

AIR DERC\_101559235-404113\_  
USE\_20100115\_Use\_D2463

**01/15/2010 ----- EBTB 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:**

GW DOCUMENTS: DCTR- 13880; DCUA- 13881; DCCT (D-2463)- 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

**TRACKING ACTIVITIES**

TR - 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 :

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

CONTAMINATE: NOX\_N

ALLOWANCE0

DELETED DATE:

EFFECTIVE YEAR:

TONS: 0

DOLLARS: 0

CERTIFICATE NO.: D1110 COUNTY : DALLAS

**TRANSACTION DATA**

TRANSACTION TYPE: DERC\_RET

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

CONTAMINATE: NOX\_N

ALLOWANCE0

DELETED DATE:

EFFECTIVE YEAR:

TONS: 20.50

DOLLARS: 0

CERTIFICATE NO.: D2464 COUNTY : DALLAS

---

**TRACKING ACTIVITES**

TR - 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<sub>x</sub>-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 1<sup>st</sup> 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<sub>x</sub>-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

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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<sub>x</sub>-O of credits remaining from DERC Certificate Number D-1110 and Certificate Number D-2464 is for 20.5 tons NO<sub>x</sub>-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<sub>x</sub>-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<sub>x</sub>-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:



Number of Credits:

617.6 tons NO<sub>x</sub>-O

**TRANSFERRED**  
TO CERTIFICATE NO(S): D2611 &  
DATE: 10/19/2010

## *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<sub>x</sub>-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 Bryner".

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<sub>x</sub> 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<sub>x</sub>\_O.

Certificate(s) to be used.....D-1110  
Pollutant.....NO<sub>x</sub>  
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

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

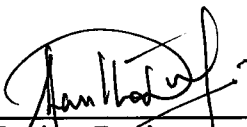
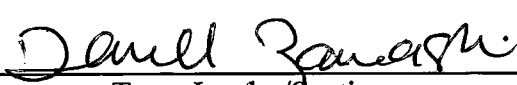
$(13,620,000 \text{ MMBtu} \times 0.01 \text{ lbs/MMBtu}) - (58.1) = 10 \text{ tons}$

+ 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<sub>x</sub>\_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



Portfolio Number:	<b>P0979</b>	Portfolio Name:	<b>MOUNTAIN CREEK STEAM ELECTRIC</b>
Company Name:	<b>EXTEX LAPORTE LIMITED PARTNERSHIP</b>		

### 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

**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

## 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 <sub>x</sub>	---	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<sub>x</sub> - 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: (  X  Mr.   Mrs.   Ms.   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? ☐ YES ☒ 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

Intended Use End Date: 12 / 31 / 2010

21 JWG

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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)**

<b>VII. Tons of DERCS Required</b>									
<b>Emission Point No.</b>	<b>FIN</b>	<b>Air Contaminant</b>	<b>Calculation of DERCS</b>						
			<b>Expected Activity (MMBtu/yr)</b>	<b>Expected Emission Rate (lb/MMBtu)</b>	<b>Expected Total Emissions (tons)</b>	<b>Regulated Activity (units)</b>	<b>Regulated Emission Rate (units)</b>	<b>Regulated Total Emissions (tons)</b>	<b>DERCs (tons)</b>
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
								<b>Total:</b>	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<sub>x</sub> 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<sub>x</sub> 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 <sub>x</sub> : 10	PM <sub>10</sub> : _____	SO <sub>2</sub> : _____	VOC: _____
Offset Ratio (if required)	CO: _____	NO <sub>x</sub> : NA	PM <sub>10</sub> : _____	SO <sub>2</sub> : _____	VOC: _____
Environmental Contribution (+ 10%)	CO: _____	NO <sub>x</sub> : 1	PM <sub>10</sub> : _____	SO <sub>2</sub> : _____	VOC: _____
Compliance Margin (+ 5%) (If DERC use requires > 10 tons)	CO: _____	NO <sub>x</sub> : NA	PM <sub>10</sub> : _____	SO <sub>2</sub> : _____	VOC: _____
<b>Total DERCs</b>	CO: _____	NO <sub>x</sub> : 11	PM <sub>10</sub> : _____	SO <sub>2</sub> : _____	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<sub>x</sub> - 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. Danell●Zawaski  
Emissions Banking & Trading Program, MC 206  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

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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.

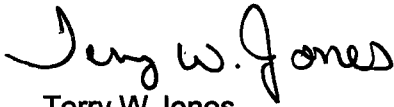
As described in greater detail in the attached TCEQ Form DEC-2, ExTex LaPorte Limited Partnership is providing notice of its intent to use oxides of nitrogen (NO<sub>x</sub>) DERCs to maintain compliance with Permit No. 45417's 12-month rolling average limit on NO<sub>x</sub> emissions for Unit 8. Mountain 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<sub>x</sub> 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 fluid and cursive, with the first letters of each word being capitalized and prominent.

Terry W Jones  
Environmental Supervisor  
Exelon Power Texas

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DIVISION