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DOCKET NO. 49248

APPLICATION OF SRE MIDWAY MEMBER, LLC UNDER § 39.158 OF THE PUBLIC UTILITY REGULATORY ACT § **2019 FEB 25 AM 9:20 PUBLIC UTILITY COMMISSION** § **FILE NO. 05-00000-00000 OF TEXAS** §

**ORDER NO. 1
REQUIRING RESPONSE AND
COMMISSION STAFF RECOMMENDATION**

On February 21, 2019, SRE Midway Member, LLC filed an application for approval of the sale of Class A passive equity interests to MidAmerican Wind Tax Equity Holdings, LLC. SRE Midway Member is a wholly owned subsidiary of SRE Midway Holdco, LLC. MidAmerican will acquire Class A passive equity interests in SRE Midway Member, which owns Midway Wind, LLC. Midway Wind owns a 162.9 megawatt wind-powered electric generation energy project in San Patricio County, Texas. The Midway Wind project is interconnected to the Electric Reliability Council of Texas (ERCOT) and is expected to commence operations in March 2019.

In a separate transaction, Citicorp North America, Inc., will also acquire Class A passive equity interests in SRE Midway Member. Once both transactions are complete, MidAmerican and Citicorp will own 100% of the Class A passive equity interests in SRE Midway Member. SRE Midway Member's transaction with Citicorp is not part of this application, but has been included in the calculations contained within. SRE Midway Member states that the combined generation owned and controlled by itself and its affiliated entities, and MidAmerican and its affiliated entities following the proposed sale will not exceed twenty percent of the total installed generation capacity available in ERCOT.

The Commission has jurisdiction over this application under §§ 39.154 and 39.158 of PURA.¹ Not later than March 8, 2019, Commission Staff must file a recommendation on the sufficiency of the application, whether notice may be required to comply with the applicable procedural rules, and a recommendation on the applicant's proposed procedural schedule.

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016 (PURA).

Signed at Austin, Texas the 25th day of February 2019.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'C. Oakley', is written over a horizontal line.

CHRISTOPHER OAKLEY
ADMINISTRATIVE LAW JUDGE