



Filing Receipt

Received - 2021-08-05 01:16:41 PM
Control Number - 14406
ItemNumber - 908

**Hubbard Wind, LLC
700 Universe Blvd.
Juno Beach, FL 33408**

August 5, 2021

Ana Trevino, Filing Clerk
Central Records
Public Utility Commission of Texas
1701 N. Congress Ave.
Austin, TX 78711-3326

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

Dear Ms. Trevino:

Attached for electronic filing is a copy of Hubbard Wind, 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 questions, 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 black ink that reads "Tracy Davis". The signature is written in a cursive, flowing style.

Tracy C. Davis
Senior Attorney

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

Hubbard Wind, LLC

)

Docket No. EG21-____-000

**NOTICE OF SELF-CERTIFICATION OF
EXEMPT WHOLESALE GENERATOR STATUS OF
HUBBARD WIND, 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 (2015) of the regulations of the Federal Energy Regulatory Commission (“FERC” or “Commission”), Hubbard Wind, LLC, a Delaware limited liability company (“Applicant” or “Hubbard Wind”), 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 (2020). In support of this Notice, Applicant hereby states as follows:

I. Principal Office of Applicant

The principal office of Applicant is set forth below:

Hubbard Wind, LLC
700 Universe Blvd.
Juno Beach, FL 33408-0420

II. Communications

All communications regarding this Application should be provided to:

Joel D. Newton
Senior FERC Counsel
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W., Ste. 220
Washington, D.C. 20004
(202) 347-7126
joel.newton@nee.com

II. Description of Applicant and Facility

Applicant is a wholly-owned direct subsidiary of ESI Energy, LLC (“ESI Energy”), a Delaware limited liability company. ESI Energy is a wholly-owned direct subsidiary of NextEra Energy Resources, LLC, a Delaware limited liability company, which in turn 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.

Hubbard Wind will own and operate a wind generating facility (the “Facility”) with approximately 300 MW aggregate nameplate capacity, located in Limestone & Hill Counties in Texas, and will operate within the Electric Reliability Council of Texas, Inc. (“ERCOT”) balancing authority area. It is a party to an ERCOT Standard Generation Interconnection Agreement with Lone Star Transmission, LLC.

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/ Joel D. Newton

Joel D. Newton
Senior FERC Counsel
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W.
Suite 220
Washington, D.C. 20004
(202) 347-7126

Counsel for Hubbard Wind, LLC

Dated: May 27, 2021

CERTIFICATE OF SERVICE

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

Dated at Washington, D.C. this 27th day of April, May.

/s/ Joel D. Newton

Joel D. Newton
Senior FERC Counsel
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W.
Suite 220
Washington, D.C. 20004