
# Filing Receipt

**Filing Date - 2025-02-28 11:58:22 AM**

**Control Number - 54941**

**Item Number - 610**

*Public Utility Commission of Texas*
**1701 N. Congress Avenue or P.O. Box 13326**
**Austin, Texas 78711-3326**
**512-936-7000**
**Web address: www.puc.texas.gov**

# Registration and Re-registration Form for Power Generation Companies (PGC) and Self-Generators

(In accordance with 16 Texas Administrative Code (TAC) § 25.109)

## Part A – Type of Registration Applicable to Every Registrant

### 1. Type of registration

**Check only one of the following.**

☐ New power generation company (PGC) registration
☐ Amendment of PGC registration
☑ PGC re-registration
☐ PGC compliance update
☐ New self-generator registration
☐ Amendment of self-generator registration
☐ Self-generator re-registration
☐ Self-generator compliance update

### 2. Amendments

**If filing an amendment, check all applicable boxes and fill in only the sections of this form that are applicable to your amendment:**

☐ Name change amendment
☐ Change in ownership/control
☐ Registration relinquishment
☐ Facility output capacity change
☐ New generating facility or unit of a current facility
☐ Other

**Registration number:** _____

**Provide a brief explanation of amendment**:

### 3. Biannual renewal of registration – This box is not applicable until February 2024.

**If filing a re-registration, fill in the box below if the registrant's information has not changed from the previous registration.**

☑ No information has changed from the previous registration. The Affidavit is required to be completed and filed if this box is checked.

**4. Compliance with Project No. 52796 – PGCs and self-generators already registered on, or that applied for registration before, April 26, 2023, must complete this box to come into compliance with16 Texas Administrative Code (TAC) § 25.109 on or before June 1, 2023.**

**If filing a compliance update, provide the registrant's registration number and check the box below once the form has been completed.**

**Registration number:** _____

☐ Registrant has completed the entire form, as applicable to its type of registration.

## Part B – Registration Information Applicable to Every Registrant

| 1. Registrant | | |
|---|---|---|
| **Legal business name:** Brackettville III, LLC | | |
| **Business address:** 200 Liberty Street, 14th Floor | | |
| **City:** New York | **State:** NY | **ZIP:** 10281 |
| **Business email:** joshua.udler@luminace.com | **Business phone:** 410-294-8041 | |
| **Physical address (i.e. not a P.O. box), if different than business address. If the physical address is the same as the business address, enter "N/A". A single physical address provided under this section may be used for the Primary and Secondary Emergency Contacts , as required by 16 TAC §25.109(c)(1)(B).** N/A | | |
| **City:** | **State:** | **ZIP:** |

| 2. Primary Emergency Contact Information | | |
|---|---|---|
| **Name:** Andrew Pastore | **Title:** Asset Manager | |
| **Business address:** 200 Liberty Street, 14th Floor | | |
| **City:** New York | **State:** NY | **ZIP:** 10281 |
| **Email:** andrew.pastore@luminace.com | **Phone:** 571-481-0777 | |

| 3. Secondary Emergency Contact Information | | |
|---|---|---|
| **Name:** Benjamin Scott | **Title:** Senior Manager (Operations) | |
| **Business address:** 200 Liberty Street, 14th Floor | | |
| **City:** New York | **State:** NY | **ZIP:** 10281 |
| **Email:** benjamin.scott@luminace.com | **Phone:** 347-271-1730 | |

| 4. Regulatory Contact Information | |
|---|---|
| **Name:** Joshua Udler | **Title:** Vice President, Legal |
| **Email:** joshua.udler@luminace.com | **Phone:** 410-294-8041 |

**Check the relevant box below indicating whether the registrant's regulatory contact is an internal staff member of the registrant.**

☑ Yes, the registrant's regulatory contact is an internal staff member of the registrant.

☐ No, the registrant's regulatory contact is not an internal staff member of the registrant.

**5. Description of the types of services provided by the registrant that relate to the generation of electricity**

Solar generation facilities selling output at wholesale.

**6. For qualified facilities and exempt wholesale generators, provide as an attachment a copy of any Federal Energy Regulatory Commission (FERC) registrations**

☑ Registrant is a qualified facility and has attached a copy of a FERC registration.

☐ Registrant is an exempt wholesale generator and has attached a copy of a FERC registration.

☐ Registrant is not a qualified facility or exempt wholesale generator.

## Part C - Applicable to Registration of Power Generation Companies

| **7. Names and, if applicable, the Commission registration of the registrant's corporate parent companies (if parent company does not have a Commission registration then mark "N/A") (add additional pages as attachments as necessary)** | |
|---|---|
| **Names of Corporate Parent:** Arcturus 2023, LLC | **Type of Commission registration (if applicable):** N/A |
| **Names of Corporate Parent:** | **Type of Commission registration (if applicable):** |
| **Names of Corporate Parent:** | **Type of Commission registration (if applicable):** |

| **8. Names of the registrant's affiliates and affiliates of the registrant's corporate parent identified by name that buy and sell electricity at wholesale in Texas, sell electricity at retail in Texas, or is an electric cooperative or municipally owned utility in Texas (add additional pages as attachments as necessary)** | |
|---|---|
| **Affiliate Name:** See attached list of affiliates | **Type of Commission registration (if applicable):** |
| **Affiliate Name:** | **Type of Commission registration (if applicable):** |
| **Affiliate Name:** | **Type of Commission registration (if applicable):** |

| **9. Interchange Project Number where registrant's Emergency Operation Plan is filed and Item Number of filing** |
|---|
| **Project Number:** 53385 |
| **Item Number:** 1459 |

## Part D – Applicable to Every Registrant

### AFFIDAVIT

*(Must be notarized by a public notary)*

STATE OF Maryland §
COUNTY OF Baltimore City §
§

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who, after being duly sworn, stated on his or her oath that he or she is entitled to make this Affidavit, and that the statements contained below and in the foregoing are true and correct.

Check one of the following boxes:

☐ I am an authorized representative of the registrant, which is a **self-generator** and swear and affirm that either:

- (A) the company
  - (i) is not a power generation company; and
  - (ii) does not intend to generate electricity intended to be sold at wholesale; or
- (B) if the company is a QF
  - (i) the company either does not sell electricity; or
  - (ii) provides electricity only to the purchaser of the facility's thermal output.

☑ I am an authorized representative of the registrant, which is a **power generation company** and swear and affirm that the company:

- (A) Generates electricity that is intended to be sold at wholesale;
- (B) Does not own a transmission or distribution facility in this state other than an essential interconnecting facility, a facility not dedicated to public use, or a facility otherwise excluded from the definition of "electric utility" under 16 Texas Administrative Code § 25.5; and
- (C) Does not have a certificated service area.

I swear and affirm that I have personal knowledge that none of registrant's principals (1) were principals of a Commission-regulated person whose license was revoked by Commission order when the person was principal, (2) were principals of any party registered with the Electric Reliably Council of Texas (ERCOT) whose standard form market participant agreement (SFA) was terminated by ERCOT for misconduct within the prior six months of when they were a principal, or (3) are otherwise prohibited by Commission order from acting as a principal of a Commission-regulated entity.

I swear and affirm that I have personal knowledge of the facts stated in the attached registration, that I am competent to testify to them, and that I have the authority to submit this registration form on behalf of the registrant. I further swear and affirm that all statements made in the registration form are true, correct and complete and that any substantial changes in such information will be provided to the Public Utility Commission of Texas in a timely manner. I swear and affirm that the registrant understands and will comply with all requirements of the applicable law and rules.

Signature of Authorized Representative

Brendon Quinlivan

Printed Name

Brackettville III, LLC

Name of Registrant

**Sworn and subscribed before me this**

27th of February, 2025

**Day** **Month** **Year**

Notary Public Signature

Notary Public in and for the State of Maryland

STEPHANIE AUGRESANI
Notary Public - State of Maryland
Baltimore City
My Commission Expires Aug 18, 2026

## Part E – Applicable to Every Registrant

Provide information for each generating unit. If more room is needed to list all generating units, attach additional copies of Part E.

| All Registrants | | | | | | | Self-Generators Only |
|---|---|---|---|---|---|---|---|
| **Generating Unit's Name** | **Physical Address of Unit** | **County of Unit** | **Interconnecting Transmission Service Provider** | **Power Region** | **Total Capacity Rating in MW** | **Type(s) of Generation*** | **MW Consumption of Co-Located Load** |
| Brackettville III | 2004 US Hwy 90, Kinney, TX 78832 | Kinney | RGEC | ERCOT | 0.996 | Solar | |
| | | | | | | | |
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***i.e., biomass, wind, geothermal, solar, hydro, nuclear, landfill gas, energy storage, hydrogen, diesel, coal, natural gas, other (provide an explanation)**

# Affiliates List

| Name | Market Participant Type | Corporate Relationship |
|---|---|---|
| Brookfield Renewable Trading and Marketing LP | Wholesale Power Marketer | Affiliate |
| Heart of Texas Wind, LLC | PGC | Affiliate |
| Ranchero Wind Farm, LLC | PGC | Affiliate |
| Rattlesnake Wind I LLC | PGC | Affiliate |
| South Plains Wind Energy, LLC | PGC | Affiliate |
| TerraForm Renewable Energy Services, LLC | REP | Affiliate |
| Luminace Solar Texas, LLC | PGC | Affiliate |
| Los Vientos I Windpower IA, LLC | PGC | Affiliate |
| Los Vientos Windpower IB, LLC | PGC | Affiliate |
| Los Vientos Windpower III, LLC | PGC | Affiliate |
| Los Vientos Windpower IV, LLC | PGC | Affiliate |
| Los Vientos Windpower V, LLC | PGC | Affiliate |
| Maryneal Windpower, LLC | PGC | Affiliate |
| Mesquite Creek Wind, LLC | PGC | Affiliate |
| Notrees Windpower, LP | PGC | Affiliate |
| East Blackland Solar Project 1, LLC | PGC | Affiliate |
| Lapetus Energy Project, LLC | PGC | Affiliate |
| RE Rambler, LLC | PGC | Affiliate |
| TX Solar I LLC | PGC | Affiliate |
| Pisgah Ridge Solar, LLC | PGC | Affiliate |
| Brackettville I, LLC | PGC | Affiliate |
| Brackettville II, LLC | PGC | Affiliate |
| Brackettville III, LLC | PGC | Affiliate |
| Brundage I, LLC | PGC | Affiliate |
| Brundage II, LLC | PGC | Affiliate |
| Del Rio I, LLC | PGC | Affiliate |
| Persimmon Gap I, LLC | PGC | Affiliate |
| Persimmon Gap II, LLC | PGC | Affiliate |
| Persimmon Gap III, LLC | PGC | Affiliate |
| Ft. Stockton I, LLC | PGC | Affiliate |
| Ft. Stockton II, LLC | PGC | Affiliate |

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC

OMB Control # 1902-0075
Expiration 11/30/2022

# Form 556 Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility

## General

Questions about completing this form should be sent to Form556@ferc.gov. Information about the Commission's QF program, answers to frequently asked questions about QF requirements or completing this form, and contact information for QF program staff are available at the Commission's QF website, www.ferc.gov/QF. The Commission's QF website also provides links to the Commission's QF regulations (18 C.F.R. § 131.80 and Part 292), as well as other statutes and orders pertaining to the Commission's QF program.

Title 18, U.S.C. 1001 makes it a crime for any person knowingly and willingly to make to any Agency or Department of the United States any false, fictitious or fraudulent statements as to any matter within its jurisdiction.

## Who Must File

### Certification:

Any applicant seeking QF status for a generating facility that has a net power production capacity (as determined in lines 7a through 7g below) greater than 1 MW must file a self-certification or an application for Commission certification of QF status, which includes a properly completed Form 556. Any applicant seeking QF status for a generating facility with a net power production capacity 1 MW or less is exempt from the certification requirement and is therefore not required to complete or file a Form 556. *See* 18 C.F.R. § 292.203. This includes any applicant seeking small power production QF status for a generating facility that, together with any affiliated small power production QFs that use the same energy resource and are within one mile of the filing facility, has a net power production capacity 1 MW or less.

### Recertification:

A QF must file a recertification whenever the qualifying facility "fails to conform with any material facts or representations presented … in its submittals to the Commission." 18 C.F.R. § 292.207(f).

Among other possible changes in material facts that would necessitate recertification, a small power production QF is required to recertify to update item 8a due to a change at an affiliated facility(ies) one mile or less from its electrical generating equipment. A small power production QF is *not* required to recertify due to a change at an affiliated facility(ies) listed in item 8a that is more than one mile but less than 10 miles away from its electrical generating equipment, unless that change also impacts any other entries on the Form 556.

## How to Complete the Form 556

This form is intended to be completed by responding to the items in the order they are presented, according to the instructions given. If you need to back-track, you may need to clear certain responses before you will be allowed to change other responses made previously in the form. If you experience problems, click on the nearest help button ( ) for assistance, or contact Commission staff at Form556@ferc.gov.

Certain lines in this form will be automatically calculated based on responses to previous lines, with the relevant formulas shown. You must respond to all of the previous lines within a section before the results of an automatically calculated field will be displayed. If you disagree with the results of any automatic calculation on this form, contact Commission staff at Form556@ferc.gov to discuss the discrepancy before filing.

You must complete all lines in this form unless instructed otherwise. Do not alter this form or save this form in a different format. Incomplete or altered forms, or forms saved in formats other than PDF, will be rejected.

# How to File a Completed Form 556

Applicants are required to file their Form 556 electronically through the Commission's eFiling website (see instructions on page 3). By filing electronically, you will reduce your filing burden, save paper resources, save postage or courier charges, help keep Commission expenses to a minimum, and receive a much faster confirmation (via an email containing the docket number assigned to your facility) that the Commission has received your filing.

If you are simultaneously filing both a waiver request and a Form 556 as part of an application for Commission certification, see the "Waiver Requests" section on page 4 for more information on how to file.

# Paperwork Reduction Act Notice

This form is approved by the Office of Management and Budget. Compliance with the information requirements established by the FERC Form 556 is required to obtain or maintain status as a QF. *See* 18 C.F.R. § 131.80 and Part 292. An agency may not penalize a person for not complying with a collection of information unless it displays a currently valid OMB control number.

The estimated total burden for completing the FERC Form 556, including gathering and reporting information, is as follows: 1.5 hours for self-certifications of facilities of 1 MW or less; 1.5 hours for self-certifications of a cogeneration facility over 1 MW; 50 hours for applications for Commission certification of a cogeneration facility; 3.5 hours for self-certifications of small power producers over 1 MW and less than a mile or more than 10 miles from affiliated small power production QFs that use the same energy resource; 56 hours for an application for Commission certification of a small power production facility over 1 MW and less than a mile or more than 10 miles from affiliated small power production QFs that use the same energy resource; 9.5 hours for self-certifications of small power producers over 1 MW with affiliated small power production QFs more than one but less than 10 miles that use the same energy resource; 62 hours for an application for Commission certification of a small power production facility over 1 MW with affiliated small power production QFs more than one but less than 10 miles that use the same energy resource.

Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden, to the following: Information Clearance Officer, Office of the Executive Director (ED-32), Federal Energy Regulatory Commission, 888 First Street N.E., Washington, DC 20426 (DataClearance@ferc.gov); and Desk Officer for FERC, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 through www.reginfo.gov/public/do/PRAMain. Include FERC-556 and the Control No. 1902-0075 in any correspondence.

# Filing Fee

No filing fee is required if you are submitting a self-certification or self-recertification of your facility as a QF pursuant to 18 C.F.R. § 292.207(a).

A filing fee is required if you are filing either of the following:

(1) an application for Commission certification or recertification of your facility as a QF pursuant to 18 C.F.R. § 292.207(b), or
(2) a petition for declaratory order granting waiver pursuant to 18 C.F.R. §§ 292.204(a)(3) and/or 292.205(c).

The current fees for applications for Commission certifications and petitions for declaratory order can be found by visiting the Commission's QF website at www.ferc.gov/QF and clicking the Filing Fees link.

You will be prompted to submit your filing fee, if applicable, during the electronic filing process described on page 3.

# Electronic Filing (eFiling)

To electronically file your Form 556, visit the Commission's QF website at www.ferc.gov/QF and click the eFiling link.

If you are eFiling your first document, you will need to register with your name, email address, mailing address, and phone number. If you are registering on behalf of an employer, then you will also need to provide the employer name, alternate contact name, alternate contact phone number and and alternate contact email.

Once you are registered, log in to eFiling with your registered email address and the password that you created at registration. Follow the instructions. When prompted, select one of the following QF-related filing types, as appropriate, from the Electric or General filing category.

| Filing category | Filing Type as listed in eFiling | Description |
|---|---|---|
| Electric | (Fee) Application for Commission Cert. as Cogeneration QF | Use to submit an application for Commission certification or Commission recertification of a cogeneration facility as a QF. |
| | (Fee) Application for Commission Cert. as Small Power QF | Use to submit an application for Commission certification or Commission recertification of a small power production facility as a QF. |
| | Self-Certification Notice (QF, EG, FC) | Use to submit a notice of self-certification of your facility (cogeneration or small power production) as a QF. |
| | Self-Recertification of Qualifying Facility (QF) | Use to submit a notice of self-recertification of your facility (cogeneration or small power production) as a QF. |
| | Self-Recertification of Qualifying Facility (QF) (Supplement or Correction) | Use to correct or supplement a Form 556 that was submitted with errors or omissions, or for which Commission staff has requested additional information. Do *not* use this filing type to report new changes to a facility or its ownership; rather, use a self-recertification or Commission recertification to report such changes. |
| General | (Fee) Petition for Declaratory Order (not under FPA Part 1) | Use to submit a petition for declaratory order granting a waiver of Commission QF regulations pursuant to 18 C.F.R. §§ 292.204(a)(3) and/or 292.205(c). A Form 556 is not required for a petition for declaratory order unless Commission recertification is being requested as part of the petition. |

You will be prompted to submit your filing fee, if applicable, during the electronic submission process. Filing fees can be paid by check or money order via ACH Credit transfer, wire payment, courier, or mail.

During the eFiling process, you will be prompted to select your file(s) for upload from your computer.

# Required Notice to Utilities and State Regulatory Authorities

Pursuant to 18 C.F.R. § 292.207(a)(ii), you must provide a copy of your self-certification or request for Commission certification to the utilities with which the facility will interconnect and/or transact, as well as to the State regulatory authorities of the states in which your facility and those utilities reside. Links to information about the regulatory authorities in various states can be found by visiting the Commission's QF website at www.ferc.gov/QF and clicking the Notice Requirements link.

# What to Expect From the Commission After You File

An applicant filing a Form 556 electronically will receive an email message acknowledging receipt of the filing and showing the docket number assigned to the filing. Such email is typically sent within one business day, but may be delayed pending confirmation by the Secretary of the Commission of the contents of the filing.

An applicant submitting a self-certification of QF status should expect to receive no documents from the Commission, other than the electronic acknowledgement of receipt described above. Consistent with its name, a self-certification is a certification *by the applicant itself* that the facility meets the relevant requirements for QF status, and does not involve a determination by the Commission as to the status of the facility. An acknowledgement of receipt of a self-certification, in particular, does not represent a determination by the Commission with regard to the QF status of the facility. An applicant self-certifying may, however, receive a rejection, revocation or deficiency letter if its application is found, during periodic compliance reviews, not to comply with the relevant requirements.

An applicant submitting a request for Commission certification will receive an order either granting or denying certification of QF status, or a letter requesting additional information or rejecting the application. Pursuant to 18 C.F.R. § 292.207(b)(3), the Commission must act on an application for Commission certification within 90 days of the later of the filing date of the application or the filing date of a supplement, amendment or other change to the application.

# Protests to the Filing

Pursuant to 18 C.F.R. § 292.207, an interested party has 30 days from the date of the filing of a self-certification or self-recertification to intervene or file a protest. Protests may be made to an initial certification (both self-certification and application for Commission certification) filed on or after December 31, 2020, but only to a recertification (both self-recertification and application for Commission recertification) that makes substantive changes to the existing certification and that is filed on or after December 31, 2020, as described in Order No. 872 (accessible from the Commission's QF website at www.ferc.gov/QF). Substantive changes that may be subject to a protest may include, for example, a change in electrical generating equipment that increases power production capacity by the greater of 1 MW or 5% of the previously certified capacity of the QF, or a change in ownership in which an owner increases its equity interest by at least 10% from the equity interest previously reported. The protestor must concurrently serve a copy of such filing pursuant to 18 C.F.R. § 385.2011. Any response to a protest must be filed on or before 30 days from the date of filing of that protest.

# Waiver Requests

18 C.F.R. § 292.204(a)(3) allows an applicant to request a waiver to modify the method of calculation pursuant to 18 C.F.R. § 292.204(a)(2) to determine if two facilities are considered to be located at the same site, for good cause. 18 C.F.R. § 292.205(c) allows an applicant to request waiver of the requirements of 18 C.F.R. §§ 292.205(a) and (b) for operating and efficiency upon a showing that the facility will produce significant energy savings. A request for waiver of these requirements must be submitted as a petition for declaratory order, with the appropriate filing fee for a petition for declaratory order. Applicants requesting Commission recertification as part of a request for waiver of one of these requirements should electronically submit their completed Form 556 along with their petition for declaratory order, rather than filing their Form 556 as a separate request for Commission recertification. Only the filing fee for the petition for declaratory order must be paid to cover both the waiver request and the request for recertification *if such requests are made simultaneously*.

18 C.F.R. § 292.203(d)(2) allows an applicant to request a waiver of the Form 556 filing requirements, for good cause. Applicants filing a petition for declaratory order requesting a waiver under 18 C.F.R. § 292.203(d)(2) do not need to complete or submit a Form 556 with their petition.

# Geographic Coordinates

Items 3c and 8a of the Form 556 require you to report your facility's (and certain neighboring facilities') geographic coordinates (latitude and longitude). Geographic coordinates may be obtained from several different sources. You can find links to online services that show latitude and longitude coordinates on online maps by visiting the Commission's QF webpage at www.ferc.gov/QF. You may also be able to obtain your geographic coordinates from a GPS device, Google Earth (available free at http://earth.google.com), a property survey, various engineering or construction drawings, a property deed, or a municipal or county map showing property lines.

# Filing Privileged Data or Critical Energy Infrastructure Information in a Form 556

The Commission's regulations provide procedures for applicants to either (1) request that any information submitted with a Form 556 be given privileged treatment because the information is exempt from the mandatory public disclosure requirements of the Freedom of Information Act, 5 U.S.C. § 552, and should be withheld from public disclosure; or (2) identify any documents containing critical energy infrastructure information (CEII) as defined in 18 C.F.R. § 388.113 that should not be made public.

If you are seeking privileged treatment or CEII status for any data in your Form 556, then you must follow the procedures in 18 C.F.R. § 388.112. See www.ferc.gov/help/filing-guide/file-ceii.asp for more information.

Among other things (see 18 C.F.R. § 388.112 for other requirements), applicants seeking privileged treatment or CEII status for data submitted in a Form 556 must prepare and file both (1) a complete version of the Form 556 (containing the privileged and/or CEII data), and (2) a public version of the Form 556 (with the privileged and/or CEII data redacted). Applicants preparing and filing these different versions of their Form 556 must indicate below the security designation of this version of their document. If you are *not* seeking privileged treatment or CEII status for any of your Form 556 data, then you should not respond to any of the items on this page.

| |
|---|
| ☐ **Non-Public**: Applicant is seeking privileged treatment and/or CEII status for data contained in the Form 556 lines indicated below. This non-public version of the applicant's Form 556 contains all data, including the data that is redacted in the (separate) public version of the applicant's Form 556. |
| ☐ **Public (redacted)**: Applicant is seeking privileged treatment and/or CEII status for data contained in the Form 556 lines indicated below. This public version of the applicants's Form 556 contains all data except for data from the lines indicated below, which has been redacted. |
| **Privileged:** Indicate below which lines of your form contain data for which you are seeking privileged treatment |
| **Critical Energy Infrastructure Information (CEII)**: Indicate below which lines of your form contain data for which you are seeking CEII status |

The eFiling process described on page 3 will allow you to identify which versions of the electronic documents you submit are public, privileged and/or CEII. The filenames for such documents should begin with "Public", "Priv", or "CEII", as applicable, to clearly indicate the security designation of the file. Both versions of the Form 556 should be unaltered PDF copies of the Form 556, as available for download from www.ferc.gov/QF. To redact data from the public copy of the submittal, simply omit the relevant data from the Form. For numerical fields, leave the redacted fields blank. For text fields, complete as much of the field as possible, and replace the redacted portions of the field with the word "REDACTED" in brackets. Be sure to identify above all fields which contain data for which you are seeking non-public status.

The Commission is not responsible for detecting or correcting filer errors, including those errors related to security designation. If your documents contain sensitive information, make sure they are filed using the proper security designation.

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC

OMB Control # 1902-0075
Expiration 11/30/2022

# Form 556

Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility

Application Information

**1a** Full name of applicant (legal entity on whose behalf qualifying facility status is sought for this facility)
Brackettville III, LLC

**1b** Applicant street address
c/o Brookfield Renewable DG US Operations, LLC
200 Liberty Street, 14th Floor

| **1c** City | **1d** State/province |
|---|---|
| New York | NY |

| **1e** Postal code | **1f** Country (if not United States) | **1g** Telephone number |
|---|---|---|
| 10281 | | 646-992-2400 |

**1h** Has the instant facility ever previously been certified as a QF? Yes ☒ No ☐

**1i** If yes, provide the docket number of the last known QF filing pertaining to this facility: QF 23 - 1053 - 000

**1j** Under which certification process is the applicant making this filing?

☒ Notice of self-certification (see note below)

☐ Application for Commission certification (requires filing fee; see "Filing Fee" section on page 2)

Note: a notice of self-certification is a notice by the applicant itself that its facility complies with the requirements for QF status. A notice of self-certification does not establish a proceeding, and the Commission does not review a notice of self-certification to verify compliance. See the "What to Expect From the Commission After You File" section on page 4 for more information.

**1k** What type(s) of QF status is the applicant seeking for its facility? (check all that apply)

☒ Qualifying small power production facility status ☐ Qualifying cogeneration facility status

**1l** What is the purpose and expected effective date(s) of this filing?

☐ Original certification; facility expected to be installed by _____ and to begin operation on _____

☐ Change(s) to a previously certified facility to be effective on _____

(identify type(s) of change(s) below, and describe change(s) in the Miscellaneous section starting on page 24)

- ☐ Name change and/or other administrative change(s)
- ☐ Change in ownership
- ☐ Change(s) affecting plant equipment, fuel use, power production capacity and/or cogeneration thermal output

☒ Supplement or correction to a previous filing submitted on 6/12/23

(describe the supplement or correction in the Miscellaneous section starting on page 24)

**1m** If any of the following three statements is true, check the box(es) that describe your situation and complete the form to the extent possible, explaining any special circumstances in the Miscellaneous section starting on page 24.

☐ The instant facility complies with the Commission's QF requirements by virtue of a waiver of certain regulations previously granted by the Commission in an order dated _____ (specify any other relevant waiver orders in the Miscellaneous section starting on page 24)

☐ The instant facility would comply with the Commission's QF requirements if a petition for waiver submitted concurrently with this application is granted

☐ The instant facility complies with the Commission's regulations, but has special circumstances, such as the employment of unique or innovative technologies not contemplated by the structure of this form, that make the demonstration of compliance via this form difficult or impossible (describe in Misc. section starting on p. 24)

## Contact Information

**2a** Name of contact person
Jessica Friedman/Whitney Gallagher

**2b** Telephone number
202-998-2770

**2c** Which of the following describes the contact person's relationship to the applicant? (check one)

- ☐ Applicant (self)
- ☐ Employee, owner or partner of applicant authorized to represent the applicant
- ☐ Employee of a company affiliated with the applicant authorized to represent the applicant on this matter
- ☒ Lawyer, consultant, or other representative authorized to represent the applicant on this matter

**2d** Company or organization name (if applicant is an individual, check here and skip to line 2e) ☐
Rock Creek Energy Group, LLP

**2e** Street address (if same as Applicant, check here and skip to line 3a) ☐
1 Thomas Circle NW, Suite 700

**2f** City
Washington

**2g** State/province
DC

**2h** Postal code
20005

**2i** Country (if not United States)

## Facility Identification and Location

**3a** Facility name
Solops Texas - Brackettville III

**3b** Street address (if a street address does not exist for the facility, check here and skip to line 3c) ☐
2004 US Hwy 90

**3c** Geographic coordinates: Specify the latitude and longitude coordinates of the facility in degrees (to three decimal places). Use the following formula to convert to decimal degrees from degrees, minutes and seconds: decimal degrees = degrees + (minutes/60) + (seconds/3600). See the "Geographic Coordinates" section on page 5 for help.

Latitude 29.323 degrees North (+) Longitude 100.444 degrees West (-)

**3d** City (if unincorporated, check here and enter nearest city) ☐
Brackettville

**3e** State/province
Texas

**3f** County (or check here for independent city) ☐
Kinney

**3g** Country (if not United States)

## Transacting Utilities

Identify the electric utilities that are contemplated to transact with the facility.

**4a** Identify utility interconnecting with the facility
Rio Grande Electric Cooperative (RGEC)

**4b** Identify utilities providing wheeling service or check here if none ☒

**4c** Identify utilities purchasing the useful electric power output or check here if none ☐
Rio Grande Electric Cooperative (RGEC)

**4d** Identify utilities providing supplementary power, backup power, maintenance power, and/or interruptible power service or check here if none ☒

Ownership and Operation

**5a** Direct ownership as of effective date or operation date: Identify all direct owners of the facility holding at least 10 percent equity interest. For each identified owner, also (1) indicate whether that owner is an electric utility, as defined in section 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or a holding company, as defined in section 1262(8) of the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451(8)), and (2) for owners which are electric utilities or holding companies, provide the percentage of equity interest in the facility held by that owner. If no direct owners hold at least 10 percent equity interest in the facility, then provide the required information for the two direct owners with the largest equity interest in the facility.

| | Full legal names of direct owners | Electric utility or holding company | If Yes, % equity interest |
|---|---|---|---|
| 1) | Brackettville III, LLC | Yes ☒ No ☐ | 100 % |
| 2) | | Yes ☐ No ☐ | % |
| 3) | | Yes ☐ No ☐ | % |
| 4) | | Yes ☐ No ☐ | % |
| 5) | | Yes ☐ No ☐ | % |
| 6) | | Yes ☐ No ☐ | % |
| 7) | | Yes ☐ No ☐ | % |
| 8) | | Yes ☐ No ☐ | % |
| 9) | | Yes ☐ No ☐ | % |
| 10) | | Yes ☐ No ☐ | % |

☐ Check here and continue in the Miscellaneous section starting on page 24 if additional space is needed

**5b** Upstream (i.e., indirect) ownership as of effective date or operation date: Identify all upstream (i.e., indirect) owners of the facility that both (1) hold at least 10 percent equity interest in the facility, and (2) are electric utilities, as defined in section 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or holding companies, as defined in section 1262(8) of the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451(8)). Also provide the percentage of equity interest in the facility held by such owners. (Note that, because upstream owners may be subsidiaries of one another, total percent equity interest reported may exceed 100 percent.)

Check here if no such upstream owners exist. ☐

| | Full legal names of electric utility or holding company upstream owners | % equity interest |
|---|---|---|
| 1) | Luminace Holdings, LLC | 100 % |
| 2) | Luminace Aggregator, LLC | 100 % |
| 3) | | % |
| 4) | | % |
| 5) | | % |
| 6) | | % |
| 7) | | % |
| 8) | | % |
| 9) | | % |
| 10) | | % |

☒ Check here and continue in the Miscellaneous section starting on page 24 if additional space is needed

**5c** Identify the facility operator

Brackettville III, LLC

Energy Input

**6a** Describe the primary energy input: (check one main category and, if applicable, one subcategory)

- ☐ Biomass (specify)
  - ☐ Landfill gas
  - ☐ Manure digester gas
  - ☐ Municipal solid waste
  - ☐ Sewage digester gas
  - ☐ Wood
  - ☐ Other biomass (describe on page 24)
- ☒ Renewable resources (specify)
  - ☐ Hydro power - river
  - ☐ Hydro power - tidal
  - ☐ Hydro power - wave
  - ☒ Solar - photovoltaic
  - ☐ Solar - thermal
  - ☐ Wind
  - ☐ Other renewable resource (describe on page 24)
- ☐ Geothermal
- ☐ Fossil fuel (specify)
  - ☐ Coal (not waste)
  - ☐ Fuel oil/diesel
  - ☐ Natural gas (not waste)
  - ☐ Other fossil fuel (describe on page 24)
- ☐ Waste (specify type below in line 6b)
- ☐ Other (describe on page 24)

**6b** If you specified "waste" as the primary energy input in line 6a, indicate the type of waste fuel used: (check one)

☐ Waste fuel listed in 18 C.F.R. § 292.202(b) (specify one of the following)

- ☐ Anthracite culm produced prior to July 23, 1985
- ☐ Anthracite refuse that has an average heat content of 6,000 Btu or less per pound and has an average ash content of 45 percent or more
- ☐ Bituminous coal refuse that has an average heat content of 9,500 Btu per pound or less and has an average ash content of 25 percent or more
- ☐ Top or bottom subbituminous coal produced on Federal lands or on Indian lands that has been determined to be waste by the United States Department of the Interior's Bureau of Land Management (BLM) or that is located on non-Federal or non-Indian lands outside of BLM's jurisdiction, provided that the applicant shows that the latter coal is an extension of that determined by BLM to be waste
- ☐ Coal refuse produced on Federal lands or on Indian lands that has been determined to be waste by the BLM or that is located on non- Federal or non-Indian lands outside of BLM's jurisdiction, provided that applicant shows that the latter is an extension of that determined by BLM to be waste
- ☐ Lignite produced in association with the production of montan wax and lignite that becomes exposed as a result of such a mining operation
- ☐ Gaseous fuels (except natural gas and synthetic gas from coal) (describe on page 24)
- ☐ Waste natural gas from gas or oil wells (describe on page 24 how the gas meets the requirements of 18 C.F.R. § 2.400 for waste natural gas; include with your filing any materials necessary to demonstrate compliance with 18 C.F.R. § 2.400)
- ☐ Materials that a government agency has certified for disposal by combustion (describe on page 24)
- ☐ Heat from exothermic reactions (describe on page 24) ☐ Residual heat (describe on page 24)
- ☐ Used rubber tires ☐ Plastic materials ☐ Refinery off-gas ☐ Petroleum coke

☐ Other waste energy input that has little or no commercial value and exists in the absence of the qualifying facility industry (describe in the Miscellaneous section starting on page 24; include a discussion of the fuel's lack of commercial value and existence in the absence of the qualifying facility industry)

**6c** Provide the average energy input, calculated on a calendar year basis, in terms of Btu/h for the following fossil fuel energy inputs, and provide the related percentage of the total average annual energy input to the facility (18 C.F.R. § 292.202(j)). For any oil or natural gas fuel, use lower heating value (18 C.F.R. § 292.202(m)).

| Fuel | Annual average energy input for specified fuel | Percentage of total annual energy input |
|---|---|---|
| Natural gas | 0 Btu/h | 0 % |
| Oil-based fuels | 0 Btu/h | 0 % |
| Coal | 0 Btu/h | 0 % |

Technical Facility Information

Indicate the maximum gross and maximum net electric power production capacity of the facility at the point(s) of delivery by completing the worksheet below. Respond to all items. If any of the parasitic loads and/or losses identified in lines 7b through 7e are negligible, enter zero for those lines.

| | |
|---|---|
| **7a** The maximum gross power production capacity at the terminals of the individual generator(s) under the most favorable anticipated design conditions | 996 kW |
| **7b** Parasitic station power used at the facility to run equipment which is necessary and integral to the power production process (boiler feed pumps, fans/blowers, office or maintenance buildings directly related to the operation of the power generating facility, etc.). If this facility includes non-power production processes (for instance, power consumed by a cogeneration facility's thermal host) , do not include any power consumed by the non-power production activities in your reported parasitic station power. | 0.5 kW |
| **7c** Electrical losses in interconnection transformers | 0 kW |
| **7d** Electrical losses in AC/DC conversion equipment, if any | 0 kW |
| **7e** Other interconnection losses in power lines or facilities (other than transformers and AC/DC conversion equipment) between the terminals of the generator(s) and the point of interconnection with the utility | 19.9 kW |
| **7f** Total deductions from gross power production capacity = 7b + 7c + 7d + 7e | 20.4 kW |
| **7g** Maximum net power production capacity = 7a - 7f | 975.6 kW |

**7h** Description of facility and primary components: Describe the facility and its operation. Identify all boilers, heat recovery steam generators, prime movers (any mechanical equipment driving an electric generator), electrical generators, photovoltaic solar equipment, fuel cell equipment and/or other primary power generation equipment used in the facility. Descriptions of components should include (as applicable) specifications of the nominal capacities for mechanical output, electrical output, or steam generation of the identified equipment. For each piece of equipment identified, clearly indicate how many pieces of that type of equipment are included in the plant, and which components are normally operating or normally in standby mode. Provide a description of how the components operate as a system. Applicants for cogeneration facilities do not need to describe operations of systems that are clearly depicted on and easily understandable from a cogeneration facility's attached mass and heat balance diagram; however, such applicants should provide any necessary description needed to understand the sequential operation of the facility depicted in their mass and heat balance diagram. If additional space is needed, continue in the Miscellaneous section starting on page 24.

The PV system is a Ground Mount installation that consists of 2352 Canadian Solar BIHIKU6 CS6W-535 BIFACIAL modules. The modules are connected to Ten (10) CPS SCH100KTL-DO/US-480 inverters. The system uses Valmont Single Axis Trackers with Phi Limit angles of +/- 60 degrees and is interconnected at 480Vac in front of the meter. The above equipment is normally operating during all daylight hours. During non-daylight hours, the Photovoltaic modules will not be producing power and the above equipment will be in standby mode.

# Information Required for Small Power Production Facility

If you indicated in line 1k that you are seeking qualifying small power production facility status for your facility, then you must respond to the items on this page. Otherwise, skip pages 11 through 15.

## Certification of Compliance with Size Limitations

Pursuant to 18 C.F.R. § 292.204(a), the power production capacity of any small power production facility, together with the power production capacity of any other small power production facilities that use the same energy resource, are owned by the same person(s) or its affiliates, and are located at the same site, may not exceed 80 megawatts. To demonstrate compliance with this size limitation, or to demonstrate that your facility is exempt from this size limitation under the Solar, Wind, Waste, and Geothermal Power Production Incentives Act of 1990 (Pub. L. 101-575, 104 Stat. 2834 (1990) *as amended by* Pub. L. 102-46, 105 Stat. 249 (1991)), respond to lines 8a through 8f below (as applicable).

Electric Generating Equipment

Electrical generating equipment will refer to all boilers, heat recovery steam generators, prime movers (any mechanical equipment driving an electric generator), electrical generators, photovoltaic solar panels, inverters, fuel cell equipment and/or other primary power generation equipment used in the facility, excluding equipment for gathering energy to be used in the facility. Each wind turbine on a wind farm and each solar panel in a solar facility is considered electrical generating equipment because each wind turbine and each solar panel is independently capable of producing electric energy.

Distance

The distance between two facilities is to be measured from the edge of the closest electrical generating equipment for which qualification or recertification is sought to the edge of the nearest electrical generating equipment of the other affiliated small power production qualifying facility using the same energy resource. An affiliated small power production QF located one mile or less from the instant facility is irrebuttably presumed to be at the same site. An affiliated small power production QF located more than one mile and less than 10 miles from the instant facility is rebuttably presumed to be at a separate site. An affiliated small power production QF located 10 miles or more from the instant facility is irrebuttably presumed to be located at a separate site.

**8a** Identify affiliated small power production QFs located less than 10 miles from the electrical generating equipment of the instant facility that use the same energy resource and are held (with at least a 5 percent equity interest) by any of the entities identified in lines 5a or 5b or their affiliates. Specify the latitude and longitude coordinates for both the applicant and the affiliate small power production QF based on the nearest electrical generating equipment for each facility. Report coordinates in degrees (to three decimal places) as a positive number for east and north or a negative number for west and south. Use the following formula to convert to decimal degrees from degrees, minutes and seconds: decimal degrees = degrees + (minutes/60) + (seconds/3600). See the "Geographic Coordinates" section on page 5 for help obtaining coordinates. The distances for each facility listed below will be automatically calculated from the reported coordinates. See **www.ferc.gov/QF** for more information on how this form calculates distance.

Check here if no such facilities exist. ☐

| | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) |
|---|---|---|---|---|
| 1) | Brackettville, TX (I) | QF - | 996 kW | Brookfield Corp. |

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude 29.323 North (+) Longitude 100.444 West (-)

Closest electrical generating equipment for affiliate's facility:

Latitude 29.323 North (+) Longitude 100.444 West (-)

Distance: 0 miles

Certification of Compliance with Size Limitations (continued)

**8a Continued**

2)

| Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) |
|---|---|---|---|
| Brackettville, TX (II) | QF ___ - ___ | 996 kW | Brookfield Corp. |

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude 29.323 North (+) Longitude 100.444 West (-)

Closest electrical generating equipment for affiliate's facility:

Latitude 29.323 North (+) Longitude 100.444 West (-) Distance 0 miles

3)

| Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) |
|---|---|---|---|
| | QF ___ - ___ | kW | |

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude Choose +/- Longitude Choose +/-

Closest electrical generating equipment for affiliate's facility:

Latitude Choose +/- Longitude Choose +/- Distance 0 miles

4)

| Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) |
|---|---|---|---|
| | QF ___ - ___ | kW | |

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude Choose +/- Longitude Choose +/-

Closest electrical generating equipment for affiliate's facility:

Latitude Choose +/- Longitude Choose +/- Distance 0 miles

5)

| Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) |
|---|---|---|---|
| | QF ___ - ___ | kW | |

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude Choose +/- Longitude Choose +/-

Closest electrical generating equipment for affiliate's facility:

Latitude Choose +/- Longitude Choose +/- Distance 0 miles

Certification of Compliance with Size Limitations (continued)

**8a Continued**

6)

Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s)

_____ QF ___ - ___ _____ kW _____

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude _____ Choose +/- Longitude _____ Choose +/-

Closest electrical generating equipment for affiliate's facility:

Latitude _____ Choose +/- Longitude _____ Choose +/-

Distance: 0 miles

7)

Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s)

_____ QF ___ - ___ _____ kW _____

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude _____ Choose +/- Longitude _____ Choose +/-

Closest electrical generating equipment for affiliate's facility:

Latitude _____ Choose +/- Longitude _____ Choose +/-

Distance: 0 miles

8)

Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s)

_____ QF ___ - ___ _____ kW _____

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude _____ Choose +/- Longitude _____ Choose +/-

Closest electrical generating equipment for affiliate's facility:

Latitude _____ Choose +/- Longitude _____ Choose +/-

Distance: 0 miles

9)

Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s)

_____ QF ___ - ___ _____ kW _____

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude _____ Choose +/- Longitude _____ Choose +/-

Closest electrical generating equipment for affiliate's facility:

Latitude _____ Choose +/- Longitude _____ Choose +/-

Distance: 0 miles

Certification of Compliance with Size Limitations (continued)

**8a Continued**

10)

| Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) |
|---|---|---|---|
| | QF ___ - ___ | ___ kW | |

Coordinates (in degrees) and Distance (miles):

Closest electrical generating equipment for applicant's facility:

Latitude ___ Choose +/- Longitude ___ Choose +/-

Closest electrical generating equipment for affiliate's facility:

Latitude ___ Choose +/- Longitude ___ Choose +/-

Distance: 0 miles

☒ Check here and continue in the Miscellaneous section starting on page 24 if additional space is needed. Use the calculator below below to calculate distances based on facility coordinates.

**Distance Calculator** Specify the latitude and longitude coordinates for both the applicant and the affiliate small power production QF based on the nearest electrical generating equipment for each facility. Report coordinates in degrees (to three decimal places) as a positive number for east and north or a negative number for west and south. Use the following formula to convert to decimal degrees from degrees, minutes and seconds: decimal degrees = degrees + (minutes/60) + (seconds/3600). See the "Geographic Coordinates" section on page 5 for help obtaining coordinates. The distances for each facility listed below will be automatically calculated from the reported coordinates. See **www.ferc.gov/QF** for more information on how this form calculates distance.

Closest electrical generating equipment for applicant's facility (degrees):

Latitude ___ Choose +/- Longitude ___ Choose +/-

Closest electrical generating equipment for affiliate's facility (degrees):

Distance

Latitude ___ Choose +/- Longitude ___ Choose +/- 0 miles

**8b** You have the option below to assert preemptively that your facility is at a separate site from affiliated small power production QFs using the same energy resource more than one mile but less than 10 miles from your facility. If additional space is needed, continue in the Miscellaneous section starting on page 24.

Pursuant to 18 C.F.R. § 292.204(a)(2)(i)(C), if affiliated small power producer qualifying facilities are more than one mile but less than 10 miles apart there is a rebuttable presumption that they are at separate sites. The factors listed below are examples of the factors that the Commission may consider in deciding whether small power production facilities that are owned by the same person(s) or its affiliates are located "at the same site": (1) *physical characteristics*, including such common characteristics as: infrastructure, property ownership, property leases, control facilities, access and easements, interconnection agreements, interconnection facilities up to the point of interconnection to the distribution or transmission system, collector systems or facilities, points of interconnection, motive force or fuel source, off-take arrangements, connections to the electrical grid, evidence of shared control systems, common permitting and land leasing, and shared step-up transformers; and (2) *ownership/other characteristics*, including such characteristics as whether the facilities in question are: owned or controlled by the same person(s) or affiliated persons(s), operated and maintained by the same or affiliated entity(ies), selling to the same electric utility, using common debt or equity financing, constructed by the same entity within 12 months, managing a power sales agreement executed within 12 months of a similar and affiliated small power production qualifying facility (continued next page)...

## Certification of Compliance with Size Limitations (continued)

**8b Continued**

... (continued from previous page) in the same location, placed into service within 12 months of an affiliated small power production QF project's commercial operation date as specified in the power sales agreement, or sharing engineering or procurement contracts.

**8c** The Solar, Wind, Waste, and Geothermal Power Production Incentives Act of 1990 (Incentives Act) provides exemption from the size limitations in 18 C.F.R. § 292.204(a) for certain facilities that were certified prior to 1995. Are you seeking exemption from the size limitations in 18 C.F.R. § 292.204(a) by virtue of the Incentives Act?

☐ Yes (continue at line 8d below) ☒ No (skip lines 8d through 8f)

**8d** Was the original notice of self-certification or application for Commission certification of the facility filed on or before December 31, 1994? Yes ☐ No ☐

**8e** Did construction of the facility commence on or before December 31, 1999? Yes ☐ No ☐

**8f** If you answered No in line 8e, indicate whether reasonable diligence was exercised toward the completion of the facility, taking into account all factors relevant to construction? Yes ☐ No ☐

If you answered Yes, provide a brief narrative explanation in the Miscellaneous section starting on page 24 of the construction timeline (in particular, describe why construction started so long after the facility was certified) and the diligence exercised toward completion of the facility.

## Certification of Compliance with Fuel Use Requirements

Pursuant to 18 C.F.R. § 292.204(b), qualifying small power production facilities may use fossil fuels, in minimal amounts, for only the following purposes: ignition; start-up; testing; flame stabilization; control use; alleviation or prevention of unanticipated equipment outages; and alleviation or prevention of emergencies, directly affecting the public health, safety, or welfare, which would result from electric power outages. The amount of fossil fuels used for these purposes may not exceed 25 percent of the total energy input of the facility during the 12-month period beginning with the date the facility first produces electric energy or any calendar year thereafter.

**9a** Certification of compliance with 18 C.F.R. § 292.204(b) with respect to uses of fossil fuel:

☒ Applicant certifies that the facility will use fossil fuels *exclusively* for the purposes listed above.

**9b** Certification of compliance with 18 C.F.R. § 292.204(b) with respect to amount of fossil fuel used annually:

☒ Applicant certifies that the amount of fossil fuel used at the facility will not, in aggregate, exceed 25 percent of the total energy input of the facility during the 12-month period beginning with the date the facility first produces electric energy or any calendar year thereafter.

# Information Required for Cogeneration Facility

If you indicated in line 1k that you are seeking qualifying cogeneration facility status for your facility, then you must respond to the items on pages 16 through 18. Otherwise, skip pages 16 through 18.

## General Cogeneration Information

Pursuant to 18 C.F.R. § 292.202(c), a cogeneration facility produces electric energy and forms of useful thermal energy (such as heat or steam) used for industrial, commercial, heating, or cooling purposes, through the sequential use of energy. Pursuant to 18 C.F.R. § 292.202(s), "sequential use" of energy means the following: (1) for a topping-cycle cogeneration facility, the use of reject heat from a power production process in sufficient amounts in a thermal application or process to conform to the requirements of the operating standard contained in 18 C.F.R. § 292.205(a); or (2) for a bottoming-cycle cogeneration facility, the use of at least some reject heat from a thermal application or process for power production.

**10a** What type(s) of cogeneration technology does the facility represent? (check all that apply)

☐ Topping-cycle cogeneration ☐ Bottoming-cycle cogeneration

**10b** To help demonstrate the sequential operation of the cogeneration process, and to support compliance with other requirements such as the operating and efficiency standards, include with your filing a mass and heat balance diagram depicting average annual operating conditions. This diagram must include certain items and meet certain requirements, as described below. You must check next to the description of each requirement below to certify that you have complied with these requirements.

| Check to certify compliance with indicated requirement | Requirement |
|---|---|
| ☐ | Diagram must show orientation within system piping and/or ducts of all prime movers, heat recovery steam generators, boilers, electric generators, and condensers (as applicable), as well as any other primary equipment relevant to the cogeneration process. |
| ☐ | Any average annual values required to be reported in lines 10b, 12a, 13a, 13b, 13d, 13f, 14a, 15b, 15d and/or 15f must be computed over the anticipated hours of operation. |
| ☐ | Diagram must specify all fuel inputs by fuel type and average annual rate in Btu/h. Fuel for supplementary firing should be specified separately and clearly labeled. All specifications of fuel inputs should use lower heating values. |
| ☐ | Diagram must specify average gross electric output in kW or MW for each generator. |
| ☐ | Diagram must specify average mechanical output (that is, any mechanical energy taken off of the shaft of the prime movers for purposes not directly related to electric power generation) in horsepower, if any. Typically, a cogeneration facility has no mechanical output. |
| ☐ | At each point for which working fluid flow conditions are required to be specified (see below), such flow condition data must include mass flow rate (in lb/h or kg/s), temperature (in °F, R, °C or K), absolute pressure (in psia or kPa) and enthalpy (in Btu/lb or kJ/kg). Exception: For systems where the working fluid is *liquid only* (no vapor at any point in the cycle) and where the type of liquid and specific heat of that liquid are clearly indicated on the diagram or in the Miscellaneous section starting on page 24, only mass flow rate and temperature (not pressure and enthalpy) need be specified. For reference, specific heat at standard conditions for pure liquid water is approximately 1.002 Btu/(lb*R) or 4.195 kJ/(kg*K). |
| ☐ | Diagram must specify working fluid flow conditions at input to and output from each steam turbine or other expansion turbine or back-pressure turbine. |
| ☐ | Diagram must specify working fluid flow conditions at delivery to and return from each thermal application. |
| ☐ | Diagram must specify working fluid flow conditions at make-up water inputs. |

## EPAct 2005 Requirements for Fundamental Use of Energy Output from Cogeneration Facilities

EPAct 2005 cogeneration facilities: The Energy Policy Act of 2005 (EPAct 2005) established a new section 210(n) of the Public Utility Regulatory Policies Act of 1978 (PURPA), 16 USC 824a-3(n), with additional requirements for any qualifying cogeneration facility that (1) is seeking to sell electric energy pursuant to section 210 of PURPA and (2) was either not a cogeneration facility on August 8, 2005, or had not filed a self-certification or application for Commission certification of QF status on or before February 1, 2006. These requirements were implemented by the Commission in 18 C.F.R. § 292.205(d). Complete the lines below, carefully following the instructions, to demonstrate whether these additional requirements apply to your cogeneration facility and, if so, whether your facility complies with such requirements.

**11a** Was your facility operating as a qualifying cogeneration facility on or before August 8, 2005? Yes ☐ No ☐

**11b** Was the initial filing seeking certification of your facility (whether a notice of self-certification or an application for Commission certification) filed on or before February 1, 2006? Yes ☐ No ☐

If the answer to either line 11a or 11b is Yes, then continue at line 11c below. Otherwise, if the answers to both lines 11a and 11b are No, skip to line 11e below.

**11c** With respect to the design and operation of the facility, have any changes been implemented on or after February 2, 2006 that affect general plant operation, affect use of thermal output, and/or increase net power production capacity from the plant's capacity on February 1, 2006?

☐ Yes (continue at line 11d below)

☐ No. Your facility is not subject to the requirements of 18 C.F.R. § 292.205(d) at this time. However, it may be subject to to these requirements in the future if changes are made to the facility. At such time, the applicant would need to recertify the facility to determine eligibility. Skip lines 11d through 11j.

**11d** Does the applicant contend that the changes identified in line 11c are not so significant as to make the facility a "new" cogeneration facility that would be subject to the 18 C.F.R. § 292.205(d) cogeneration requirements?

☐ Yes. Provide in the Miscellaneous section starting on page 24 a description of any relevant changes made to the facility (including the purpose of the changes) and a discussion of why the facility should not be considered a "new" cogeneration facility in light of these changes. Skip lines 11e through 11j.

☐ No. Applicant stipulates to the fact that it is a "new" cogeneration facility (for purposes of determining the applicability of the requirements of 18 C.F.R. § 292.205(d)) by virtue of modifications to the facility that were initiated on or after February 2, 2006. Continue below at line 11e.

**11e** Will electric energy from the facility be sold pursuant to section 210 of PURPA?

☐ Yes. The facility is an EPAct 2005 cogeneration facility. You must demonstrate compliance with 18 C.F.R. § 292.205(d)(2) by continuing at line 11f below.

☐ No. Applicant certifies that energy will *not* be sold pursuant to section 210 of PURPA. Applicant also certifies its understanding that it must recertify its facility in order to determine compliance with the requirements of 18 C.F.R. § 292.205(d) *before* selling energy pursuant to section 210 of PURPA in the future. Skip lines 11f through 11j.

**11f** Is the net power production capacity of your cogeneration facility, as indicated in line 7g above, less than or equal to 5,000 kW?

☐ Yes, the net power production capacity is less than or equal to 5,000 kW. 18 C.F.R. § 292.205(d)(4) provides a rebuttable presumption that cogeneration facilities of 5,000 kW and smaller capacity comply with the requirements for fundamental use of the facility's energy output in 18 C.F.R. § 292.205(d)(2). Applicant certifies its understanding that, should the power production capacity of the facility increase above 5,000 kW, then the facility must be recertified to (among other things) demonstrate compliance with 18 C.F.R. § 292.205(d)(2). Skip lines 11g through 11j.

☐ No, the net power production capacity is greater than 5,000 kW. Demonstrate compliance with the requirements for fundamental use of the facility's energy output in 18 C.F.R. § 292.205(d)(2) by continuing on the next page at line 11g.

EPAct 2005 Requirements for Fundamental Use of Energy Output from Cogeneration Facilities (continued)

Lines 11g through 11k below guide the applicant through the process of demonstrating compliance with the requirements for "fundamental use" of the facility's energy output. 18 C.F.R. § 292.205(d)(2). Only respond to the lines on this page if the instructions on the previous page direct you to do so. Otherwise, skip this page.

18 C.F.R. § 292.205(d)(2) requires that the electrical, thermal, chemical and mechanical output of an EPAct 2005 cogeneration facility is used fundamentally for industrial, commercial, residential or institutional purposes and is not intended fundamentally for sale to an electric utility, taking into account technological, efficiency, economic, and variable thermal energy requirements, as well as state laws applicable to sales of electric energy from a qualifying facility to its host facility. If you were directed on the previous page to respond to the items on this page, then your facility is an EPAct 2005 cogeneration facility that is subject to this "fundamental use" requirement.

The Commission's regulations provide a two-pronged approach to demonstrating compliance with the requirements for fundamental use of the facility's energy output. First, the Commission has established in 18 C.F.R. § 292.205(d)(3) a "fundamental use test" that can be used to demonstrate compliance with 18 C.F.R. § 292.205(d)(2). Under the fundamental use test, a facility is considered to comply with 18 C.F.R. § 292.205(d)(2) if at least 50 percent of the facility's total annual energy output (including electrical, thermal, chemical and mechanical energy output) is used for industrial, commercial, residential or institutional purposes.

Second, an applicant for a facility that does not pass the fundamental use test may provide a narrative explanation of and support for its contention that the facility nonetheless meets the requirement that the electrical, thermal, chemical and mechanical output of an EPAct 2005 cogeneration facility is used fundamentally for industrial, commercial, residential or institutional purposes and is not intended fundamentally for sale to an electric utility, taking into account technological, efficiency, economic, and variable thermal energy requirements, as well as state laws applicable to sales of electric energy from a qualifying facility to its host facility.

Complete lines 11g through 11j below to determine compliance with the fundamental use test in 18 C.F.R. § 292.205(d)(3). Complete lines 11g through 11j *even if you do not intend to rely upon the fundamental use test to demonstrate compliance with 18 C.F.R. § 292.205(d)(2).*

| | |
|---|---|
| **11g** Amount of electrical, thermal, chemical and mechanical energy output (net of internal generation plant losses and parasitic loads) expected to be used annually for industrial, commercial, residential or institutional purposes and not sold to an electric utility | MWh |
| **11h** Total amount of electrical, thermal, chemical and mechanical energy expected to be sold to an electric utility | MWh |
| **11i** Percentage of total annual energy output expected to be used for industrial, commercial, residential or institutional purposes and not sold to a utility = 100 * 11g /(11g + 11h) | 0 % |

**11j** Is the response in line 11i greater than or equal to 50 percent?

☐ Yes. Your facility complies with 18 C.F.R. § 292.205(d)(2) by virtue of passing the fundamental use test provided in 18 C.F.R. § 292.205(d)(3). Applicant certifies its understanding that, if it is to rely upon passing the fundamental use test as a basis for complying with 18 C.F.R. § 292.205(d)(2), then the facility must comply with the fundamental use test both in the 12-month period beginning with the date the facility first produces electric energy, and in all subsequent calendar years.

☐ No. Your facility does not pass the fundamental use test. Instead, you must provide in the Miscellaneous section starting on page 24 a narrative explanation of and support for why your facility meets the requirement that the electrical, thermal, chemical and mechanical output of an EPAct 2005 cogeneration facility is used fundamentally for industrial, commercial, residential or institutional purposes and is not intended fundamentally for sale to an electric utility, taking into account technological, efficiency, economic, and variable thermal energy requirements, as well as state laws applicable to sales of electric energy from a QF to its host facility. Applicants providing a narrative explanation of why their facility should be found to comply with 18 C.F.R. § 292.205(d)(2) in spite of non-compliance with the fundamental use test may want to review paragraphs 47 through 61 of Order No. 671 (accessible from the Commission's QF website at www.ferc.gov/QF), which provide discussion of the facts and circumstances that may support their explanation. Applicant should also note that the percentage reported above will establish the standard that that facility must comply with, both for the 12-month period beginning with the date the facility first produces electric energy, and in all subsequent calendar years. *See* Order No. 671 at paragraph 51. As such, the applicant should make sure that it reports appropriate values on lines 11g and 11h above to serve as the relevant annual standard, taking into account expected variations in production conditions.

# Information Required for Topping-Cycle Cogeneration Facility

If you indicated in line 10a that your facility represents topping-cycle cogeneration technology, then you must respond to the items on pages 19 and 20. Otherwise, skip pages 19 and 20.

## Usefulness of Topping-Cycle Thermal Output

The thermal energy output of a topping-cycle cogeneration facility is the net energy made available to an industrial or commercial process or used in a heating or cooling application. Pursuant to sections 292.202(c), (d) and (h) of the Commission's regulations (18 C.F.R. §§ 292.202(c), (d) and (h)), the thermal energy output of a qualifying topping-cycle cogeneration facility must be useful. In connection with this requirement, describe the thermal output of the topping-cycle cogeneration facility by responding to lines 12a and 12b below.

**12a** Identify and describe each thermal host, and specify the annual average rate of thermal output made available to each host for each use. For hosts with multiple uses of thermal output, provide the data for each use *in separate rows.*

| | Name of entity (thermal host) taking thermal output | Thermal host's relationship to facility; Thermal host's use of thermal output | Average annual rate of thermal output attributable to use (net of heat contained in process return or make-up water) |
|---|---|---|---|
| 1) | | Select thermal host's relationship to facility<br>Select thermal host's use of thermal output | Btu/h |
| 2) | | Select thermal host's relationship to facility<br>Select thermal host's use of thermal output | Btu/h |
| 3) | | Select thermal host's relationship to facility<br>Select thermal host's use of thermal output | Btu/h |
| 4) | | Select thermal host's relationship to facility<br>Select thermal host's use of thermal output | Btu/h |
| 5) | | Select thermal host's relationship to facility<br>Select thermal host's use of thermal output | Btu/h |
| 6) | | Select thermal host's relationship to facility<br>Select thermal host's use of thermal output | Btu/h |

☐ Check here and continue in the Miscellaneous section starting on page 24 if additional space is needed

**12b** Demonstration of usefulness of thermal output: At a minimum, provide a brief description of each use of the thermal output identified above. In some cases, this brief description is sufficient to demonstrate usefulness. However, if your facility's use of thermal output is not common, and/or if the usefulness of such thermal output is not reasonably clear, then you must provide additional details as necessary to demonstrate usefulness. Your application may be rejected and/or additional information may be required if an insufficient showing of usefulness is made. (Exception: If you have previously received a Commission certification approving a specific use of thermal output related to the instant facility, then you need only provide a brief description of that use and a reference by date and docket number to the order certifying your facility with the indicated use. Such exemption may not be used if any change creates a material deviation from the previously authorized use.) If additional space is needed, continue in the Miscellaneous section starting on page 24.

## Topping-Cycle Operating and Efficiency Value Calculation

Applicants for facilities representing topping-cycle technology must demonstrate compliance with the topping-cycle operating standard and, if applicable, efficiency standard. Section 292.205(a)(1) of the Commission's regulations (18 C.F.R. § 292.205(a)(1)) establishes the operating standard for topping-cycle cogeneration facilities: the useful thermal energy output must be no less than 5 percent of the total energy output. Section 292.205(a)(2) (18 C.F.R. § 292.205(a)(2)) establishes the efficiency standard for topping-cycle cogeneration facilities for which installation commenced on or after March 13, 1980: the useful power output of the facility plus one-half the useful thermal energy output must (A) be no less than 42.5 percent of the total energy input of natural gas and oil to the facility; and (B) if the useful thermal energy output is less than 15 percent of the total energy output of the facility, be no less than 45 percent of the total energy input of natural gas and oil to the facility. To demonstrate compliance with the topping-cycle operating and/or efficiency standards, or to demonstrate that your facility is exempt from the efficiency standard based on the date that installation commenced, respond to lines 13a through 13l below.

If you indicated in line 10a that your facility represents *both* topping-cycle and bottoming-cycle cogeneration technology, then respond to lines 13a through 13l below considering only the energy inputs and outputs attributable to the topping-cycle portion of your facility. Your mass and heat balance diagram must make clear which mass and energy flow values and system components are for which portion (topping or bottoming) of the cogeneration system.

| | |
|---|---|
| **13a** Indicate the annual average rate of useful thermal energy output made available to the host(s), net of any heat contained in condensate return or make-up water | Btu/h |
| **13b** Indicate the annual average rate of net electrical energy output | kW |
| **13c** Multiply line 13b by 3,412 to convert from kW to Btu/h | 0 Btu/h |
| **13d** Indicate the annual average rate of mechanical energy output taken directly off of the shaft of a prime mover for purposes not directly related to power production (this value is usually zero) | hp |
| **13e** Multiply line 13d by 2,544 to convert from hp to Btu/h | 0 Btu/h |
| **13f** Indicate the annual average rate of energy input from natural gas and oil | Btu/h |
| **13g** Topping-cycle operating value = 100 * 13a / (13a + 13c + 13e) | 0 % |
| **13h** Topping-cycle efficiency value = 100 * (0.5*13a + 13c + 13e) / 13f | 0 % |

**13i** Compliance with operating standard: Is the operating value shown in line 13g greater than or equal to 5%?

☐ Yes (complies with operating standard) ☐ No (does not comply with operating standard)

**13j** Did installation of the facility in its current form commence on or after March 13, 1980?

☐ Yes. Your facility is subject to the efficiency requirements of 18 C.F.R. § 292.205(a)(2). Demonstrate compliance with the efficiency requirement by responding to line 13k or 13l, as applicable, below.

☐ No. Your facility is exempt from the efficiency standard. Skip lines 13k and 13l.

**13k** Compliance with efficiency standard (for low operating value): If the operating value shown in line 13g is less than 15%, then indicate below whether the efficiency value shown in line 13h greater than or equal to 45%:

☐ Yes (complies with efficiency standard) ☐ No (does not comply with efficiency standard)

**13l** Compliance with efficiency standard (for high operating value): If the operating value shown in line 13g is greater than or equal to 15%, then indicate below whether the efficiency value shown in line 13h is greater than or equal to 42.5%:

☐ Yes (complies with efficiency standard) ☐ No (does not comply with efficiency standard)

# Information Required for Bottoming-Cycle Cogeneration Facility

If you indicated in line 10a that your facility represents bottoming-cycle cogeneration technology, then you must respond to the items on pages 21 and 22. Otherwise, skip pages 21 and 22.

## Usefulness of Bottoming-Cycle Thermal Output

The thermal energy output of a bottoming-cycle cogeneration facility is the energy related to the process(es) from which at least some of the reject heat is then used for power production. Pursuant to sections 292.202(c) and (e) of the Commission's regulations (18 C.F.R. § 292.202(c) and (e)) , the thermal energy output of a qualifying bottoming-cycle cogeneration facility must be useful. In connection with this requirement, describe the process(es) from which at least some of the reject heat is used for power production by responding to lines 14a and 14b below.

**14a** Identify and describe each thermal host and each bottoming-cycle cogeneration process engaged in by each host. For hosts with multiple bottoming-cycle cogeneration processes, provide the data for each process *in separate rows*.

| | Name of entity (thermal host) performing the process from which at least some of the reject heat is used for power production | Thermal host's relationship to facility; Thermal host's process type | Has the energy input to the thermal host been augmented for purposes of increasing power production capacity? (if Yes, describe on p. 24) |
|---|---|---|---|
| 1) | | Select thermal host's relationship to facility<br>Select thermal host's process type | Yes ☐ No ☐ |
| 2) | | Select thermal host's relationship to facility<br>Select thermal host's process type | Yes ☐ No ☐ |
| 3) | | Select thermal host's relationship to facility<br>Select thermal host's process type | Yes ☐ No ☐ |

☐ Check here and continue in the Miscellaneous section starting on page 24 if additional space is needed

**14b** Demonstration of usefulness of thermal output: At a minimum, provide a brief description of each process identified above. In some cases, this brief description is sufficient to demonstrate usefulness. However, if your facility's process is not common, and/or if the usefulness of such thermal output is not reasonably clear, then you must provide additional details as necessary to demonstrate usefulness. Your application may be rejected and/or additional information may be required if an insufficient showing of usefulness is made. (Exception: If you have previously received a Commission certification approving a specific bottoming-cycle process related to the instant facility, then you need only provide a brief description of that process and a reference by date and docket number to the order certifying your facility with the indicated process. Such exemption may not be used if any material changes to the process have been made.) If additional space is needed, continue in the Miscellaneous section starting on page 24.

## Bottoming-Cycle Operating and Efficiency Value Calculation

Applicants for facilities representing bottoming-cycle technology and for which installation commenced on or after March 13, 1990 must demonstrate compliance with the bottoming-cycle efficiency standards. Section 292.205(b) of the Commission's regulations (18 C.F.R. § 292.205(b)) establishes the efficiency standard for bottoming-cycle cogeneration facilities: the useful power output of the facility must be no less than 45 percent of the energy input of natural gas and oil for supplementary firing. To demonstrate compliance with the bottoming-cycle efficiency standard (if applicable), or to demonstrate that your facility is exempt from this standard based on the date that installation of the facility began, respond to lines 15a through 15h below.

If you indicated in line 10a that your facility represents *both* topping-cycle and bottoming-cycle cogeneration technology, then respond to lines 15a through 15h below considering only the energy inputs and outputs attributable to the bottoming-cycle portion of your facility. Your mass and heat balance diagram must make clear which mass and energy flow values and system components are for which portion of the cogeneration system (topping or bottoming).

**15a** Did installation of the facility in its current form commence on or after March 13, 1980?

☐ Yes. Your facility is subject to the efficiency requirement of 18 C.F.R. § 292.205(b). Demonstrate compliance with the efficiency requirement by responding to lines 15b through 15h below.

☐ No. Your facility is exempt from the efficiency standard. Skip the rest of page 22.

| | |
|---|---|
| **15b** Indicate the annual average rate of net electrical energy output | kW |
| **15c** Multiply line 15b by 3,412 to convert from kW to Btu/h | 0 Btu/h |
| **15d** Indicate the annual average rate of mechanical energy output taken directly off of the shaft of a prime mover for purposes not directly related to power production (this value is usually zero) | hp |
| **15e** Multiply line 15d by 2,544 to convert from hp to Btu/h | 0 Btu/h |
| **15f** Indicate the annual average rate of supplementary energy input from natural gas or oil | Btu/h |
| **15g** Bottoming-cycle efficiency value = 100 * (15c + 15e) / 15f | 0 % |

**15h** Compliance with efficiency standard: Indicate below whether the efficiency value shown in line 15g is greater than or equal to 45%:

☐ Yes (complies with efficiency standard) ☐ No (does not comply with efficiency standard)

# Certificate of Completeness, Accuracy and Authority

Applicant must certify compliance with and understanding of filing requirements by checking next to each item below and signing at the bottom of this section. Forms with incomplete Certificates of Completeness, Accuracy and Authority will be rejected by the Secretary of the Commission.

Signer identified below certifies the following: (check all items and applicable subitems)

☒ He or she has read the filing, including any information contained in any attached documents, such as cogeneration mass and heat balance diagrams, and any information contained in the Miscellaneous section starting on page 24, and knows its contents.

☒ He or she has provided all of the required information for certification, and the provided information is true as stated, to the best of his or her knowledge and belief.

☒ He or she possess full power and authority to sign the filing; as required by Rule 2005(a)(3) of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2005(a)(3)), he or she is one of the following: (check one)

- ☐ The person on whose behalf the filing is made
- ☐ An officer of the corporation, trust, association, or other organized group on behalf of which the filing is made
- ☐ An officer, agent, or employe of the governmental authority, agency, or instrumentality on behalf of which the filing is made
- ☒ A representative qualified to practice before the Commission under Rule 2101 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2101) and who possesses authority to sign

☒ He or she has reviewed all automatic calculations and agrees with their results, unless otherwise noted in the Miscellaneous section starting on page 24.

☒ He or she has provided a copy of this Form 556 and all attachments to the utilities with which the facility will interconnect and transact (see lines 4a through 4d), as well as to the regulatory authorities of the states in which the facility and those utilities reside. See the Required Notice to Public Utilities and State Regulatory Authorities section on page 4 for more information.

Provide your signature, address and signature date below. Rule 2005(c) of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2005(c)) provides that persons filing their documents electronically may use typed characters representing his or her name to sign the filed documents. A person filing this document electronically should sign (by typing his or her name) in the space provided below.

| Your Signature | Your address | Date |
|---|---|---|
| Jessica C. Friedman<br>Rock Creek Energy Group | 1 Thomas Circle NW, Suite 700<br>Washington, DC 20005 | 8/11/2023 |

Audit Notes

Commission Staff Use Only: ☐

# Miscellaneous

Use this space to provide any information for which there was not sufficient space in the previous sections of the form to provide. For each such item of information *clearly identify the line number that the information belongs to.* You may also use this space to provide any additional information you believe is relevant to the certification of your facility.

Your response below is not limited to one page. Additional page(s) will automatically be inserted into this form if the length of your response exceeds the space on this page. Use as many pages as you require.

Section 1l (continued):

Applicant is filing this supplement to correct a typographical error in Section 5b below. Specifically, the sentence below that states "Arcturus 2023 is currently a wholly-owned direct subsidiary of Luminace Development Holdings 3, which as explained above is a wholly-owned indirect subsidiary of Luminace Holdings" should read "Arcturus 2023 Class B Member is currently a wholly-owned direct subsidiary of Luminace Development Holdings 3, which as explained above is a wholly-owned indirect subsidiary of Luminace Holdings." Applicant has not made any other changes to the certification.

Section 5b (continued):

From time to time, the entities identified in Section 5b may hold their interests through one or more subsidiaries, all of which are affiliates of Luminace Aggregator, LLC (Luminace Aggregator).

As shown in Section 5b, Applicant is an indirect subsidiary of Luminace Holdings, LLC (Luminace Holdings). Specifically, Applicant is currently a wholly-owned direct subsidiary of LM DG Warehouse Developer, LLC, which is owned by (i) Solar DG Warehouse Developer, LLC (Solar DG Warehouse Developer) (1%) and (ii) Luminace Development Holdings 3, LLC (Luminace Development Holdings 3) (99%). Solar DG Warehouse Developer is a wholly-owned direct subsidiary of Luminace Development Holdings 3, which is a wholly-owned direct subsidiary of Luminace Development Holdings 2, LLC (Luminace Development Holdings 2), which is a wholly-owned direct subsidiary of Luminace Development Holdings 1, LLC (Luminace Development Holdings 1), which in turn is a wholly-owned direct subsidiary of Luminace Holdings.

It is anticipated that before the Facility's commercial operation date, a tax equity financing transaction will occur pursuant to which Applicant will become a direct subsidiary of Arcturus 2023, LLC (Arcturus 2023). Arcturus 2023 has non-voting membership interests, which are owned by passive tax equity investors with only limited consent rights similar to those recognized by the Commission in AES Creative Resources, L.P., 129 FERC ¶ 61,239 at n.10 & P21 (2009).

Arcturus 2023 Class B Member, LLC (Arcturus 2023 Class B Member) directly owns all of the voting membership interests in Arcturus 2023 and is the managing member of Arcturus 2023. Arcturus 2023 Class B Member is currently a wholly-owned direct subsidiary of Luminace Development Holdings 3, which as explained above is a wholly-owned indirect subsidiary of Luminace Holdings.

As also shown in Section 5b, Luminace Holdings is a subsidiary of Luminace Aggregator. Luminace Aggregator is owned by (i) subsidiaries of Brookfield Renewable Energy L.P. (BRELP) and (ii) investment vehicles of Brookfield Infrastructure Fund IV (BIF IV) that are managed and controlled by affiliates of Brookfield Corporation (Brookfield Corp.) (f/k/a Brookfield Asset Management Inc.). Upstream ownership of BRELP and BIF IV is described below. In certain instances, the entities identified below hold their interests through one or more subsidiaries, all of which are affiliates of Brookfield Corp. and Brookfield Asset Management Ltd. (BAM Ltd., and together with Brookfield Corp., Brookfield). Accordingly, Brookfield ultimately controls Luminace Aggregator.

## Miscellaneous (continued)

BRELP. Through wholly-owned subsidiaries, Brookfield Asset Management ULC (BAM ULC) owns the general partnership interest in BRELP. BAM ULC is the principal holding entity for Brookfield's asset management business and is owned by Brookfield Corp. (75% directly and indirectly) and BAM Ltd. (25%). The limited partnership interest in BRELP is owned by Brookfield Renewable Partners L.P. (BEP). BEP is a Bermuda limited partnership that is publicly traded on the Toronto Stock Exchange and New York Stock Exchange, under the symbols BEP.UN and BEP, respectively. Brookfield Renewable Power Inc. (BRPI), a wholly-owned indirect subsidiary of Brookfield Corp., indirectly owns the 0.01% general partnership interest in BEP and has sole responsibility and authority for the management and control of BEP. The limited partnership units in BEP are passive non-voting securities. BRELP also has redeemable exchangeable partnership units, owned by indirect subsidiaries of Brookfield Corp., that are exchangeable for passive BEP limited partnership units.

BIF IV is a $20 billion infrastructure fund that is ultimately managed and controlled by Brookfield Corp. The third-party investors that hold limited partnership interests in BIF IV are passive investors.

Section 8a (continued):

The facilities identified in Sections 8a(1) and (2) are filing Form No. 556s concurrently with the facility that is the subject of this Form No. 556. These facilities have not yet been energized. The maximum net power production capacity reported for the facilities identified in Section 8a may not include deductions for certain losses that, pursuant to the instructions of this form and FERC's regulations, can be deducted from a facility's gross power production capacity. Accordingly, the maximum net power production capacity reported for the facilities identified in Section 8a is based on conservative assumptions and may be subject to future refinement.

Applicant and its affiliates maintain a comprehensive database of geographic coordinates for all of Brookfield's affiliated solar-powered qualifying small power production facilities to track their proximity to each other. The geographic coordinates in the database, which are obtained from Google Earth, are reflected in Section 8a (rounded to three decimal places). In certain instances, the actual distance between facilities may vary slightly from that reported in Section 8a due to rounding, the precision of the coordinates obtained from Google Earth, and conservative assumptions used to facilitate the measurement of distance between facilities, which may be subject to future refinement.