

AIR DERC_101559235-404113_
USE_20100115_Use_D1110

01/15/2010 ----- EBTP IMS- PROJECT RECORD -----

PROJECT#: 404113
RECEIVED: 01/11/2010

STATUS: P
PROJTYPE: BDIU

DISP CODE: C
ISSUED DT: 1/19/10
SUP-DISP DATE: 1/15/10

STAFF ASSIGNED TO PROJECT:

DANIEL, SHANTHA

PROJECT NOTES:

D-1110 HAD BOTH NOX_O AND NOX-N CREDITS. THE CERTIFICATE WAS SEPERATED OUT TO D-2463 FOR NOX_O CREDITS AND D-2464 FOR NOX_N CREDITS. GW DOCUMENTS: DCTR- 13880; DCUA- 13881; DCCT (D-2463)- 13882; DCCT (D-2464)-13883.

PROJECT TRANSACTIONS**COMPANY DATA**

COMPANY NAME: EXTEX LAPORTE LIMITED PARTNERSHIP
CUSTOMER REGISTRY ID: CN601232192

PORTFOLIO DATA

NUMBER: P0979 NAME: MOUNTAIN CREEK STEAM ELECTRIC

SITE DATA

ACCOUNT:
DB0252S

REG ENTITY ID: RN101559235

SITE NAME: MOUNTAIN CREEK STEAM ELECTRIC STATION

COUNTY: DALLAS

NEAREST CITY: DALLAS

LOCATION: 2233-A MOUNTAIN CREEK PARKWAY

CONTACT DATA

NAME: TERRY JONES

TITLE: ENVIRONMENTAL SUPERVISOR

STREET: 2233A MOUNTAIN CREEK PARKWAY CITY/STATE, ZIP: DALLAS, TX , 75211-0

FAX: 214-623-1009 ext 0

PHONE: 214-738-8315 ext 0

TRANSACTION DATA

TRANSACTION TYPE: DERC_INTEN

DATE ENTERED: 2010-01-11 00:00:00.0

CONTAMINATE: NOX_O

ALLOWANCE0

DELETED DATE:

EFFECTIVE YEAR:

TONS: 11.00

DOLLARS: 0

CERTIFICATE NO.: D1110 COUNTY : DALLAS

TRANSACTION DATA

TRANSACTION TYPE: DERC_RET

DATE ENTERED: 2010-01-11 00:00:00.0

CONTAMINATE: NOX_O

ALLOWANCE0

DELETED DATE:

EFFECTIVE YEAR:

TONS: 617.60

DOLLARS: 0

CERTIFICATE NO.: D2463 COUNTY : DALLAS

COMPANY DATA

COMPANY NAME: EXTEX LAPORTE LIMITED PARTNERSHIP

CUSTOMER REGISTRY ID: CN601232192

CUSTOMER REGISTRY ID: CN601232192

PORTFOLIO DATA

NUMBER: P0979 NAME: MOUNTAIN CREEK STEAM ELECTRIC

SITE DATA

ACCOUNT:

DB0252S

REG ENTITY ID: RN101559235

SITE NAME: MOUNTAIN CREEK STEAM ELECTRIC STATION

COUNTY: DALLAS

NEAREST CITY: DALLAS

LOCATION: 2233-A MOUNTAIN CREEK PARKWAY

CONTACT DATA**TRANSACTION DATA**

TRANSACTION TYPE: DERC_INTEN

DATE ENTERED: 2010-01-15 00:00:00.0

DELETED DATE:

EFFECTIVE YEAR:

CONTAMINATE: NOX_N

TONS: 0

DOLLARS: 0

ALLOWANCE0

CERTIFICATE NO.: D1110 COUNTY : DALLAS

TRANSACTION DATA

TRANSACTION TYPE: DERC_RET

DATE ENTERED: 2010-01-15 00:00:00.0

DELETED DATE:

EFFECTIVE YEAR:

CONTAMINATE: NOX_N

TONS: 20.50

DOLLARS: 0

ALLOWANCE0

CERTIFICATE NO.: D2464 COUNTY : DALLAS

TRACKING ACTIVITESTR - ENGINEER RECEIVE
PROJECT :

01/11/2010

TR - PROJ TECH
COMPLETE :

01/14/2010

TR - SUP/MANGR
APP/RVW RQSTD :

01/15/2010

FA - PROJECT ISSUED :

TR - DATE SUP/MNGR
REQ ADDL TR :

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 20, 2010

Mr. Terry Jones
Environmental Supervisor
ExTex LaPorte Limited Partnership
2233 Mountain Creek Parkway, Suite A
Dallas, Texas 75211-6706

Re: Notice of Intent to Use Discrete Emission Credits
Mountain Creek Steam Electric Station
Dallas, Dallas County
Regulated Entity Number: RN101559235
Customer Reference Number: CN601232192
Account Number: DB-0252-S

Dear Mr. Jones:

This letter is in response to ExTex Laporte Limited Partnership's Form DEC-2, (Notice of Intent to Use Discrete Emission Credits), received January 11, 2010, for the purpose of compliance with Title 30 Texas Administrative Code (TAC) Chapter 116 Subchapter I for the period of January 21, 2010, through December 31, 2010. We understand you plan to use 11.0 tons of nitrogen oxides (NO_x-O) discrete emission credits (DERCs) for the purpose of covering emissions in excess of allowable emission levels specified in Permit No. 45417.

Note that all Notice of Intent to Use Discrete Emission Credits must be submitted to the Texas Commission on Environmental Quality (TCEQ) by August 1st prior to the calendar year that the discrete emission credits are intended for use. This request is approved per §101.376(d)(3) due to ExTex LaPorte Limited Partnership's extenuating circumstances and the effort made by the company to acquire discrete emission credits to ensure compliance with the permit.

We have reviewed your application and have found that the credits to be used meet the requirements of 30 TAC §§101.370 - 101.379. A total of 11.0 tons of NO_x-O will be set aside from certificate number D-1110. A Form DEC-3, (Notice of Use of Discrete Emission Credits), must be submitted within 90 days of the end of the use period.

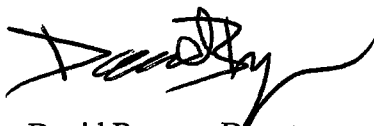
Mr. Terry Jones
Page 2
January 20, 2010

Enclosed are copies of DERC Certificate Numbers D-2463 and D-2464 issued to ExTex LaPorte Limited Partnership. Certificate Number D-2463 is for 617.6 tons NO_x-O of credits remaining from DERC Certificate Number D-1110 and Certificate Number D-2464 is for 20.5 tons NO_x-N of credits from D-1110. Certificate Numbers D-2463 and D-2464 have been deposited in the TCEQ Discrete Emissions Credit Registry. The certificates may be transferred or sold to another owner for use per the requirements of 30 TAC §§101.370 - 101.379. ExTex LaPorte Limited Partnership's DERC Certificate Number D-1110 is now cancelled.

Thank you for your cooperation in this matter. If you have questions concerning this review or need further assistance regarding the banking program, please contact Dr. Shantha Daniel at (512) 239-3930, or write to the Texas Commission on Environmental Quality, Chief Engineer's Office, Air Quality Division (MC-206), P.O. Box 13087, Austin, Texas 78711-3087.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,



David Brymer, Director
Air Quality Division
Texas Commission on Environmental Quality

DB/SD/lb

cc: Air Section Manager, Region 4 - Fort Worth
Mr. David Miller, Section Manager, Air Pollution Control Program, City of Dallas
Environmental and Health Services, Dallas
Mr. Derek R. McDonald, Baker Botts, L.L.P., Austin.

The State of Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Certificate Number:

D-2464



Number of Credits:

20.5 tons NO_x-N

Discrete Emission Reduction Credit Certificate

This certifies that

***ExTex LaPorte Limited Partnership
2233 Mountain Creek Parkway, Suite A
Dallas, TX 75211***

is the owner of 20.5 tons of nitrogen oxides – non-ozone season (NO_x-N) discrete emission reduction credits established under the laws of the State of Texas, transferable only on the books of the Texas Commission on Environmental Quality, by the holder hereof in person or by duly authorized Attorney, upon surrender of this certificate.

The owner of this certificate is entitled to utilize the discrete emission credits evidenced herein for all purpose authorized by the laws and regulations of the State of Texas and is subject to all limitations prescribed by the laws and regulations of the State of Texas.

Discrete Emission Reduction Generation Period: June 1, 2002 to May 30, 2003

Generator Regulated Entity No.: RN101559235

Generator Certificate: D-1100

County of Generation: Dallas

January 20, 2010

Date

A handwritten signature in black ink, appearing to read "David Bryner".

For the Commission

The State of Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Certificate Number:

D-2463



Number of Credits:

617.6 tons NO_x-O

Discrete Emission Reduction Credit Certificate

This certifies that

***ExTex LaPorte Limited Partnership
2233 Mountain Creek Parkway, Suite A
Dallas, TX 75211***

is the owner of 617.6 tons of nitrogen oxides – ozone season (NO_x-O) discrete emission reduction credits established under the laws of the State of Texas, transferable only on the books of the Texas Commission on Environmental Quality, by the holder hereof in person or by duly authorized Attorney, upon surrender of this certificate.

The owner of this certificate is entitled to utilize the discrete emission credits evidenced herein for all purpose authorized by the laws and regulations of the State of Texas and is subject to all limitations prescribed by the laws and regulations of the State of Texas.

Discrete Emission Reduction Generation Period: June 1, 2002 to May 30, 2003

Generator Regulated Entity No.: RN101559235

Generator Certificate: D-1100

County of Generation: Dallas

January 20, 2010

Date

A handwritten signature in black ink, appearing to read "David Bryman".

For the Commission

DISCRETE EMISSION CREDITS/EMISSION CREDIT USE TECHNICAL REVIEW

Project No.:	404113	Customer Reference No.:	CN601232192
Project Type:	BDIU	Regulated Entity No.:	RN101559235
Company Name:	ExTex LaPorte Limited Partnership	Facility Name:	Mountain Creek Steam electric Station
City:	Dallas	County:	Dallas
Project Reviewer:	Dr. Shantha Daniel	Portfolio Name:	P0979 – Mountain Creek Steam Electric

Project Overview

ExTex LaPorte Limited Partnership (ExTex) submitted a DEC-2, Notice of Intent to Use Discrete Emission Credits (DERCs), on January 11, 2010. The company is seeking to use NO_x DERCs to cover emissions in excess of their permitted allowable emission level from one boiler at their Mountain Creek Steam Electric Station site. The total amount of DERCs to be set aside is 11.0 tons (10.0 tons plus 10% environmental contribution) for the use period of January 21, 2010 to December 31, 2010.

ExTex submitted their request per 30 TAC §101.376(d)(3) which states that a user may submit a late DEC-2 form in the case of an emergency or other exigent circumstances. ExTex claims exigent circumstances due to the unusually cold weather in Dallas these past few weeks. ExTex is operating the boiler at levels much higher than is usual for this time of the year. Also, the boiler is being operated at the request of the Electric Reliability Council of Texas (ERCOT) to maintain grid stability and reliability. The permit limit has not yet been exceeded, but they are uncomfortably close. They want to use DERCs to cover any possible exceedance that might result due to the cold snaps.

Discrete Emission Credit / Emission Reduction Credit Use

Boiler 8 (FIN MT-B8, EPN MT-S8) at Mountain Creek Steam Electric station is limited to 58.1 tons per year by Permit No. 45417. The compliance period is a 12 month rolling average. ExTex has submitted DERC certificate number D-1110 to be set aside for the intent. Since D-1110 is not set aside in its entirety, DERC certificate number D-2463 is being issued for the remaining 617.60 tons NO_x_O.

Certificate(s) to be used.....	D-1110
Pollutant.....	NO _x
Amount.....	11.0 tons
Regulation.....	30 TAC Chapter 116, Subchapter I
Use period/Use Date.....	01/21/10 to 12/31/10

DISCRETE EMISSION CREDITS / EMISSION CREDIT USE TECHNICAL REVIEW

PAGE 2

Project No. 404113

Credit Use Calculation Methods

As per §101.376(d)(2) (C), the amount of discrete emission credits needed to exceed an allowable emissions level is calculated as follows.

$(ELA - PLA) \times (PER) = \text{discrete emission credits needed}$

Where:

ELA = expected level of activity

PLA = permitted level of activity

PER = permitted emission rate per unit activity

$(ELA \times PER) - (PLA \times PER) = \text{discrete emission credits needed}$

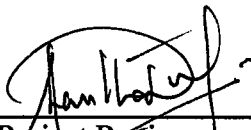
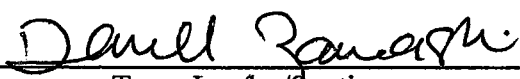
$(13,620,000 \text{ MMBtu} \times 0.01 \text{ lbs/MMBtu}) - (58.1) = 10 \text{ tons}$

+ 10 % environmental contribution = 1 tons

Total DERCS needed = 11 tons.

Conclusion:

ExTex LaPorte Limited Partnership Corporation has accurately calculated the amount of discrete emission credits needed to cover possible permit allowable exceedance by Boiler 8 (FIN MT-B8, EPN MT-S8). at the Mountain Creek Steam Electric Station. The company is approved for the intent to use 11.0 tons of NO_x O discrete emission credits for the period of January 21, 2010 to December 31, 2010. D-1110 has a certificate value of 628.60 tons of which 11.0 tons is being set aside with this project. A new certificate, D-2463, will be generated for the 617.60 tons retained from D-1110. Certificate D-1110 is cancelled and no longer available.

	1/15/2010		1/15/2010
Project Reviewer	Date	Team Leader/Section Manager/Backup	Date

Sb7 Allowances for Pollutant NOX

Balance/Year	2006	2007	2008	2009	2010	2011	2012
Starting Penalty	0	0	0	0	0	0	0
Starting Vintage	2316	3453	4670	5425	0	0	0
Starting SB7 Allowance	1803	1803	1803	1803	1803	1803	1803
In	0	0	0	0	0	0	0
Out	-558	-558	-1000	-1000	-0	-0	-0
Actual Emissions	-108	-28	-48	-0	-0	-0	-0
BALANCE	3453	4670	5425	6228	1803	1803	1803

DERC

Certificate Num	Cont Code	Avail Tons	Transaction Type	Inactive Date	Gen Start Date	Gen End Date	County	Parent Cert Num
D1110	NOX_O	628.60	DERC_GEN	12/30/3000	06/01/2002	05/30/2003	DALLAS	D1110
D1110	NOX_O	628.60	DERC_INTEN	12/30/3000	06/01/2002	05/30/2003	DALLAS	D1110
D1110	NOX_N	20.50	DERC_GEN	12/30/3000	06/01/2002	05/30/2003	DALLAS	D1110
D2463	NOX_O	617.60	DERC_RET	12/30/3000	01/06/2002	05/30/2003	DALLAS	D1110

ERC

Certificate Num	Cont Code	Avail Tons	Transaction Type	Active/Inactive	Gen Date	Exp Date	County	Parent Cert Num
1756	NOX	263.70	ERC_GEN	12/30/3000	08/22/2006	12/09/2009	DALLAS	1756
1756	NOX	263.70	ERC_RET	12/30/3000	08/22/2006	12/09/2009	DALLAS	1756

Portfolio Number:	P0979	Portfolio Name:	MOUNTAIN CREEK STEAM ELECTRIC
Company Name:	EXTEX LAPORTE LIMITED PARTNERSHIP		

Actual Allowances for Pollutant NOX

Balance/Year	2006	2007	2008	2009	2010	2011	2012
Penalty from last year	0	0	0	0	0	0	0
Starting Allowance	0	0	0	0	0	0	0
Future Trade In	0	0	0	0	0	0	0
Future Trade Out	-0	-0	-0	-0	-0	-0	-0
Stream Trade In	0	0	0	0	0	0	0
Stream Trade Out	-0	-0	-0	-0	-0	-0	-0
Current Trade In	0	0	0	0	0	0	0
Current Trade Out	-0	-0	-0	-0	-0	-0	-0
Vintage From Last Year	0	0	0	0	0	0	0
Vintage Trade In	0	0	0	0	0	0	0
Vintage Trade Out	0	0	0	0	0	0	0
Vintage Used	-0	-0	-0	-0	-0	-0	-0
VINTAGE BALANCE	0	0	0	0	0	0	0
DERC Intent	0	0	0	0	0	0	0
DERC Use	0	0	0	0	0	0	0
ERC Use	0	0	0	0	0	0	0
Actual Emissions	0	0	0	0	0	0	0
BALANCE	0	0	0	0	0	0	0

* Part of actual allowances was used to cover exceedences by flex permits and/or allowables.

Flexible Allowances for Pollutant NOX

Balance	2006	2007	2008	2009	2010	2011	2012
Starting Allowance	0	0	0	0	0	0	0
Penalty	0	0	0	0	0	0	0
Actual Emissions	-0	-0	-0	-0	-0	-0	-0
BALANCE	0	0	0	0	0	0	0

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

Permit Number 45417

This table lists the maximum allowable emission rates and one of the five sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lb/hr	TPY*
MT-S8	Boiler No. 8	NO _x	---	58.1

- (1) Emission point identification - either specific equipment designation or emission point number from a plot plan.
- (2) Specific point source names. For fugitive sources, use an area name or fugitive source name.
- (3) NO_x - total oxides of nitrogen

* Compliance with annual emission limits is based on a rolling 12-month period.

Dated December 9, 2004



Form DEC-2 (Page 1)
Notice of Intent to Use Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

404113

I. Company Identifying Information			
A. Company Name: ExTex LaPorte Limited Partnership			
Mailing Address: 2233 Mountain Creek Parkway, Suite A			
City: Dallas	State: Texas	Zip Code: 75211-6706	
Telephone: 214-623-1004		Fax: 214-623-1096	
B. TCEQ Customer Number (CN): CN601232192			
C. Site Name: Mountain Creek Steam Electric Station			
Street Address : 2233 Mountain Creek Parkway, Suite A			
Nearest City: Dallas	Zip Code: 75211	County: U.S.A.	
D. TCEQ Regulated Entity Number (RN): RN101559235			
E. TCEQ Air Account Number: (if applicable) DB-0252-S			
F. Primary SIC: 4911		Air Permit Number: 45417	
II. Technical Contact Identifying Information			
A. Technical Contact Name: (<input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr.) : Terry W. Jones			
Technical Contact Title: Environmental Supervisor			
Mailing Address: 2233 Mountain Creek Parkway, Suite A			
City: Dallas	State: Texas	Zip Code: 75211-6706	
Telephone: 214-738-8315	Fax: 214-623-1009	E-mail: terry.jones@exeloncorp.com	
III. Mass Emission Cap and Trade Program (MECT)			
Is the DERC use for compliance with 30 TAC Chapter 101 Subchapter H, Division 3? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
Year DERC Generated: _____ Year of Use: _____ Ratio of DERC to Allowance: _____ to _____			
Note: If DERC use is to comply with MECT then go to Section IX			
IV. Intended Use Period			
Intended Use Start Date: 01 / 11 / 2010 21 Jwg		Intended Use End Date: 12 / 31 / 2010	

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Form DEC-2 (Page 2)
Notice of Intent to Use Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

V. State and Federal Requirements

Applicable State and Federal requirements that the DERCs will be used for compliance:
Annual emission limit of 58.1 tons per year, based on a rolling 12-month period for FIN MT-S8 from permit 45417, December 9, 2004 permit alteration.
Mountain Creek Unit 8 is a key asset in serving system reliability in the Dallas-Fort Worth ("DFW"). As a result, this unit at times may be called to operate out of merit or if needed in the event ERCOT calls for an emergency operating condition.

VI. Most Stringent Emission Rate

Describe basis for most stringent allowable emission rate:

☒ Permit 45417 _____ ☐ RACT _____ ☐ Other: _____

Notes: 58.1 TPY, based on a rolling 12-month period.

Continue to Section VII (next page)

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Form DEC-2 (Page 3)
Notice of Intent to Use Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

VII. Tons of DERCS Required									
Emission Point No.	FIN	Air Contaminant	Calculation of DERCs						
			Expected Activity (MMBtu/yr)	Expected Emission Rate (lb/MMBtu)	Expected Total Emissions (tons)	Regulated Activity (units)	Regulated Emission Rate (units)	Regulated Total Emissions (tons)	DERCs (tons)
MT-S8	MT-B8	NOx	13,620,000	0.01	See footnote 1 below	Not Applicable (NA)	NA	58.1	10* See footnote 2 below
								Total:	10

Footnote 1: Use DERCs for ERCOT declared emergency or in cases, where, is called upon out of merit for system reliability. Footnote 2: Under 101.376(b)(1)(A) permitted facilities may use DERCs to exceed permit allowables by no more than 10 tons for NOx in a 12 month period as approved by the executive director.

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Form DEC-2 (Page 4)
Notice of Intent to Use Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

VIII. Protocol

Protocol used to calculate DERC:

Note: Attach the actual calculations that were used to determine the amounts of DERCs needed to this form

The tons of DERCs required are estimated by subtracting the "Regulated Total" emissions of 58.1 tons, based on a rolling 12-month period, from the "Expected Total Emissions" of 68.1 tons. "Expected Total Emissions" were estimated by multiplying an estimated NO_x emission rate of 0.01 lb/MMBtu by the estimated 12-month total heat input of 13,620,000 MMBtu.

DERCs = Regulated Total - Expected Total Emissions

Expected Total Emissions = 0.01 lb/MMBtu x 13,620,000 MMBtu x 1 ton/2000 lbs

The actual demonstration of DERCs used will be calculated by multiplying the annual arithmetic average controlled emission rate (AER), as determined by the NO_x CEMS, by the total heat input, as determined by the CEMS, for the proceeding 12-month period, and then subtracting the Regulated Total Emissions.

DERCs Used = AER x Total Heat Input - Regulated Total Emissions.

IX. Total DERCs Required for Use (round up to the nearest tenth of a ton)

Tons of DERCs required (from Sect. VII.)	CO: _____	NO _x : <u>10</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Offset Ratio (if required)	CO: _____	NO _x : <u>NA</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Environmental Contribution (+ 10%)	CO: _____	NO _x : <u>1</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Compliance Margin (+ 5%) (If DERC use requires >10 tons)	CO: _____	NO _x : <u>NA</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Total DERCs	CO: _____	NO _x : <u>11</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____

X. DERC Information

Name of the DERC Generator: ExTex LaPorte Limited Partnership

DERC Generator Regulated Entity Number: RN101559235

Certificate number of the DERCs acquired or to be acquired: Certificate # D1110 NO_x - 0 Jwg

Note: The certificate number is assigned by the TCEQ

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Form DEC-2 (Page 5)
Notice of Intent to Use Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

XI. Purchase Date and Price

Date on which the DERCs were acquired or will be acquired: ____ / ____ / ____

Price or expected price of the DERCs: \$ 0.0 ____ per ton (Required) Note: DERCs identified for use were generated at facility."

XII. Certification by Responsible Official

I, Terry W. Jones, hereby certify, to the best of my knowledge and belief, that this application is correct and the use strategy claimed on this notice has met the requirements of all applicable state and federal rules and regulations. I further state that to the best of my knowledge and belief the information in this certification is not in any way in violation of 30 TAC, Subchapter H, Division 4, §101.370-101.379 or any applicable air quality rule or regulation of the Texas Commission on Environmental Quality and that intentionally or knowingly making or causing to be made false material statements or representations in this certification is a CRIMINAL OFFENSE subject to criminal penalties. I hereby also waive the Federal statute of limitations defense in regards to the generation and use of discrete emission credits.

Signature Terry W. Jones Signature Date 1/11/10
Title Environmental Supervisor

Mail application to:
Texas Commission on Environmental Quality
Emission Banking and Trading Program MC 206
PO BOX 13087
AUSTIN, TX 78711-3087

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ExTex LaPorte Mt Creek Station
2233A Mt Creek Parkway
Dallas, TX 75211
214-623-1004 Phone
214-623-1096 Fax

By Hand Delivery and Certified Mail

January 11, 2010

Ms. Danella Zawaski
Emissions Banking & Trading Program, MC 206
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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**AIR QUALITY
DIVISION**

Subject: Notice of Intent to Use Discrete Emission Reduction Credits
ExTex LaPorte Limited Partnership
Mountain Creek Steam Electric Station
CN 601232192
RN 101559235
TCEQ Air Account No. DB-0252-S

Dear Ms. Zawaski:

Pursuant to 30 Tex. Admin. Code ("TAC") §§ 101.376(d)(3) and 101.379(c)(2)(C)(ii), ExTex LaPorte Limited Partnership submits the enclosed information providing notice of intent to use discrete emission reduction credits ("DERCs") to comply with the requirements of TCEQ Air Quality Permit No. 45417 at the Mountain Creek Steam Electric Station in Dallas, Dallas County.

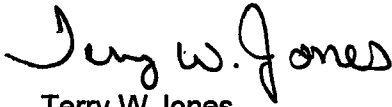
As described in greater detail in the attached TCEQ Form DEC-2, ExTex LaPorte Limited Partnership is providing notice of its intent to use oxides of nitrogen (NO_x) DERCs to maintain compliance with Permit No. 45417's 12-month rolling average limit on NO_x emissions for Unit 8. Mountain Creek Unit 8 is a key asset in serving system reliability in the Dallas-Fort Worth ("DFW") area and is called upon to operate out of merit when needed to maintain system reliability. Texas is in the midst of a record-breaking cold spell and, as a result, electricity demand in the DFW area has been extremely high. Unit 8 may also be needed when the Electric Reliability Council of Texas ("ERCOT") has called an emergency operating condition.

While there has been no ERCOT-declared emergency situation at the time of this submittal, ExTex LaPorte Limited Partnership is submitting this notice of intent to use DERCs in response to the current weather conditions, in order to ensure compliance with the 12-month rolling average NO_x limit for Unit 8 given the demand for generation from Unit 8.

If you have any questions or require additional information, please contact me Terry Jones at 214-738-8315

Attachments

Sincerely,

A handwritten signature in black ink that reads "Terry W. Jones". The signature is written in a cursive style with a large, stylized "J" and "T".

Terry W Jones
Environmental Supervisor
Exelon Power Texas

RECEIVED
JAN 17 2010
AIR QUALITY
DIVISION

The State of Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Certificate Number

D-1110



Number of Credits

628.6 TONS NO_x-O

20.5 TONS NO_x-N

USED
Project 404113
Jan 20, 2010
PURPOSE:
DATE:

Discrete Emission Reduction Credit Certificate

This certifies that:

ExTex LaPorte, L.P.

2233A Mountain Creek Parkway

Dallas, Texas 75211

is the owner of 628.6 tons of nitrogen oxide (NO_x) ozone season and 20.5 tons of NO_x non-ozone season discrete emission reduction credits established under the laws of the State of Texas, transferable only on the books of the Texas Commission on Environmental Quality, by the holder hereof in person or by duly authorized Attorney, upon surrender of this certificate.

The owner of this certificate is entitled to utilize the discrete emission credits evidenced herein for all purpose authorized by the laws and regulations of the State of Texas and is subject to all limitations prescribed by the laws and regulations of the State of Texas.

Discrete Emission Reduction Generation Period: June 1, 2002-May 30, 2003

Regulated Entity Number: RN101559235

Customer Reference Number: CN601232192

Generator Certificate: N/A

County of Generation: Dallas

January 16, 2004

Date

Margaret Hoffman

Executive Director

Texas Commission on Environmental Quality