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PUC PROJECT NO. 29298

QUARTERLY WHOLESALE  
ELECTRICITY TRANSACTION  
REPORTS FOR 2003

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PUBLIC UTILITY COMMISSION  
OF TEXAS

FILED  
JUL 16 AM 11:38  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**CITY OF GARLAND'S  
QUARTERLY WHOLESALE ELECTRICITY TRANSACTION REPORT**

Pursuant to P.U.C. SUBST. R. 25.93, the City of Garland, whose municipally owned electric utility operates under the name Garland Power & Light ("Garland"), submits its Quarterly Wholesale Electricity Transaction Reports for the second quarter of 2010. Garland notes that it is one of the parties in *City of Garland v. Public Utility Commission of Texas*, 165 S.W.3d 814 (Tex. App. - Austin 2005, pet. denied), in which the Third Court of Appeals held that P.U.C. SUBST. R. 25.93 conflicts with the Commission's statutory duties under TEX. UTIL. CODE ANN. § 39.155 in light of TEX. GOV'T CODE ANN. § 552.133, and remanded it back to the Commission.

Mr. Carl Smith, Administrative Manager for Garland, is the person attesting to the accuracy of these reports. Mr. Smith's affidavit is attached hereto and incorporated herein for all purposes. Mr. Smith's contact information is:

Mr. Carl Smith  
Garland Power & Light  
525 East Avenue B  
Garland, TX 75040  
(972) 205-3023

Information contained in these reports is confidential, highly sensitive material that Garland is withholding from public disclosure. Such withholding is consistent with the Texas Public Information Act, TEX. GOV'T CODE Chapter 552 (Vernon 2004 & Supp. 2008). Garland requests that this information be protected from public disclosure under P.U.C. PROC. R. 25.71. Specifically, information contained in these reports is exempt from public disclosure pursuant to TEX. GOV'T CODE ANN. § 552.133 relating to Public Power Utility Competitive Matters. That provision exempts from public disclosure utility-related matters that the public power utility governing body in good faith determines by a vote under this section is related to the public power utility's competitive activity. Garland adopted Resolution No. 9160 on July 20, 2004, in which it defined certain categories of information as competitive matters. Garland's determination of "competitive information" in Resolution No. 9160 comprises purchasing and contract information, including, but not limited to, (i) power supply pricing, proposals, and contracts, and (ii) power sales pricing, proposals, and contracts. This is the very information contained in these reports that Garland is withholding from public disclosure. Specifically, this information contains the names of purchasers, dates of purchase, quantity, and pricing information. Thus, under the provisions of TEX. GOV'T CODE ANN. § 552.133, Garland has lawfully determined that the information submitted under the Commission's rule is competitive information, the disclosure of which would give advantage to competitors or prospective competitors.

The undersigned counsel for Garland has reviewed the confidential information contained in the documents sufficiently to state in good faith that the information is exempt from public disclosure under the Texas Public Information Act and merits the confidential materials designation.

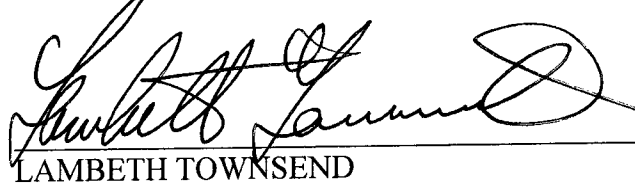
DATED: August 16, 2010

BRAD NEIGHBOR  
State Bar No. 14869300  
City Attorney  
CITY OF GARLAND  
200 North 5th Street, Suite 416  
Garland, Texas 75040  
Telephone: (972) 205-2380  
Facsimile: (972) 205-2389

ATTORNEY FOR THE  
CITY OF GARLAND

Respectfully submitted,

LLOYD, GOSSELINK, ROCHELLE  
& TOWNSEND, P.C.  
816 Congress Avenue, Suite 1900  
Austin, Texas 78701  
Telephone: (512) 322-5830  
Facsimile: (512) 472-0532

A handwritten signature in black ink, appearing to read "Lambeth Townsend", is written over a horizontal line.

LAMBETH TOWNSEND  
State Bar No. 20167500

JOYCE BEASLEY  
State Bar No. 01987300

ATTORNEYS FOR THE CITY OF GARLAND

# AFFIDAVIT


STATE OF TEXAS                   §  
COUNTY OF DALLAS           §

BEFORE ME, the undersigned authority, on this day appeared Carl Smith who being by me first duly sworn, on oath deposed and said the following:

“My name is Carl Smith. I am over eighteen (18) years of age, am of sound mind, and am fully competent to make this statement. I have personal knowledge of every statement made herein. The statements made are true and correct.

As Administrative Manager for the City of Garland’s municipally owned electric utility, Garland Power & Light (“Garland”), I oversee the area responsible for compiling the quarterly transaction reports provided to the Public Utility Commission of Texas. I swear or affirm that the attached reports were prepared by me or under my direction, and that I have the authority to submit this report on behalf of the reporting party. I further swear or affirm that all statements made in the report are true, correct and complete to the best of my knowledge and that any substantial changes in such information will be provided to the Public Utility Commission of Texas in a timely manner.”

**CITY OF GARLAND /  
GARLAND POWER & LIGHT**

By:   
Carl Smith  
Administrative Manager

Sworn and subscribed before me this 11 day of August, 2010.



Notary Public in and for the State of Texas

