

ENERGY TEXAS, INC.

Electric Service

SCHEDULE LGS-TOD

Sheet No.: 18

Effective Date: 1-28-09

Revision: 10

Supersedes: LGS-TOD Effective 3-1-99

Schedule Consists of: Two Sheets

LARGE GENERAL SERVICE - TIME OF DAY

I. APPLICABILITY

This Schedule is applicable on a voluntary basis under the regular terms and conditions of the Company to Customers having the appropriate metering and who contract for not less than 300 kW or not more than 2,500 kW of electric service to be used for general lighting and power.

II. NET MONTHLY BILL

Billing Months of May through October

<u>Billing Item</u>	<u>Per Month</u>
A. Customer Charge:	\$402.97
B. Billing Load Charge: ⁽¹⁾	
All kW	\$ 10.07 per kW
C. Energy Charge: ⁽²⁾	
All On-Peak kWh	\$ 0.02205 per kWh
All Off-Peak kWh	\$ 0.00668 per kWh

Billing Months of November through April

A. Customer Charge:	\$402.97
B. Billing Load Charge: ⁽¹⁾	
All kW	\$ 5.22 per kW
C. Energy Charge: ⁽²⁾	
All On-Peak kWh	\$ 0.00791 per kWh
All Off-Peak kWh	\$ 0.00668 per kWh

⁽¹⁾ See § V below for definition of on-peak and off-peak hours.

⁽²⁾ Plus the Fixed Fuel Factor per Schedule FF and all applicable riders.

D. Delivery Voltage Adjustment

The Delivery Voltage below represents the voltage of the line from which service is delivered or, if applicable, the voltage used in determining the facilities charge under Schedule AFC. When service is metered at a voltage other than the Delivery Voltage, metered quantities will be adjusted by 1.5% for each transformation step to the Delivery Voltage.

<u>Delivery Voltage</u>	<u>Adjustment</u>
Secondary	No adjustment
Primary (2.4KV-34.5KV)	(\$0.53) per kW of Billing Load
69KV/138KV	(\$1.05) per kW of Billing Load

E. Minimum Charge

The monthly minimum charge will be the sum of the Customer Charge, the Billing Load Charge and the Delivery Voltage Adjustment. Where the installation of excessive new facilities is required or where there are special conditions affecting the service, Company may require, in the Contract, a higher minimum charge and/or Facilities Agreement pursuant to Schedule AFC, to compensate for the additional costs.

III. **METERING, PHASE AND VOLTAGE OF SERVICE**

Service under this rate schedule will be rendered at the Company's Standard phase and voltage available at the point of service.

Where the Customer elects to take service at the available line voltage (greater than Secondary), metering will be installed at that voltage and Customer will receive the applicable Voltage Adjustment pursuant to § II (D) above. In such cases, Customer may elect to have Company install the necessary transformation facilities to provide service at a lower voltage. Customer will then pay facilities charges pursuant to Schedule AFC or at the Company's option, provide such facilities at Customer's own expense. At Company's option, metering may then be at Secondary and Customer's metered quantities will be adjusted pursuant to § II (D) above.

Where service is of extremely fluctuating or intermittent type, Company may specify shorter intervals of load measurement than 30-minute intervals.

IV. **POWER FACTOR ADJUSTMENT**

Where Customer's power factor of total service supplied by Company is such that 85% of measured monthly maximum kVA used during any 30-minute interval exceeds corresponding measured kW, Company will use 85% of such measured maximum kVA as the number of kW for all purposes that measured maximum kW load is specified herein. However, where Customer's power factor is regularly 85% or higher, Company may at its option omit kVA metering equipment or remove same if previously installed.

Where monthly off-peak power factor is less than monthly on-peak power factor, for purposes of this section, such off-peak power factor will be utilized to compute the on-peak maximum kVA as discussed above.

V. **OFF-PEAK PROVISION**

In case the monthly maximum kW load occurs during an off-peak period and is also greater than Contract Power, such monthly maximum kW load will be reduced, for purposes of § II (B) by 80% but will not be thereby reduced to a smaller number of kW than Contract Power load, nor less than stipulated in §§ VI (C) or (D).

Off-peak hours, for purposes of this schedule, are all hours of the year not specified as on-peak hours.

Summer on-peak hours, for purposes of this schedule, are 1:00 p.m. to 9:00 p.m. Monday through Friday, except that Memorial Day, Labor Day and Independence Day (July 4 or the nearest weekday if July 4 is on a weekend) are not on-peak.

Winter on-peak hours for purposes of this schedule, are 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. Monday through Friday, except that Thanksgiving Day, Christmas Day and New Year's Day (or the nearest weekday if the holiday should fall on a weekend) are not on-peak.

Company at its sole discretion can change the on-peak hours and season from time to time.

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SCHEDULE LGS-TOD (Cont.)

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VI. DETERMINATION OF BILLING LOAD

The kW of Billing Load will be the greatest of the following;

- (A) The Customer's maximum measured 30-minute demand during any 30-minute interval of the current billing month, subject to §§ III, IV and V above; or
- (B) 50% of the first 500 kW of Contract Power plus 75% of all additional kW of Contract Power as defined in § VII, or
- (C) 60% of the Highest Contract Power as defined in § VII, or
- (D) 300 kW.

VII. DETERMINATION OF CONTRACT POWER

Unless Company gives Customer written notice to the contrary, Highest Contract Power and Contract Power will be as defined below:

Highest Contract Power - the greater of (i) the highest Billing Load since service to Customer began under the currently effective contract or (ii) the contracted kW specified in the currently effective contract.

Contract Power - the highest load established under § VI (A) above during the 12 months ending with the current month. For the initial 12 months of Customer's service, the Contract Power shall be estimated in advance from best data available and subject to adjustment for difference in actual and estimated.

VIII. USE OF SERVICE

Electric service furnished under this rate shall not be used by the Customer as an auxiliary or supplementary service to engines or other prime movers, or to any other source of power. Customers shall not sub-meter and resell any energy purchased under this rate except as may be specifically authorized by the appropriate regulatory authority.

IX. AMOUNT DUE AND PAYMENT

The past due amount for service furnished for which payment is not made within sixteen (16) days of the billing date shall be the monthly bill, including all adjustments under the rate schedule and applicable riders, plus 5% of the first \$50.00 and 2% of any additional amount of such monthly bill above \$50.00. If the amount due when rendered is paid prior to such date, the monthly bill, including all adjustments under the rate schedule and applicable riders, shall apply. If providing service to the state of Texas, Company shall not assess a fee, penalty, interest or other charge to the state for delinquent payment of a bill.