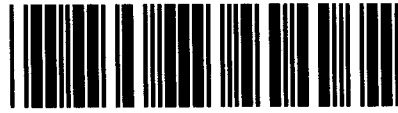




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PUC DOCKET NO. 38460

PETITION OF ONCOR ELECTRIC §
DELIVERY COMPANY LLC FOR §
ADMINISTRATIVE APPROVAL §
OF TRANSMISSION COST RECOVERY §
FACTOR UPDATE PURSUANT §
TO SUBST. R. 25.193 §

BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

10/12/12 PM 2:39
CLERK

**AMENDED PETITION OF ONCOR ELECTRIC DELIVERY COMPANY LLC
FOR ADMINISTRATIVE APPROVAL OF
TRANSMISSION COST RECOVERY FACTOR (TCRF) UPDATE**

COMES NOW Oncor Electric Delivery Company LLC ("Oncor" or "Company") and files this Amended Petition for Administrative Approval of Transmission Cost Recovery Factor ("TCRF") Update pursuant to Substantive Rule 25.193. This petition has been amended to reflect revised dollar amounts associated with TMPA's refund of prior overcharges, and is intended to replace the petition that was filed by Oncor in this docket on July 15, 2010.¹ Oncor respectfully shows as follows:

I.

Oncor is a transmission and distribution utility providing delivery service pursuant to a Tariff for Retail Delivery Service ("Tariff") approved by the Public Utility Commission of Texas ("PUCT" or "Commission"). The Tariff contains Section 6.1.1.6.1 - Rider Transmission Cost Recovery Factor (TCRF) ("TCRF Rider"), which provides for a nonbypassable transmission service charge adjustment that is assessed to retail electric providers ("REPs"), on behalf of retail customers. In accordance with Substantive Rule 25.193, the TCRF Rider authorizes Oncor to make such adjustments when a change in a transmission service provider's ("TSP") wholesale transmission rate being charged to Oncor has been approved or allowed by the Commission. Substantive Rule 25.193(b) authorizes distribution service providers such as Oncor to update their TCRFs on March 1 and September 1 of each year in order to pass through any such changes.

¹ The revised calculation of the Company's TCRF revenue credit related to an overcharge by TMPA is the result of a disputed issue. Oncor does not agree that this method of calculating the TCRF revenue credit is appropriate, and reserves the right to challenge the appropriate method for calculating such credits in future TCRF filings.

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II.

In this filing, Oncor seeks approval of an adjustment to its TCRF Rider for the following changes in wholesale transmission rates that have been approved or allowed by the Commission, as shown on Attachment A hereto, and summarized below:

TSP	DOCKET NO.	ANNUAL WHOLESALE TRANSMISSION COST CHANGE TO COMPANY
AEP TCC Rate Case Exp – Docket No. 33309	34301 (F.O. 5/23/08)	169,465.00
AEP TNC Rate Case Exp – Docket No. 33310	34301 (F.O. 5/23/08)	48,419.00
Fannin County Elec. Coop.	35698 (F.O. 8/29/08)	21,630.00
City of College Station	35837 (F.O. 9/12/08)	296,717.00
Golden Spread Elec. Coop.	35950 (F.O. 1/14/09)	120,053.00
Bryan Texas Utilities	35991 (F.O. 11/05/08)	2,047,133.00
CenterPoint Energy	36102 (F.O. 11/05/08)	8,259,209.00
CenterPoint Energy - RUWC	32093/32415 (F.O. 9/05/06)	(98,141.00)
City of Garland	36439 (F.O. 3/27/09)	1,097,975.00
TNMP Rate Case Expense	36025 (F.O. 8/21/09)	61,753.00
TNMP Hurricane CR Factor	36025 (F.O. 8/21/09)	4,653.00
Cherokee County Electric Coop	36668 (F.O. 5/21/09)	71,122.00
Deep East Texas Electric Coop	36762 (F.O. 5/21/09)	10,154.00
Brazos Electric Power Coop	37022 (F.O. 7/31/09)	2,157,604.00
Grayson Collin Elec. Coop	36984 (F.O. 8/27/09)	244,964.00
GEUS	37180 (F.O. 11/02/09)	207,445.00
GEUS Rate Case Expense	37180 (F.O. 11/02/09)	15,813.00
TMPA	37404 (F.O. 11/05/09)	2,244,825.00
TMPA-Refund of Prior Overcharges	37404 (F.O. 11/05/09)	(825,481)
Oncor Elec. Delivery Co. LLC	37496 (F.O. 12/03/09)	12,460,251.00
South Texas Electric Coop	37535 (F.O. 1/14/10)	1,508,654.00
Medina Electric Cooperative	37535 (F.O. 1/14/10)	(701,027.00)
LCRA (incl. member coops)	37570 (F.O. 1/14/10)	6,196,449.00
Texas New Mexico Power	38012 (F.O. 5/14/10)	3,073,564.00
AEP Texas Central	38026 (F.O. 5/04/10)	1,550,790.00
AEP Texas North	38027 (F.O. 5/04/10)	3,607,844.00
Electric Trans. Texas, LLC	38216 (F.O. 7/01/10)	15,668,659.00
Subtotal		\$59,520,496.00

Under-refunded TCRF revenue credit associated with TMPA overcharges in Oncor's March 2010 TCRF filing (Docket No. 37882)		(335,529.00)
One-time TCRF Revenue credit to refund accrued interest on monthly over-collected balance associated with TMPA overcharges.		(27,462.00)
Total TCRF Update Amount		\$59,157,505.00

Attachment B contains the calculation of the updated TCRF charges, calculated in accordance with Substantive Rule 25.193(c), TCRF Formula, for which approval is being sought in this filing.

A revised tariff - Section 6.1.1.6.1 - Rider Transmission Cost Recovery Factor (TCRF) — reflecting the charges being requested by Oncor is attached hereto as Attachment C.

Accordingly, pursuant to Substantive Rule 25.193(b) and consistent with Procedural Rule 22.33(c), Oncor requests that its updated TCRF charges become effective for inclusion on invoices to REPs on and after September 1, 2010. Therefore, the Company requests that this Petition be considered by the Commission, or approved administratively, prior to September 1, 2010.

III.

To the extent the relief requested herein is contested in a manner that would prevent the implementation of Oncor's request by September 1, 2010, the Company respectfully requests an opportunity for hearing, pursuant to Procedural Rule 22.125(c), to establish that good cause exists for the Commission to grant interim relief to the Company. In such event, Oncor further requests expedited treatment of this petition so as to permit the Commission to issue a final order before the requested September 1, 2010 effective date.

IV.

Appropriate notice of this filing consists of providing a copy of this petition to each REP serving customers in Oncor's service territory. However, out of an abundance of caution, and consistent with the approach utilized in its previous TCRF filings, Oncor is providing a copy of the petition to each REP registered with the Commission.

V.

WHEREFORE, PREMISES CONSIDERED, Oncor respectfully requests approval of a TCRF adjustment, as reflected on the attachments hereto and as further described above, effective for inclusion on invoices to REPs on and after September 1, 2010.

Respectfully submitted,

VINSON & ELKINS LLP

By: Megan C. Davis
E. Allen Nye, Jr.
State Bar No. 00788134
Megan C. Davis
State Bar No. 24045755

Trammell Crow Center
2001 Ross Avenue, Suite 3700
Dallas, Texas 75201-2975
(214) 220-7700
(214) 220-7716 (fax)

ATTORNEYS FOR ONCOR ELECTRIC
DELIVERY COMPANY LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the 12th day of August, 2010, to the parties of record in this proceeding.

Megan C. Davis

ONCOR ELECTRIC DELIVERY COMPANY LLC

September 2010 TCRF Update

For Implementation on September 1, 2010

Line #	Order Date	Company	Docket No.	ERCOT 4-CP Load (kW) [c]	Old Rate Incl. In Dkt. No. 35717 (\$/kW) [e]	New Rate (\$/kW) [f]	Change In Rate (\$/kW) [g]	Oncor 4-CP Load (kW) [h]	TCRF Revenue (\$) [k] = [g] * [h]
1	05/23/2008	AEP TCC - Dkt. 33309 Rate Case Exp. ^d	34301	58,858,282.1	\$0.000000000	\$0.007560000	\$0.007560000	22,416,029.6	\$169,465
2	05/23/2008	AEP TNC - Dkt. 33310 Rate Case Exp. ^d	34301	58,858,282.1	\$0.000000000	\$0.002160000	\$0.002160000	22,416,029.6	\$48,419
3	08/29/2008	Fannin County Electric Cooperative	35698	57,650,014.9	\$0.001428400	\$0.002451200	\$0.001022800	21,148,290.4	\$21,630
4	09/12/2008	City of College Station	35837	57,650,014.9	\$0.029720000	\$0.043750300	\$0.014030300	21,148,290.4	\$286,717
5	01/14/2009	Golden Spread Electric Coop ^f	35950	57,650,014.9	\$0.006422890	\$0.012099600	\$0.005676710	21,148,290.4	\$120,053
6	1/05/2008	Bryan Texas Utilities	35991	57,650,014.9	\$0.130100000	\$0.222689900	\$0.096799000	21,148,290.4	\$2,047,133
7	1/05/2008	CenterPoint Energy ^{b1}	36102	57,650,014.9	\$3.811248000	\$4.201785900	\$0.390537900	21,148,290.4	\$8,259,209
7a	09/05/2006	CenterPoint Energy - RUWC ^{b1}	32093 / 32415	57,650,014.9	(\$0.108288000)	(\$0.108288000)	\$0.000000000	21,148,290.4	\$0
8	09/05/2006	CenterPoint Energy - RUWC ^{b2}	32093 / 32415	59,819,399.9	N/A	N/A	N/A	22,054,586.5	(\$98,141)
9	03/27/2009	City of Garland	36439	57,650,014.9	\$0.149788400	\$0.201706300	\$0.051917900	21,148,290.4	\$1,097,975
10	08/21/2009	TNMP - Rate Case Expenses ^a	36025	57,650,014.9	\$0.000000000	\$0.002920000	\$0.002920000	21,148,290.4	\$61,753
11	08/21/2009	TNMP - Hurricane Cost Rec Factor ^a	36025	57,650,014.9	\$0.000000000	\$0.000220000	\$0.000220000	21,148,290.4	\$4,653
12	05/21/2009	Cherokee County Electric Coop	36668	57,650,014.9	\$0.001647000	\$0.005010000	\$0.003363000	21,148,290.4	\$71,122
13	05/21/2009	Deep East Texas Electric Coop	36762	57,650,014.9	\$0.001229850	\$0.001710000	\$0.000480150	21,148,290.4	\$10,154
14	07/31/2009	Brazos Electric Power Coop	37022	59,819,399.9	\$1.208189000	\$1.306061000	\$0.097872000	22,045,165.3	\$2,157,604
15	08/27/2009	Grayson-Collin Electric Coop	36984	59,819,399.9	\$0.009852000	\$0.020863900	\$0.011111900	22,045,165.3	\$244,964
16	1/02/2009	GEUS	37180	59,819,399.9	\$0.024220000	\$0.033630000	\$0.009410000	22,045,165.3	\$207,445
17	11/02/2009	GEUS rate case expenses ^e	37180	59,819,399.9	\$0.000000000	\$0.000717290	\$0.000717290	22,045,165.3	\$15,813
18	11/05/2009	Texas Municipal Power Agency (TMPA)	37404	57,650,014.9	\$0.557120120	\$0.663267000	\$0.106146880	21,148,290.4	\$2,244,825
18a	11/05/2009	TMPA - Refund of prior overcharges	37404	57,650,014.9	\$0.000000000	(\$0.039033000)	(\$0.039033000)	21,148,290.4	(\$825,481)
19	12/03/2009	Oncor Electric Delivery Co. LLC	37496	59,819,399.9	\$7.669049860	\$8.234264550	\$0.565214690	22,045,165.3	\$12,460,251
20	01/14/2010	South Texas Electric Coop	37535	59,819,399.9	\$0.327584500	\$0.396019200	\$0.068434700	22,045,165.3	\$1,508,654
21	01/14/2010	Medina Electric Coop	37535	59,819,399.9	\$0.031799600	\$0.000000000	(\$0.031799600)	22,045,165.3	(\$701,027)
22	01/14/2010	LCRA (incl. member coops) ^c	35295/37570	57,650,014.9	\$3.737940000	\$4.030940000	\$0.293000000	21,148,290.4	\$6,196,449
23	05/14/2010	Texas New Mexico Power	38012	60,858,331.4	\$0.301056340	\$0.440418000	\$0.139361660	22,054,586.5	\$3,073,564
24	05/04/2010	AEP Texas Central	38026	60,858,331.4	\$1.866407000	\$1.936723000	\$0.070316000	22,054,586.5	\$1,550,790
25	05/04/2010	AEP Texas North	38027	60,858,331.4	\$0.768993000	\$0.932580000	\$0.163587000	22,054,586.5	\$3,607,844
26	07/01/2010	Electric Transmission Texas, LLC	38216	60,858,331.4	\$0.200635000	\$0.911084000	\$0.710449000	22,054,586.5	\$15,668,659
27		Subtotal							\$59,520,496
28		Under-refunded TCRF Rev. credit in Oncor's March 2010 TCRF filing (Dkt. # 37882) associated with TMPA overcharges (see Line # 18a) = (825,481) + 489,952 =							(\$335,529)
28a		One-time TCRF revenue credit to refund accrued interest on the monthly over-collected balance associated with TMPA overcharges. Total accrued interest to refund is \$13,731. Interest was applied at the Commission's approved rates on over-collections of 3.21% per annum for Mar-Dec 2009 and 0.61% per annum for subsequent months. See page 2 of Attachment A = [(13,731) * 2] =							(\$27,462)
29		Total TCRF Update Amount - September 2010							\$59,157,505

a - TNMP's Rate Case Expenses are effective for 36 months after August 2009 and TNMP's Hurricane Cost Recovery Factor is effective for 60 months after August 2009.
b1 - The value in row 7, column [e] is the CenterPoint transmission service rate of \$3.811248/kWh (approved in Docket No. 32093 on 9/5/2006). The value in row 7a, column [e] is the Rider UCOS Wholesale Credit (RUWC) of \$0.108288, (with the credit appearing as a negative access fee) also approved in Docket No. 32093. The sum of these values was used in the calculation of Oncor's Net Wholesale Transmission Access Fee in Docket No. 35717. The value in row 7, column [f] is the current CenterPoint rate of \$4.201785 (approved in Docket No. 36102).
b2 - The value in column [k] is the change in the RUWC refunds received by Oncor attributable to the difference in Oncor's 4-CP Load of 21,148,290.4 kW for the test year in Docket No. 35717 (as shown in the 2008 Matrix, Docket No. 35011) and the most recent Oncor 4-CP load of 22,054,586.5kW (as shown in the 2010 Matrix, Docket No. 37680).
c - The value in column [e] is the LCRA rate approved in Docket No. 35295. The value in column [f] is the LCRA compliance tariff filed in accordance with the Final Order in Docket No. 37570. See Ordering Paragraph #5 in the Final Order in Docket No. 37570.
d - Effective for 36 months beginning in August 2008.
e - GEUS rate case expenses are effective for 24 months after October 1, 2009.
f - Values in column [e] include rates for Big Country, Concho Valley, and Coleman County Electric Cooperatives included in Docket No. 35717.

ONCOR ELECTRIC DELIVERY COMPANY LLC
September 2010 TCRF Update

For Implementation on September 1, 2010

TCRF Revenue Credit to Refund Accrued Interest Associated with TMPA Overcharges

TMPA Wholesale Transmission Service Overcharge =	0.039033 /kW
Oncor's 4-CP Load (2008 Matrix) =	21,148,290.4 kW
Oncor's TCRF Revenue Credit =	\$825,481
Monthly TCRF Revenue Credit =	\$68,790
Monthly TCRF Revenue Credit Refunded in Mar - Sep 2010	\$40,829 per month
Based on \$489,952 credit in March 2010 TCRF =	
PUC Approved Interest Rate on Overcollections (2009)	0.263643% per month (3.21% per annum)
PUC Approved Interest Rate on Overcollections (2010)	0.050692% per month (0.61% per annum)

Interest Calculation on Over-Collected Balances Associated with TMPA Overcharge:

Year	Month	Overcharge / (TCRF Rev. Cr.)	Cumulative Overcharge	Accrued Interest	End of Month Balance	
2009	Mar	\$68,790	\$68,790	\$181	\$68,971	
	Apr	\$68,790	\$137,761	\$363	\$138,124	
	May	\$68,790	\$206,914	\$546	\$207,460	
	Jun	\$68,790	\$276,250	\$728	\$276,978	
	Jul	\$68,790	\$345,768	\$912	\$346,680	
	Aug	\$68,790	\$415,470	\$1,095	\$416,565	
	Sep	\$68,790	\$485,355	\$1,280	\$486,635	
	Oct	\$68,790	\$555,425	\$1,464	\$556,889	
	Nov	\$68,790	\$625,679	\$1,650	\$627,329	
	Dec	\$68,790	\$696,119	\$1,835	\$697,954	
	2010	Jan	\$68,790	\$766,744	\$389	\$767,133
		Feb	\$68,790	\$835,923	\$424	\$836,347
Mar		(\$40,829)	\$795,518	\$403	\$795,921	
Apr		(\$40,829)	\$755,092	\$383	\$755,475	
May		(\$40,829)	\$714,646	\$362	\$715,008	
Jun		(\$40,829)	\$674,179	\$342	\$674,521	
Jul		(\$40,829)	\$633,692	\$321	\$634,013	
Aug		(\$40,829)	\$593,184	\$301	\$593,485	
Sep		(\$99,040)	\$494,445	\$251	\$494,696	
Oct		(\$99,040)	\$395,656	\$201	\$395,857	
Nov		(\$99,040)	\$296,817	\$150	\$296,967	
Dec		(\$99,040)	\$197,927	\$100	\$198,027	
2011	Jan	(\$99,040)	\$98,987	\$50	\$99,037	
Feb	(\$99,040)	-\$3	-\$3	-\$3		
Total Accrued Interest (TCRF Rev. Credit) =				\$13,731		

ONCOR ELECTRIC DELIVERY COMPANY LLC
September 2010 TCRF Update
 For Implementation on September 1, 2010

Line # 1 Total TCRF Update Amount \$59,157,505 Amount to be collected from retail customers located in Oncor's service territory. See Attachment A, Line 29

<u>Line #</u>	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
			Rider TCRF Allocation Factors	(Line 1) Incremental Dollars	(c) * (d) Class Costs	2009 Billing Determinants	Billing Units	(e) / (f) TCRF	(f) * (h) Proof of Revenue
2	Residential Service		44.356416%	\$ 59,157,505	\$ 26,240,149	38,299,457,270	per kWh	\$0.000685	\$ 26,235,128
3	Secondary Service Less Than or Equal to 10 kW		1.097029%	\$ 59,157,505	\$ 648,975	1,425,668,749	per kWh	\$0.000455	\$ 648,679
4	Secondary Service Greater Than 10 kW --		40.526367%	\$ 59,157,505					
5	Non-IDR	65.8200%	26.674455%	\$ 59,157,505	\$ 15,779,942	92,495,181	per NCP KW	\$0.170603	\$ 15,779,955
6	IDR	34.1800%	13.851912%	\$ 59,157,505	\$ 8,194,446	35,100,380	per 4 CP KW	\$0.233457	\$ 8,194,429
7		<u>100.000%</u>							
8	Primary Service Less Than or Equal to 10 kW		0.016674%	\$ 59,157,505	\$ 9,864	28,674,926	per kWh	\$0.000344	\$ 9,864
9	Primary Service > 10 kW Dist. Line --		6.955930%	\$ 59,157,505					
10	Non-IDR	10.8800%	0.756805%	\$ 59,157,505	\$ 447,707	2,333,964	per NCP KW	\$0.191823	\$ 447,708
11	IDR	89.1200%	6.199125%	\$ 59,157,505	\$ 3,667,248	15,987,865	per 4 CP KW	\$0.229377	\$ 3,667,249
12		<u>100.000%</u>							
13	Primary Service > 10 kW Substation --		1.060507%	\$ 59,157,505	\$ 627,369	2,481,072	per 4 CP KW	\$0.252862	\$ 627,369
14	Transmission Service		5.987078%	\$ 59,157,505	\$ 3,541,806	14,332,087	per 4 CP KW	\$0.247124	\$ 3,541,803
15			<u>100%</u>		<u>\$ 59,157,506</u>				<u>\$ 59,152,184</u>

6.1.1.6 Other Charges

6.1.1.6.1 Rider Transmission Cost Recovery Factor (TCRF)

APPLICABILITY

Each Retail Customer connected to the Company's transmission or distribution system will be assessed a nonbypassable transmission service charge adjustment pursuant to this rider. The charges derived herein, pursuant to Substantive Rule § 25.193, are necessitated by a change in a transmission service provider's wholesale transmission rate subsequent to Commission approval of the Company's base rate charge for transmission service.

MONTHLY RATE

The Competitive Retailer, on behalf of the Retail Customer, will be assessed this transmission service charge adjustment based on the monthly per unit cost (TCRF) multiplied times the Retail Customer's appropriate monthly billing determinant (kWh, 4 CP kW or NCP kW).

The TCRF shall be calculated for each rate according to the following formula:

$$\text{TCRF} = \frac{\left[\sum_{i=1}^N (\text{NWTR}_i * \text{NL}_i) - \sum_{i=1}^N (\text{BWTR}_i * \text{NL}_i) \right] * \text{ALLOC}}{\text{BD}} ; \text{ rounded to nearest } \$0.000001$$

Where:

- TCRF = Transmission Cost Recovery Factor in dollars per kWh, dollars per 4 CP kW or dollars per NCP kW to be used for billing for each listed rate schedule. The rate schedules are listed under "ALLOC" below.
- NWTR_i = The new wholesale transmission rate of a TSP, approved by the Commission by order or pursuant to Commission rules, since the Company's last rate case.
- BWTR_i = The base wholesale transmission rate of the TSP represented in the NWTR_i used to develop the retail transmission charges of the Company, in the Company's last rate case.
- NL_i = The Company's individual 4CP load component of the total ERCOT 4CP load used to develop the NWTR_i.
- ALLOC = The class allocator approved by the Commission to allocate the transmission revenue requirement among classes in the Company's last rate case, unless otherwise ordered by the Commission.

The Allocation Factor for each listed rate schedule is as follows:

Residential Service	44.356416%
Secondary Service Less Than or Equal to 10 kW	1.097029%
Secondary Service Greater Than 10 kW	40.526367%
Primary Service Less Than or Equal to 10 kW	0.016674%
Primary Service Greater Than 10 kW Distribution Line	6.955930%
Primary Service Greater Than 10 kW Substation	1.060507%
Transmission Service	5.987078%
Lighting Service	0.000000%

- BD = Each class' annual billing determinant (kWh, 4 CP kW, or NCP kW) for the previous calendar year.

NOTICE

This rate schedule is subject to the Company's Tariff and Applicable Legal Authorities.

