



Toulet, Gottfried, Dávila y Martínez, S.C.

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2012 PUBLIC LIGHTING TAX FOR CIUDAD JUÁREZ.

Dear clients and friends:

Please be advised that important amendments were made by the Congress of the State of Chihuahua to the Municipal Code that allows the Municipality of Juarez to levy upon consumers of electricity, instead of a 5% surcharge of the total electricity bill, a fixed rate depending on the type of consumer, as the Public Lighting Tax (hereinafter referred as "PLT") for 2012.

For many years now, the PLT has been declared unconstitutional by the Mexican Supreme Court, since Municipalities do not have legislative powers to excise taxes on the consumers of electric power. However, the State Congress and the Municipality of Juarez have been insisting on collecting this tax despite its unconstitutionality.

In an effort to avoid the filing by a vast number of companies of habeas corpus (amparo) proceedings to appeal the PLT, the State Congress approved these changes by imposing a fix rate depending on the type of company in accordance with the following classification:

TYPE OF PROPERTY	BI-MONTHLY FIXED PLT CHARGE	MONTHLY FIXED PLT CHARGE
Light Industry	\$14,800.00 Pesos	\$7,400.00 Pesos
Medium Industry	\$15,800.00 Pesos	\$7,900.00 Pesos
Heavy Industry	\$40,000.00 Pesos	\$20,000.00 Pesos

With these changes, the tax burden for the PLT has been reduced for those companies that spend a large amount of electricity; however these amendments do not resolved the problem of unconstitutionality of the PLT, since the Federal Congress is the only entity authorized by the Mexican Constitution to legislate on electric power.

Therefore, electricity consumers can claim the unconstitutionality of the PLT by filing an Amparo before a Federal District Judge to obtain relief against the violation of their constitutional rights committed by the State of Chihuahua and the Municipality of Juarez. Such filing may result in the reimbursement of the amounts unduly paid for the PLT. The term to file the Amparo expires 15 working days after the electricity bill corresponding to January, 2012 is paid.

Should you have any questions or comments regarding this matter, please do not hesitate to contact us.

Respectfully,

Toulet, Gottfried, Dávila y Martínez, S. C.

Horacio Heredia
hheredia@tgdm.com

Tania Espinosa
tespinosa@tgdm.com