



## Filing Receipt

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# HUSCH BLACKWELL

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April 7, 2022

**VIA ELECTRONIC FILING**

Filing Clerk  
Public Utility Commission of Texas  
1701 North Congress Avenue, Suite 8-100  
Austin, Texas 78701

Re: PUC Project No. 14406: *Brazoria County Solar Project LLC, Exempt Wholesale Generator Status - FERC Docket No. EG22-86-000*

Dear Sir or Madam:

Please find enclosed a filed Notice of Self-Certificate of Exempt Wholesale Generator Status for Brazoria County Solar Project LLC. A copy of this filing was filed on April 6, 2022 before the Federal Energy Regulatory Commission (FERC) (Attachment A) and is being filed in this docket (PUC Project No. 14406) per the requirements of Section 366.7(a) of the Commission's Regulations (18 C.F.R. § 366.7(a)(2017)) and 16 Tex. Admin. Code § 25.109. On April 7, 2022 FERC notified Brazoria County Solar Project LLC that it had accepted for filing the electronic submission of the Notice of Self-Certification of Exempt Wholesale Generator Status. A copy of this notice is also attached (Attachment B).

Sincerely,

/s/ Alaina Zermeno

Alaina Zermeno  
Attorney

Enclosures  
Cc: Brazoria County Solar Project LLC

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

Brazoria County Solar Project LLC

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Docket No. EG22-\_\_-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,<sup>1</sup> Brazoria County Solar Project LLC (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.<sup>2</sup> 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:

Claudio Piccinelli  
Carminé Monti  
Brazoria County Solar Project LLC  
485 Madison Avenue, 6th floor  
New York, NY 10022  
917-455-3133  
718-664-3340  
[claudio.piccinelli@eniplenitude.com](mailto:claudio.piccinelli@eniplenitude.com)  
[carmine.monti@eniplenitude.com](mailto:carmine.monti@eniplenitude.com)

Frederick G. Jauss IV  
HUSCH BLACKWELL LLP  
750 17th Street NW, Suite 900  
Washington, DC 20006  
(202) 378-2309  
[Fred.Jauss@huschblackwell.com](mailto:Fred.Jauss@huschblackwell.com)

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<sup>1</sup> 18 C.F.R. § 366.7(a).

<sup>2</sup> *Id.* at § 366.1.

## **II. DESCRIPTION OF THE COMPANY**

The Company is a Delaware limited liability company that has been formed to develop, own, and operate an approximately 200 MWac nameplate capacity solar-powered electric generation facility (the Facility) that will be located in Brazoria County, Texas. The Facility is currently estimated to begin generating electricity on June 24, 2022. The Facility will be comprised of photovoltaic panels and associated structures, 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 CenterPoint Energy Houston Electric, LLC. All of the Facility's output will be sold at wholesale within ERCOT's balancing authority area.

The Company is an indirect subsidiary of ENI S.p.A. ENI S.p.A. is one of the most important integrated energy companies in the world operating in the oil and gas, conventional and renewable power generation, petrochemicals, oilfield services construction and engineering industries.

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

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

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<sup>3</sup> *Id.* at § 366.7(a).

1. The Company is 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.<sup>4</sup>
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.

#### IV. STATE COMMISSION NOTIFICATION

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

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<sup>4</sup> 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)).

**V. CONCLUSION**

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

Respectfully submitted,

/s/ Frederick G. Jauss IV

Frederick G. Jauss IV

HUSCH BLACKWELL LLP

*Counsel for Brazoria County Solar Project LLC*

Dated: April 6, 2022

**Zermeno, Alaina**

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**Subject:** FW: FERC Acceptance for Filing in EG22-86-000

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**From:** [eFiling@ferc.gov](mailto:eFiling@ferc.gov) <[eFiling@ferc.gov](mailto:eFiling@ferc.gov)>

**Sent:** Thursday, April 7, 2022 8:08:27 AM

**To:** Jauss, Fred <[Fred.Jauss@huschblackwell.com](mailto:Fred.Jauss@huschblackwell.com)>; [efilingacceptance@ferc.gov](mailto:efilingacceptance@ferc.gov) <[efilingacceptance@ferc.gov](mailto:efilingacceptance@ferc.gov)>

**Subject:** FERC Acceptance for Filing in EG22-86-000

[EXTERNAL EMAIL]

Acceptance for Filing  
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The FERC Office of the Secretary has accepted the following electronic submission for filing (Acceptance for filing does not constitute approval of any application or self-certifying notice):

-Accession No.: 202204065220

-Docket(s) No.: EG22-86-000

-Filed By: Brazoria County Solar Project LLC

-Signed By: Frederick Jauss

-Filing Type: Exempt Wholesale Generator Request

-Filing Desc: Self-Certification of EG or FC of Brazoria County Solar Project LLC under EG22-86.

-Submission Date/Time: 4/6/2022 3:39:35 PM

-Filed Date: 4/6/2022 3:39:35 PM

Your submission is now part of the record for the above Docket(s) and available in FERC's eLibrary system at:

[https://elibrary.ferc.gov/eLibrary/docinfo?accession\\_num=20220406-5220](https://elibrary.ferc.gov/eLibrary/docinfo?accession_num=20220406-5220)

If you would like to receive e-mail notification when additional documents are added to the above docket(s), you can eSubscribe by docket at:

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Thank you again for using the FERC Electronic Filing System. If you need to contact us for any reason:

E-Mail: [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov) <mailto:ferconlinesupport@ferc.gov> (do not send filings to this address)

Voice Mail: 866-208-3676.