

Control Number: 34738



Item Number: 138

Addendum StartPage: 0

Brown | McCarroll  
L.L.P.

111 Congress Avenue, Suite 1400, Austin, Texas 78701-4043  
512-472-5456 fax 512-479-1101

June 24, 2008

2008 JUL 17 PM 3:11

Mr. Chad Seely  
Corporate Counsel - Litigation and Business Operations  
ERCOT  
7620 Metro Center Drive  
Austin TX 78744

Re: Notice of Violation of International Power America, Inc., Hays Energy Limited Partnership, Midlothian Energy Limited Partnership, and ANP Funding I, LLC of PURA §39.151(j) and P.U.C. SUBST. R. 25.503(f) and (g), Relating to Failure to Adhere to ERCOT Protocols §§5.8.1.1, and 6.5.1.1(1)(e) concerning Governor in Service Requirements, and of P.U.C. SUBST. R. 25.503(f)(10), Relating to Failure to Comply with Request for Information by ERCOT within the Time Specified by ERCOT Instructions.

Dear Mr. Seely:

In connection with the Subpoena for the Production of Books, Records, Papers, or Other Objects of the Electric Reliability Council of Texas, Inc. (ERCOT), served June 6, 2008, this Rule 11 Agreement will serve to clarify the date range for the below listed requests.

For questions 2, 3, 4, 5, 6, and 8, the time period for PDCWG-related responsive documents, memoranda, reports and presentations shall be limited to May 3, 2004 to May 31, 2006. For non-PDCWG responsive documents, the date range will remain as outlined in the referenced subpoena.

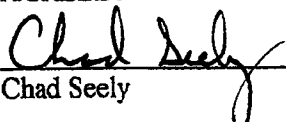
If you are in agreement with this list of terms please sign and return. Feel free to call should you have any questions. Thanks very much for your cooperation with this matter.

Regards,

  
S. Scott Shepherd

SSS:elp

AGREED:

  
Chad Seely