

Determinations Committee Decision

Date:	May 13, 2014
Determinations Committee:	Americas
Meeting Date:	May 13, 2014

DC Issue 2014042902:	Has a Bankruptcy Credit Event occurred with respect to Texas Competitive Electric Holdings Company LLC ?	
1st Question for vote:	For purposes of publication of the Initial List of Deliverable Obligations, in respect of each obligation on the list provided, is such obligation a Deliverable Obligation for purposes of the Auction to be held with respect to Energy Future Holdings Corp.? (Please see Annex.)	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America N.A.	Yes
	Barclays Bank plc	Yes
	BlueMountain Capital Management, LLC	Yes
	BNP Paribas	Yes
	Citibank, N.A.	Yes
	Credit Suisse International	Yes
	D.E. Shaw & Co., L.P.	Yes
	Deutsche Bank AG	Yes
	Eaton Vance Management	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs International	Yes
	JPMorgan Chase Bank, N.A.	Yes
	Morgan Stanley & Co. International plc	Yes
	Nomura International plc	Yes
	Pacific Investment Management Co., LLC	Yes

2nd Question for vote:	<p>Do you agree to publish the following statement?</p> <p>May 13, 2014: The DC voted to publish the Initial Lists today, May 13, 2014, for each of the four Reference Entities, Energy Future Holdings Corp., Texas Competitive Electric Holdings Company LLC, Energy Future Intermediate Holding Company LLC and EFIH Finance Inc. The DC expects to hold the Auctions for each Reference Entity on Wednesday May 21, 2014, and expects to be able to confirm on Friday May 16 whether or not that will in fact be the auction date. If the deliverable obligations for Energy Future Intermediate Holding Company LLC and EFIH Finance Inc. are confirmed to be identical prior to the date of the Auctions, the DC anticipates holding a single auction for the two entities. In order to combine these two auctions, the DC expects to publish a revised form of Auction Settlement Terms on Thursday May 15, with a shortened comment period to close at 12 noon New York time on Monday May 19.</p>	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America N.A.	Yes
	Barclays Bank plc	Yes
	BlueMountain Capital Management, LLC	Yes
	BNP Paribas	Yes
	Citibank, N.A.	Yes
	Credit Suisse International	Yes
	D.E. Shaw & Co., L.P.	Yes
	Deutsche Bank AG	Yes
	Eaton Vance Management	Yes
	Elliott Management Corporation	Yes
	Goldman Sachs International	Yes
	JPMorgan Chase Bank, N.A.	Yes
	Morgan Stanley & Co. International plc	Yes
	Nomura International plc	Yes
	Pacific Investment Management Co., LLC	Yes

Annex

Initial List of Deliverable Obligations For The 2014 Texas Competitive Electric Holdings Company LLC Credit Derivatives Auction Settlement Terms ¹ - published May 13, 2014

Bonds:

ISIN	Issuer Name	Coupon	Maturity	
US882330AF05	Texas Competitive Electric Holdings Company LLC	10.25%	11/1/2015	*Unless subject to Lock-Up
US882330AG87	Texas Competitive Electric Holdings Company LLC	10.25%	11/1/2015	*Unless subject to Lock-Up
US882330AC73	Texas Competitive Electric Holdings Company LLC	10.25%	11/1/2015	*Unless subject to Lock-Up
USU88235AE33	Texas Competitive Electric Holdings Company LLC	10.25%	11/1/2015	*Unless subject to Lock-Up
US882330AH60	Texas Competitive Electric Holdings Company LLC	10.5%	11/1/2016	*Unless subject to Lock-Up
US882330AB90	Texas Competitive Electric Holdings Company LLC	10.5%	11/1/2016	*Unless subject to Lock-Up
USU88235AD59	Texas Competitive Electric Holdings Company LLC	10.5%	11/1/2016	*Unless subject to Lock-Up
US882330AM55	Texas Competitive Electric Holdings Company LLC	11.5%	10/1/2020	*Unless subject to Lock-Up
USU88235AG80	Texas Competitive Electric Holdings Company LLC	11.5%	10/1/2020	*Unless subject to Lock-Up
US882330AQ69	Texas Competitive Electric Holdings Company LLC	15%	4/1/2021	*Unless subject to Lock-Up
US882330AP86	Texas Competitive Electric Holdings Company LLC	15%	4/1/2021	*Unless subject to Lock-Up

*If an obligation on the list above is marked "Unless subject to Lock-Up", then such obligation will NOT be included on the list of Deliverable Obligations if the party delivering that obligation is subject to the provisions of an agreement substantially in the form of the TXU Lock-Up Agreement (defined below) with respect to such obligation (a "Locked-Up Obligation"). Obligations with the same ISIN as a Locked-Up Obligation that are not subject to the TXU Lock-Up Agreement will be included on the list of Deliverable Obligations. For the avoidance of doubt, transferees under a Representative Auction-Settled

¹ Published pursuant to Section 3.3 of the Credit Derivatives Determinations Committees Rules

Transaction will not become obliged to adhere to the TXU Lock-Up Agreement by virtue of their participation in the Texas Competitive Electric Holdings Company LLC auction.

"TXU Lock-Up Agreement" means the restructuring support agreement dated April 29, 2014, as amended, supplemented or modified from time to time, and attached as "Exhibit D" to the "Declaration of Paul Keglevic, Executive Vice President, Chief Financial Officer, and Co-Chief Restructuring Officer of Energy Future Holdings Corp., *et al.*, In support of First Day Motions " filed by Energy Future Holdings Corp. and certain other Debtors identified therein with the United States Bankruptcy Court for the District of Delaware (Case No. 14-10979-CSS).