

**PROJECT NO. 27706**

**REPORTS OF THE ELECTRIC § PUBLIC UTILITY COMMISSION  
RELIABILITY COUNCIL OF TEXAS § OF TEXAS  
§**

**ERCOT'S 2010 ANNUAL REPORT ON THE TEXAS  
RENEWABLE ENERGY CREDIT TRADING PROGRAM**

COMES NOW, the Electric Reliability Council of Texas, Inc. (ERCOT) and files, pursuant to P.U.C. SUBST. R. § 25.173(g)(11) and ERCOT Nodal Protocol § 14, its *2010 Annual Report on the Texas Renewable Energy Credit Trading Program* ("REC Program"). The Report is attached hereto as Attachment A. ERCOT files portions of this Report, Exhibits 1-6 of Attachment A, as confidential information pursuant to P.U.C. SUBST. R. § 25.362 and ERCOT Nodal Protocol Section 1.3.

Respectfully Submitted,

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## 2010 Annual Report on the REC Program

This Report complies with the requirements of P.U.C. SUBST. R. § 25.173(g)(11) and ERCOT Nodal Protocol § 14. Exhibits 1-6 contain Protected Information pursuant to P.U.C. SUBST. R. § 25.362 and ERCOT Nodal Protocol 1.3, and are filed as confidential information. Participants in the Renewable Energy Credit (REC) Program may view their information (used in the creation of the confidential reports) via their online REC accounts.

### I. Existing and New Renewable Capacity

New renewable generation capacity in the REC Program increased in 2010. There are currently one hundred and seven (107) REC generation accounts with an installed capacity of **10,514.9** megawatts (MW). There are a total of six (6) offset generator accounts with a total of **297.6** MW of capacity. *This renewable generation capacity exceeds the 2025 target of 10,000 MW of installed renewable generation capacity in the state that is set forth in Section 39.904 of the Public Utility Regulatory Act (PURA).*

Technology Type	REC Gen Accts	Offset Gen Accts	New MW Capacity	Offset MW Capacity	Total Current MW Capacity
Biomass	7	0	108.3	0	108.3
Hydro	3	2	33.1	178.5	211.6
Landfill Gas	14	1	88.3	3.3	91.6
Solar	4	0	20.5	0	20.5
Wind	79	3	10,264.7	115.8	10,380.5
<b>Total</b>	<b>107</b>	<b>6</b>	<b>10,514.9</b>	<b>297.6</b>	<b>10,812.5</b>

*NOTE: The REC program tracks all renewable generation in Texas, including ERCOT and all other regions of Texas. The program, however, is voluntary and only tracks generation that is registered in the program. Therefore, the MWs of capacity in this report may not align with the total Renewable Resource generation registered in ERCOT System Planning Reports and other reporting agencies.*

### II. Eligible Non-Texas Capacity

At this time, there is no eligible non-Texas capacity serving Load in the REC Program.

### III. REC Aggregation Company Activities

P.U.C. SUBST. R. § 25.173 rule defines a REC Aggregator as an entity that manages the participation of two or more micro-generators in the REC program. A micro-generator is defined as a customer that owns one or more eligible renewable energy generating units with a rated capacity of less than one (1) MW, operating on the customer's side of the utility meter. Currently, only Austin Energy is serving as an Aggregator.

#### IV. Facility Information

At the time of this report, the program includes 107 REC accounts for new renewable generation capacity. The owners and/or operators of each REC generation facility and enrollment date for program participation are provided in the following table:

<b>Generation Company</b>	<b>Date Enrolled</b>
Aeolus Wind	12/21/2004
American Wind Power Center	7/12/2005
Aspen Power LLC	8/2/2010
Austin Energy	10/2/2001
Bio Energy (Austin) LLC	9/4/2002
Bio Energy (Texas), LLC	1/17/2006
Biofuels Power Corporation	9/2/2008
Brazos Wind, LP	11/17/2003
Buffalo Gap Wind Farm 2, LLC	3/12/2007
Buffalo Gap Wind Farm 3, LLC	2/19/2008
Buffalo Gap Wind Farm LLC	8/25/2005
Bull Creek Wind LLC	9/16/2008
Callahan Divide	6/10/2005
Capricorn Ridge Wind II, LLC	4/7/2008
Capricorn Ridge Wind, LLC	7/13/2007
Cedro Hill Wind, LLC	7/14/2010
Champion Wind Farm, LLC	1/28/2008
Cromeco, Inc.	2/7/2005
Delaware Mountain Wind Farm LP	11/14/2001
Denton Power, LLC	12/15/2008
Desert Sky Wind Farm 1 LP	10/19/2001
Desert Sky Wind Farm 2 LP	10/19/2001
ECR Panther Creek Wind Farm I and II, LLC	1/23/2008
ECR Panther Creek Wind Farm III, LLC	2/18/2009
ECR Papalote Creek II, LLC	5/3/2010
ECR Papalote I, LLC	2/12/2009
El Paso Electric Company	5/24/2001
Elbow Creek Wind Project, LLC	11/10/2008
Exelon Wind 1 LLC	5/16/2006
Exelon Wind 10 LLC	11/6/2007
Exelon Wind 11 LLC	11/6/2007
Exelon Wind 2 LLC	5/16/2006
Exelon Wind 3 LLC	5/16/2006

Exelon Wind 4 LLC	8/10/2006
Exelon Wind 5 LLC	8/10/2006
Exelon Wind 6 LLC	8/16/2006
Exelon Wind 7 LLC	11/6/2007
Exelon Wind 8 LLC	11/6/2007
Exelon Wind 9 LLC	11/6/2007
Forest Creek Wind Farm, LLC	12/21/2006
Fort Worth Methane LLC	6/9/2006
FPL Energy Horse Hollow Wind II, LP	12/2/2005
FPL Energy Upton Wind I, LLC	10/22/2001
FPL Energy Upton Wind II, LLC	10/22/2001
FPL Energy Upton Wind IV, LLC	2/11/2002
FPL Pecos Wind 1, LLC	7/31/2001
FPL Pecos Wind 2, LLC	8/1/2001
FPLE Energy Upton Wind III, LLC	2/11/2002
Gas Recovery Systems, Inc.	2/6/2003
Goat Wind, LP	3/20/2008
Guadalupe-Blanco River Authority	11/1/2001
Hackberry Wind, LLC	1/11/2008
High Plains Wnd Power LLC	11/6/2007
Horse Hollow	6/13/2005
Iberdrola Renewables, Inc.	4/4/2008
Inadale Wind Farm, LLC	1/23/2008
Indian Mesa, LLC	11/14/2001
Langford Wind Power, LLC	8/11/2009
Llano Estacado	6/15/2001
Loraine Windpark Project, LLC	9/30/2009
Majestic Wind Power LLC	7/17/2008
Maverick County Water Control	10/3/2007
McAdoo Wind Energy LLC	7/17/2008
MeadWestvaco Texas LP	4/10/2006
Mesquite Wind, LLC	8/25/2006
Michael Laurie Blank	11/5/2009
Mission Wind LLC	6/12/2007
Noble Great Plains Windpark, LLC	8/6/2008
Notrees Windpower, LP	10/24/2008
Ocotillo Windpower, LP	4/18/2008
Orange County Container LLC	11/4/2009
Pattern Gulf Wind LLC	12/17/2009
Post Oak Wind, LLC	3/21/2007
Post Wind Farm LP	1/4/2006

PYCO Industries, Inc.	11/13/2008
Pyron Wind Farm, LLC	1/23/2008
Renewable Ventures	8/6/2002
Renovar Arlington, Ltd.	6/20/2005
Rio Grande Valley Sugar Growers, Inc.	8/29/2006
Roscoe Wind Farm, LLC	1/22/2008
Sand Bluff Wind Farm, LLC	2/2/2007
Scurry County Wind II LLC	11/19/2007
Scurry County Wind, L.P.	2/15/2007
Sherbino I Wind Farm LLC	5/29/2008
Silver Star I Power Partners, LLC	2/25/2008
Small Hydro of Texas, Inc.	12/18/2001
Snider Industries, LLP	6/2/2008
Snyder Wind Farm, LLC	12/4/2007
South Trent Wind LLC	7/17/2008
Stanton Wind Energy LLC	3/13/2008
Sunray Wind	2/12/2009
Sweetwater Wind Power LLC	12/9/2003
Texas Gulf Wind LLC	7/17/2008
Texas State Technical College	2/9/2009
Trent Wind Farm, L.P.	10/22/2001
Trinity Oaks LLC	3/24/2009
Turkey Track Wind Energy LLC	11/19/2008
TX Solar I LLC	8/2/2010
Viridis Energy, LP - Baytown	1/23/2003
Viridis Energy, LP - Blue Bonnet	1/23/2003
Viridis Energy, LP - Coastal Plains	1/16/2003
Viridis Energy, LP - Conroe	1/24/2003
Viridis Energy, LP - Security	1/24/2003
Viridis Energy, LP Atascocita	1/16/2003
Whirlwind Energy, LLC	1/14/2008
WM Renewable Energy, LLC	1/3/2003
Wolf Ridge Wind, LLC	9/10/2008

## V. Renewable Energy Generated

The total amount of energy generated by renewable generation resources tracked by the program for 2010 is **28,014,805** megawatt-hours (MWh). This represents an increase of approximately **30%** in MWh of renewable generation capacity over 2009. Since the program is voluntary for generation entities, some renewable generation in the state may not be registered in the program.

The following table shows total participating renewable generation by technology type for each quarter in 2010, including “offset” generation.

<b>Technology Type</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	<b>Total MWh</b>
Biomass	20,974.18	27,768.55	17,407.00	31,384.98	97,534.70
Hydro	196,238.40	133,408.24	192,251.86	87,358.18	609,256.68
Landfill Gas	110,510.50	114,893.21	116,789.10	122,711.27	464,904.08
Solar	1,384.67	2,042.38	3,482.94	7,539.44	14,449.42
Wind	6,459,442.33	7,806,011.07	5,307,839.64	7,255,367.29	26,828,660.34
<b>Grand Totals</b>	<b>6,788,550.07</b>	<b>8,084,123.45</b>	<b>5,637,770.55</b>	<b>7,504,361.16</b>	<b>28,014,805.22</b>

#### **VI. Compliance Premiums**

Pursuant to P.U.C. SUBST. R. § 25.173(c)(2), a compliance premium (CP) is a premium awarded by ERCOT in conjunction with a REC that is generated by non-wind renewable generation and meets the criteria in P.U.C. SUBST. R. § 25.173(m). For purposes of the renewable energy portfolio standard (RPS) requirements, one (1) CP is equal to one (1) REC. During 2008, for the first time, CPs were made available to all “non-wind” renewable generation in the state that began producing energy after September 1, 2005. In 2008, five (5) companies received **155,006** CPs. In 2009, ten (10) companies received **200,570** CPs. In 2010, eleven (11) companies received **275,910** CPs.

#### **VII. Renewable Energy Unit Retirements**

In 2010, no generation account holder retired units.

#### **VIII. Participating Retail Entities**

At the time of this report, one hundred and sixty-eight (168) Retail Entities (REs) had accounts in the program. The REs are identified in the following table:

<b>Retail Entity</b>	<b>Date Enrolled</b>
10K ENERGY LLC DBA MISSION PO	1/18/2011
Acacia Energy, Inc.	1/30/2009
Accent Energy Texas LP	12/3/2004
ACN ENERGY INC (LSE)	12/28/2001
AEP Retail Energy	2/11/2011
AEP Texas Commercial Industrial Retail, LP	1/15/2002
Affordable Power Plan	2/13/2006
Alliance Power Company, LLC	1/19/2005

Ambit Energy	1/30/2007
AmeriPower	2/16/2006
Amigo Energy	1/18/2005
AmPro Energy LP	2/20/2004
Andeler Corporation	3/11/2003
APN Starfirst, LP	1/16/2006
APNA Holdings LLC	7/10/2007
APS Energy Services Company Inc.	12/14/2004
Assurance Energy	1/22/2002
ASSURANCE ENERGY (TXU RESIDENTIAL POLR)	7/1/2002
Azor Energy, LP	1/19/2005
Bounce Energy	2/20/2009
BP Energy	4/21/2003
BP ENERGY COMPANY (SUB-LSE AESNE)	7/1/2002
Brilliant Energy LLC	9/14/2007
CALPINE POWER AMERICA, LP	7/1/2002
Champion Energy Industrial Services I (LSE)	7/22/2009
Champion Energy Industrial Services III	12/21/2009
Champion Energy Services	2/10/2006
Cinergy Retail Power, L.P.	1/8/2002
CIRRO GROUP INC	7/3/2002
Clearview Electric Inc	1/28/2010
Commerce Energy, Inc.	4/4/2006
CON EDISON SOLUTIONS	11/23/2010
CONED SOLUTIONS 1	11/23/2010
ConEdison Solutions	1/30/2007
ConocoPhillips Company	4/2/2002
Constellation NewEnergy	12/4/2001
Coral Power, LLC	12/5/2001
CPL RETAIL ENERGY LP	11/29/2001
CPL Retail Energy LP, d/b/a CPL	1/26/2005
DE Multi-Family	1/21/2004
Direct Energy Business LLC	8/29/2001
Direct Energy Business Services	1/21/2004
Direct Energy DBA 1400	1/18/2011
Direct Energy, LP	1/4/2002
Dow Hydrocarbons and Resources LLC	9/19/2005
dPi Energy	1/28/2008
Dynegy Energy Marketing	10/30/2001
Dynowatt LP	3/14/2005
Eagle Energy Partners I, L.P.	1/8/2007

EDF Industrial Power Services (TX) I, LLC	1/21/2011
EDF Industrial Power Services (TX) II, LLC	1/21/2011
EDF Industrial Power Services (TX), LLC	12/16/2008
Electric Now, L.P.	9/13/2004
Energy Plus Holdings LLC	4/28/2009
Energy West, Ltd, dba Fire Fly powered by Franklin	1/18/2005
Entergy Texas	2/22/2003
En-Touch Energy	1/29/2009
Entrust Energy, Inc.	2/8/2011
EPEC	1/5/2007
EXTEX RETAIL SERVICES COMPANY LLC	2/16/2004
First Choice Power - AMS	7/1/2002
FIRST CHOICE POWER POL	1/28/2010
First Choice Power Special Purpose, LP	1/28/2002
Franklin Power Company	3/5/2004
Frontier Utilities, Inc.	1/22/2010
Fulcrum dba Tara Energy Resources	1/18/2011
Gateway Power Services	1/19/2005
Gexa Corp.	9/4/2001
Gexa Energy	1/31/2008
Glacial Energy Inc.	1/30/2007
Green Mountain Energy	1/19/2011
Green Mountain Energy Company	9/20/2001
Green Mountain Energy Company - POLR	1/27/2010
Green Mountain Energy Company- CSA	1/19/2011
Green Mountain Energy, Commercial Service	1/21/2005
Green Mountain Multifamily	10/10/2002
Hino Electric Power Company	2/20/2004
Hudson Energy JV LLC	3/16/2009
Hudson Energy Services	1/26/2007
ILUMINAR ENERGY LLC	1/17/2011
Infinite Electricity	11/23/2010
Infinite Energy, Inc.	10/14/2010
Integrays Energy Services, Inc.(a)	4/12/2006
Integrays Energy Services, Inc.(b)	1/29/2007
Just Energy Texas	3/7/2003
Kinetic Energy LLC	11/2/2007
Liberty Power Corp.	3/2/2004
LPT LLC DBA LPT SP LLC	1/26/2007
Mega Energy, LP	1/2/2008
MidAmerican Energy Company	8/7/2008



Milagro Power Company	1/29/2010
MONONGAHELA COMMUNICATIONS LLC	1/22/2011
MP2 Energy Texas LLC	1/20/2009
MPOWER RETAIL ENERGY LP (LSE)	2/18/2004
MXenergy Electric Inc.	4/27/2005
MXenergy Electric Inc. II	1/20/2011
N M Energy of Texas, LLC	2/24/2004
Nations Power, LLC	1/27/2010
Neumin Production Company	1/26/2005
NextEra Energy Power Marketing, LLC	10/18/2005
Noble Americas Energy Solutions	12/20/2001
Nooruddin Investments LLC DBA Discount Power	1/21/2010
Nueces Electric Coop - CR	1/6/2004
Occidental Power Marketing, L.P.	8/23/2001
Our Energy, LLC.	1/27/2010
Pegasus Alliance Corporation dba OnPAC Energy	1/18/2005
Pennywise Power LLC	6/1/2009
Penstar Power, LLC	1/21/2005
Pepco Energy Services	10/25/2007
Pilot Power Group, Inc.	2/7/2006
POLR POWER LP	1/15/2002
Potentia Energy	12/14/2009
Prier Energy	1/30/2009
Prier Energy Inc DBA General Power Light	1/27/2010
Prier Energy Inc DBA Todays Energy	1/27/2010
Proton Energy	1/26/2010
Pulse Electric Inc.	1/29/2010
Reach Energy, LLC	1/29/2008
RELIANT ENERGY HL AND P (LSE)	6/28/2002
Reliant Energy Retail ,LLC	1/14/2002
Reliant Energy Solutions, LLC	12/21/2001
Reliant Energy Texas Retail, LLC	6/1/2009
REPower, LLC	1/29/2007
SHELL ENERGY NORTH AMERICA (US) LP (LSE)	1/18/2005
SHELL ENERGY SERVICES CO LLC	7/1/2002
Simple Power	1/29/2009
Southwestern Public Service Co.	1/15/2002
Spark Energy dba Firefly Powered by Spark	2/20/2004
Spark Energy, L.P.	3/5/2003
StarTex Power	6/17/2005
Stream Gas and Electric, Ltd.	1/19/2006

Suez Energy Marketing Inc. (LSE)	10/10/2002
SUEZ Energy Resources NA, Inc.	3/10/2003
SWEPCO	12/9/2002
Tara Energy LLC dba Smart Prepaid Electric	1/17/2011
Tara Energy, Inc.	12/17/2002
Tenaska Power Services Co. DBA TPS I	1/19/2005
Tenaska Power Services Co dba TPS I	3/24/2004
Tenaska Power Services Co dba TPS II	3/24/2004
Tenaska Power Services Co dba TPS III	3/24/2004
Tenaska Power Services Co.	10/31/2001
Tenaska-Oxy Power REP Services LP	3/24/2004
Tenaska-Oxy Power REP Services LP dba TOPS I	3/24/2004
Texas Commercial Energy	6/5/2002
Texas Commercial Energy dba Texas Wholesale Energy	1/19/2005
Texas Power LP	2/26/2004
Texas Power LP dba Pre Pay Power	1/17/2011
Texas Power, LP	1/29/2009
Texas Retail Energy	3/2/2004
TEXAS-NEW MEXICO POWER CO	7/1/2002
Texpo Energy, dba Texpo Power	3/19/2007
TEXREP1 LLC	1/26/2010
TexRep7, LLC	1/24/2011
The New Power Company	1/11/2002
TriEagle Energy. L.P.	5/9/2003
True Electric, LLC	1/25/2010
TXU Assurance Energy - Large Non-residential	10/10/2002
TXU ELECTRIC CO (LSE)	7/1/2002
TXU Energy	5/23/2001
TXU ET SERVICES COMPANY (LSE)	2/23/2004
TXU SESCO Energy Services	1/21/2002
TXU TradeCo	8/6/2004
TXUE Green-e	7/1/2002
USAVE ENERGY	2/20/2004
Weir Investments Fund dba Apollo Power Light	1/21/2010
WTU RETAIL ENERGY LP	1/15/2002
XERS INC. d/b/a Xcel Energy	1/11/2002
Young Energy	1/29/2009

## **IX. Final Renewable Portfolio Standard Requirements**

Each Retail Entity's final RPS requirement is provided as confidential information in Exhibit 1. In 2010, the total RPS requirement for all Retail Entities, after adjustments for previous true-ups as required by the Commission, was **9,053,544** RECs.

## **X. REC Offsets Allowed**

Six (6) entities used **434,568** offsets in 2010. The offsets are provided as confidential information in Exhibit 2.

## **XI. REC Offsets Generated**

The following table depicts the Offsets allocated by the Commission to each REC Offset Generator and compares that amount to each Resource's actual generation for 2010.

<b>Generator Unit Name</b>	<b>Offset RECs Allotted by PUCT</b>	<b>Annual Generation MWh</b>	<b>Comparison Calculation MWh</b>
Sabine River Authority of Texas Toledo	61,535	203,163	141,628
South Texas Electric Cooperative AMISTAD1	6,501	82,636	76,135
South Texas Electric Cooperative AMISTAD2	6,501	64,880	58,379
South Texas Electric Cooperative FALCON1	2,332	43,081	40,749
South Texas Electric Cooperative FALCON2	2,333	31,479	29,146
South Texas Electric Cooperative FALCON3	2,333	42,621	40,288
Texas Big Spring, L.P. SIGNALMT	91,560	74,235	-17,325
West Texas Renewables LP WESTEX1	17,026	27	-16,999
West Texas Wind Energy Partners, LLC SW_Mesa	225,109	202,522	-22,587
WM Renewable Energy, LLC DFW Gas Recovery	21,338	61,312	39,974
<b>Total Comparison</b>	<b>436,568</b>	<b>805,956</b>	<b>369,388</b>

## **XII. REC and CP Retirements and Expirations**

The list of program participants retiring RECs and CPs in 2010, and the amount of those retirements, is provided as confidential information in Exhibit 3. The total RECs retired for the mandate were **9,029,990**, including adjustments for previous year true-ups as required by the Commission. A total of **20,056** CPs were also retired for the mandate.

For the third year in a row, since the inception of the program, voluntary retirements surpassed the mandated retirements. There were **11,828,596** RECs and **105,876** CPs retired in the voluntary market.

Unlike retiring RECs for the annual mandate, owners may voluntarily retire RECs and CPs for any previous year. For various business reasons, in 2010, some owners retired an additional **205,867** RECs for 2008 and **1,407,375** RECs for 2009. A list of these specific retirements is provided as confidential information in Exhibit 6.

ERCOT retired a total of **211,722** RECs due to expiration as required by P.U.C. SUBST. R. § 25.173(i).

### **XIII. REC Retirement Compliance**

The following list identifies the REs that complied with their REC Requirement and the RE's percentage of failure to comply, if any. A table identifying the exact amount of each RE's shortfall is provided as confidential information in Exhibit 4.

<b>Retail Entity</b>	<b>% Out of Compliance</b>
10K ENERGY LLC DBA MISSION PO	0
Abacus Resources Energy, LLC	100%
Acacia Energy, Inc.	0
Accent Energy Texas LP	0
Affordable Power Plan	0
Alliance Power Company, LLC	0
Ambit Energy	0
AmeriPower	0
Amigo Energy	0
Andeler Corporation	0
APN Starfirst, LP	0
APNA Holdings LLC	0
Bounce Energy	0
BP Energy	0
Brilliant Energy LLC	0
CALPINE POWER AMERICA, LP	0
Champion Energy Industrial Services I (LSE)	0
Champion Energy Industrial Services III	0
Champion Energy Services	0
CIRRO GROUP INC	0
Clearview Electric Inc	0
ConEdison Solutions	0
ConocoPhillips Company	0

Constellation NewEnergy	0
CPL RETAIL ENERGY LP	0
CPL Retail Energy LP, d/b/a CPL	0
DE Multi-Family	0
Direct Energy Business LLC	0
Direct Energy Business Services	0
Direct Energy DBA 1400	0
Direct Energy, LP	0
dPi Energy	0
EDF Industrial Power Services (TX) I, LLC	0
EDF Industrial Power Services (TX) II, LLC	0
EDF Industrial Power Services (TX), LLC	0
Electric Now, L.P.	0
Energy Plus Holdings LLC	0
Entergy Texas	0
En-Touch Energy	0
EPEC	0
EXTEX RETAIL SERVICES COMPANY LLC	0
First Choice Power - AMS	0
FIRST CHOICE POWER POL	0
First Choice Power Special Purpose, LP	0
Frontier Utilities, Inc.	0
Fulcrum dba Tara Energy Resources	0
Gateway Power Services	0
Gexa Corp.	0
Gexa Energy	0
Glacial Energy Inc.	0
Green Mountain Energy	0
Green Mountain Energy Company	0
Green Mountain Energy, Commercial Service	0
Green Mountain Multifamily	0
Hino Electric Power Company	0
Hudson Energy Services	0
ILUMINAR ENERGY LLC	0
Infinite Energy, Inc.	0
Integrays Energy Services, Inc.(b)	0
Just Energy Texas	0
Kinetic Energy LLC	0
LPT LLC DBA LPT SP LLC	0
Mega Energy, LP	0
MidAmerican Energy Company	0

Milagro Power Company	0
MONONGAHELA COMMUNICATIONS LLC	0
MP2 Energy Texas LLC	0
MXenergy Electric Inc.	0
MXenergy Electric Inc. II	0
Nations Power, LLC	0
Neumin Production Company	0
NextEra Energy Power Marketing, LLC	0
Noble Americas Energy Solutions	0
Nooruddin Investments LLC DBA Discount Power	0
Nueces Electric Coop - CR	0
Occidental Power Marketing, L.P.	0
Our Energy, LLC.	0
Pegasus Alliance Corporation dba OnPAC Energy	0
Pennywise Power LLC	0
Penstar Power, LLC	0
Pepco Energy Services	0
Potentia Energy	0
Prier Energy	0
Prier Energy Inc DBA General Power Light	0
Prier Energy Inc DBA Todays Energy	0
Proton Energy	0
Pulse Electric Inc.	100%
Reach Energy, LLC	0
Reliant Energy Retail ,LLC	0
Reliant Energy Solutions, LLC	0
Reliant Energy Texas Retail, LLC	0
REPower, LLC	0
SHELL ENERGY NORTH AMERICA (US) LP (LSE)	0
Simple Power	0
Southwestern Public Service Co.	0
Spark Energy, L.P.	0
StarTex Power	0
Stream Gas and Electric, Ltd.	0
SUEZ Energy Resources NA, Inc.	0
SWEPCO	0
Tara Energy LLC dba Smart Prepaid Electric	0
Tara Energy, Inc.	0
Tenaska Power Services Co dba TPS I	0
Tenaska Power Services Co dba TPS II	0
Tenaska Power Services Co dba TPS III	0

Tenaska Power Services Co.	0
Tenaska-Oxy Power REP Services LP dba TOPS I	0
Texas Power LP	0
Texas Power LP dba Pre Pay Power	0
Texas Power, LP	0
Texas Retail Energy	0
Texpo Energy, dba Texpo Power	0
TEXREP1 LLC	0
TexRep7, LLC	0
TriEagle Energy. L.P.	0
True Electric, LLC	0
TXU Energy	0
TXU ET SERVICES COMPANY (LSE)	0
Weir Investments Fund dba Apollo Power Light	0
WTU RETAIL ENERGY LP	0
Young Energy	0

#### **XIV. Industrial Load Opt-out**

P.U.C. SUBST. R. § 25.173 (j)(1) provides that “A customer receiving service at transmission-level voltage who submits an opt-out notice to the commission for the applicable compliance period shall have its load excluded from the RPS calculation.” In 2010, there were ninety-seven (97) electric service identifiers (ESI IDs) that opted out of the program.

A table identifying the industrial loads and associated MWh of load removed from the calculation is provided as confidential information in Exhibit 5.

#### **XV. Historical Information**

##### **A. General Historical Comparison**

<b>Market Participants Registered in the REC Program</b>	<b><u>2002</u></b>	<b><u>2004</u></b>	<b><u>2006</u></b>	<b><u>2008</u></b>	<b><u>2010</u></b>
Retail Entities	54	72	107	135	168
REC Brokers	21	25	25	27	32
REC Traders	30	38	44	80	98
REC Trading Exchanges	13	15	15	17	16
REC Aggregation Companies	12	15	15	1	1
Others	15	19	24	54	67
<b>Offset Generator Accounts Registered with ERCOT:</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>6</b>	<b>6</b>

Hydro Generation Capacity	105.5	203	197	178.5	178.5
Landfill Gas Generation Capacity	3.3	6.3	6.3	3.3	3.3
Wind Generation Capacity	115.8	115.8	115.8	115.8	115.8
Total REC Offset Generation Capacity	224.6	325.1	319.1	297.6	297.6
<b>Mixed Generation Accounts/Capacity :</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>
Offset Capacity	7.68	7.68	10.68	0	0
New Capacity	5.28	5.28	6.28	0	0

<b>YEAR</b>	<b>New Renewable Generation MWh</b>	<b>REC Offset Generation MWh</b>	<b>Mixed Generation MWh</b>	<b>Total Renewable Generation MWh</b>
2005	4,178,156	573,616	52,740	4,804,512
2006	6,546,730	525,036	36,034	7,107,800
2007	9,438,737	628,355	65,552	10,132,644
2008	16,516,899	675,692	0	17,192,591
2009	20,897,076	697,202	0	21,594,278
2010	27,208,844	805,956	0	28,014,800

<b>YEAR</b>	<b>Total Texas Competitive Load MWh</b>
2005	245,236,077
2006	256,801,491
2007	257,288,432
2008	244,218,689
2009	238,871,782
2010	245,416,659

**B. 2009 Detailed Historical Information (Confidentiality Status Expired)**

**2009 REC REQUIREMENTS**

<b>Retail Entity</b>	<b>RPS</b>
Abacus Resources Energy, LLC	1
Accent Energy Texas LP	20,561
AEP Texas Commercial & Industrial Retail, LP	1,523
Affordable Power Plan	19,824
Alliance Power Company, LLC	5,281



Ambit Energy	54,482
Ambridge Energy, LLC	-
AmeriPower	4,980
Amigo Energy	18,195
Andeler Corporation	637
APN Starfirst, LP	4,803
APNA Holdings LLC	1,030
Assurance Energy	-
ASSURANCE ENERGY (TXU RESIDENTIAL POLR)	1
Bounce Energy	4,820
BP Energy	5,744
Brilliant Energy LLC	1,449
CALPINE POWER AMERICA, LP	16,065
Champion Energy Industrial Services I (LSE)	4,383
Champion Energy Services	100,476
CIRRO GROUP INC	78,714
Clearview Electric Inc	56
Commerce Energy, Inc.	38
ConEdison Solutions	16,911
ConocoPhillips Company	7,043
Constellation NewEnergy	341,709
Coral Power LLC DBA Coral Power Solutions	9,436
CPL RETAIL ENERGY LP	9,419
CPL Retail Energy LP, d/b/a CPL	39,119
DE Multi-Family	17,333
Direct Energy Business Services	7,264
Direct Energy, LP	105,123
dPi Energy	7,404
EDF Industrial Power Services (TX), LLC	36,268
Electric Now, L.P.	-
En-Touch Energy	21
Energy Plus Holdings LLC	2
Entergy Texas	374,426
EPEC	167,009
EXTEX RETAIL SERVICES COMPANY LLC	904
FIRST CHOICE POWER POL	-
First Choice Power Special Purpose, LP	110,156
FPL Energy Power Marketing LLC	450
Frontier Utilities, Inc.	859
Gateway Power Services	1,296
Gexa Corp.	109,711

Gexa Energy	26,846
Glacial Energy Inc.	4,672
Green Mountain Energy Company	61,203
Green Mountain Energy Company - POLR	-
Green Mountain Energy, Commercial Service	49,729
Green Mountain Multifamily	2,873
Hino Electric Power Company	2,240
Hudson Energy Services	56,065
Integrays Energy Services, Inc.(b)	41,772
Just Energy Texas	54,142
Kinetic Energy LLC	3,721
Liberty Power Corp.	-
LPT LLC DBA LPT SP LLC	25,004
Mega Energy, LP	1,980
MidAmerican Energy Company	6,764
Milagro Power Company	91
MP2 Energy Texas LLC	1
MXenergy Electric Inc.	7,917
Nations Power, LLC	-
Neumin Production Company	10,373
Nooruddin Investments LLC DBA Discount Power	24
Nueces Electric Coop - CR	-
Occidental Power Marketing, L.P.	8,758
Our Energy, LLC.	199
Pegasus Alliance Corporation dba OnPAC Energy	934
Penstar Power, LLC	1,073
Pepco Energy Services	2,968
Pilot Power Group, Inc.	-
Potentia Energy	28
Prier Energy	30
Prier Energy Inc DBA General Power Light	-
Prier Energy Inc DBA Todays Energy	1
Proton Energy	11
Pulse Electric Inc.	1
Reliant Energy Retail ,LLC	748,537
Reliant Energy Solutions, LLC	724,135
Reliant Energy Texas Retail, LLC	24,958
REPower, LLC	24
SEMPRA ENERGY SOLUTIONS	169,376
Simple Power	4,172
Southwestern Public Service Co.	320,053

Spark Energy, L.P.	37,970
StarTex Power	78,451
Strategic Energy dba Expert Energy	373,192
Stream Gas and Electric, Ltd.	173,686
SUEZ Energy Resources NA, Inc.	374,092
SWEPCO	100,136
Tara Energy, Inc.	24,531
Tenaska Power Services Co dba TPS I	46,623
Tenaska Power Services Co dba TPS II	-
Tenaska Power Services Co.	21,750
Tenaska-Oxy Power REP Services LP dba TOPS I	12,391
Texas Power LP	8,316
Texas Power, LP	991
Texas Retail Energy	45,902
Texpo Energy, dba Texpo Power	7,742
TEXREP1 LLC	1,586
TriEagle Energy. L.P.	14,246
True Electric, LLC	151
TXU Energy	1,398,843
TXU ET SERVICES COMPANY (LSE)	12,129
TXU SESCO Energy Services	-
Weir Investments Fund dba Apollo Power Light	663
WTU RETAIL ENERGY LP	-
Young Energy	16

### 2009 OFFSETS ALLOWED

<b>Retail entity</b>	<b>Allowed Offsets</b>
CPL RETAIL ENERGY LP	99,027
Entergy Texas	61,535
Nueces Electric Coop - CR	18,816
SWEPCO	99,272
TXU Energy	129,924
WTU RETAIL ENERGY LP	21,335
<b>Total</b>	<b>429,909</b>

**2009 REC RETIREMENT**

<b>Account Holder</b>	<b>Retired Mandatory</b>	<b>Retired Voluntary</b>	<b>Expired Quantity</b>	<b>Retired Mandatory (CP)</b>	<b>Retired Voluntary (CP)</b>	<b>Expired Quantity (CP)</b>
3Degrees	0	64,034	0	0	0	0
3Degrees Group, Inc. (Green-e)	0	500	0	0	0	0
Abacus Resources Energy, LLC	1	0	0	0	0	0
Accent Energy Texas LP	20,561	11,966	0	0	0	0
AEP Texas Commercial & Industrial Retail, LP	1,523	0	0	0	0	0
Affordable Power Plan	19,824	0	0	0	0	0
Alliance Power Company, LLC	5,281	0	0	0	0	0
Ambit Energy	54,482	0	145	0	0	0
AmeriPower	4,980	0	0	0	0	0
Amigo Energy	18,195	367	0	0	0	0
Andeler Corporation	637	0	0	0	0	0
APN Starfirst, LP	4,803	0	0	0	0	0
APNA Holdings LLC	1,030	0	0	0	0	0
ASSURANCE ENERGY (TXU RESIDENTIAL POLR)	1	0	0	0	0	0
Austin Energy	0	817,212	0	0	8,282	0
Bonneville Environmental Foundation	0	9,584	0	0	0	0
Bounce Energy	4,820	0	0	0	0	0
BP Energy	5,744	0	0	0	0	0
Brilliant Energy LLC	1,449	0	0	0	0	0
CALPINE POWER AMERICA, LP	16,065	0	0	0	0	0
Capricorn Ridge Wind II, LLC	0	1	0	0	0	0
Champion Energy Industrial Services I (LSE)	4,383	5,372	0	0	0	0
Champion Energy Services	100,476	39,844	0	0	0	0
CIRRO GROUP INC	78,714	74	0	0	0	0
City of San Marcos	0	458	0	0	0	0
Clean Currents	0	4,924	0	0	0	0
Clearview Electric Inc	56	0	0	0	0	0

Community Energy, Inc.	0	1,102,046	0	0	0	0
ConEdison Solutions	16,911	0	0	0	0	0
ConocoPhillips Company	7,043	0	0	0	0	0
Conservation Services Group	0	755	0	0	0	0
Constellation NewEnergy	341,709	0	0	0	0	0
Coral Power LLC DBA Coral Power Solutions	9,436	0	0	0	0	0
CPL RETAIL ENERGY LP	9,419	0	0	0	0	0
CPL Retail Energy LP, d/b/a CPL	39,119	0	0	0	0	0
CPS Energy	0	1,652,436	0	0	63,035	0
DE Multi-Family	17,333	0	0	0	0	0
Dell USA, LP	0	109,918	0	0	33,556	0
Denton Municipal Electric	0	522,628	0	0	0	0
Direct Energy Business Services	7,264	0	0	0	0	0
Direct Energy LP - Green-e Retirements	0	200,000	0	0	0	0
Direct Energy, LP	105,123	0	0	0	0	0
dPi Energy	7,404	0	0	0	0	0
EDF Industrial Power Services (TX), LLC	36,268	0	0	0	0	0
El Paso Electric Company	1,279	1,240	189	0	0	0
Element Markets LLC- Green-e Retirements	0	79,999	0	0	0	0
En-Touch Energy	21	0	0	0	0	0
Energy Plus Holdings LLC	2	13,667	0	0	0	0
Entergy Texas	374,426	0	0	0	0	0
EPEC	167,009	0	0	0	0	0
EXTEX RETAIL SERVICES COMPANY LLC	904	0	0	0	0	0
First Choice Power Special Purpose, LP	110,156	31,339	0	0	8,661	0
FPL Energy Power Marketing LLC	450	1,104,836	0	0	0	0
Frontier Utilities, Inc.	859	0	0	0	0	0
Gateway Power Services	1,296	0	0	0	0	0
Gexa Corp.	109,711	95,502	0	0	24,065	0
Gexa Energy	26,846	17,346	0	0	0	0
Glacial Energy Inc.	4,672	0	0	0	0	0

Green Mountain Begreen	0	9,647	0	0	0	0
Green Mountain Energy Company	61,203	523,805	0	0	0	0
Green Mountain Energy, Commercial Service	49,729	121,798	0	0	0	0
Green Mountain Multifamily	2,873	0	0	0	0	0
Hess Corporation	0	116,921	0	0	0	0
High Plains Wnd Power LLC	0	1,921	0	0	0	0
Hino Electric Power Company	2,240	0	0	0	0	0
Hudson Energy Services	56,065	10,859	0	0	0	0
Integrays Energy Services, Inc.(b)	41,772	0	0	0	0	0
Just Energy Texas	54,142	0	0	0	0	0
Kinetic Energy LLC	3,721	2,564	0	0	0	0
LightWind Energy	0	938	0	0	0	0
Lower Colorado River Authority	0	83,040	0	0	0	0
LPT LLC DBA LPT SP LLC	25,004	0	0	0	0	0
Mega Energy, LP	1,980	0	0	0	0	0
MidAmerican Energy Company	6,764	0	0	0	0	0
Milagro Power Company	91	0	0	0	0	0
MP2 Energy Texas LLC	1	0	0	0	0	0
MXenergy Electric Inc.	7,917	0	0	0	0	0
Neumin Production Company	10,373	0	0	0	0	0
Nooruddin Investments LLC DBA Discount Power	24	0	0	0	0	0
Occidental Power Marketing, L.P.	8,758	0	375	0	0	0
Our Energy, LLC.	199	0	0	0	0	0
Pedernales Electric	0	3,900	0	0	0	0
Pegasus Alliance Corporation dba OnPAC Energy	934	777	0	0	0	0
Penstar Power, LLC	1,073	0	0	0	0	0
Pepco Energy Services	2,968	4,530	0	0	0	0
Polairs Markets LLC	0	2,575	0	0	0	0
Potentia Energy	28	0	0	0	0	0
Prier Energy	30	0	0	0	0	0

Prier Energy Inc DBA Todays Energy	1	0	0	0	0	0
Proton Energy	11	0	0	0	0	0
Pulse Electric Inc.	1	0	0	0	0	0
Pyron Wind Farm, LLC	0	40,000	0	0	0	0
Reliant Energy Retail ,LLC	748,537	857,887	0	0	0	0
Reliant Energy Solutions, LLC	724,135	97,002	0	0	0	0
Reliant Energy Texas Retail, LLC	24,958	321	0	0	0	0
Reliant Renewable Energy Option-TX	0	63,831	0	0	0	0
Renewable Choice Energy	0	32,553	0	0	0	0
Renovar Arlington, Ltd.	0	7,893	0	0	0	0
REPower, LLC	24	0	0	0	0	0
SEMPRA ENERGY SOLUTIONS	169,376	0	0	0	0	0
Shell Energy North America (US) LP	0	212	0	0	0	0
Simple Power	4,172	0	0	0	0	0
Small Hydro of Texas, Inc.	0	0	49	0	0	0
Southwestern Public Service Co.	320,053	0	0	0	0	0
Spark Energy, L.P.	37,970	23,306	0	0	0	0
StarTex Power	78,451	0	0	0	0	0
Sterling Planet	0	284	0	0	0	0
Strategic Energy dba Expert Energy	373,192	0	0	0	0	0
Stream Gas and Electric, Ltd.	161,513	0	0	12,173	0	0
SUEZ Energy Resources NA, Inc.	374,092	323,095	0	0	0	0
SUEZ Energy Resources NA, Inc. - Super Green	0	180,783	0	0	0	0
SWEPCO	100,136	0	0	0	0	0
Tara Energy, Inc.	24,531	0	0	0	0	0
Tenaska Power Services Co dba TPS I	46,623	0	0	0	0	0
Tenaska Power Services Co.	21,750	0	0	0	0	0
Tenaska-Oxy Power REP Services LP dba TOPS I	12,391	0	0	0	0	0
Texas Power LP	8,316	6,145	0	0	0	0

Texas Power, LP	991	2,368	0	0	0	0
Texas Retail Energy	45,902	0	0	0	0	0
Texpo Energy, dba Texpo Power	7,742	15,747	4,584	0	0	0
TEXREP1 LLC	1,586	0	0	0	0	0
The Dow Chemical Company	0	250	0	0	0	0
Town of Highland Park	0	128	0	0	0	0
TriEagle Energy. L.P.	14,246	0	0	0	0	0
True Electric, LLC	151	0	0	0	0	0
TXU Energy	1,398,843	143,534	0	0	0	0
TXU ET SERVICES COMPANY (LSE)	12,129	0	0	0	0	0
TXUE Green-e	0	67,209	0	0	0	0
Virtus Energy Research Associates.	0	10,000	0	0	0	0
Washington Gas Energy Services	0	56,538	0	0	0	0
Weir Investments Fund dba Apollo Power Light	663	0	0	0	0	0
WM Renewable Energy, LLC	0	27,720	0	0	27,720	0
Young Energy	16	0	0	0	0	0
Totals	6,788,076	8,726,129	5,342	12,173	165,319	-

**2009 REC NON-COMPLIANCE DETAIL (Out of Compliance)**

<b>Retail Entity</b>	<b>RPS</b>	<b>Mandatory REC Retirements</b>	<b>Mandatory CP Retirements</b>	<b>#REC to Comply</b>
Commerce Energy, Inc.	38	0	0	38