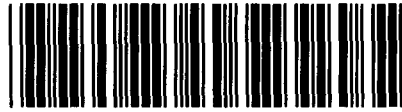




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July 2, 2019

**VIA ELECTRONIC FILING**

The Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Re: Exempt Wholesale Generator Filing for Roadrunner Solar Project, LLC**  
**Docket No. EG19-\_\_-000**

Dear Secretary Bose:

Pursuant to Section 366.7 of the Federal Energy Regulatory Commission's regulations, 18 C.F.R. § 366.7, please find enclosed a notice of self-certification of exempt wholesale generator status submitted for filing by Roadrunner Solar Project, LLC. This filing has been mailed on this date to the Public Utility Commission of Texas.

Please contact the undersigned if you have any questions regarding this notice.

Respectfully submitted,

/s/ Jason Johns

Jason Johns  
*Counsel for Roadrunner Solar Project, LLC*

cc: Public Utility Commission of Texas

785

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

**Roadrunner Solar Project, LLC )**

**Docket No. EG19-\_\_-000**

**NOTICE OF SELF-CERTIFICATION OF  
EXEMPT WHOLESALE GENERATOR STATUS**

Pursuant to the Public Utility Holding Company Act of 2005, enacted as part of the Energy Policy Act of 2005,<sup>1</sup> and Section 366.7 of the Rules and Regulations of the Federal Energy Regulatory Commission (“Commission”),<sup>2</sup> Roadrunner Solar Project, LLC (“Applicant”) hereby submits this Notice of Self-Certification of Exempt Wholesale Generator (“EWG”) Status based on its development, ownership and operation of a 200 MWac solar powered electric generating facility that is under development in Upton County, Texas (the “Facility”).

**I. COMMUNICATIONS**

Communications with regard to this Notice should be addressed to:

Margaret M. Bateman  
Associate General Counsel  
Enel Green Power North America, Inc.  
100 Brickstone Sq., Ste 300  
Andover, MA 01810  
Phone: (978) 560-7810  
Email: meg.bateman@enel.com

Jason Johns  
Partner  
Stoel Rives LLP  
760 SW Ninth Avenue, Suite 3000  
Portland, OR 97205  
Telephone: (503) 294-9618  
Fax: (503) 220-2480  
Email: jason.johns@stoel.com

**II. DESCRIPTION OF APPLICANT**

Applicant is a limited liability company organized under the laws of the State of Delaware with a corporate office located in Andover, Massachusetts. When completed, the Facility will be located in Upton County, Texas. The Facility will be a new 200 MWac solar

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<sup>1</sup> EPAAct 2005, Pub. L. No. 109-58, 1261-80, 119 Stat. 594 (2005).

<sup>2</sup> 18 C.F.R. § 366.7 (2011).

powered electric generating plant. The Applicant is developing the Facility within the Electric Reliability Council of Texas market. The Facility will interconnect with the transmission facilities that are owned and controlled by Garland Power & Light.

### **III. REPRESENTATIONS REGARDING EXEMPT WHOLESALE GENERATOR STATUS**

The Commission's regulations require that an EWG be engaged directly or indirectly through one or more affiliates, and exclusively in the business of owning and/or operating one or more eligible facilities and selling electric energy at wholesale.<sup>3</sup> Consistent with the Commission's regulations, Applicant makes the following representations to certify that it will satisfy the requirements for EWG status:

1. Applicant is engaged directly, or indirectly through one or more affiliates as defined in section 366.1 of the Commission's regulations, and exclusively in the business of owning or operating, or both owning and operating, all or part of one or more eligible facilities and selling electric energy at wholesale.
2. The Facility is an "eligible facility" because (i) it is used for the generation of electric energy exclusively for sale at wholesale; and (ii) it includes only those interconnecting transmission facilities that are necessary to effect a sale of electric energy at wholesale.
3. No rate or charge for, or in connection with, the construction of the Facility, or for electric energy produced by the Facility (other than any portion of a rate or charge which represents recovery of the cost of a wholesale rate or charge), was in effect under the laws of any state on October 24, 1992. Therefore, no determinations by a state commission are necessary for this self-certification to become effective.
4. No portion of the Facility is owned or operated by an electric utility company that is an affiliate or associate company of the Company, as defined in section 366.1 of the Commission's regulations, other than an affiliate or associate company that is an EWG.

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<sup>3</sup> See 18 C.F.R. §§ 366.7 and 366.1 (2008). Section 366.1 incorporates Sections 32(a)(2) through (4), and Sections 32(b) through (d) of the Public Utility Holding Company Act of 1935, 15 U.S.C. §§ 79z-5a(a)(2)-(4), 79z-5b(b)-(d) ("PUHCA 1935"), for the purposes of establishing or determining whether an entity qualifies for EWG status.

#### **IV. STATE COMMISSION NOTIFICATION**

In accordance with Section 366.7(a) of the Commission's regulations, a copy of this Notice is concurrently being served upon the Public Utility Commission of Texas.

#### **V. CONCLUSION**

For the foregoing reasons, Applicant respectfully requests that the Commission accept this Notice of Self-Certification of EWG Status.

DATED: July 2, 2019.

Respectfully submitted,

/s/ Jason Johns

Jason Johns

*Attorney for Roadrunner Solar Project, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that foregoing Notice of Self-Certification of Exempt Wholesale Generator Status of Roadrunner Solar Project, LLC was served on the 2nd day of July, 2019, upon the following:

Public Utility Commission of Texas  
P.O. Box 13326  
Austin, TX 78711-3326

/s/ Jason Johns

Jason Johns  
Stoel Rives LLP  
760 SW Ninth Ave., Suite 3000  
Portland, Oregon 97205

*Counsel for Roadrunner Solar Project, LLC*