

**Gene E. Doss**

Tax Services Department
 2001 Timberloch Place, 2nd Floor North
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July 31, 2012

Texas Commission on Environmental Quality
 Tax for Pollution Control Property Program
 Attn: TECQ Chief Clerk
 P.O. Box 13087
 Mail Unit MC-105
 Austin, TX 78711-3087

Re: Notice of Appeal of Negative Use Determination
 EN Services LP on behalf of Entergy Power Ventures LP,
Northeast Texas Electric Cooperative and East Texas Electric Cooperative
 Harrison County Power Project
 8 Miles S Marshall on 43
 Marshall (Harrison County)
 Application Number: 12696

Dear TCEQ Chief Clerk:

On behalf of Entergy Power Ventures LP, Northeast Texas Electric Cooperative and East Texas Electric Cooperative (owners and original applicants), EN Services LP hereby appeals the Negative Use Determination of Application #12696. Enclosed is a copy of the Determination issued by your Commission.

Please let me know should you require additional information or have any questions regarding this appeal.

Sincerely,

Gene Doss
 Entergy Services Inc.
 Tax Manager

CHIEF CLERKS OFFICE

2012 JUL 31 PM 12:59

TEXAS
 COMMISSION
 ON ENVIRONMENTAL
 QUALITY

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 10, 2012

Mr. Gene E Doss
Tax Advisor
Entergy Services Inc
2ndFloor North
2001 Timberloch Place
The Woodlands, Texas 77380

Re: Notice of Negative Use Determination
EN Services LP
Harrison County Power Project
8 Miles S of Marshall on 43
Marshall (Harrison County)
Application Number: 12696

Dear Mr. Doss:

This letter responds to EN Services LP's Application for Use Determination, received July 3, 2008, pursuant to the Texas Commission on Environmental Quality's (TCEQ) Tax Relief for Pollution Control Property Program for the Harrison County Power Project.

The TCEQ has completed the review for application #12696 and has issued a Negative Use Determination for the property in accordance with Title 30 Texas Administrative Code (TAC) §17.4 and §17.6. Heat recovery steam generators are used solely for production; therefore, are not eligible for a positive use determination.

Please be advised that a Negative Use Determination may be appealed. The appeal must be filed with the TCEQ Chief Clerk within 20 days after the receipt of this letter in accordance with 30 TAC §17.25.

If you have questions regarding this letter or need further assistance, please contact Ronald Hatlett of the Tax Relief for Pollution Control Property Program by telephone at (512) 239-6348, by e-mail at ronald.hatlett@tceq.texas.gov, or write to the Texas Commission on Environmental Quality, Tax Relief for Pollution Control Property Program, MC-110, P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

A handwritten signature in cursive script, appearing to read "Goodin".

Chance Goodin, Team Leader
Stationary Source Programs
Air Quality Division

CG/RH

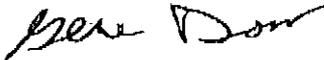
EN Services LP
 Gene Doss
 Phone 281-297-3675
 Cell 713-560-7181
 Fax 281-297-3745
 gdoss@entergy.com

FAX

To:	TCEQ Chief Clerk - mail unit MC-105	From:	Gene Doss
Fax:	1-512-239-3311	Pages:	3
Phone:	281-297-3675	Date:	7-31-2012
Re:	Appeal of Negative Use Determination of Application #12696	CC:	

Attached is the appeal letter and copy of the Negative Use Determination issued by your Commission of Application #12696. This fax is being sent on the advice of Mr. Ron Hatlett with your Commission. The originals are being sent to you today via overnight mail.

Thank you



Gene Doss
 Tax Manager

CHIEF CLERKS OFFICE

2012 JUL 31 PM 12:56

TEXAS
 COMMISSION
 ON ENVIRONMENTAL
 QUALITY