



Control Number: 14406



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PUBLIC UTILITY COMMISSION
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December 28, 2020

Ms. Ana Trevino
Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Ave.
Austin, TX 78711

RE: Docket No. 14406, Notice of Self-Certification of Exempt Wholesale Generator Status of High Majestic Wind I, LLC

Dear Ms. Trevino,

Attached for electronic filing is a copy of High Majestic Wind I, LLC's Notice of Self-Certification of Exempt Wholesale Generator Status filed with the Federal Energy Regulatory Commission. The attached is being filed electronically, in accordance with the Order Suspending Rules, issued in Project No. 50664.

If you have any question, please do not hesitate to contact me at (512) 236-3141 or by email at Tracy.C.Davis@nexteraenergy.com.

Sincerely,

A handwritten signature in cursive script that reads "Tracy C. Davis".

Tracy C. Davis
Senior Attorney

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

High Majestic Wind I, LLC

)

Docket No. EG20-____-000

**NOTICE OF SELF-CERTIFICATION OF
EXEMPT WHOLESALE GENERATOR STATUS OF
HIGH MAJESTIC WIND I, LLC**

Pursuant to the Public Utility Holding Company Act of 2005 (“PUHCA 2005”), enacted pursuant to the Energy Policy Act of 2005, §§ 1261-77, Pub. L. No. 109-58, 119 Stat. 594 (2005), and Section 366.7, 18 C.F.R. § 366.7 (2019) of the regulations of the Federal Energy Regulatory Commission (“FERC” or “Commission”), High Majestic Wind I, LLC, a Delaware limited liability company (“Applicant” or “High Majestic Wind I”), hereby submits this notice of self-certification (“Notice”) of its status as an exempt wholesale generator (“EWG”), as defined in Section 366.1 of the Commission’s rules, 18 C.F.R. § 366.1 (2019). In support of this Notice, Applicant hereby states as follows:

I. Principal Office of Applicant

The principal office of Applicant is set forth below:

High Majestic Wind I, LLC
700 Universe Blvd.
Juno Beach, FL 33408-0420

II. Communications

All communications regarding this Application should be provided to:

Gunnar Birgisson
Senior FERC Counsel
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W., Ste. 220
Washington, D.C. 20004
(202) 349-3494
gunnar.birgisson@nee.com

II. Description of Applicant and Facility

Applicant is a wholly-owned direct subsidiary of Beargrass Wind Class A Holdings, LLC, which in turn is a wholly-owned direct subsidiary of ESI Energy, LLC, which is a wholly-owned direct subsidiary of NextEra Energy Resources, LLC (“NEER”). All of these entities are Delaware limited liability companies. NEER is a wholly-owned direct subsidiary of NextEra Energy Capital Holdings, Inc., a Florida corporation, which in turn is a wholly-owned direct subsidiary of NextEra Energy, Inc., a Florida corporation publicly traded on the New York Stock Exchange.

High Majestic Wind I will own and operate a wind generating facility with approximately 79.5 MW aggregate nameplate capacity installed (the “Facility”) located in Carson County, Texas, in the Southwest Power Pool, Inc. region. It will interconnect with the transmission system of Southwestern Public Service Co. (Xcel).

Applicant will neither own nor control transmission, other than certain interconnection facilities necessary to permit the Facility to engage in sales at wholesale. With respect to physical energy commodities, Applicant may engage in wholesale sales of electric energy, capacity, and ancillary services at market-based rates sales in the region.

In connection with operating the Facility, Applicant also may engage in the following incidental activities that the Commission has found permissible EWG activities:

- Trade emission allowances consistent with the Commission’s limitation that an EWG may engage in such trading so long as the emission allowances were originally obtained in the normal course of operating the Facility.¹
- Sell “green” power certificates or credits consistent with the Commission’s limitation that an EWG may sell such certificates or credits where they are associated with power produced by the Facility.²

¹ See *UGI Development Co.*, 89 FERC ¶ 61,192 (1999).

- Engage in other activities incidental to the sale of electric energy at wholesale that are consistent with the Commission's EWG precedent.

IV. Representations Regarding Exempt Wholesale Generator Status

Consistent with Section 366.1 of the Commission's regulations, Applicant makes the following representations in order to certify that it satisfies the requirements for EWG status:

1. Applicant represents that it will be engaged directly and exclusively in the business of owning and operating the Facility and selling electric energy at wholesale. Consistent with the Commission's EWG precedent, the associated activities described in Part II above are incidental to the wholesale generation business and will not violate the EWG exclusivity requirement. The Facility, as described above, will satisfy the definition of Eligible Facilities as defined in Section 32(a)(2) of the Public Utility Holding Company Act of 1935 and as incorporated by reference in 18 C.F.R. § 366.1, because it will be used for the generation of electric energy exclusively for sale at wholesale.

2. The Facility includes no transmission or distribution facilities other than those interconnection facilities necessary to permit the Facility to engage in sales at wholesale.

3. Applicant will not make sales of power at retail.

4. No rate or charge for, or in connection with, the construction of the Facility, or for electric energy produced by the Facility, was in effect under the laws of any State on October 24, 1992. As such, no determination or certification by a state commission is necessary prior to certification of the Facility as an EWG.

² See *Madison Windpower, LLC*, 93 FERC ¶ 61,270 (2000).

5. No portion of the Facility will be owned or operated by an “electric utility company” that is an “affiliate” or “associate company” of Applicant that is not itself an EWG, as defined in Section 366.1 of the Commission’s regulations.

6. There are no leasing arrangements involving the Facility and any public utility company or any affiliate or associate company of any public utility company.

V. Conclusion

Based upon the foregoing, Applicant respectfully requests that the Commission accept its notice of self-certification of EWG status.

Respectfully submitted,

/s/ Gunnar Birgisson
Gunnar Birgisson
Senior FERC Counsel
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W.
Suite 220
Washington, D.C. 20004
(202) 349-3494

Counsel for High Majestic Wind I, LLC

Dated: May 12, 2020

CERTIFICATE OF SERVICE

I, Gunnar Birgisson, hereby certify that I have this day caused the foregoing Notice of Self- Certification of Exempt Wholesale Generator Status of High Majestic Wind I, LLC to be served by first-class mail upon the Florida Public Service Commission and the Electric Reliability Council of Texas.

Dated at Washington, D.C. this 12 day of May, 2020.

/s/ Gunnar Birgisson
Gunnar Birgisson
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W.
Suite 220
Washington, D.C. 20004

Document Content(s)

High Majestic I-Repower EWG FINAL-5.11.2020.PDF.....1

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Harmony Florida Solar, LLC	EG20-146-000
Taylor Creek Solar, LLC	EG20-147-000
Chicot Solar, LLC	EG20-148-000
Minco Wind I, LLC	EG20-149-000
Ponderosa Wind, LLC	EG20-150-000
Sky Global Power Two LLC	EG20-151-000
Day County Wind I, LLC	EG20-152-000
Baldwin Wind Energy, LLC	EG20-153-000
Weatherford Wind, LLC	EG20-154-000
High Majestic Wind I, LLC	EG20-155-000
Soldier Creek Wind, LLC	EG20-156-000
El Campo Wind, LLC	EG20-157-000
Wagyu Solar, LLC	EG20-158-000
Cubico Wagyu Lessee, LLC	EG20-159-000
Desert Harvest, LLC	EG20-160-000
Desert Harvest II LLC	EG20-161-000
Maverick Solar, LLC	EG20-162-000
Maverick Solar 4, LLC	EG20-163-000
Gray County Wind, LLC	EG20-164-000
Oliver Wind I, LLC	EG20-165-000
Tehachapi Plains Wind, LLC	EG20-166-000
Wheatridge Wind Energy, LLC	EG20-167-000
Wheatridge Wind II, LLC	EG20-168-000
Helios 5 MT, LLC	EG20-169-000
Cedar Springs Wind III, LLC	EG20-170-000
Cedar Springs Wind, LLC	EG20-171-000
Cedar Springs Transmission LLC	EG20-172-000
Calpine Northeast Development, LLC	EG20-174-000
Cerro Gordo Wind, LLC	EG20-175-000

Docket No. EG20-146-000 et. al.

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NOTICE OF EFFECTIVENESS OF EXEMPT WHOLESALE
GENERATOR STATUS

(August 13, 2020)

Take notice that during the month of July 2020, the status of the above-captioned entities as Exempt Wholesale Generators Companies became effective by operation of the Commission's regulations. 18 CFR 366.7(a) (2019).

Nathaniel J. Davis, Sr.,
Deputy Secretary.

Document Content(s)

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