oncor Electric Delivery Company LLC ("Oncor" or "Company") and certain parties to this docket have reached a Memorandum of Settlement ("MOS"), attached hereto as Exhibit A, concerning the Application of Oncor Electric Delivery Company LLC for Authority to Change Rates. Based upon the MOS, the following parties have joined in this comprehensive and unopposed Stipulation ("Stipulation") regarding all issues in this docket: Oncor; the Staff of the Public Utility Commission of Texas ("Staff"); the Office of Public Utility Counsel; State agencies and institutions of higher education ("State Agencies"); Texas Industrial Energy Consumers; the Steering Committee of Cities Served by Oncor ("Cities"); the Alliance of Oncor Cities ("AOC"); Wal-Mart Stores Texas, LLC and Sam's East, Inc.; and The Kroger Co. (hereinafter collectively referred to as "Signatories"). The Signatories agree that a negotiated resolution of this proceeding on the basis set forth in this Stipulation and related tariffs is in the public interest, provides just and reasonable rates, and will conserve the parties' and the public's resources and eliminate controversy. Accordingly, the Signatories request approval of this Stipulation by the Public Utility Commission of Texas ("Commission") and entry of an Order (including findings of fact and conclusions of law) and approval of tariffs ("Tariffs") as set out in Exhibit B hereto. All of the other parties to this docket have agreed that they do not oppose the Commission entering a final order consistent with this Stipulation.<sup>1</sup>

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<sup>1</sup> The following parties are not Signatories to this Stipulation but have agreed that they do not oppose it and do not oppose the Commission entering a final order consistent with this Stipulation: Reliant Energy Retail Services, LLC; CenterPoint Energy Houston Electric, LLC; Alliance for Retail Markets; Nucor Steel - Texas; TXU Energy Retail Company LLC; Texas Energy Association for Marketers; Environmental Defense Fund; Brazos Electric Power Cooperative, Inc.; Tex-La Electric Cooperative of Texas, Inc.; Rayburn Country Electric Cooperative, Inc.; IBEW Local 69; and Texas Cotton Ginners' Association & St. Lawrence Cotton Growers' Association.

## I.

By this Stipulation, the Signatories resolve all issues among them related to this proceeding and hereby stipulate and agree as follows and request the Commission enter the proposed final Order attached hereto as Exhibit B (including the proposed Tariffs attached thereto) that reflects the following:

- A. **Base Rate Revenue Increase:** Oncor's total base rate revenue requirement will be increased by \$136,722,048 over current rate revenues [which include post-test year transmission cost of service ("TCOS") and transmission cost recovery factor ("TCRF") adjustments], resulting in a total cost of service of \$2,945,899,486, as reflected in Column (d) (Proposed Rates) of the attached Exhibit A (MOS) at Exhibit A. The Signatories have also agreed to and developed rates based upon the Proposed Rates for each customer class as reflected in Column (d) of the attached Exhibit A (MOS) at Exhibit A, which results in a change in rates for each customer class as reflected in Column (e) and a percentage change for each customer class as reflected in Column (f). The calculated rates have been incorporated in the Tariffs that are attached hereto at Exhibit B (Proposed Order) at Exhibits B1, B2, B3, and B4.
- B. **Financial Matters:** Oncor's Weighted Average Cost of Capital ("WACC") shall be 8.14% based upon a 6.73% Cost of Debt, an authorized Return on Equity ("ROE") of 10.25%, and an authorized regulatory capital structure of 60% long-term debt and 40% equity. The foregoing WACC, Cost of Debt, ROE, and capital structure will apply, in accordance with PURA<sup>2</sup> and Commission rules, in all Commission proceedings or Commission filings requiring application of Oncor's Cost of Debt, WACC, ROE, or capital structure to the same extent as if these factors had been determined in a final order in a fully-litigated proceeding.
- C. **Prudence Finding Regarding Investment:** The Signatories agree to a Commission finding that all Oncor investment through the end of the test year (June 30, 2010), as presented in Oncor's rate filing package ("RFP"), is prudent and includable in rate base. A determination of prudence regarding Oncor's investment made after June 30, 2010, (whether now in rates through interim TCOS and TCRF or non-TCOS in nature) will be reserved until Oncor's next general base rate case. This paragraph does not waive the rights of certain parties to continue their appeals of Docket No. 35717<sup>3</sup> with respect to the prudence of certain automated meters. This paragraph also does not apply to investment subject to recovery through the Advanced Metering System ("AMS")

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<sup>2</sup> Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (Vernon 2007 & Supp. 2010) ("PURA").

<sup>3</sup> *Application of Oncor Electric Delivery Company LLC for Authority to Change Rates*, Docket No. 35717. Order on Rehearing (Nov. 30, 2009).

surcharge approved in Docket No. 35718.<sup>4</sup> The Signatories stipulate that Oncor's total rate base as of June 30, 2010 is \$8,098,414,835.

- D. **Prospective Franchise Fees:** To reflect the opinion of the District Court in the Docket No. 35717 appeal and the Commission's recent decision in Docket No. 38339,<sup>5</sup> Oncor agrees to increase franchise fees to the contractual annual amount, to begin within 60 days after entry of a final order in this proceeding or July 1, 2011, whichever is later, but in any event retrospective to July 1, 2011. With the exception of Staff, the Signatories agree that this Stipulation resolves all outstanding appeals relating to municipal franchise fees in Docket No. 35717. Staff takes no position on that issue.
- E. **Regulatory Surcharge (Retrospective Franchise Fees and Rate Case Expenses):** To reflect the opinion of the District Court in the Docket No. 35717 appeal and the Commission's recent decision in Docket No. 38339, within 60 days after entry of a final order in this proceeding, Oncor will pay the municipalities in its service territory retrospective franchise fees (calculated from the date that the rates approved in Docket No. 35717 went into effect through July 1, 2011) and rate case expenses (through July 1, 2011) and recover those amounts, plus Oncor's rate case expenses balance (through July 1, 2011) over three years in a separate surcharge with no carrying charges. Rate case expenses incurred after July 1, 2011 will be captured in a regulatory asset and preserved for recovery consideration in Oncor's next general base rate case.

The total amount of retrospective franchise fees, calculated through June 30, 2011, plus interest at the Commission-established rate, is \$21,848,230. The Regulatory Surcharge rider (Rider RS) included in the proposed Tariffs currently includes only these amounts for retrospective franchise fees. The Signatories have agreed that the issue of the appropriate level of rate case expenses shall be resolved in Docket No. 39239,<sup>6</sup> where that issue is currently pending. Once the Commission has issued an order approving the level of rate case expenses to be recovered, Oncor will make a compliance filing with the Commission to adjust Rider RS to include the approved rate case expenses. The Signatories agree that the allocation factors to be used for Rider RS are reflected in the Supplemental Direct Testimony of J. Michael Sherburne at Exhibit JMS-SD-3. Rider RS will take effect January 1, 2012.

- F. **Rate NTS:** The Signatories agree that the transmission cost of service, as reflected in the Network Transmission Revenue row on the attached Exhibit A (MOS) at Exhibit A, shall be set as reflected in the attached Exhibit A (MOS) at Exhibit C.

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<sup>4</sup> *Oncor Electric Delivery Company LLC's Request For Approval Of Advanced Metering System (AMS) Deployment Plan And Request For Advanced Metering System (AMS) Surcharge*, Docket No. 35718, Order (Aug. 28, 2009).

<sup>5</sup> *CenterPoint Energy Houston Electric, LLC for Authority to Change Rates*, Docket No. 38339 (pending).

<sup>6</sup> *Application of Oncor Electric Delivery Company LLC for Rate Case Expense Severed from PUC Docket No. 38929, SOAH Docket No. 473-11-2330*, Docket No. 39239 (pending).

G. **Rider SCUD (State Colleges and Universities Discount):** Oncor will reinstate Rider SCUD without passing on any revenue shortfall to customers. If subsequent legislation eliminates or changes Rider SCUD, or upon a final, non-appealable court order that Rider SCUD is not applicable under current law, Oncor will change or eliminate the Rider SCUD discount consistent with any such legislation or court order. If Rider SCUD is changed or eliminated, any such change or elimination shall take effect prospectively following the effective date of applicable legislation or the issuance of a mandate by the court of last resort. No surcharge will be implemented or applied to recoup any Rider SCUD discount.

H. **Cost Allocation and Rate Design:** The Signatories agree that costs shall be allocated among the customer classes consistent with the Proposed Rates reflected in Column (d) of the attached Exhibit A (MOS) at Exhibit A. The Signatories agree to the rate design and tariff language as proposed by Oncor in its RFP [which includes (1) eliminating the Transmission System Charge and thereby recovering all of Oncor's transmission expense through its TCRF as provided for in proposed Rider TCRF, and (2) modifications to the ratchet provisions in the Secondary >10 kW Class], subject to the following changes:

1. For TCRF, Oncor will use the 2010 unadjusted 4CP figures instead of the 2009 adjusted 4CP figures. The 2010 unadjusted 4CP figures are detailed in the Supplemental Direct Testimony of J. Michael Sherburne at Exhibit JMS-SD-1; and
2. Changes to the tariff language, which have been as reflected in the Tariffs attached to the proposed Order attached hereto as Exhibit B.

I. **Depreciation:** Oncor will use the depreciation rates it proposed in its direct case in this proceeding. Those rates are the same as the rates approved by the Commission in Docket No. 35717, with the exception that Oncor's proposal reflects an increase in the depreciation rate for intangible plant assets, which increase is reflected in the agreed total annual cost of service. The new agreed annual amortization rate for Account 303 (intangible plant) is 12.56%.

J. **Meter Costs:** The Signatories agree to the amount of meter-reading costs and ad valorem taxes included in Oncor's new rates, to the extent those costs are related to meters that are being replaced pursuant to Oncor's Commission-approved AMS Deployment Plan. These numbers can be derived from Oncor's RFP and are as follows:

1. Meter-reading costs – \$15,785,691; and
2. Ad valorem taxes – \$1,322,281.

K. **Regulatory Assets and Certain Accruals:** Oncor will amortize its total regulatory asset balance as of June 30, 2010, as presented in the Company's RFP (old and new, self-insurance or "storm" reserve and pension/other postretirement benefits ("OPEB")), over eight (8) years, with such revised amortization to begin on January 1, 2012. The Signatories agree that the amount of the new annual amortizations are as follows:

1. Self-insurance reserve – \$31,514,420 (\$252,115,362 balance / 8 years);
2. Pensions – \$9,113,738 (\$72,909,900 balance / 8 years); and
3. OPEBs – \$6,921,963 (\$55,375,706 balance / 8 years).

Until January 1, 2012, Oncor will continue the amortizations of its regulatory asset balances at the levels approved in the Order on Rehearing in Docket No. 35717. Oncor will continue annual accruals for the self-insurance reserve, pensions, and OPEBs at the levels approved in the Order on Rehearing in Docket No. 35717.

L. **Effective Dates for Rates and Riders:** Oncor shall phase-in rates as follows:

1. \$93,722,048 million base rate revenue increase to be effective the later of thirty (30) days after a final Commission order is signed, or July 1, 2011 (“Phase I Tariffs”);
2. \$43 million base rate revenue increase effective January 1, 2012 (“Phase II Tariffs”);
3. Regulatory Surcharge effective January 1, 2012 (“Rider RS”); and
4. All new amortizations (self-insurance reserve and pensions/OPEBs) begin January 1, 2012.

M. **Interim Rates:** The Administrative Law Judges or the Commission will approve interim/temporary rates consistent with the Stipulation effective July 1, 2011, pursuant to PURA § 36.109 and Commission Procedural Rule 22.125, should permanent rates not be approved and in effect by that date. In no event shall the permanent rates take effect sooner than 30 days after the Commission order(s) approving the Stipulation and Tariffs are signed.

N. **Rate Freeze for General Base Rate Case:** Oncor will agree to not file a general base rate case before July 1, 2013; provided that Oncor has no obligation to file a rate case on that or any other date, and Oncor is entitled to file interim rate updates and adjust rates as allowed by Texas law and Commission rules, including, but not limited to, interim TCOS updates, TCRF updates, Energy Efficiency Cost Recovery Factor updates, AMS Surcharge filings, and other investment or cost updates that may exist now or in the future as a result of legislative or Commission action. Nothing in this paragraph is intended to limit the ability of a regulatory authority to initiate an Oncor rate case at any time.

## II.

The Signatories agree that the terms of this Stipulation are fair, reasonable, and in the public interest. The Signatories further stipulate to the facts contained in the proposed Order attached hereto as Exhibit B and support and will take all reasonable efforts to obtain the prompt adoption of an order by the Commission consistent with this Stipulation as reflected in the attached proposed Order. The Signatories further agree to defend the terms of this Stipulation as set forth herein. The Signatories agree that this Stipulation does not affect any pending appeal of the Commission's final decision in Docket No. 35717 except as specifically provided for in this Stipulation.

## III.

This Stipulation has been drafted by all Signatories and is the result of negotiation, compromise, settlement, and accommodation. The Signatories agree that the terms and conditions herein are interdependent. The various provisions of this Stipulation are not severable. None of the provisions of this Stipulation shall become fully operative unless the Commission shall have entered a final order approving this Stipulation consistent with the proposed Order. If the Commission does not accept this Stipulation as presented, or issues an interim or final order inconsistent with the terms of this Stipulation or the proposed Order, the Signatories agree that any Signatory adversely affected by that alteration has the right to withdraw from this Stipulation, thereby becoming released from its obligations arising hereunder, and to proceed as otherwise permitted by law to exercise all rights available under the law. The right to withdraw must be exercised by providing the other Signatories written notice within twenty (20) calendar days of the date the Commission order acting on this Stipulation is filed. Failure to provide such notice within the specified time period shall constitute a waiver of the right to withdraw and acceptance of the changes to this Stipulation made by the Commission.

## IV.

This Stipulation is binding on each of the Signatories only for the purpose of settling the issues as set forth herein and for no other purposes. The matters resolved herein are resolved on the basis of a compromise and settlement. Except to the extent that this Stipulation expressly governs a Signatory's rights and obligations for future periods, this Stipulation shall not be

binding or precedential on a Signatory outside of this proceeding except for a proceeding to enforce the terms of this Stipulation. The Signatories agree that a Signatory's support of the resolution of this docket in accordance with this Stipulation may differ from its position or testimony regarding contested issues of law, policy, or fact in other proceedings before the Commission or other forum. Because this is a Stipulation, a Signatory is under no obligation to take the same position as set out in this Stipulation in other proceedings not referenced in this Stipulation whether those dockets present the same or a different set of circumstances. A Signatory's agreement to entry of a final order of the Commission consistent with this Stipulation should not be regarded as an agreement to the appropriateness or correctness of any assumptions, methodology, or legal or regulatory principle that may have been employed in reaching this Stipulation.

## V.

This Stipulation contains the entire agreement among the Signatories. Moreover, this Stipulation supersedes all other written and oral exchanges or negotiations among the Signatories or their representatives with regard to the subjects contained herein. To the extent this Stipulation may be different from the MOS, or may contain additional terms to the MOS, this Stipulation controls. The Signatories hereby waive the right to an evidentiary hearing in this proceeding and waive cross-examination of all witnesses.

## VI.

Each person executing this Stipulation represents that he or she is authorized to sign this Stipulation on behalf of the party represented. Facsimile copies of signatures are valid for purposes of evidencing this Stipulation, which may be executed in multiple counterparts.

## VII.

WHEREFORE, PREMISES CONSIDERED, the Signatories respectfully request that this Honorable Commission enter an order consistent with the terms of this Stipulation.

AGREED:

ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: Matthew H. (Matthew C. Henry, Legal Counsel)

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

OFFICE OF PUBLIC UTILITY COUNSEL

BY: \_\_\_\_\_

STATE AGENCIES

BY: \_\_\_\_\_

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY: \_\_\_\_\_

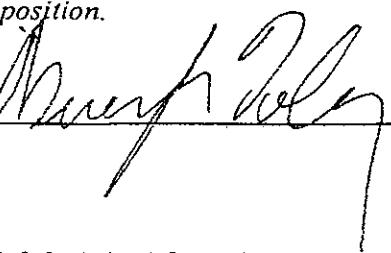
AGREED:

ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: \_\_\_\_\_

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: 

OFFICE OF PUBLIC UTILITY COUNSEL

BY: \_\_\_\_\_

STATE AGENCIES

BY: \_\_\_\_\_

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY: \_\_\_\_\_

AGREED:

**ONCOR ELECTRIC DELIVERY COMPANY LLC**

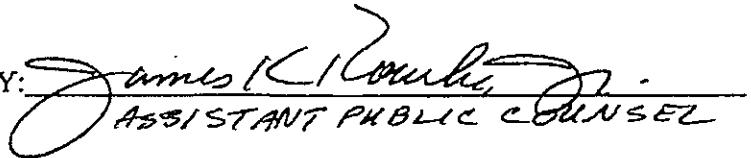
BY: \_\_\_\_\_

**STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS**

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

**OFFICE OF PUBLIC UTILITY COUNSEL**

BY:   
*James K. Rombe, Jr.*  
*ASSISTANT PUBLIC COUNSEL*

**STATE AGENCIES**

BY: \_\_\_\_\_

**TEXAS INDUSTRIAL ENERGY CONSUMERS**

BY: \_\_\_\_\_

AGREED:

ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: \_\_\_\_\_

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

OFFICE OF PUBLIC UTILITY COUNSEL

BY: \_\_\_\_\_

STATE AGENCIES

BY: Susan M. Kelley

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY: \_\_\_\_\_

AGREED:

ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: \_\_\_\_\_

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

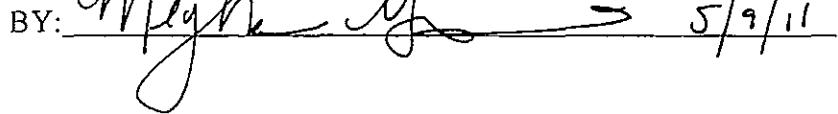
OFFICE OF PUBLIC UTILITY COUNSEL

BY: \_\_\_\_\_

STATE AGENCIES

BY: \_\_\_\_\_

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY:  5/9/11

AGREED:

STEERING COMMITTEE OF CITIES SERVED BY ONCOR

BY: Thomas R. Gaskins, Jr. and Matthew C. Henry

ALLIANCE OF ONCOR CITIES

BY: \_\_\_\_\_

WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.

BY: Richard Chamberlain and Matthew C. Henry

THE KROGER CO.

BY: \_\_\_\_\_

AGREED:

STEERING COMMITTEE OF CITIES SERVED BY ONCOR

BY: \_\_\_\_\_

ALLIANCE OF ONCOR CITIES

BY: Elipe Alonso III

WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.

BY: \_\_\_\_\_

THE KROGER CO.

BY: \_\_\_\_\_

AGREED:

STEERING COMMITTEE OF CITIES SERVED BY ONCOR

BY: \_\_\_\_\_

ALLIANCE OF ONCOR CITIES

BY: \_\_\_\_\_

WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.

BY: \_\_\_\_\_

THE KROGER CO.

BY: Kurt Robins cc: Matthew C. Henry \_\_\_\_\_

The following parties do not agree to this Stipulation and are not "Signatories" thereto, but agree that they do not and will not oppose the Commission entering a final order consistent with this Stipulation. The following parties also waive the right to an evidentiary hearing in this proceeding and waive cross-examination of all witnesses:

**RELIANT ENERGY RETAIL SERVICES, LLC**

BY: Jonathan Heller w/p Matthew C. Henry

**CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**

BY: Jason Ryan w/p Matthew C. Henry

**ALLIANCE FOR RETAIL MARKETS**

BY: Stephen Danis w/p Matthew C. Henry

**NUCOR STEEL - TEXAS**

BY: Nelson Nease w/p Matthew C. Henry

**TXU ENERGY RETAIL COMPANY LLC**

BY: John Muir w/p Matthew C. Henry

**TEXAS ENERGY ASSOCIATION FOR MARKETERS**

BY: \_\_\_\_\_

The following parties do not agree to this Stipulation and are not "Signatories" thereto, but agree that they do not and will not oppose the Commission entering a final order consistent with this Stipulation. The following parties also waive the right to an evidentiary hearing in this proceeding and waive cross-examination of all witnesses:

**RELIANT ENERGY RETAIL SERVICES, LLC**

BY: \_\_\_\_\_

**CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**

BY: \_\_\_\_\_

**ALLIANCE FOR RETAIL MARKETS**

BY: \_\_\_\_\_

**NUCOR STEEL - TEXAS**

BY: \_\_\_\_\_

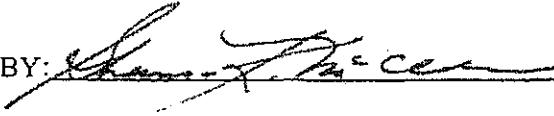
**TXU ENERGY RETAIL COMPANY LLC**

BY: \_\_\_\_\_

**TEXAS ENERGY ASSOCIATION FOR MARKETERS**

BY: Catherine J. Wehrly

ENVIRONMENTAL DEFENSE FUND

BY: 

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

BY: \_\_\_\_\_

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

BY: \_\_\_\_\_

RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.

BY: \_\_\_\_\_

IBEW LOCAL 69

BY: \_\_\_\_\_

TEXAS COTTON GINNERS' ASSOCIATION &  
ST. LAWRENCE COTTON GROWERS' ASSOCIATION

BY: \_\_\_\_\_

**ENVIRONMENTAL DEFENSE FUND**

BY: \_\_\_\_\_

**BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

BY: Bill Sears, Attorney for Brazos Electric

**TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.**

BY: \_\_\_\_\_

**RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.**

BY: \_\_\_\_\_

**IBEW LOCAL 69**

BY: \_\_\_\_\_

**TEXAS COTTON GINNERS' ASSOCIATION &  
ST. LAWRENCE COTTON GROWERS' ASSOCIATION**

BY: \_\_\_\_\_

ENVIRONMENTAL DEFENSE FUND

BY: \_\_\_\_\_

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

BY: \_\_\_\_\_

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

BY: Mark Davis w/p Matthew C. Henry

RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.

BY: \_\_\_\_\_

IBEW LOCAL 69

BY: Richard Levy w/p Matthew C. Henry

TEXAS COTTON GINNERS' ASSOCIATION &  
ST. LAWRENCE COTTON GROWERS' ASSOCIATION

BY: Zach Brady w/p Matthew C. Henry

ENVIRONMENTAL DEFENSE FUND

BY: \_\_\_\_\_

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

BY: \_\_\_\_\_

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

BY: \_\_\_\_\_

RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.

BY: Campbell McCloud w/p Matthew C. Henry

IBEW LOCAL 69

BY: \_\_\_\_\_

TEXAS COTTON GINNERS' ASSOCIATION &  
ST. LAWRENCE COTTON GROWERS' ASSOCIATION

BY: \_\_\_\_\_

**ATTACHMENT 2**

**EXHIBIT A**

**CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408**

**MEMORANDUM OF SETTLEMENT**

This Memorandum of Settlement ("MOS") documents the agreement of the signatory parties (the "Signatories") with regard to Oncor's 2011 general base rate case, Docket No. 38929. The Signatories agree to finalize a full and comprehensive stipulation (the "Stipulation") and compliance tariffs consistent with and based upon the agreed terms as stated in this MOS, and to seek Commission approval of that Stipulation. The Stipulation shall include the following terms, and other necessary and customary terms and conditions that are consistent with the following terms:

- **Base Rate Revenue Increase:** Total base rate revenue requirement increase of \$136,722,048 over current rate revenues (including post-test year TCOS and TCRF adjustments), which results in a total cost of service of \$2,945,899,486, as reflected in Column (d) (Proposed Rates) of the attached Exhibit A, and which is based upon a 60/40 capital structure and 10.25% ROE. The Signatories have also agreed to develop rates based upon the Proposed Rates for each customer class as reflected in Column (d) of the attached Exhibit A, which results in a change in rates for each customer class as reflected in Column (e) and a percentage change for each customer class as reflected in Column (f) .
- **Rider SCUD:** Oncor will agree to reinstate Rider SCUD (without passing on any cost shortfall to customers). If subsequent legislation eliminates or changes Rider SCUD, or upon a final, non-appealable court order that Rider SCUD is not applicable under current law, Oncor will change or eliminate the Rider SCUD discount consistent with any such legislation or court order.
- **Rate Freeze:** Oncor will agree to not file a general base rate case before July 1, 2013; provided that, Oncor has no obligation to file a rate case on that or any other date, and Oncor is entitled to file interim rate updates as allowed by Texas law and Commission rules, including, but not limited to, Interim TCOS updates, TCRF updates, EECRF updates, AMS Surcharge filings, and other investment or cost updates that may exist now or in the future as a result of legislative or Commission action. Nothing in this paragraph is intended to limit the ability of a regulatory authority to initiate an Oncor rate case at any time.
- **Prudence Finding:** Finding that all Oncor investment through the end of the test year (June 30, 2010), as presented in Oncor's rate filing package, is prudent and includable in rate base. A determination of prudence regarding Oncor's investment made after June 30, 2010, (whether now in rates through Interim TCOS/TCRF or non-TCOS in nature) will be reserved until Oncor's next general base rate case. This section does not waive the rights of certain parties to continue their appeals of Docket No. 35717 with respect to the prudence of certain automated meters.
- **Depreciation:** Use of depreciation rates proposed by Company in their direct case.
- **Regulatory Assets and Certain Accruals:** Amortize total regulatory asset balance as of June 30, 2010, as presented in Oncor's rate filing package (old and new, storm and pension/OPEB), over 8 years, with amortization beginning January 1, 2012. Oncor will continue annual accruals for pensions, OPEBs, and storm (property insurance) reserve at the levels approved in the final Order on Rehearing in Docket No. 35717.
- **Prospective Franchise Fees:** To reflect the opinion of the District Court in the Docket 35717 appeal and the Commission's recent decision in the CNP case (Docket 38339), Oncor agrees to increase franchise fees to contractual annual amount (to begin within 60 days after final order or July 1, whichever is later, but in any event retroactive to July 1). With the exception of Staff, the Signatories agree that this MOS resolves all outstanding appeals relating to municipal franchise fees in Docket No. 35717. Staff takes no position on that issue.

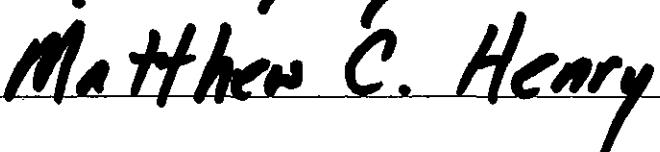
**CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408**

- **Cost Allocation and Rate Design:** The Signatories agree that costs shall be allocated among the customer classes consistent with the Proposed Rates reflected in Column (d) of the attached Exhibit A. The Signatories agree to support the rate design and tariff language as proposed by Oncor in its rate filing, subject to the following changes:
  - For TCRF, Oncor will use the 2010 unadjusted 4CP figures instead of the 2009 adjusted 4CP figures;
  - changes to the tariff language as reflected on the attached Exhibit B; and
  - any other such changes that may be agreed to by the Signatories.
- **Interim Rates:** SOAH ALJs or PUC will approve temporary/interim rates consistent with the settlement effective July 1, 2011, pursuant to PURA §36.109 and PUC Procedural Rule 22.125, should permanent rates not be approved and in effect by that date. In no event shall the permanent rates take effect sooner than 30 days after the Commission Order(s) approving the settlement and tariffs is (are) signed.
- **Regulatory Surcharge (Retroactive Franchise Fees and Rate Case Expenses):** To reflect the opinion of the District Court in the Docket 35717 appeal and the Commission's recent decision in the CNP case (Docket 38339), within 60 days after final order Oncor will pay cities retroactive franchise fees (calculated from the date that the rates approved in Docket No. 35717 went into effect through July 1, 2011) and rate case expenses (through July 1, 2011) and recover those amounts, plus Oncor's rate case expenses balance (through July 1, 2011) over three years in a separate surcharge with no carrying charges. Rate case expenses incurred after July 1, 2011 will be captured in a regulatory asset and preserved for recovery consideration in Oncor's next general base rate case.
- **Effective Dates for Rates and Riders:** Oncor shall phase-in rates as follows:
  - \$93,722,048 million base rate revenue increase effective July 1, 2011 or, with regard to permanent rates, 30 days after the Commission Order(s) approving the settlement and tariffs is (are) signed (includes prospective franchise fees)
  - \$43 million base rate revenue increase effective January 1, 2012.
  - Regulatory Surcharge effective January 1, 2012.
  - All new amortizations (storm and pensions/OPEBs) begin January 1, 2012.
- **Rate NTS:** The Signatories agree that the transmission cost of service, as reflected in the Network Transmission Revenue row on the attached Exhibit A, shall be set as reflected in the attached Exhibit C.

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

AGREED TO AS OF APRIL 8, 2011:

  
ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: 

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

OFFICE OF PUBLIC UTILITY COUNSEL

BY: \_\_\_\_\_

STATE AGENCIES

*Unopposed Subject to OAG Executive Administration Approval*

BY: \_\_\_\_\_

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

AGREED TO AS OF APRIL 8, 2011:

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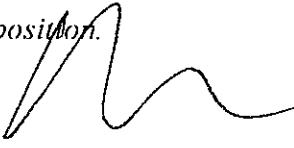
ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: \_\_\_\_\_

---

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_ 

BRENNAN J. FOLEY, ATTORNEY - LEGAL DIVISION  
OFFICE OF PUBLIC UTILITY COUNSEL

BY: \_\_\_\_\_

---

STATE AGENCIES

*Unopposed Subject to OAG Executive Administration Approval*

BY: \_\_\_\_\_

---

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

AGREED TO AS OF APRIL 8, 2011:

Matt H  
ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: Matthew C. Henry

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

OFFICE OF PUBLIC UTILITY COUNSEL

BY: James K. Rourke, Jr.  
JAMES K. ROURKE, JR.

STATE AGENCIES

*Unopposed Subject to OAG Executive Administration Approval*

BY: \_\_\_\_\_

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

AGREED TO AS OF APRIL 8, 2011:

---

ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: \_\_\_\_\_

---

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

---

OFFICE OF PUBLIC UTILITY COUNSEL

BY: \_\_\_\_\_

---

STATE AGENCIES

*Unopposed Subject to OAG Executive Administration Approval*

BY: Susan M. Kelley  
SUSAN M. KELLEY  
ASSISTANT ATTORNEY GENERAL

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

AGREED TO AS OF APRIL 8, 2011:

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ONCOR ELECTRIC DELIVERY COMPANY LLC

BY: \_\_\_\_\_

---

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

*Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.*

BY: \_\_\_\_\_

---

OFFICE OF PUBLIC UTILITY COUNSEL

BY: \_\_\_\_\_

---

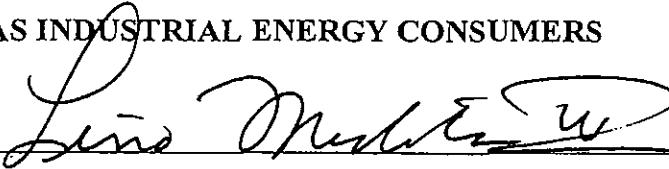
STATE AGENCIES

*Unopposed Subject to OAG Executive Administration Approval*

BY: \_\_\_\_\_

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TEXAS INDUSTRIAL ENERGY CONSUMERS

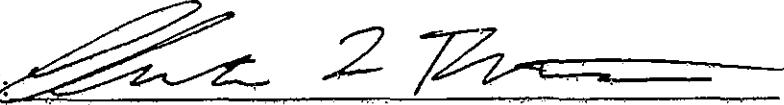
BY: 

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

AGREED TO AS OF APRIL 8, 2011:

---

STEERING COMMITTEE OF CITIES SERVED BY ONCOR

BY: 

---

ALLIANCE OF ONCOR CITIES

BY: \_\_\_\_\_

---

WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.

BY: \_\_\_\_\_

---

THE KROGER CO

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

AGREED TO AS OF APRIL 8, 2011:

---

STEERING COMMITTEE OF CITIES SERVED BY ONCOR

BY: \_\_\_\_\_

---

ALLIANCE OF ONCOR CITIES

BY: Eduardo Alonso III

---

WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.

BY: \_\_\_\_\_

---

THE KROGER CO

BY: \_\_\_\_\_

**CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408**

**AGREED TO AS OF APRIL 8, 2011:**

---

**STEERING COMMITTEE OF CITIES SERVED BY ONCOR**

BY: \_\_\_\_\_

---

**ALLIANCE OF ONCOR CITIES**

BY: \_\_\_\_\_

---

**WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.**

Rick D. Chamberlain  
BY: \_\_\_\_\_

Digitally signed by Rick D. Chamberlain  
DN: cn=Rick D. Chamberlain, o, ou=Attorney at Law,  
email=rdc\_law@swbell.net, c=US  
Date: 2011.04.12 10:15:49 -05'00'

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**THE KROGER CO**

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

AGREED TO AS OF APRIL 8, 2011:

---

STEERING COMMITTEE OF CITIES SERVED BY ONCOR

BY: \_\_\_\_\_

---

ALLIANCE OF ONCOR CITIES

BY: \_\_\_\_\_

---

WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.

BY: \_\_\_\_\_

  
THE KROGER CO

BY: Kurt J. Bolhman, attorney for Kroger Co.

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

The following Parties do not agree to this MOS and are not "signatories" thereto, but agree that they will not oppose the Commission entering a final order consistent with this MOS:

---

RELIANT ENERGY RETAIL SERVICES, LLC

BY: Jonathan Heller *by permission of attorney*  
Counsel to Reliant Energy

CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC

BY: \_\_\_\_\_

---

ALLIANCE FOR RETAIL MARKETS

BY: Stephen J. Davis *by permission of attorney*  
Counsel for ARM

NUCOR STEEL - TEXAS

BY: \_\_\_\_\_

---

TXU ENERGY RETAIL COMPANY LLC

BY: John Mann *by permission of attorney*  
Counsel for TXU Energy

TEXAS ENERGY ASSOCIATION FOR MARKETERS

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

The following Parties do not agree to this MOS and are not "signatories" thereto, but agree that they will not oppose the Commission entering a final order consistent with this MOS:

---

**RELIANT ENERGY RETAIL SERVICES, LLC**

BY: \_\_\_\_\_

---

**CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**

BY: *Jason M. Ryan* \_\_\_\_\_

---

**ALLIANCE FOR RETAIL MARKETS**

BY: \_\_\_\_\_

*Nelson Nease, Counsel for Nucor*  
NUCOR STEEL - TEXAS

BY: *Nelson Nease, Counsel for Nucor*

---

**TXU ENERGY RETAIL COMPANY LLC**

BY: \_\_\_\_\_

---

**TEXAS ENERGY ASSOCIATION FOR MARKETERS**

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

The following Parties do not agree to this MOS and are not "signatories" thereto, but agree that they will not oppose the Commission entering a final order consistent with this MOS:



---

TEXAS ENERGY ASSOCIATION FOR MARKETERS

BY: Andres Medrano

---

ENVIRONMENTAL DEFENSE FUND

BY: \_\_\_\_\_

---

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

BY: \_\_\_\_\_

---

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

BY: \_\_\_\_\_

---

RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.

BY: \_\_\_\_\_

---

IBEW LOCAL 69

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

The following Parties do not agree to this MOS and are not "signatories" thereto, but agree that they will not oppose the Commission entering a final order consistent with this MOS:

Shannon K. McClendon

ENVIRONMENTAL DEFENSE FUND

BY: Shannon K. McClendon

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

BY: \_\_\_\_\_

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

BY: \_\_\_\_\_

RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.

BY: \_\_\_\_\_

IBEW LOCAL 69

BY: \_\_\_\_\_

TEXAS COTTON GINNERS' ASSOCIATION &  
ST LAWRENCE COTTON GINNERS'ASSOCIATION

BY: \_\_\_\_\_

**CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408**

The following Parties do not agree to this MOS and are not "signatories" thereto, but agree that they will not oppose the Commission entering a final order consistent with this MOS:

---

**ENVIRONMENTAL DEFENSE FUND**

BY: \_\_\_\_\_

---

**BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

BY: Bill Spears, Attorney for Brazos Electric

---

**TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.**

BY: \_\_\_\_\_

---

**RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.**

BY: \_\_\_\_\_

---

**IBEW LOCAL 69**

BY: \_\_\_\_\_

---

**TEXAS COTTON GINNERS' ASSOCIATION &  
ST LAWRENCE COTTON GINNERS' ASSOCIATION**

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
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**TEXAS ENERGY ASSOCIATION FOR MARKETERS**

BY: \_\_\_\_\_

---

**ENVIRONMENTAL DEFENSE FUND**

BY: \_\_\_\_\_

---

**BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

BY: \_\_\_\_\_

---

**TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.**

BY: Mark C. Davis  
*by permission pdh*

---

**RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.**

BY: \_\_\_\_\_

---

**IBEW LOCAL 69**

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

The following Parties do not agree to this MOS and are not "signatories" thereto, but agree that they will not oppose the Commission entering a final order consistent with this MOS:

---

**ENVIRONMENTAL DEFENSE FUND**

BY: \_\_\_\_\_

---

**BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

BY: \_\_\_\_\_

---

**TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.**

BY: John W Kirkland \_\_\_\_\_  
John W Kirkland, President \_\_\_\_\_  
**RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.**

BY: \_\_\_\_\_

---

**IBEW LOCAL 69**

BY: \_\_\_\_\_

---

**TEXAS COTTON GINNERS' ASSOCIATION &  
ST LAWRENCE COTTON GINNERS'ASSOCIATION**

BY: \_\_\_\_\_

CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408

The following Parties do not agree to this MOS and are not "signatories" thereto, but agree that they will not oppose the Commission entering a final order consistent with this MOS:

---

**ENVIRONMENTAL DEFENSE FUND**

BY: \_\_\_\_\_

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**BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

BY: \_\_\_\_\_

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**TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.**

BY: \_\_\_\_\_

---

**RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.**

BY: \_\_\_\_\_



**IBEW LOCAL 69**

BY: Richard Levy

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**TEXAS COTTON GINNERS' ASSOCIATION &  
ST LAWRENCE COTTON GINNERS' ASSOCIATION**

BY: \_\_\_\_\_

**CONFIDENTIAL SETTLEMENT PROPOSAL  
PROVIDED PURSUANT TO TRE 408**

The following Parties do not agree to this MOS and are not "signatories" thereto, but agree that they will not oppose the Commission entering a final order consistent with this MOS:

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**ENVIRONMENTAL DEFENSE FUND**

BY: \_\_\_\_\_

---

**BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

BY: \_\_\_\_\_

---

**TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.**

BY: \_\_\_\_\_

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**RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.**

BY: \_\_\_\_\_

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**IBEW LOCAL 69**

BY: \_\_\_\_\_

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**TEXAS COTTON GINNERS' ASSOCIATION &  
ST LAWRENCE COTTON GINNERS'ASSOCIATION**

BY: Amber Brady  
Amber Brady

PUC DOCKET NO. 38929  
 ONCOR ELECTRIC DELIVERY COMPANY LLC  
 SUMMARY OF PROPOSED RATES BY CUSTOMERS AND RATE CLASS

Run 2011-04-01 / Baseline (revised) with Kit's Settlement Numbers (4/6/11 @ 3:54 pm) and Wholesale Settlement

Rate Class Description (a)	Number of Customers (b)	Present Rates <sup>1</sup> (c)	Proposed Rates (d)	Proposed Change (e)	% Change (f)
Residential	2,685,933	\$1,042,474,076	\$1,107,010,869	\$64,536,793	6.2%
Secondary ≤ 10 kW	218,606	\$50,820,513	\$53,198,343	\$2,377,830	4.7%
Secondary > 10 kW	179,563	\$871,493,769	\$935,970,079	\$64,476,310	7.4%
Primary ≤ 10 kW	1,924	\$551,514	\$623,702	\$72,188	13.1%
Primary > 10 kW Dist. Line	4,035	\$112,365,844	\$111,905,556	(\$460,288)	-0.4%
Primary Substation	66	\$11,815,877	\$11,765,877	(\$50,000)	-0.4%
Transmission	174	\$47,123,142	\$46,612,854	(\$510,288)	-1.1%
Lighting	69,125	\$51,701,265	\$58,827,584	\$7,126,319	13.8%
Total	3,159,426	\$2,188,346,000	\$2,325,914,864	\$137,568,864	6.3%
Wholesale Substation	16	\$459,606	\$474,113	\$14,507	3.2%
Wholesale DLS	64	\$2,038,454	\$2,108,453	\$69,999	3.4%
Other Revenue	-	\$49,146,271	47,497,068	(\$1,584,203)	-3.2%
<u>Grand Total</u>	<u>3,159,506</u>	<u>\$2,239,990,331</u>	<u>\$2,375,994,498</u>	<u>\$136,069,167</u>	<u>6.1%</u>
Network Transmission Revenue		\$544,310,069	\$544,310,069	\$0	0.0%
Transmission Related Other Revenues		\$24,942,038	\$25,594,919	\$652,881	2.6%
Total Cost of Service		\$2,809,242,438	\$2,945,899,486	\$136,722,048	4.9%

<sup>1</sup> Test-year revenues have been adjusted to annualize the Docket No. 35717 rate increase, to normalize billing units, to remove the revenues associated with Oncor's Advanced Metering Cost Recovery Factor, Energy Efficiency Cost Recovery Factor, and Rate Case Expense surcharge, and to increase test-year revenues to reflect TCOS and TCRF adjustments approved or pending after June 30, 2010.

In the Tariff for Retail Delivery Service, Section 6.1.1.1.1 Residential Service, change the Availability section as follows:

### **AVAILABILITY**

This schedule is applicable to Delivery Service for residential purposes (which may include a small amount of non-residential usage incident to residential usage) of a permanent nature to Individual Private Dwellings (including their appurtenant structures) and to individually metered apartments when such Delivery Service is to one Point of Delivery and measured through one Meter and is not for shared or resale purposes. Residential Service is limited to one individual Private Dwelling per platted parcel of land or postal delivery address.

If a premise is primarily used for non-residential purposes, Delivery Service will be provided under the Company's appropriate Secondary Service or Primary Service rate schedule.

This schedule is not available for non-residential service, including but not limited to water wells, electric gates, barns, garages, boat docks, airplane hangars hangers, or recreational vehicle parks, or for structures on the platted parcel requiring a separate meter.

In the Tariff for Transmission Service, Section 4.0, change the Facility Connection Requirements Definition as follows:

**FACILITY CONNECTION REQUIREMENTS.** Requirements for connecting with Company's transmission system that are reflected in the current versions of Oncor Standard 500-250 Guideline – Facility Connection Requirements for Radial Points of Interconnection at Transmission Voltages with Utilities; Oncor Standard 500-251 Guideline – Facility Connection Requirements for Points of Interconnection at Transmission Voltage with Retail Customers; Oncor Standard 500-252 Guideline – Facility Connection Requirements for Bi-Directional Points of Interconnection at Transmission Voltages with Electric Utilities; and Oncor Standard 500-253 Guideline – Facility Connection Requirements for Points of Interconnection at Transmission Voltages with Generators; and in any other facility connection requirements adopted by Company subsequent to the approval of this Tariff if required by NERC, Texas Reliability Entity, or ERCOT; and in any amendments to the facility connection requirements identified in this definition adopted subsequent to the approval of this Tariff if required by NERC, Texas Reliability Entity, or ERCOT. These Standards are available on the Company's website.

PUC DOCKET NO. 38929 (Settlement)  
 ONCOR ELECTRIC DELIVERY COMPANY LLC  
 TOTAL COST OF SERVICE  
 TEST YEAR ENDING JUNE 30, 2010

Line No	Description	Settlement TCOS	TCOS 38495 Interim Update	RFP Incr/decr
1	Operating and Maintenance Expenses	87,909,195	81,527,546	6,381,649
2	Depreciation, Amortization, & Other Expenses	138,493,534	135,743,982	2,749,552
3	Taxes Other Than Federal Income Tax	49,458,606	47,599,076	1,859,530
4	Federal Income Tax	65,563,416	60,290,071	5,273,345
5				
6	Return on Rate Base	228,480,237	241,287,917	(12,807,680)
7				
8	TOTAL COST OF SERVICE	569,904,988	566,448,592	3,456,396
9				
10	Decommissioning Expense	-	-	-
11				
12	Other Non-Bypassable Charges	-	-	-
13				
14	Minus: Other Revenues	25,594,919	22,138,523	3,456,396
15				
16	TOTAL ADJUSTED REVENUE REQUIREMENT	544,310,069	544,310,069	0
	Interest	113,792,935	121,809,601	(8,016,666)
	IBIT	180,250,718	179,768,387	482,331
	FIT effective rate	36.4%	33.5%	2.84%

PUC DOCKET NO. 38929 (Settlement)  
 ONCOR ELECTRIC DELIVERY COMPANY LLC  
 RATE BASE  
 TEST YEAR ENDING JUNE 30, 2010

Line No	Description	Settlement TCOS	TCOS 38495 Interim Update	RFP Incr/decr
1	Original Cost of Plant	4,376,786,067		
2	General Plant	70,565,023		
3	Communication Equipment	42,936,590		
4	Total Plant	4,490,287,680		
5				
6	Minus: Accumulated Depreciation	1,233,876,948		
7				
8	Net Plant In Service	3,256,410,732	3,272,708,860	(16,298,128)
9				
10	Other Rate Base Items:			
11	CWIP			
12	Plant Held for Future Use	16,546,254	13,563,314	2,982,940
13	Accumulated Provisions			
14	Materials & Supplies	52,348,621	29,456,595	22,892,026
15	Cash Working Capital	(1,116,975)	(1,934,179)	817,204
16	Prepayments	451,686	2,034,025	(1,582,339)
17	Other Rate Base Items	(4,681,857)	(15,085,000)	10,403,143
18	Regulatory Assets	17,473,874	3,320,874	14,153,000
19	Accumulated Deferred Income Taxes	(519,380,452)	(389,959,210)	(129,421,242)
20				
21	Subtotal	(438,358,849)	(358,603,581)	(79,755,268)
22				
23	TOTAL RATE BASE	2,818,051,883	2,914,105,279	(96,053,396)
24				
25	Rate of Return	8.11%	8.28%	.0 17%
26				
27	RETURN ON RATE BASE	228,480,237	241,287,917	(12,807,680)

ONCOR ELECTRIC DELIVERY COMPANY LLC  
Interim Update of Wholesale Transmission Cost of Service  
Rate Base  
Test Year Ended June 30, 2010  
Sponsor: J. Michael Sherburne

25

Line No.	Description	Balance Approved per Docket 38929 Final Order (1)
	<b>Direct Assigned:</b> <b>FERC Accounts (350 - 362)</b>	
1	Original Plant In Service	\$ 4,278,224,242 Sch II-B-1, pg 4, line 42, col (m)
2	(Accumulated Depreciation)	(1,101,804,401) Sch II-B-5, pg 2, line 44, col (m)
3	Net Plant In Service	3,176,419,841 Lines 3&4 total \$3,258,410,729 (see line 8 of Settlement TCOS Schedule)
4	Allocated Plant Accounts - Net *	79,990,888
5	Working Capital *	(1,116,975)
6	Plant Held for Future Use *	16,546,254 Sch II-B, pg 1, line 12, col (f)
7	Regulatory Assets *	17,473,874 Settlement TCOS Schedule, line 18
8	Other *	(471,262,002) Materials & Supplies 52,348,621 Sch II-B, line 14, col (f)
9	Subtotal	(358,367,961) Prepayments 451,686 Sch II-B, line 16, col (f)
10	Total Rate Base	\$ 2,818,051,880 Other Rate Base Items (4,681,857) Sch II-B, line 17, col (f)
11	Rate of Return	8.11% Accum Deferred FIT (519,380,452) Sch II-B, line 19, col (f)
12	Return On Rate Base	\$ 228,480,237 Total (471,262,002)
		* Same as last TCOS Settlement TCOS Schedule, lines 23-27

**ONCOR ELECTRIC DELIVERY COMPANY LLC**  
**Interim Update of Wholesale Transmission Cost of Service**  
**Transmission Plant**  
**Test Year Ended June 30, 2010**  
**Sponsor: J. Michael Sherburne**

Line No.	Acct. No.	Account Description	Schedule / Workpaper Reference	Balance Approved per Docket 38929 Final Order (1)	
		<b>Transmission Plant</b>			
1	A350	Land and Land Rights	WP/Schedule B-1/1	\$ 269,423,481	Sch II-B-1, page 2, lines 9+10, col (m)
2	A352	Structures and Improvements	WP/Schedule B-1/1	138,930,226	Sch II-B-1, page 2, line 11, col (m)
3	A353	Station Equipment	WP/Schedule B-1/1	1,313,015,463	Sch II-B-1, page 2, line 12, col (m)
4	A354	Towers and Fixtures	WP/Schedule B-1/1	505,905,311	Sch II-B-1, page 2, line 13, col (m)
5	A355	Poles and Fixtures	WP/Schedule B-1/1	757,534,869	Sch II-B-1, page 2, line 14, col (m)
6	A356	O. H. Conductors & Devices	WP/Schedule B-1/1	920,846,028	Sch II-B-1, page 2, line 15, col (m)
7	A357	Underground Conduit	WP/Schedule B-1/1	47,029,543	Sch II-B-1, page 2, line 16, col (m)
8	A358	Underground Conductors	WP/Schedule B-1/1	60,680,266	Sch II-B-1, page 2, line 17, col (m)
9	A359	Roads and Trails	WP/Schedule B-1/1	0	
10		<b>Total Transmission Plant</b>		<b>4,013,365,187</b>	Sch II-B-1, page 2, line 20, col (m)
		<b>Distribution Plant</b>			
11	A360	Land and Land Rights (above 60 kV)	WP/Schedule B-1/1	13,888,662	Sch II-B-1, page 4, lines 23+37, col (m)
12	A361	Structures and Improvements (above 60 kV)	WP/Schedule B-1/1	20,590,037	Sch II-B-1, page 4, line 24, col (m)
13	A362	Station Equipment (above 60 kV)	WP/Schedule B-1/1	230,380,356	Sch II-B-1, page 4, line 25, col (m)
14		<b>Total Distribution Plant</b>		<b>264,859,055</b>	Sch II-B-1, page 4, line 39, col (m)
15		<b>Total Transmission Plant in Service - Gross</b>	Schedule B	<b>\$ 4,278,224,242</b>	Sch II-B-1, page 4, line 42, col (m)

**ONCOR ELECTRIC DELIVERY COMPANY LLC**  
**Interim Update of Wholesale Transmission Cost of Service**  
**Accumulated Depreciation**  
**Test Year Ended June 30, 2010**  
**Sponsor: J. Michael Sherburne**

Line No.	Acct. No.	Account Description	Schedule / Workpaper Reference	Balance Approved per Docket 38929 Final Order (1)
		<b>Accumulated Depreciation</b>		
		<b>Transmission Plant</b>		
1	A350	Land and Land Rights		\$ 40,657,087
2	A352	Structures and Improvements		31,725,776
3	A353	Station Equipment		230,933,209
4	A354	Towers and Fixtures		161,214,614
5	A355	Poles and Fixtures		235,581,668
6	A356	O. H. conductors & Devices		301,677,492
7	A357	Underground Conduit		8,948,342
8	A358	Underground Conductors		14,815,707
9	A359	Roads and Trails		-
10		<b>Total Transmission Plant</b>		1,025,553,895
		<b>Distribution Plant</b>		
11	A360	Land and Land Rights (above 60 kV)		18,098
12	A361	Structures and Improvements (above 60 kV)		8,560,324
13	A362	Station Equipment (above 60 kV)		67,672,084
14		<b>Total Distribution Plant</b>		76,250,506
15		<b>Total Transmission Accumulated Depreciation</b>	Schedule B	\$ 1,101,804,401

**ATTACHMENT 2**

**EXHIBIT B**

## EXHIBIT B

PUC DOCKET NO. 38929  
SOAH DOCKET NO. 473-11-2330

APPLICATION OF ONCOR ELECTRIC § BEFORE THE  
DELIVERY COMPANY LLC FOR § PUBLIC UTILITY COMMISSION  
AUTHORITY TO CHANGE RATES § OF TEXAS

### ORDER

On January 7, 2011, Oncor Electric Delivery Company LLC (Oncor or Company) filed an application for authority to change rates pursuant to Public Utility Regulatory Act (PURA)<sup>1</sup> § 36.102. Oncor requested a base rate increase of approximately \$353 million, which is approximately 12.6% over adjusted test-year revenues (or \$441 million and 16.2% if approved or pending transmission cost of service (TCOS) and transmission cost recovery factor (TCRF) adjustments to the test year are excluded from the adjustments to test-year revenues (and thus included in proposed base rates)). The application is based on a test year consisting of the 12-month period ending June 30, 2010, with February 14, 2011 as the proposed effective date for rates. In Order No. 1, the State Office of Administrative Hearings (SOAH) administrative law judges (ALJs) suspended the proposed effective date of the tariff changes for 150 days, until July 14, 2011, to allow sufficient time for a final determination. At the January 28, 2011 Prehearing Conference, Oncor agreed to extend the Commission's jurisdictional deadline to July 31, 2011.

On May 11, 2011, Commission Staff, Oncor, and certain other parties filed a Stipulation (Stipulation) resolving all issues in this proceeding. All other parties not joining in the Stipulation have agreed not to oppose it. Oncor's application, as modified by the Stipulation, is approved. Consistent with all of the terms of the Stipulation, the Commission adopts the following findings of fact and conclusions of law:

#### **I. Findings of Fact**

##### **Introduction and Procedural History**

1. Oncor is an investor-owned electric utility within the Electric Reliability Council of Texas (ERCOT) system.
2. Oncor owns and operates facilities used to transmit and distribute electricity in the northeast to central and west Texas, including the Dallas-Fort Worth Metroplex area. Oncor delivers

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<sup>1</sup> Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (Vernon 2007 & Supp. 2010).

electricity to more than three million wholesale and retail customers in 401 cities and 91 counties in Texas through one of the largest integrated electric systems in the United States and the largest in Texas.

3. On January 7, 2011, Oncor filed its application with the Commission for authority to increase its transmission and distribution rates to achieve an increase in revenue of approximately \$353 million over adjusted test-year revenues, or approximately a 12.6% increase over adjusted test-year revenues.
4. Oncor provided individual notice of its application to Commission Staff and the Office of Public Utility Counsel (OPC) on January 7, 2011.
5. Concurrent with its filing with the Commission, Oncor filed a similar petition and statement of intent with each incorporated city in its service area that has original jurisdiction over its retail distribution rates.
6. Oncor provided notice by publication once a week for four consecutive weeks before the effective date of the proposed rate change in newspapers having general circulation in each county in Oncor's service territory.
7. On January 7, 2011, Oncor provided notice to all municipalities in Oncor's service area with original jurisdiction by sending a copy of Oncor's petition and statement of intent.
8. Oncor timely provided each party in Oncor's last application to change rates, *Application of Oncor Electric Delivery LLC for Authority to Change Rates*, Docket No. 35717, the complete rate filing package (RFP) and CD either by hand delivery or overnight delivery.
9. On January 7, 2011, Oncor mailed notice of its petition and statement of intent to all retail electric providers currently certificated by the Commission and to all entities listed in the Commission's transmission matrix in Docket No. 38900.
10. The Commission referred this proceeding to SOAH on January 10, 2011. On February 8, 2011, the Commission issued its Preliminary Order setting forth the issues to be addressed in this proceeding.
11. On March 2, 2011, the Commission issued a Supplemental Preliminary Order stating that the issue of whether the direct assignment of costs for wholesale customers is appropriate should not be addressed in this proceeding.
12. Commission Staff participated in this docket. In addition, the following entities were granted intervenor status in this proceeding: OPC; State agencies and institutions of higher

education (State Agencies); Texas Industrial Energy Consumers (TIEC); the Steering Committee of Cities Served by Oncor (Cities); Alliance of Oncor Cities (AOC); Wal-Mart Stores Texas, LLC and Sam's East, Inc. (Walmart); The Kroger Co. (Kroger); Reliant Energy Retail Services, LLC; CenterPoint Energy Houston Electric, LLC; the Alliance for Retail Markets; Nucor Steel - Texas; TXU Energy Retail Company LLC; Texas Energy Association for Marketers; Environmental Defense Fund; Brazos Electric Power Cooperative Inc.; Tex-La Electric Cooperative of Texas, Inc.; Rayburn Country Electric Cooperative, Inc.; IBEW Local 69; and Texas Cotton Ginners' Association & St. Lawrence Cotton Growers' Association.

13. Oncor filed timely appeals with the Commission of the rate ordinances of various municipalities exercising original jurisdiction within Oncor's service territory. All such appeals were consolidated for determination in this proceeding.
14. By Order No. 4, filed February 24, 2011, the SOAH ALJs granted Oncor's unopposed motion to sever issues related to recovery of rate case expenses from this docket into a separate docket. The severed matter was assigned *Application of Oncor Electric Delivery Company LLC for Rate Case Expenses Severed from PUC Docket No. 38929, SOAH Docket No. 473-11-2330*, Docket No. 39239 (pending).
15. Oncor's application is based on the test year ending June 30, 2010.
16. Oncor's proposed effective date of February 14, 2011 for the proposed rates was suspended by the SOAH ALJs for 150 days, until July 14, 2011, to allow sufficient time for a final determination. At the January 28, 2011 Prehearing Conference, Oncor agreed to extend the proposed effective date to March 3, 2011, and thus extend the Commission's jurisdictional deadline to July 31, 2011.
17. On April 8, 2011, Oncor announced that it and certain parties had reached an agreement in principal to settle all issues regarding Oncor's application and moved to abate the procedural schedule to finalize the settlement.
18. By Order No. 12, filed April 11, 2011, the SOAH ALJs granted Oncor's unopposed motion to abate the procedural schedule. By Order No. 15, filed April 29, 2011, the SOAH ALJs granted Oncor's unopposed motion to cancel the hearing on the merits.
19. On May 11, 2011, the following parties filed an Unopposed Joint Motion to: Admit Affidavit of Notice, Stipulation, and Supporting Testimony in Evidence; Approve Interim

Rates; and Remand to the Commission for Review and Approval of Stipulation, Proposed Final Order, and Tariffs (Joint Motion): Oncor; Commission Staff; OPC; State Agencies; TIEC; Cities; AOC; Walmart; and Kroger (collectively, Signatories). All other parties that have not joined in the Stipulation have agreed that they do not and will not oppose it, and all parties have waived their right to a hearing and to conduct cross-examination in this proceeding.

20. By Order No. \_\_, filed May \_\_, 2011, the SOAH ALJs approved interim/temporary rates consistent with the Stipulation effective July 1, 2011, pursuant to PURA § 36.109 and Commission Procedural Rule 22.125, should permanent rates not be approved and in effect by that date.
21. By Order No. \_\_, filed May \_\_, 2011, the SOAH ALJs granted the Joint Motion, admitting into evidence the following: (a) Oncor's Affidavit Attesting to the Provision of Notice (including attachments) filed on March 2, 2011; (b) the Stipulation; (c) the Supplemental Direct Testimony in Support of Stipulation of Stephen N. Ragland; and (d) the Supplemental Direct Testimony in Support of Stipulation of J. Michael Sherburne. By the same order, this proceeding was returned to the Commission for review and approval of the Stipulation and related tariffs (Tariffs).

#### **The Stipulation**

##### *Base Rate Revenue Increase and Related Matters*

22. Consistent with the Stipulation, the Signatories agreed that Oncor's total base rate revenue requirement will be increased by \$136,722,048 over current rate revenues (which include post-test year TCOS and TCRF adjustments), resulting in a total cost of service of \$2,945,899,486. Consistent with the Stipulation, the Signatories also developed rates for each customer class that results in a change in rates for each customer class as reflected in Exhibit A to the Stipulation. The calculated rates have been incorporated in the Tariffs attached to this Order.
23. Oncor's Weighted Average Cost of Capital ("WACC") shall be 8.14% based upon a 6.73% Cost of Debt, an authorized Return on Equity ("ROE") of 10.25%, and an authorized regulatory capital structure of 60% long-term debt and 40% equity. The foregoing WACC, Cost of Debt, ROE, and capital structure will apply, in accordance with PURA and Commission rules, in all Commission proceedings or Commission filings requiring

application of Oncor's Cost of Debt, WACC, ROE, or capital structure to the same extent as if these factors had been determined in a final order in a fully-litigated proceeding.

24. A 10.25% ROE will allow Oncor a reasonable opportunity to earn a reasonable return on its capital investment.
25. Consistent with the Stipulation, the Signatories agreed that all Oncor investment through the end of the test year, as presented in Oncor's RFP, is prudent and includable in rate base. A determination of prudence regarding Oncor's investment made after June 30, 2010 (whether now in rates through interim TCOS and TCRF or non-TCOS in nature) will be reserved until Oncor's next general base rate case. This provision does not waive the rights of certain parties to continue their appeals of Docket No. 35717<sup>2</sup> with respect to the prudence of certain automated meters. This provision also does not apply to investment subject to recovery through the Advanced Metering System (AMS) surcharge approved in Docket No. 35718.<sup>3</sup> Consistent with the Stipulation, the Signatories agreed that Oncor's total rate base as of June 30, 2010 is \$8,098,414,835.
26. Consistent with the Stipulation, and to reflect the opinion of the District Court in the Docket No. 35717 appeal and the Commission's recent decision in Docket No. 38339,<sup>4</sup> Oncor will:
  - a. Increase franchise fees to the contractual annual amount, to begin within 60 days after entry of a final order in this proceeding or July 1, 2011, whichever is later, but in any event retrospective to July 1, 2011. With the exception of Commission Staff, the Signatories agreed that the Stipulation resolves all outstanding appeals relating to municipal franchise fees in Docket No. 35717. Commission Staff takes no position on that issue or on Ordering Paragraph No. 4 in this Order; and
  - b. Within 60 days of the date of this Order, pay the municipalities in its service territory retrospective franchise fees (calculated from the date that the rates approved in Docket No. 35717 went into effect through July 1, 2011) and rate case expenses (through July 1, 2011) and recover those amounts, plus Oncor's rate case expenses balance (through July

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<sup>2</sup> *Application of Oncor Electric Delivery Company LLC for Authority to Change Rates*, Docket No. 35717, Order on Rehearing (Nov. 30, 2009).

<sup>3</sup> *Oncor Electric Delivery Company LLC's Request For Approval Of Advanced Metering System (AMS) Deployment Plan And Request For Advanced Metering System (AMS) Surcharge*, Docket No. 35718, Order (Aug. 28, 2009).

<sup>4</sup> *CenterPoint Energy Houston Electric, LLC for Authority to Change Rates*, Docket No. 38339.

1, 2011) over three years in a separate surcharge with no carrying charges. This surcharge will be set as part of this settlement to include that portion of the surcharge related to retrospective franchise fees, will be revised consistent with the final order in Docket No. 39239<sup>5</sup> to include that portion of the surcharge related to rate case expenses, will be called the Regulatory Surcharge rider (Rider RS), and will be in addition to the rates set in this Docket No. 38929. Rate case expenses incurred after July 1, 2011 will be captured in a regulatory asset and preserved for recovery consideration in Oncor's next general base rate case.

27. Consistent with the Stipulation, the total amount of retrospective franchise fees, through July 2, 2011, plus interest at the Commission-established rate, is \$21,848,230. Rider RS included in the proposed Tariffs currently includes only these amounts for retrospective franchise fees. The Signatories agreed that the issue of the appropriate level of rate case expenses shall be resolved in Docket No. 39239, where that issue is currently pending. Once the Commission has issued an order approving the level of rate case expenses to be recovered, Oncor will make a compliance filing with the Commission to adjust Rider RS to include the approved rate case expenses. The Signatories agreed that the allocation factors to be used for Rider RS are reflected in the Supplemental Direct Testimony in Support of Stipulation of J. Michael Sherburne at Exhibit JMS-SD-3. Rider RS will take effect January 1, 2012
28. Consistent with the Stipulation, the Signatories agreed that the transmission cost of service shall be set as reflected in Exhibit A to the Stipulation and incorporated in the Tariffs attached to this Order.
29. Consistent with the Stipulation, Oncor will reinstate Rider SCUD without passing on any revenue shortfall to customers. If subsequent legislation eliminates or changes Rider SCUD, or upon a final, non-appealable court order that Rider SCUD is not applicable under current law, Oncor will change or eliminate the Rider SCUD discount consistent with any such legislation or court order. If Rider SCUD is changed or eliminated, any such change or elimination shall take effect prospectively following the effective date of applicable

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<sup>5</sup> Application of Oncor Electric Delivery Company LLC for Rate Case Expense Severed from PUC Docket No. 38929, SOAH Docket No. 473-11-2330, Docket No. 39239 (pending).

legislation or the issuance of a mandate by the court of last resort. No surcharge will be implemented or applied to recoup any Rider SCUD discount.

30. Consistent with the Stipulation, costs shall be allocated among the customer classes consistent with Exhibit A to the Stipulation. The Signatories agreed to the rate design and tariff language as proposed by Oncor in its RFP [which includes (1) eliminating the Transmission System Charge and thereby recovering all of Oncor's transmission expense through its TCRF as provided for in proposed Rider TCRF, and (2) modifications to the ratchet provisions in the Secondary >10 kW Class], subject to the following changes:
  - a. For TCRF, Oncor will use the 2010 unadjusted 4CP figures instead of the 2009 adjusted 4CP figures. The 2010 unadjusted 4CP figures are detailed in the Supplemental Direct Testimony in Support of Stipulation of J. Michael Sherburne at Exhibit JMS-SD-1; and
  - b. Changes to the tariff language, which have been as reflected in the Tariffs attached to this Order.

*Accounting Matters/Effective Dates for Rates and Riders*

31. Consistent with the Stipulation, Oncor will use the depreciation rates it proposed in its direct case in this proceeding. Those rates are the same as the rates approved in Docket No. 35717, with the exception that there is an increase in the depreciation rate for intangible plant assets, which increase is reflected in the agreed total annual cost of service. The new agreed annual amortization rate for Account 303 (intangible plant) is 12.56%.
32. Consistent with the Stipulation, the amount of meter-reading costs and ad valorem taxes included in Oncor's new rates, to the extent those costs are related to meters that are being replaced pursuant to Oncor's approved AMS Deployment Plan, are as follows:
  - a. Meter-reading costs – \$15,785,691; and
  - b. Ad valorem taxes – \$1,322,281.
33. Consistent with the Stipulation, Oncor will amortize its total regulatory asset balance as of June 30, 2010, as presented in the Company's RFP, which includes old (the net unamortized amount of what was approved in Docket No. 35717) and new [additional since Docket No. 35717 balances for self-insurance or "storm" reserve and pension/other postretirement benefits (OPEB)], over eight (8) years, with such revised amortization to begin on January 1, 2012. The amount of the new annual amortizations are as follows:
  - a. Self-insurance reserve – \$31,514,420 (\$252,115,362 balance / 8 years);

- b. Pensions – \$9,113,738 (\$72,909,900 balance / 8 years); and
- c. OPEBs – \$6,921,963 (\$55,375,706 balance / 8 years).

Until January 1, 2012, Oncor will continue the amortizations of its regulatory asset balances at the levels approved in Docket No. 35717. Oncor will continue annual accruals for pensions, OPEBs, and the self-insurance reserve at the levels approved in Docket No. 35717.

34. Consistent with the Stipulation, Oncor shall phase-in rates as follows:
  - a. A \$93,722,048 million base rate revenue increase to be effective the later of thirty (30) days after this Order is signed, or July 1, 2011 (Phase I Tariffs);
  - b. A \$43 million base rate revenue increase effective January 1, 2012 (Phase II Tariffs);
  - c. A Regulatory Surcharge effective January 1, 2012 (Rider RS); and
  - d. All new amortizations (self-insurance reserve and pensions/OPEBs) beginning January 1, 2012.

*Other Matters*

35. Consistent with the Stipulation, Oncor will not file a general base rate case before July 1, 2013; provided that, Oncor has no obligation to file a rate case on that or any other date, and Oncor is entitled to file interim rate updates and adjust rates as allowed by Texas law and Commission rules, including, but not limited to, interim TCOS updates, TCRF updates, Energy Efficiency Cost Recovery Factor updates, AMS Surcharge filings, and other investment or cost updates that may exist now or in the future as a result of legislative or Commission action. Nothing in this paragraph is intended to limit the ability of a regulatory authority to initiate an Oncor rate case at any time.
36. Consistent with the Stipulation, the Signatories agreed that the terms of the Stipulation are fair, reasonable, and in the public interest and agreed to support the prompt adoption of a final order in this docket consistent with the Stipulation and to defend the terms of the Stipulation.
37. Consistent with the Stipulation, the Signatories agreed that the Stipulation is binding on each of the Signatories only for the purpose of settling the issues as set forth herein and for no other purposes. The matters resolved herein are resolved on the basis of a compromise and settlement. Except to the extent that the Stipulation expressly governs a Signatory's rights and obligations for future periods, the Stipulation shall not be binding or precedential

on a Signatory outside of this proceeding except for a proceeding to enforce the terms of the Stipulation. The Signatories agreed that a Signatory's support of the resolution of this docket in accordance with the Stipulation may differ from its position or testimony regarding contested issues of law, policy, or fact in other proceedings before the Commission or other forum. A Signatory is under no obligation to take the same position as set out in the Stipulation in other proceedings not referenced in the Stipulation whether those dockets present the same or a different set of circumstances. A Signatory's agreement to entry of a final order of the Commission consistent with the Stipulation should not be regarded as an agreement to the appropriateness or correctness of any assumptions, methodology, or legal or regulatory principle that may have been employed in reaching the Stipulation.

*Commission Approval*

38. Considered in light of Oncor's requested rate increase, and that the Signatories had developed testimony taking positions significantly different from Oncor's pre-filed testimony, the Stipulation is the result of compromise from each party, and these efforts, as well as the overall result of the Stipulation viewed in light of the record evidence as a whole, support the reasonableness and benefits of the terms of the Stipulation.
39. The Stipulation, taken as a whole, is a just and reasonable resolution of the issues, results in just and reasonable rates, is supported by a preponderance of the evidence, is consistent with the relevant provisions of PURA, is in the public interest, and should be approved.

**II. Conclusions of Law**

1. Oncor is an electric utility as defined by PURA § 31.002, and, therefore, it is subject to the Commission's jurisdiction under PURA §§ 14.001, 32.001, 33.001, 33.002, 33.051, 35.004, and 36.102.
2. Oncor is a transmission and distribution utility as defined in PURA § 31.002(19).
3. SOAH exercised jurisdiction over this docket pursuant to PURA § 14.053 and TEX. GOV'T CODE ANN. § 2003.049.
4. Oncor provided adequate notice of this proceeding in accordance with PURA § 36.103 and P.U.C. PROC. R. 22.51.

5. Pursuant to PURA § 33.001, each municipality in Oncor's service area that has not ceded jurisdiction to the Commission has jurisdiction over the Company's application, which seeks to change rates for distribution services within each municipality.
6. The Commission has jurisdiction over an appeal from a municipality's rate proceeding pursuant to PURA § 33.051.
7. This docket was processed in accordance with the requirements of PURA, the Administrative Procedure Act, TEX. GOV'T CODE ANN. Chapter 2001, and Commission rules.
8. PURA § 36.651 does not require Oncor to provide a 20% discount to four-year state universities, upper-level institutions, Texas State Technical colleges, or colleges. Because Oncor has elected to provide this discount, it may not recoup the lost revenue by charging higher rates to other customer classes. *See* PURA § 36.007.
9. The affiliate expenses included in Oncor's rates under the Stipulation are consistent with the requirements of PURA § 36.058.
10. The self-insurance reserve provided for in the Stipulation is in compliance with PURA § 36.064 and Commission Substantive Rule 25.231(b)(1)(G).
11. Oncor's WACC of 8.14% based upon a 6.73% Cost of Debt, an authorized ROE of 10.25%, and an authorized regulatory capital structure of 60% long-term debt and 40% equity are consistent with the requirements of PURA §§ 36.051 and 36.052.
12. Oncor's overall revenues approved in this proceeding permit Oncor a reasonable opportunity to earn a reasonable return on its invested capital that is used and useful in providing service to the public in excess of its reasonable and necessary operating expenses in compliance with PURA § 36.051.
13. Oncor's rates, as approved in this proceeding, are just and reasonable in accordance with PURA § 36.003.

### **III. Ordering Paragraphs**

In accordance with these findings of fact and conclusions of law, the Commission issues the following order:

1. The Stipulation is approved, and Oncor's application, as modified by the Stipulation, is approved.
2. Oncor's Tariffs attached to this Order are approved.

3. Within ten days of this Order being signed, Oncor shall file new tariffs identical to those that are approved in this Order with an effective date the later of 30 days after the date this Order is signed, or July 1, 2011.
4. The Office of the Attorney General is directed to forego any additional appeals with respect to the franchise fees issues from Docket No. 35717, Oncor's most recent general base rate case.<sup>6</sup>
5. The entry of this Order consistent with the Stipulation does not indicate the Commission's endorsement of any principle or methodology that may underlie the Stipulation. Entry of this Order shall not be regarded as precedent as to the appropriateness of any principle or methodology underlying the Stipulation.
6. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted, are denied.

**SIGNED AT AUSTIN, Texas on the \_\_\_\_\_ day of May, 2011.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

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**BARRY T. SMITHERMAN, CHAIRMAN**

---

**DONNA L. NELSON, COMMISSIONER**

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**KENNETH W. ANDERSON, JR., COMMISSIONER**

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<sup>6</sup> As stated in Finding of Fact No. 26(a), Commission Staff takes no position on this Ordering Paragraph No. 4.



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	June 7, 2011
Budgeted Amount:		Department/ Requestor:	Jeff Flanigan
Fund Balance-before expenditure:		Prepared by:	Carrie Smith
Estimated Cost:		Date Prepared:	June 1, 2011
Exhibits:	1) Review by City Engineer 2) Application for amended plat		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AN AMENDED PLAT  
FOR BROOKS FARMS.

### SUMMARY

### POSSIBLE ACTION

- Move to approve

Inter – Office Use			
<b>Approved by:</b>			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Carrie Smith</i>	Date:	6-3-11

**BIRKHOFF, HENDRICKS & CARTER, L.L.P.  
PROFESSIONAL ENGINEERS**

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.

GARY C. HENDRICKS, P.E.

JOE R. CARTER, P.E.

PAUL A. CARLINE, P.E.

MATT HICKEY, P.E.

ANDREW MATA, JR., P.E.

JOSEPH T. GRAJEWSKI, III, P.E.

May 9, 2011

Mr. Jeff Flanigan  
Public Works Director  
City of Parker  
5700 E. Parker Rd.  
Parker, Texas 75002

Re: Amending Plat for Lot 24R, Block A of Brooks' Farm Estates Phase II

Dear Mr. Flanigan:

We have completed our second review of the Amending Plat for Lot 24R, Block A of Brooks' Farm Estates Phase II. Our review is based on the City of Parker's Code of Ordinances and Good Engineering and Survey Practice and does not relieve the registered surveyor of his responsibilities as the Surveyor of Record with the Texas Professional Land Surveying Practices Act.

Comments made on the first review have been addressed, however the building set-back lines have been removed between the two original lots. These lines were marked on during our review process, but were not commented on in the review letter or intended to be removed and need to remain on the Amending Plat. Once the building set-back lines are replaced, we take no exceptions to the Amending Plat.

We are available to discuss this plat review further at your convenience.

Sincerely yours,



Joseph T. Grajewski, P.E.

Enclosure

"APPROVED AND ACCEPTED ON THIS DATE"



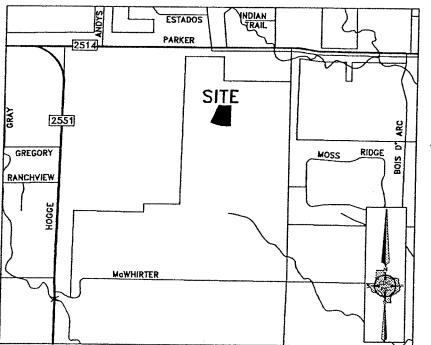
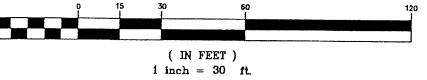
MAYOR, CITY OF PARKER, TEXAS

DATE

CITY ADMINISTRATOR, CITY OF PARKER, TEXAS

DATE

GRAPHIC SCALE



VICINITY MAP  
NOT TO SCALE

BROOKS' FARM ESTATES  
PHASE II  
LOT 23, BLOCK A  
1.56 ACRES  
VOL. 2006, PG. 690  
P.R.C.C.T.

GENERAL NOTES  
1) BASIS OF BEARINGS IS THE SOUTHEAST  
LINE OF LOT 23 PER PLAT RECORDED IN  
VOLUME 2006, PAGE 690, PLAT RECORDS,  
COLLIN COUNTY, TEXAS. (N22°30'17"E)  
2) THE REASON FOR THIS REPLIT IS TO  
COMBINE 2 LOTS TO CREATE 1 LOT FOR  
FUTURE DEVELOPMENT.  
3) NO STRUCTURES ON SUBJECT PROPERTY.  
4) NO LOT TO LOT DRAINAGE WILL BE  
ALLOWED  
5) ANY STRUCTURE NEW OR EXISTING MAY  
NOT EXTEND ACROSS NEW PROPERTY LINES.

The undersigned, the City Secretary of the City of Parker, Texas hereby certifies that the foregoing "BROOKS' FARM ESTATES PHASE II, LOT 24R, BLOCK A" an addition to the City of Parker was submitted to the City Council and approved by it on the \_\_\_\_\_ day of \_\_\_\_\_, 2011; and the Council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places, and water and sewer lines, as shown and set forth in and upon said plat, and said Council further authorized the Mayor to note the acceptance thereof by signing his/her name as hereinabove described.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

City of Parker, Texas

City Secretary

K.S. ATWAL & ASSOCIATES, INC.  
CC# 93-0038123  
D.R.C.C.T.

ELMSTEAD FARM L.C.  
VOL. 4225, PG. 2815  
D.R.C.C.T.

N89°59'43"E 163.91'

N89°48'03"E 95.08'

30' BUILDING LINE  
VOL. 2006, PG. 690  
P.R.C.C.T.

30' DRAINAGE &  
UTILITY ESM  
VOL. R, PG. 215  
P.R.C.C.T.

50' BUILDING LINE  
VOL. R, PG. 215  
P.R.C.C.T.

BROOKS' FARM ESTATES PHASE II  
LOT 24R, BLOCK A  
149,454 sq.ft.  
3.431 acres

25' BUILDING LINE  
VOL. 2006, PG. 690  
P.R.C.C.T.

N22°30'17"E  
(BASIS OF BEARINGS)

BROOKS' FARM ESTATES  
PHASE II  
LOT 24, BLOCK A  
1.75 ACRES  
VOL. 2006, PG. 690  
P.R.C.C.T.

25' BUILDING LINE  
VOL. 2006, PG. 690  
P.R.C.C.T.

N01°26'09"E 424.77'

BROOKS' FARM ESTATES  
PHASE I  
LOT 25, BLOCK A  
1.74 ACRES  
VOL. R, PG. 215  
P.R.C.C.T.

25' BUILDING LINE  
VOL. R, PG. 215  
P.R.C.C.T.

N01°26'09"E 424.77'

50' BUILDING LINE  
VOL. 2006, PG. 690  
P.R.C.C.T.

30' DRAINAGE &  
UTILITY ESM  
VOL. 2006, PG. 690  
P.R.C.C.T.

CM  
82.77'

POINT OF  
BEGINNING

R=70.00' L=346.51'  
D=25°47'03"  
CH=N80°23'15"W 343.60'  
R=2760.00' L=88.86'  
D=01°50'41"  
CH=S87°38'33"W 88.86'

OVERBROOK DRIVE  
60' R.O.W.

STATE OF TEXAS  
COUNTY OF COLLIN

WHEREAS John A. Sunny and Elizabeth John are the owners of two tracts of land situated in the Richard Sparks Survey, Abstract No. 850 in the City of Parker, Collin County, Texas, and being all of Lots 24 and 25, Block A, Brooks' Farm Estates Phase II, an addition to the City of Parker, Collin County, Texas, according to the plat thereof recorded in Volume 2006, Page 690, Plat Records, Collin County, Texas, same being conveyed to John A. Sunny and Elizabeth John by Warranty Deed recorded in Document No. 20110121000083420, and General Warranty Deed recorded in Document No. 2011012000078610, Official Public Records, Collin County, Texas, and being more particularly described by metes and bounds as follows;

Beginning at a 1/2 inch iron rod found for corner, and being the South corner of Lot 23 of said Brooks' Farm Estates Phase II, and being in the North line of Overbrook Drive (a 60 foot right-of-way);

Thence North 22 Degrees 30 Minutes 17 Seconds East, along the Southeast line of said Lot 23, a distance of 411.94 feet to a 1/2 inch iron rod found for corner, and being the Northeast corner of said Lot 23, and being in the South line of a tract of land conveyed to K.S. Atwal & Associates, Inc. by deed recorded in County Clerk's File No. 93-0038123, Deed Records, Collin County, Texas;

Thence North 89 Degrees 59 Minutes 43 Seconds East, along the South line of said K.S. Atwal & Associates, Inc. tract, a distance of 163.91 feet to a 1/2 inch iron rod found for corner, and being the Southeast corner of said K.S. Atwal & Associates, Inc. tract, and being the Southwest corner of a tract of land conveyed to Elmstead Farm L.C. by deed recorded in Volume 4225, Page 2815, Deed Records, Collin County, Texas;

Thence North 89 Degrees 48 Minutes 03 Seconds East, along the South line of said Elmstead Farm L.C. tract, a distance of 95.08 feet to a 1/2 inch iron rod found for corner, and being the Northwest corner of Lot 27, Block A, Brooks' Farm Estates Phase I, an addition to the City of Parker, Collin County, Texas, according to the plat thereof recorded in Volume R, Page 215, Plat Records, Collin County, Texas;

Thence South 01 Degrees 26 Minutes 09 Seconds East, along the Southwest line of said Lot 27, a distance of 434.77 feet to a 1/2 inch iron rod found for corner, said point being in the North line of said Overbrook Drive, said point being in a non-tangent curve to the left having a radius of 2760.00 feet, and a delta of 01 Degrees 50 Minutes 41 Seconds, and a chord that bears South 87 Degrees 38 Minutes 33 Seconds West, a distance of 88.86 feet;

Thence along the North line of said Overbrook Drive and along said curve to the left an arc length of 88.86 feet to a 1/2 inch iron rod found for corner, said point being in a tangent curve to the right having a radius of 770.00 feet, and a delta of 25 Degrees 47 Minutes 03 Seconds, and a chord that bears North 80 Degrees 23 Minutes 15 Seconds West, a distance of 343.60 feet;

Thence continuing along the North line of said Overbrook Drive and along said curve to the right an arc length of 346.51 feet to the Point of Beginning and containing 149,454 square feet or 3.431 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That John A. Sunny and Elizabeth John, do hereby adopt this plat, designating the herein described property as BROOKS' FARM ESTATES PHASE II, LOT 24R, BLOCK A, an addition to the City of Parker, Collin County, Texas, and do hereby dedicate the City of Parker, Texas for the public use forever the streets and alleys shown thereon and does hereby reserve the easement strips shown on this plat for the mutual use and accommodation of the City of Parker and all public utility desiring to use or using the same. The City of Parker, Texas or any public utility shall have the right to remove and keep removed all parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, the City of Parker maintenance or efficiency of its respective system on any of these easement strips and any public utility shall at all times have the full right of ingress and egress to or from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Parker, Texas.

WITNESS, my hand at Dallas, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

BY: John A. Sunny

STATE OF TEXAS  
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day appears John A. Sunny known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Notary Public in and for Dallas County, Texas.

WITNESS, my hand at Dallas, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

BY: Elizabeth John

STATE OF TEXAS  
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day appears Elizabeth John known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Notary Public in and for Dallas County, Texas.

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS: That I, Bryan Connally, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I have prepared this plat from an actual accurate survey of the land, and that the location of all rights-of-way, easements and other matters of record affecting the property are correctly shown, and that all monuments shown thereon actually exist, and that their location, size and material description are correctly shown, in accordance with the subdivision regulations of the City of Parker.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

RELEASED 05/04/11 FOR REVIEW PURPOSES ONLY. THIS

DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Bryan Connally  
Texas Registered Professional Land Surveyor No. 5513

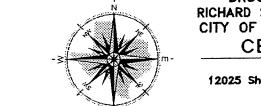
STATE OF TEXAS  
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Bryan Connally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Notary Public in and for the State of Texas

OWNER: JOHN A. SUNNY AND  
ELIZABETH JOHN  
806 CASCADES DRIVE  
ALLEN, TX 75002  
P 972-390-9808



AMENDING PLAT  
BROOKS' FARM ESTATES PHASE II  
LOT 24R, BLOCK A  
149,454 SQ.FT. / 3.431 ACRES  
BEING A REPLIT OF LOTS 24 AND 25, BLOCK A,  
BROOKS' FARM ESTATES PHASE II  
RICHARD SPARKS SURVEY, ABSTRACT NO. 850  
CITY OF PARKER, COLLIN COUNTY, TEXAS  
CBG Surveying, Inc.

PLANNING • SURVEYING  
12025 Shiloh Road • Suite 230 • Dallas, Texas 75228  
P 214-346-9485 • F 214-349-2216  
www.cbgdw.com

SCALE: 1"=30' / DATE: 3/25/2011 / JOB NO. 1100592-1 / DRAWN BY: RR



## DEVELOPMENT APPLICATION

RECEIVED

MAY 17 2011

by CITY SECRETARY  
CITY OF PARKER

Proposed Name of Subdivision: \_\_\_\_\_

Plat Approval Requested	Filing Fee	Filing Fee
<input type="checkbox"/> Preliminary Plat	\$800.00 + \$30/acre	<input type="checkbox"/> Final Plat \$800.00 + \$30/acre
<input type="checkbox"/> Site Plan	\$300.00 + \$25/acre	<input type="checkbox"/> Minor Plat (5 acres or less) \$500.00 + \$100/lot
<input checked="" type="checkbox"/> Replat/Amended	\$500.00 plus \$15/lot	<input type="checkbox"/> Development Plat \$300.00 + \$30/acre

Physical Location of Property: 8607 OVERBROOK DR, PARKER, TX 75002  
(Address and General Location – Approximate distance to the nearest existing street corner)

Brief Legal description of Property (must attach accurate metes and bound description to application):

(Survey/Abstract No. and Tracts: or platted Subdivision Name with Lot/Block)

Acreage: \_\_\_\_\_ Existing # of Lots/Tracts: 2 Existing Zoning: \_\_\_\_\_  
(If a PD, include the Ordinance with application)

Property Owner's Name: JOHN SUNNY Phone Number: 972-390-9808

Applicant/Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Company Name: \_\_\_\_\_  
Street/Mailing Address: 806 CASCADES DR City: ALLEN State: TX Zip: 75002

Phone: 972-390-9808 Fax: \_\_\_\_\_ Email Address: JOHN.SUNNY@YAHOO.COM

Engineering Company: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_  
Street/Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

\*\* READ BEFORE SIGNING BELOW: If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required.

STATE OF TEXAS ) (

COUNTY OF COLLIN ) (

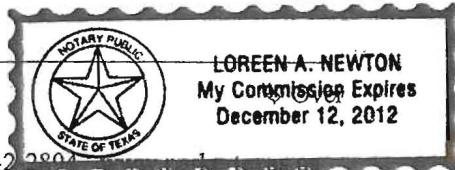
BEFORE ME, a Notary Public, on this day personally appeared JOHN SUNNY  
the undersigned applicant, who, under oath, stated the following "I hereby certify that I am the owner, or duly  
authorized agent of the owner, (Proof must be attached, e.g. "Power of Attorney") for the purposes of this  
application; that all information submitted herein is true and correct. I understand that submitting this  
application does not constitute approval, and incomplete applications will result in delays and possible denial."

A. B. S.

Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 17 day of May, 2011.

Notary Public in and for the State of Texas: LOREEN A. NEWTON



**\*\* READ BEFORE SIGNING BELOW:** If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required.

STATE OF TEXAS ) (

COUNTY OF COLLIN ) (

BEFORE ME, a Notary Public, on this day personally appeared E LIZABETH JOHN the undersigned applicant, who, under oath, stated the following "I hereby certify that I am the owner, or duly authorized agent of the owner, (**Proof must be attached, e.g. "Power of Attorney"**) for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."

E LIZABETH JOHN  
\_\_\_\_\_  
Owner  Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 17 day of May, 2011.

Notary Public in and for the State of Texas: Loreen A. Newton



City of Parker \* 5700 E. Parker Road, Parker, Texas 75002 972-442-6811 Fax 972-442-2894 [www.parkertexas.us](http://www.parkertexas.us)

## WAIVER OF EXPEDITION

I HEREBY WAIVE MY RIGHTS TO APPROVAL THROUGH LACK OF CITY ACTION ON THE ABOVE REFERENCED PLAT WITHIN THE TIME FRAMES SET FORTH IN 212.009, TEXAS LOCAL GOVERNMENT CODE AND I AGREE THE PLAT SUBMITTED WILL BE APPROVED ONLY BY AFFIRMATIVE COUNCIL ACTION.

### APPLICANT:

A. Sunny  
(Signature)  
Name: JOHN SUNNY

Title: \_\_\_\_\_

Phone: 972-390-9808

Address: 806 CASCADIA DR  
ALLEN, TX 75002

Date: 5/17/2011

Corporation;  Partnership;  
 Individual; or  
 Other (description) \_\_\_\_\_

### CITY OF PARKER:

#### RECEIVED BY:

J. May  
(Signature)  
Name: JEFF FIANI-JAY

Title: \_\_\_\_\_

Date: 5-17-11



RECEIVED  
2011-05-17 09:34:22  
2011-05-17 09:34:22  
2011-05-17 09:34:22

City of Parker  
Cashier asystadmin  
At Front Desk

5/17/11 9:34am 5700

From: JOHN SUNNY  
8607 OVERBROOK  
PARKER  
TX, 75002

DR Filing Fees 530.00  
JOHN SUNNY

Receipt total 530.00

CHECK 1058 530.00

Change Due 0.00

Thank You and Have a Nice  
Day

Replat to combine 2 lots into one  
residential lot in Brooks farms. 28

RECEIVED

MAY 17 2011

by CITY SECRETARY  
CITY OF PARKER



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	June 7, 2011
Budgeted Amount:		Department/ Requestor:	Parks and Rec
Fund Balance-before expenditure:		Prepared by:	Carrie Smith
Estimated Cost:		Date Prepared:	June 1, 2011
Exhibits:	1) Grant Application		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A PARK GRANT.

### SUMMARY

### POSSIBLE ACTION

- Move to approve
- Move to deny

Inter - Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Reedland</i>	Date:	6.2-11



**COLLIN COUNTY**

Special Projects  
825 N. McDonald St., Ste. 145  
McKinney, Texas 75069  
972-548-3744  
[www.collincountytx.gov](http://www.collincountytx.gov)

**Parks Foundation Advisory Board  
Project Funding Assistance Program  
2011 Timeline and Application Packet  
2<sup>nd</sup> Series – 2007 Bond**

<b>Friday, July 8, 2011</b>	Application Submittal Deadline (close of business)
<b>Thursday, July 14, 2011</b>	Applications provided to Parks Foundation Advisory Board for review
<b>August – September</b>	Review by Parks Foundation Advisory Board
<b>October 2011</b>	Submit Funding Recommendations to Commissioners Court

- Thoroughly read the **General Guidelines and Instructions** before completing your **Funding Application**.
- Submit original and 12 photocopies (total of 13) stapled in upper left corner, prior to the end of business on July 8, 2011.

Note:

A fillable form is available on the County website:  
<http://www.collincountytx.gov/parks/funding.jsp>

Within the fillable form, Section 4: Project Costs and Elements, can be replaced with an excel spreadsheet however please follow the format provided.

General questions can be addressed by phoning Teresa Nelson (972) 548-3744. Collin County staff is available to assist in answering any question to aid in a successful application submission.



**Collin County  
Parks & Open Space  
Project Funding Assistance Program  
Application Guidelines and Instructions**

The Project Funding Assistance Program has been in place since 1999 when the citizens approved a \$5.75 million bond proposition for Parks and Open Space. Those funds were used to create Collin County's *Parks and Open Space Strategic Plan* and assisted with the advancement of 33 projects for twenty-five different entities over a 3-year period. In 2003, the citizens approved an \$11 million bond proposition that allowed us to expand an already successful program. The 2003 funds supported the development of 45 projects for twenty-nine different entities over a 5-year period.

In November 2007, the citizens of Collin County approved a \$17 million bond proposition for Parks and Open Space. Over the next six years (2009-2015) Collin County will make these funds accessible to cities and non-profit organizations within the County.

The Project Funding Assistance Program allows qualified organizations to apply for Parks and Open Space bond funds. These funds will be allocated on a competitive application basis to assist organizations in implementation of Parks and Open Space Projects which are consistent with the *Collin County Parks and Open Space Strategic Plan* (October 2001).

Submission of this application to the Collin County Parks Foundation Advisory Board is an offer to contract with Collin County based on the terms, conditions, and specifications contained in the Application and Instructions.

Please review this application carefully, sign it where signatures are required, fill in the requested information (this is a fillable document in Microsoft Word), be concise with a sufficient level of detail to explain your proposal, and insert all required documents. The original application and 12 photocopies should be completed using Arial Font size 11, stapled upper left corner and pages numbered. Please no cover pages. Questions can be addressed by phoning (972) 548-3744. **Submit original and 12 photocopies:**

Collin County  
Special Projects  
825 N. McDonald Street, Suite 145  
McKinney, Texas 75069

**Applications received after the submittal deadline established by Commissioners Court will not be reviewed by the Parks Foundation Advisory Board.**

**SECTION 1: Applicant and Project Information**

- 1. Project Applicant Information:** This section requests general information about the Applicant. In order to be considered for funding assistance, an Applicant must be a 501(c)(3) tax-exempt organization, non-political group, or any unit of local government, including municipalities, school districts, or county located in Collin County, Texas. Faith-based organizations are eligible to apply as long as inherently religious activities, such as worship and religious instruction are not conducted.
- 2. Project Title:** Provide a Project Title.

3. **Brief Description of Purpose of Project:** Provide a brief, concise description of the purpose of your project (No more than 50 words).
4. **General Project Information:**
  - a. Please check one. **The categories are listed in priority order for funding consideration.**
  - b. **Amount of Funding Requested:** This is the amount of funding requested from the Project Funding Assistance Program for this round of funding.
  - c. **Total Project Cost:** This is the total cost of the proposed project. The applicant is required to match at minimum one dollar for every one dollar of County funds requested. For example, if \$25,000 is listed in Amount of Funding Requested (4b), the Total Project Cost (4c) must be at least \$50,000.
  - d. **Start Date of Project:** This is the start date of the project. If this is a multi-phase project this is the start date for the portion of the project that will be funded by this application. (Note: For planning purposes the project should commence within six months of the award notification, which is typically announced in October.)
  - e. **End Date of Project:** The date you plan on completing the project (i.e. submission of an itemized final accounting of expenditures to the county). Projects should be completed in a timely manner based on the scope of the project.
5. **Authorized Signature:** This section requires the signature of the Applicant. The signatory must have contract signing authority for the Applicant. By signing this document, the Applicant is certifying that the certifications, assurances, and deliverables included in this Application have been reviewed, that to the best of the Applicant's knowledge all certifications are true and correct, and that all required deliverables are included in the Application.

#### **SECTION 2: Authorized Representative**

This form allows the Applicant to designate a project representative who will be authorized to receive direction from the Collin County Parks Foundation Advisory Board and Collin County. This person will manage the work being performed, ensure that quarterly reports are submitted in a timely manner, and act on behalf of the Applicant.

#### **SECTION 3: Certifications and Assurances**

This section contains certifications and assurances the Applicant must review prior to submitting the Application materials. Certifications are required to assist Collin County in ensuring that the Applicant and the project are eligible for funding. Assurances are summaries of pertinent Interlocal or Funding Agreement requirements and ensure that the Applicant understands that there are certain obligations associated with accepting the funds. If awarded, applicants will be asked to enter into an Interlocal or Funding Agreement with Collin County which will outline provisions required for the project.

#### **SECTION 4: Project Costs and Elements**

This form allows the applicant to depict costs and elements of the proposed project. The items listed in "Requested Amount" should total the amount of funding requested in Section 1.4.b. The items listed in "Match Amount" should equal or exceed the total "Requested Amount".

Matching funds may either be direct cash, value of land to be improved, donated labor, material or in-kind services. In order to maximize cost benefits, applicants are strongly encouraged to seek matching funds from at least one other funding organization

The value of in-kind specialized services will be determined by Collin County based on the usual and customary rates and values for services proposed. For in-kind, non-specialized services Collin County will use the calculations updated annually by Independent Sector, Inc.\* as a guideline to determine the value of non-specialized volunteer time. This value is calculated from the average hourly earnings of all non-agricultural workers as determined by the U.S. Bureau of Labor Statistics and is updated annually. [http://www.independentsector.org/programs/research/volunteer\\_time.html](http://www.independentsector.org/programs/research/volunteer_time.html)

## **SECTION 5: Resolution**

A resolution must be approved by the governing body of the entity presenting this Application. A photocopy of the signed resolution must be included with the Application. This provision is applicable to all applicants.

## **SECTION 6: Project Narrative Instructions**

**The project narrative is very important.** Please be clear and concise in your narrative. All information is necessary to properly review your project. As a guide, the project narrative should be no longer than five (5) pages, single-spaced, using Arial Font size 11.

- 1. Project Description:** Describe how your project addresses recommendations made in the *Collin County Parks and Open Space Strategic Plan* (October 2001). Describe the elements for which assistance is requested. If land is to be acquired, state that fact, give acreage and how it is to be acquired (by purchase, donation, condemnation, dedication, or any combination of methods). If funding for capital improvements is requested, specify what facilities are to be built, renovated, demolished or removed. Describe if you intend to construct the improvements by contract, through force/account/in-kind services, with assistance of other governmental entities, through volunteer efforts or any combination of these methods. Describe any plans to make this an on-going program.
- 2. Objectives and Need for Project:** Briefly describe the recreational needs that are trying to be met and why they are needed. Give a brief history of the project and describe who will benefit. Explain how the project relates to current and future needs within the project service area. Please acknowledge that upon completion of the project the park or proposed improvements will be accessible to **all** Collin County residents and meet ADA compliance. Address how the project will impact the conservation of natural resources, i.e., natural areas, wetlands, open space and view sheds, areas vulnerable to development, greenbelts and linkages, environmental impact. Be sure to address any unique or innovative features, special land uses, planning, or community involvement.
- 3. Funding Mechanisms:** Explain the method(s) for financing the project include all matching funds (in-kind, donations, grants, city bonds) and relationships. Describe any relationship between the proposed project and the other work planned, anticipated or underway or previous governmental grants or assistance related to the proposed project. Describe any non-traditional funding methods. It is preferred that dollar for dollar matching funds be available at the time application is made. If not, there must be reasonable expectation of matching funds within six months from the time Commissioners Court approves funding for the project.
- 4. Project Action Plan:** Provide a detailed project action plan for completion of the proposed project. For planning purposes the project should commence within six months of the award notification, which is typically announced in October. If funded an updated action plan/project timeline will be required with the submission of each quarterly progress report.

**5. Implementation and Maintenance:** Describe who will oversee the project and who will manage the completed project area; include level of expertise and how the project will be operated and maintained. If arrangements exist (or are anticipated) for others to perform the operation, programming or maintenance describe those arrangements. Provide assurance from each contributor. Discuss operation and maintenance budget considerations.

**SECTION 7: Location Maps, Site Photos, Project Sketches, etc.**

The Applicant should provide any maps, drawings, site photos, project sketches, etc, which may be pertinent to the project.

**SECTION 8: Letters of Commitment**

The Applicant should provide letters of commitment for all services, cash, labor, equipment, materials which will be used as a match for the project.

**SECTION 9: Evidence of Non-Profit Status**

Applicants other than public agencies must provide evidence of their non-profit status with their application. Any of the following is acceptable evidence.

1. A copy of the applicant organization's listing in the Internal Revenue Service's most recent list of tax-exempt organization described in section 501(c) (3) of the IRS Code; or
2. A copy of a current valid IRS tax exemption certificate.

## **REVIEW CRITERIA**

Applications will be reviewed against the following criteria:

1. Availability of Parks and Open Space Program bond funds or other funds.
2. Elements of the proposed project that support or advance the objectives of the *Collin County Parks and Open Space Strategic Plan* (October 2001).
3. Adequacy of funds and level of commitment from other sources to cover the matching portion of funding. At **minimum** the matching ratio must be dollar for dollar. Dependent on the project proposed, a higher matching ratio may be required based on the recommendations of the Parks Foundation Advisory Board and approval by the Commissioners' Court.
4. Perception of need and benefit to the citizens of Collin County.

## **APPROVAL PROCESS**

The Parks Foundation Advisory Board will review applications submitted prior to the announced funding selection deadline. The decision to recommend or not recommend an application for funding will be determined solely by how well the project meets the application criteria in the opinions of the members of the Parks Foundation Advisory Board.

If a two-thirds (2/3) majority of the Parks Foundation Advisory Board accepts the proposal as complete, finds that it satisfies the review criteria and determines that adequate funds are available, they will submit the proposals along with their recommendations to Commissioners' Court for consideration. The final decision to approve or reject the recommendation will be at the discretion of Commissioners' Court. If Commissioners' Court approves the recommendation, funds will be awarded. Prior to commencement of the Project an Interlocal or Funding Agreement must be executed between all involved parties.

## **PAYMENT OF FUNDS**

Funds will be made available as reimbursement for approved project expenses. Expenses incurred prior to full execution of the Interlocal or Funding Agreement are not eligible for reimbursement. Direct payments may be made under special circumstances for large expenditures or for smaller communities or organizations on the recommendation of the Parks Foundation Advisory Board and approval by the Commissioners' Court.

## **RIGHT TO REALLOCATE FUNDS**

It is the responsibility of the Parks Foundation Advisory Board to actively monitor the progress of approved projects. If the Parks Foundation Advisory Board determines that an approved project is not likely to come to fruition within a responsible length of time or the scope of project has changed considerably, the project applicant may be given an opportunity to submit a revised proposal for consideration. Based on the merits of the revised proposal, the Parks Foundation Advisory Board may vote to request the Commissioners' Court reallocating the funds for use of the revised project. If Commissioners' Court approves the reallocation of funds, a new Interlocal or Funding Agreement must be executed between all involved parties prior to commencement of the revised project.



Collin County  
Parks and Open Space  
Project Funding Assistance Program  
Application

Please use Arial Font size 11 and submit a signed original Application and 12 photocopies stapled and pages numbered. Please no cover pages, this should be Page 1.

**SECTION 1: APPLICANT AND PROJECT INFORMATION**

**1. Project Applicant Information**

Applicant – (Legal Name):	Project Contact Name/Title:
Complete Mailing Address:	Telephone Number:
Fax Number:	E-mail Address:
Federal Tax Identification Number:	Date Resolution Signed:

**2. Project Title:**

3. Brief Description of Purpose of Project:

**4. General Project Information:**

a. Please check the one category this application addresses:

Land Acquisition for Parks and Open Space  
 Six Cities Trail Connector or Trail Project  
 Facilities (Capital) Improvements for Parks and Open Space

b. Amount of Funding Requested:	c. Total Project Costs:
\$	\$
d. Start Date of Project:	e. End Date of Project:

**5. Authorized Signature (signatory must have contract signing authority):**

Signature:	Title:
Print Name:	Date:

## SECTION 2: AUTHORIZED REPRESENTATIVE

The Applicant hereby designates the individual named below as the person authorized to act on behalf of the Applicant.

**Authorized Project Representative:** The following person is authorized to receive direction, manage work performed, sign required reports, and other acts on behalf of the Applicant.

Signature:	
	Title:
Printed Name:	Phone Number:
	E-mail Address:
Address:	

**Has Collin County previously provided funding for this Project?**

Yes       No

<b>For Collin County Parks Foundation Advisory Board Use Only</b>		
Does the proposed project advance the mission of the County Parks /Open Space Strategic Plan? <input type="checkbox"/> yes <input type="checkbox"/> no		
Is the application administratively complete? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Did the applicant receive funding for this project in previous years? <input type="checkbox"/> yes <input type="checkbox"/> no (If yes, were they successful in the timely completion of the project? <input type="checkbox"/> yes <input type="checkbox"/> no)		

## SECTION 3: CERTIFICATIONS AND ASSURANCES

### 1. **Certifications**

In order to receive funding under this program, the proposed project goals must be similar to and support or advance the mission published in the *Collin County Parks and Open Space Strategic Plan* (October 2001). By signing this Application, the person acting on behalf of the Applicant makes the certifications below.

#### a. **Authority to Sign Application**

The person signing this Application hereby certifies that he/she is the official contact regarding this Application and has authority from the Applicant to sign the Application and that such authority will bind the Applicant in subsequent agreements.

#### b. **Application Contains No False Statements**

The Applicant certifies that this Application has no false statements and that the Applicant understands that signing this Application with a false statement is a material breach of contract and shall void the submitted Application and any resulting contracts.

#### c. **This is a Reimbursement Program**

Applicants must have a minimum dollar for dollar in matching funds, comprised of direct cash, value of land to be improved, donated labor, material or in-kind services for the project being proposed. Under special circumstances at the recommendation of the Parks Foundation Advisory Board and approval by the Commissioners' Court, a direct payment may be considered.

#### d. **Eligible Applicants**

The Applicant must be a 501(c)(3) tax exempt organization, non-political group or any unit of local government, including municipalities, school districts, or county located in Collin County, Texas. Faith-based organizations are eligible to apply as long as inherently religious activities, such as worship and religious instructions are not conducted.

#### e. **Technical Feasibility**

The Applicant certifies that he/she has carefully reviewed the Project Narrative and Action Plan. To the best of their knowledge all activities are technically feasible and can be satisfactorily completed within the time frame proposed.

#### f. **Costs Reasonable and Necessary**

The Applicant certifies to the best of their knowledge that the proposed activities and the expenses outlined in the Budget are reasonable and necessary to accomplish the project objectives, and the proposed expenses are consistent with the costs of comparable goods and services.

### 2. **Assurances**

#### a. **Compliance with Progress and Result Reporting**

Applicant provides assurances that, if funded, the Applicant will comply with the requirements for reporting: reporting on the progress of the project activities and deliverables on a quarterly basis; providing before, during and after photos; and promptly notifying the Parks Foundation Advisory Board of any changes in plans.

#### b. **Financial Management**

Applicant provides assurances that, if funded, the Applicant will comply with contractual provisions and requirements necessary to ensure that expenses are reasonable and necessary, and to adhere to financial administration and reimbursement procedures and provide financial reports on a schedule established by Collin County.

#### c. **Accessibility**

Applicant provides assurances that, if funded, the park or proposed improvements will be accessible to **all** County residents.

#### d. **Compliance with Americans with Disabilities Act**

Applicant provides assurances that, if funded, the Applicant will comply with all applicable requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101-12213 (Pamphlet 1995).

## SECTION 4: PROJECT COSTS AND ELEMENTS

Name of Applicant: \_\_\_\_\_

Project Name: \_\_\_\_\_

Either use this form or create an Excel spreadsheet using this format

Item No.	Description	U/M	Quantity	Unit Cost	Total	Requested Amount	Match Amount
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
	Project Total						

Prepared By:	Title:
Address:	Phone Number:
E-mail Address:	Date Prepared:

## **SECTION 5: RESOLUTION**

The sponsoring entity (governing board) must approve a resolution authorizing the project application submittal and designation of project official/representative. A copy of the resolution must be included in this application. **Insert photocopy of signed resolution.**

## **SECTION 6: PROJECT NARRATIVE**

**(No more than 5 pages, single spaced, Arial 11 font)**

## **SECTION 7: LOCATION MAPS, SITE PHOTOS, PROJECT SKETCHES, etc.**

## **SECTION 8: LETTERS OF COMMITMENT**

**(Provide photocopy)**

## **SECTION 9: EVIDENCE OF NON-PROFIT STATUS**

**(Photocopy of Current Valid IRS Tax Exemption Certificate if non-governmental agency)**



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	June 7, 2011
Budgeted Amount:		Department/ Requestor:	Per Ordinance
Fund Balance-before expenditure:		Prepared by:	Carrie Smith
Estimated Cost:		Date Prepared:	June 1, 2011
Exhibits:	1 - Joe Sterks Presentation Additional information may be provided at the meeting.		

### AGENDA SUBJECT

QUARTERLY REPORT BY CHAIRMAN JOE STERK, PARKS AND RECREATION COMMISSION.

### SUMMARY

(g) The commission will provide a quarterly report to the City Council, detailing their actions for the previous quarter, and their goals for the upcoming quarter.

### POSSIBLE ACTION

- Move to approve as written.
- Move to approve as amended.

Inter - Office Use			
<b>Approved by:</b>			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Ana Canul</i>	Date:	6-2-11

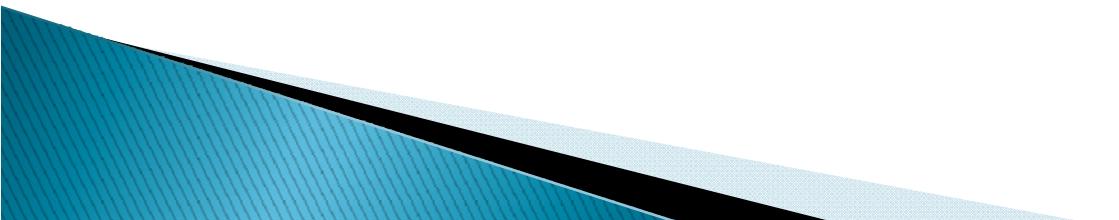


# Parks & Recreation

## Quarterly Report – June 2011

# Parks & Recreation Accomplishments

- ▶ Trails are Started – as of May 31<sup>st</sup> trails are under construction
- ▶ Keep Parker Beautiful subcommittee formed
  - Renee Sims appoint sub-chairperson
- ▶ Tree Memorial subcommittee formed
  - Phyllis Houx is sub-chairperson
  - Includes Bart Blaydes, Cindy Stachiw, Joe Lozano
- ▶ 2012 Budget Proposed



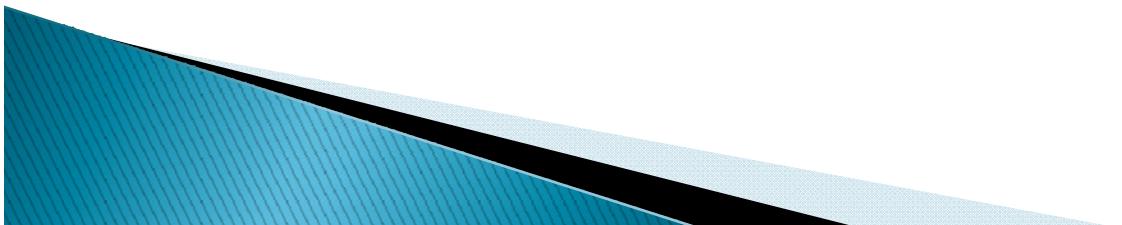
# Parks & Recreation - Trails Plan



# Parks & Recreation Grant Request

## Collin County Grant Application for Recreational Trails

Trail – Finish	\$25,000
Collin County Grant (50%)	\$12,500
City's Portion	\$12,500



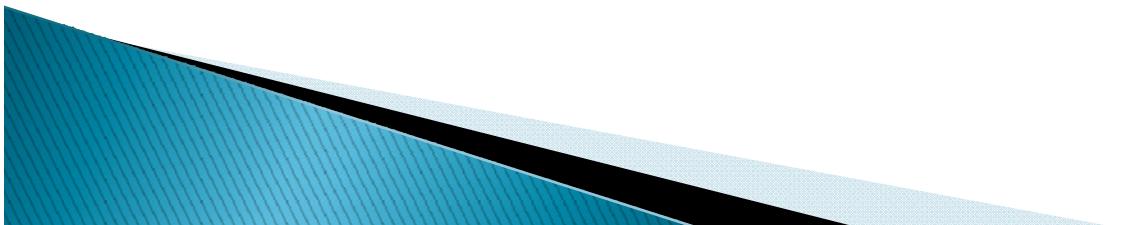
# Parks & Recreation Budget

Budget Item	2008-2009
Keep Parker Beautiful	\$250
Preserve & Trail	\$25,000
Consultant Support	\$1,250
Site Improvements	\$1,500
Routine Maintenance	\$2,500
Scout Projects	\$2,000
Open House	\$0
<b>Total</b>	<b>\$32,500</b>



# Parks & Recreation Trail Grand Opening

- ▶ \$1,500 in 2011 Budget
- ▶ Heat setting in – may want to wait until Fall
- ▶ Do it Right (Ideas):
  - Music
  - Guest Speaker to draw Parkerites – Howard Garrett (maybe)
  - Horse Rides for Kides
  - Preserve Tours
  - Food and Drink
  - Hay Rides



# Parks & Recreation

Thank you!



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	June 7, 2011
Budgeted Amount:		Department/ Requestor:	Jeff Flanigan
Fund Balance-before expenditure:		Prepared by:	Carrie Smith
Estimated Cost:		Date Prepared:	June 1, 2011
Exhibits:			

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE SALE OF THE WATER TOWER.

### SUMMARY

### POSSIBLE ACTION

Inter – Office Use			
<b>Approved by:</b>			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	6-2-11



## Council Agenda Item

Budget Account Code:	N/A	Meeting Date:	June 7, 2011
Budgeted Amount:		Department/	
		Requestor:	
Fund Balance-before expenditure:		Prepared by:	Carrie Smith
Estimated Cost:		Date Prepared:	May 12, 2011
Exhibits:	1) Proposed Resolution 2011-334		

### AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION APPROVING RESOLUTION 2011-334 APPOINTING MEMBERS OF THE PERSONNEL COMMITTEE.

### SUMMARY

Item was tabled from the May 17 meeting.

#### Current Committee Members:

Allison Sumrow,	Chairperson
Dena Daniel,	City Administrator
Jim Threadgill,	Council Member

The Mayor serves as an ex-officio member.

### POSSIBLE ACTION

- Move to approve Resolution 2011-334 appointing \_\_\_\_\_ Councilmember(s) to the Personnel Committee.

Inter – Office Use			
Approved by:			
Department Head:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Dena Daniel</i>	Date:	6-2-11

CITY COUNCIL  
FUTURE AGENDA ITEMS

City Council Future Agenda Items					
Received	approx time (mins)	ITEM DESCRIPTION	SCHEDULED AGENDA DATE	Project Contact/ Requestor	Notes
		Planning Session	6/14 - 6/15 4 - 9 pm		Southfork Ranch, dates approved 4/5
	15	Appreciation to Jim Threadgill for Service	6/14/2011		
	15	Water Meter Technology	2011 Planning Session	Lori/Johnna	
	15	What Economic Development means to the City	2011 Planning Session	Dena/Sumrow/ Shepherd	Move to planning session per Allison Dec. 7
	15	Traffic Counters	2011 Planning Session	Tony	
	15	Review of Fee Schedule	2011 Planning Session	Johnna	
	15	Visual aids for Council Chambers	2011 Planning Session	Jeff	monitors, laptops, ipads
	15	Future Monument Signs and landscape needs	2011 Planning Session	Jeff	
	30	Expectation of board members & performance appraisal process & officers; Board Appointment Schedule and Processes	6/21/2011	Marshall/ Sumrow	
	30	Appointments to Boards and Commissions	6/21/2011	Smith	per ordinance
	15	Quarterly Allied Report	July		per contract - Through June
		Budget Session	7/20 - 7/21 4 - 9 pm		Southfork Ranch, dates approved 4/5

CITY COUNCIL  
FUTURE AGENDA ITEMS

		City Council Future Agenda Items			
Received	approx time (mins)	ITEM DESCRIPTION	SCHEDULED AGENDA DATE	Project Contact/Requestor	Notes
		Qrtly Allied Report	October		per contract - Quarter ending September
	15	Annual approval of investment policy	November		
	15	Appointment of investment officers	November		
	15	RFP for Newsletter	TBD	Daniel	tabled from 2/15 meeting
	30	Council Chamber Rental/Usage	TBD	Threadgill	Council meeting 2/15
	15	Reduce Parker Rd speed limit beyond McCreary Rd	TBD	Mayor Pro-tem	awaiting information from TXDOT
	10	Adoption of City Emergency Management Plan	TBD	Sheff	
	10	Waterline Bids	TBD	Jeff	
		Annual Road Bids	TBD	Jeff	