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October 20, 2021

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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 Ellis Solar, LLC
Docket No. EG22-__-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 Ellis Solar, 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/ Richard P. Bonnifield
Richard P. Bonnifield

Counsel for Ellis Solar, LLC

cc: Public Utility Commission of Texas

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

Ellis Solar, LLC

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Docket No. EG22- -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 2005,¹ and Section 366.7 of the Rules and Regulations of the Federal Energy Regulatory Commission (“Commission”),² Ellis Solar, LLC (“Applicant”) hereby submits this Notice of Self-Certification of Exempt Wholesale Generator (“EWG”) Status (“Notice”).

I. COMMUNICATIONS

Communications with regard to this Notice should be addressed to:

Carolyn Byun
c/o 174 Power Global
300 Spectrum Center Drive, Suite 1020
Irvine, CA 92618
Telephone: (704) 641-9019
Email: legal@174powerglobal.com

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¹ EPCA 2005, Pub. L. No. 109-58, 1261-80, 119 Stat. 594 (2005).

² 18 C.F.R. § 366.7 (2021).

II. DESCRIPTION OF APPLICANT

Applicant is developing and will own and operate a 80 MWac solar photovoltaic powered electric generating facility that is under development in Ellis County, Texas (the “Facility”). When completed, the Facility will be located in the City of Midlothian, Ellis County, Texas, within the Electric Reliability Council of Texas (“ERCOT”) and will interconnect with the transmission system owned by Oncor Electric Delivery Company LLC. Applicant owns the Facility and will sell all of its output exclusively at wholesale. The Facility will be comprised of solar PV panels and associated facilities and equipment necessary for the generation of power at wholesale. The Facility will also include electric interconnection facilities necessary to effectuate Applicant’s wholesale power sales from the Facility.

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.³ 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.⁴

³ 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.

⁴ Applicant may engage in activities incidental to the sale of electric energy, consistent with Commission precedent. The Commission’s precedent provides that an EWG applicant may engage in certain activities associated with the development and acquisition of as-yet-unidentified eligible facilities and/or EWGs, including, among other activities, due diligence, project design review and development, preparation of bid proposals, application for permits and/or regulatory approvals, negotiation of agreements to sell electricity at wholesale, negotiation of contractual commitments with lenders and equity investors, negotiation of

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STATUS

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.

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. SUBSCRIPTION CERTIFICATION

Pursuant to Section 366.7 of the Commission’s regulations, attached to this filing is a signed subscription certification by a representative legally authorized to bind Applicant, attesting to the facts and representations in this Notice, which demonstrate eligibility for EWG status.

contractual commitments with governmental authorities and other project participants, and other such activities as may be required to achieve financial closing on an eligible facility and/or EWG. *Southern Elec. Wholesale Generators, Inc.*, 66 FERC ¶ 61,264 (1994); *Entergy Power Asia Ltd.*, 67 FERC ¶ 61,342 (1994).

VI. CONCLUSION

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

DATED: October 20, 2021.

Respectfully submitted,

/s/ Richard P. Bonnifield

Richard P. Bonnifield

Jessica L. Bayles

Melan A. Patel

Counsel for Ellis Solar, LLC

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

Ellis Solar, LLC

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Docket No. EG22-____-000

CERTIFICATION

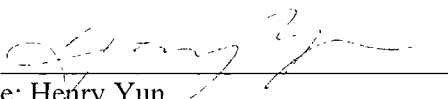
I, the undersigned, and as a representative of Ellis Solar, LLC, certify that I have read the foregoing Notice of Self-Certification of Exempt Wholesale Generator Status being filed by Ellis Solar, LLC for a determination of exempt wholesale generator status and know the contents thereof; and the facts and representations set forth in the attached certification of exempt wholesale generator status are true and correct to the best of my knowledge, information and belief. I possess the full power and authority to sign this filing.

DATED: October 20, 2021

ELLIS SOLAR, LLC

By: Ellis Solar Holdco, LLC
Its: Member

By: Hanwha Total Solar II, LLC
Its: Sole Member

By: 
Name: Henry Yun
Title: Co-CEO

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Self-Certification of Exempt Wholesale Generator Status of Ellis Solar, LLC was served on the 20th day of October 2021, upon the following:

Public Utility Commission of Texas
1701 N. Congress Avenue
PO Box 13326
Austin, TX 78711-3326

/s/ Richard P. Bonnifield
Richard P. Bonnifield
Stoel Rives LLP
1150 Eighteenth Street NW, Suite 325
Washington, DC 20036
Counsel for Ellis Solar, LLC