

Determinations Committee Decision

Date:	March 19, 2013
Determinations Committee:	Americas
Meeting Date:	March 19, 2013

DC Issue 2013022501:	Has a Succession Event occurred with respect to Energy Future Holdings Corp.?	
Question for vote	Do you agree to publish the following statement? “DC members considered the exchanges of bonds of Energy Future Holdings Corp. (“EFH”) completed on December 5, 2012, December 19, 2012 and January 29, 2013. A Supermajority (as defined in the DC Rules) of DC members concluded that these exchanges occurred in connection with a Succession Event pursuant to Section 2.2(b) of the 2003 ISDA Credit Derivatives Definitions, as amended by the 2009 ISDA Credit Derivatives Determinations Committees, Auction Settlement and Restructuring Supplement to the 2003 ISDA Credit Derivatives Definitions (the “Definitions”). By virtue of these exchanges, considered in aggregate, Energy Future Intermediate Holding Company LLC (“EFIH”) and EFIH Finance Inc. (“EFIH Finance”) each succeeded to more than 25% of the Relevant Obligations of EFH and more than 25% of those Relevant Obligations remained with EFH. Pursuant to Section 2.2(a)(iv) of the Definitions, the DC therefore concluded that each of EFH, EFIH and EFIH Finance are Successors to EFH.”	
Vote result:	Yes	
Votes:	15 'Yes' votes and 0 'No' votes	
	Bank of America N.A.	Yes
	Barclays Bank plc	Yes
	BlueMountain Capital	Yes
	BNP Paribas	Yes
	Citadel	Yes
	Citibank, N.A.	Yes
	Credit Suisse International	Yes
	D.E. Shaw	Yes
	Deutsche Bank AG	Yes
	Elliott	Yes
	Goldman Sachs International	Yes
	JPMorgan Chase Bank, N.A.	Yes
	Morgan Stanley & Co. International plc	Yes

	Pacific Investment Management Co., LLC	Yes
	UBS AG	Yes