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

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Bearkat Wind Energy II LLC

)

Docket No. EG19-___-000

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

Pursuant to Section 366.7(a) of the Federal Energy Regulatory Commission's (Commission) regulations,¹ Bearkat Wind Energy II LLC (the "Company") hereby submits this Notice of Self-Certification that it is an exempt wholesale generator (EWG) as defined in Section 366.1 of the Commission's regulations.² In support of this notice, the Company states as follows:

I. CORRESPONDENCE AND COMMUNICATIONS

All communications and correspondence regarding this notice should be sent to the following persons who are authorized to receive service:

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II. DESCRIPTION OF THE COMPANY

The Company is a Delaware limited liability company that has been formed to develop, own, and operate an approximately 162.2 MW wind-powered electric generation facility (the "Facility") that will be located in Glasscock County, Texas. The Facility is currently expected to

¹ 18 C.F.R. § 366.7(a).

² *Id.* at § 366.1.

achieve commercial operation in late 2019. The Facility will be comprised of wind turbine generators and associated facilities and equipment necessary for the generation of power at wholesale. The Facility will also include electric interconnection facilities necessary to effectuate the Company's wholesale power sales from the Facility. The Facility will be interconnected with the transmission system owned by Wind Energy Transmission Texas, LLC within the Electric Reliability Council of Texas, Inc. (ERCOT) balancing authority area (BAA) and all of the Facility's output will be sold at wholesale within the ERCOT BAA.

The Company is owned 100% by Bearkat II TE Partnership LLC, an indirect subsidiary of Copenhagen Infrastructure Partners, a fund management company specializing in investing in energy infrastructure.

III. REPRESENTATIONS REGARDING EXEMPT WHOLESALE GENERATOR STATUS

An entity may self-certify its status as an EWG by demonstrating that it satisfies the definition of an EWG.³ Consistent with the Commission's regulations, the Company makes the following representations to certify that it satisfies the criteria for EWG status:

1. The Company will be engaged directly 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.⁴
2. The Facility will be an "eligible facility" because (i) it is used for the generation

³ *Id.* at § 366.7(a).

⁴ Consistent with Commission precedent, the Company may engage in certain other activities incidental to the wholesale sale of electricity from the Facility, including the sale of ancillary services (*see, e.g., Sithe Framingham, LLC*, 83 FERC ¶ 61,106 (1998)); the sale of renewable energy credits (*see, e.g., Madison Windpower, LLC*, 93 FERC ¶ 61,270 (2000)); and other activities associated with the development of eligible facilities and/or EWGs, including project design review and development, application for permits and/or regulatory approvals, negotiation of agreements to sell electricity at wholesale, negotiation of contractual commitments with lenders and equity investors, and other such activities as may be required to achieve financial closing on an eligible facility and/or EWG (*see, e.g., Southern Elec. Wholesale Generators, Inc.*, 66 FERC ¶ 61,264 (1994); *Entergy Power Asia Ltd.*, 67 FERC ¶ 61,342 (1994)).

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.

IV. STATE COMMISSION NOTIFICATION

As required by Section 366.7(a) of the Commission's regulations, a copy of this self-certification has been filed with the Public Utility Commission of Texas, the state commission of the state in which the Facility is located.

V. CONCLUSION

For the reasons set forth in this notice of self-certification, the Company satisfies the requirements for EWG status.

Respectfully submitted,

/s/ Linda Walsh

Linda Walsh
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Counsel for Bearkat Wind Energy II LLC

Dated: September 26, 2019

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