414 Nicollet Mall
Minneapolis, MN 55401

September 3, 2024

—Via Electronic Filing—

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: INITIAL COMMENTS
CAPACITY DEFINITION AND NET METERING
DOCKET NO. E002, E111, E017, E015/CI-24-200

Dear Mr. Seuffert:

Northern States Power Company, doing business as Xcel Energy, submits the enclosed Initial Comments per the Commission's June 4, 2024, Notice of Comment Period, as subsequently extended by Notice issued on July 30, 2024.

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service list. Please contact Taige Tople at taige.d.tople@xcelenergy.com or me at amber.r.hedlund@xcelenergy.com if you have any questions regarding this filing.

Sincerely,

/s/

AMBER R. HEDLUND
MANAGER, REGULATORY AFFAIRS

Enclosures
cc: Service List

STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION

Katie J. Sieben	Chair
Hwikwon Ham	Commissioner
Valerie Means	Commissioner
Joseph K. Sullivan	Commissioner
John A. Tuma	Commissioner

IN THE MATTER OF IMPACTS OF THE "CAPACITY" DEFINITION OF MINN. STAT. 216B.164 AND ASSOCIATED RULES ON NET METERING ELIGIBILITY FOR RATE-REGULATED UTILITIES	DOCKET NO. E002, E111, E017, E015/CI-24-200 **INITIAL COMMENTS**

INTRODUCTION

Northern States Power Company, doing business as Xcel Energy, submits these Initial Comments per the Commission's June 4, 2024, Notice of Comment Period, as subsequently extended by Notice issued on July 30, 2024.

COMMENTS

The Commission has issued a Notice of Comment on the following issue:

> How should the Commission apply the definition of "capacity" in Minn. Stat. § 216B.164 and Associated Rules without creating reliability problems related to net-metering rate eligibly for rate-regulated utilities?

The Notice identified the following topics open for Comment:

- How should the Commission consider the "capacity" definition In Minn. Stat. 216B.164 and associated rules on net metering eligibility for rate-regulated utilities?
- What should the Commission consider regarding the definition of "capacity" as it related to reliability and net metering rate eligibility?
- Are there other issues or concerns related to this matter?

I. CLARIFYING SCOPE OF COMMENTS

During discussions among the participants following the issuance of the Notice of Comment period, there was discussion on two scenarios as set forth below in this paragraph. There was a lack of agreement on how batteries in conjunction with a PV system should be counted for purposes of net metering. As the Company understands it, only the first listed scenario below is properly within the scope of allowed comments under the Commission's Notice for Comments, while MnSEIA may want to also engage in discussion and seek Commission action on the second scenario below:

1. Whether, or to what extent, can on-site load not associated with actually creating the energy be used to off-set the capacity output of the PV generation for purposes of net-metering.
2. Whether, or to what extent, can battery storage be used to off-set the capacity output of the PV generation for purposes of net metering. This includes whether anticipated battery charging and exports can together be allowed to reduce the overall production capacity of the DER system.

The Commission has sent the battery + PV issue to the DGWG for further record development. See April 15, 2024 ORDER in Docket No. E999/CI-16-521, Ordering Point 7, which states:

> *The Commission directs the DGWG to explore if and how battery storage systems should be evaluated under the MN DIP. Topics to discuss would include: should the battery storage and DER generation be studied on a combined basis in the interconnection process, and whether or not net-metered DER plus storage applications should be treated differently under the MN DIP than non-exporting DER plus storage applications."*

Nothing in the Notice indicated an intent to change the Commission's Order on this. Also, how system capacity sizes are determined under MN DIP likely will generally align with how system capacity sizes are determined for purposes of net metering.

MnSEIA appears to be relying on the DC Circuit decision in SEIA v FERC (59 F.43th 1287 (DC Cir 2023) to support its position that anticipated battery charging and exports can together be allowed to reduce the overall production capacity of the DER system. This DC Circuit court decision does not alter the Commission's Order that this issue needs to first be addressed in the DGWG and does not enlarge the scope of Comments under the Notice. The Company further notes that this DC Circuit decision has been vacated by the US Supreme Court (based on the US Supreme Court no longer authorizing use of the Chevron doctrine). (See, *Edison Electric v. FERC*, 2024 WL 3259657, order of July 2, 2024). The Commission should

first see how this issue is addressed on remand by the DC Circuit before trying to address the issue and risk being an outlier nationwide.

Further, there is no current real-fact case on this issue before the Commission so there is no need to address it now. Even the DC Circuit has held in abeyance other real-world challenges to qualifying facility (QF) status related to the appellate court decision until that appeal is resolved.[1] If the DC Circuit is holding real-world issues on battery+PV in abeyance, the Commission should not try to proceed to address a theoretical challenge.

Accordingly, the Company is not addressing the battery+PV issues (where the battery exports to the grid) in these Comments and looks forward to providing input on this topic through the DGWG process. The Company below engages in the substantive discussion of scenario number 1 described above.

II. HOW MINN. STAT. §216B.164 ALIGNS WITH PURPA

The Minnesota Statute at issue in the Commission's notice, Minn. Stat. § 216B.164, is to implement PURPA. This can be referred to as the Minnesota PURPA Implementation Statute. The statute is even specific that the FERC regulations under PURPA "… *shall, unless otherwise provided in this section, apply to all Minnesota electric utilities* ….", and "*Nothing in this section shall be construed to alter the rights and duties of any person pursuant to [PURPA]… and the [FERC] regulations thereunder*…."

The repeated language in Minn. Stat. §216B.164, when it uses the term capacity, associates it with the capacity of a "qualifying facility". (See, for example, Minn. Stat. § 216B.164 Subds. 3, 3a, 4, and 6). The term "qualifying facility" is well known as a FERC term as part of its implementation of PURPA. The provisions of Minn. Stat. §216B.164 do not indicate any different definition of this term other than as defined by FERC in implementing PURPA. Under this statute, "capacity" is defined as: "*the number of megawatts alternating current (AC) at the point of interconnection between a distributed generation facility and a utility's electric system.*" The term "*point of interconnection*" is not defined in the statute but has a commonly understood meaning in the industry, as we anticipate will be explained in the Comments submitted by Dakota Energy Cooperative in this docket.

[1] See, e.g., *Gallatin Power Partners LLC*, 176 FERC ¶ 61,120 (Trident Solar 1 project), *reh'g denied*, 177 FERC ¶ 62,048 (2021), *petition for review filed sub nom. NorthWestern Corp. v. FERC* (D.C. Cir. Dec. 21, 2021) (No. 21-1269); *Gallatin Power Partners LLC*, 177 FERC ¶ 61,181 (2021) (Shields Valley project), *reh'g denied*, 178 FERC ¶ 62,088 (2022), *petition for review filed sub nom. NorthWestern Corp. v. FERC* (D.C. Cir. Apr. 6, 2022) (No. 22-1055).

FERC considers the "power production capacity" of a QF to be the maximum net output of the facility that can be safely and reliably achieved under the most favorable anticipated design conditions (*See* FERC Form 556 at p. 10, attached as Attachment A). In particular, we draw attention to Row 7b at the capacity calculation table on that page 10 of FERC Form 556 which states:

> **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 nonpower 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.

We emphasize the last several lines of the above excerpt which shows that nonpower production processes are not to be netted out of the calculation of the net electric power capacity calculation for the facility.

FERC has specified that "*[t]he net output of the facility is its send out after subtraction of the power used to operate auxiliary equipment in the facility necessary for power generation (such as pumps, blowers, fuel preparation machinery, and exciters) and for other essential electricity uses in the facility from the gross generator output.*" *Occidental Geothermal, Inc.*, 17 FERC ¶ 61,231 at 61,445 (1981). *See also Conn. Valley Elec. Co. v. Wheelabrator Claremont Co.*, 82 FERC ¶ 61,116 (1998). In addition, line losses from the QF to the point of interconnection are also deducted to determine net output. *See id.*

A. Determination of What is a QF Single Site

The FERC analysis in SunE B9 Holdings, (157 FERC ¶ 61,044, issued October 20, 2016, and attached as Attachment B) is informative on how to measure the capacity of a QF at a single site. The specific context was whether a number of PV inverters owned by affiliated developers that were within one mile of each other should be aggregated for purposes of determining whether they should be considered to be a single QF when applying the FERC one-mile rule. SunE characterized it as having eighteen physically separate 500 kW "Facilities." If the QF is larger than 1 MW capacity, it needs to file a FERC Form 556 Self-Certification. SunE had argued that it was exempt from the requirement to file the FERC Form 556 because, it argued, each inverter had a net power production capacity of less than 1 MW. (18 CFR §292.203(d)(1) exempts from the FERC Form 556 filing requirement any facility with a "net power production capacity" of 1 MW or less.) In determining the capacity,

FERC measured the capacity of a qualifying facility by using the "net power production capacity." FERC further used the aggregate of these capacity numbers within one mile to determine the overall size of the single QF composed of all of these inverters that were within one mile. The FERC determined that the QF was larger than 1 MW, and therefore, SunE needed to file the FERC Form 556 Self-Certification for all of these inverters as a single facility in order to be considered as a QF.

FERC's decision in the SunE case reflects an application of FERC's so-called "one-mile" rule, pursuant to which all small power production facilities that are owned by the same entity and located within one mile of each other are considered to be a single small power production facility for purposes of QF certification. Under the one-mile rule, the net capacities of all the small power production facilities that are owned by the same entity (or affiliate), use the same energy resource, and are located within one mile of each other are aggregated to determine the "total" facility's capacity on small power production facilities. The one-mile rule functions as a definitive rule such that FERC automatically deems any facilities inside the one-mile periphery as a single QF at a single site. In 2020, FERC adjusted its policy to address concerns that the one-mile rule is arbitrary and leads to developers gaming the rule by placing components of the same facility outside the one mile range. *See Qualifying Facility Rates and Requirements Implementation Issues Under the Public Utility Regulatory Policies Act of 1978*, Order No. 872, 85 FR 54638 (Sep. 2, 2020), 172 FERC ¶ 61,041 (2020); 18 C.F.R. § 292.204(a)(2) (2024).

Specifically, FERC ruled that it would apply a rebuttable presumption that small power production facilities that are owned by the same or affiliated entities and that are located more than one mile but less than 10 miles apart are not part of the same small power production facility. The presumption that facilities located within 10 miles, but more than one mile apart, of each other are not part of a single small power production facility can be rebutted by evidence that, among other things, the facilities in question have: 1) evidence of shared control systems; (2) common permitting and land leasing; and (3) shared step-up transformers.

B. Wide Application Resulting From Determined Capacity of QFs

The Minnesota PURPA Implementation Statute uses the capacity of a QF for purposes of determining the cooperative and municipal utility application of net metering and rates for QFs less than 40 kW (Subd. 3, par. a). This statute uses the capacity of a QF for purposes of determining the public utility application of net metering and rates for QFs having 40 kW or more capacity but less than 1,000 kW capacity (Subd. 3, par. b and Subd. 3a) or capacity of less than 40 kW (Subd. 3, pars. b

and d), and for purposes of determining whether the QF has a capacity of 1,000 kW or more if interconnected to a public utility or where the QF has a capacity of 40 kW or more if interconnected to a cooperative or municipal utility (Subd. 4). Given this statute's specific deference to PURPA and FERC, and given that this statute refers to the capacity of the QF for purposes of applying net metering and other related purposes, the FERC approach to determining the capacity of a QF should apply here. As shown above, the capacity of a QF is determined by FERC to be the "net power production capacity", or when the same related owner has more than one PV system within one-mile (or in some circumstances up to within 10 miles) the QF capacity is the aggregate total sum of the net power production capacity from this set of inverters and this is to be considered as a single QF that is comprised of all of these inverters.

The Commission's rules under Minn. R. 7835 should be interpreted consistent with this. And, while the above FERC order applied this approach for determining whether the size of a QF was at or over 1 MW, this same approach should be used for determining whether the size of the QF is under 40 kW, or for any other purposes for determining the capacity of a QF for PURPA or net metering purposes. It would make no sense to employ a different methodology for determining whether the capacity of a QF is over 1 MW for PURPA or net metering purposes than that used to determine whether the capacity of a QF is under 40 kW for PURPA or net metering purposes. The capacity of a QF should be measured in the same consistent way for all PURPA and net metering purposes.

We do note that the Company has consistently been using "net power production capacity" for determining the size of QF for purposes of applying net metering tariffs; for purposes of determining eligibility for the $15,000 cost sharing program as specified on tariff sheet 10-81.4 for MN DIP applications which are 40 kW AC or less; and, for purposes of determining whether a MN DIP application should be in the "priority" or "general" queue as specified on tariff sheet 10-81.5 where the priority queue is for applications up to 40 kW. Under this approach, it assumes that other than load needed to power the inverters there is no other on-site load offset for purposes of determining the net power production capacity. The Company also uses this methodology for reporting purposes for reports required under Minn. R. 7835.1300, .1400, and .1500 and other reporting.

We also generally use this approach for engineering review. One nuance is where a QF has several inverters within one mile, such as at a campus-like environment with several buildings, but each connect through separate retail meters. In this situation, the Company will issue separate interconnection agreements for each inverter that is associated with its separate retail meter. However, having separate interconnection

agreements does not impact how the capacity of the QF is determined for PURPA or net metering purposes.

CONCLUSION

The Commission, for comments under the Notice, should only be looking at the following scenario:

> Whether, or to what extent, can on-site load not associated with actually creating the energy be used to off-set the capacity output of the PV generation for purposes of net-metering.

As set forth above, it is clear that capacity is determined at the Point of Interconnection and does not include on-site load not associated with generating energy.

Further, in determining the size of a QF, the Commission needs to apply the FERC one-mile rule and 10-mile rule as described above.

Dated: September 3, 2024

Northern States Power Company

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC

OMB Control # 1902-0075
Expiration 01/31/2027

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 01/31/2027

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)

1b Applicant street address

1c City | **1d** State/province

1e Postal code | **1f** Country (if not United States) | **1g** Telephone number

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 ___ - _____ - ____

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 _____

(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

2b Telephone number

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) ☐

2e Street address (if same as Applicant, check here and skip to line 3a) ☐

2f City

2g State/province

2h Postal code

2i Country (if not United States)

Facility Identification and Location

3a Facility name

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

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 _____ degrees Choose +/- Longitude _____ degrees Choose +/-

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

3e State/province

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

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

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 ☐

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)		Yes ☐ No ☐	%
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)		%
2)		%
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

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)
- ☐ Waste (specify type below in line 6b)
- ☐ 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)
- ☐ 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	Btu/h	%
Oil-based fuels	Btu/h	%
Coal	Btu/h	%

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	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.	kW
7c Electrical losses in interconnection transformers	kW
7d Electrical losses in AC/DC conversion equipment, if any	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	kW
7f Total deductions from gross power production capacity = 7b + 7c + 7d + 7e	0 kW
7g Maximum net power production capacity = 7a - 7f	0 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.

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)		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

2)

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

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):

Latitude Choose +/- Longitude Choose +/- Distance 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 Select thermal host's use of thermal output	Btu/h
2)		Select thermal host's relationship to facility Select thermal host's use of thermal output	Btu/h
3)		Select thermal host's relationship to facility Select thermal host's use of thermal output	Btu/h
4)		Select thermal host's relationship to facility Select thermal host's use of thermal output	Btu/h
5)		Select thermal host's relationship to facility Select thermal host's use of thermal output	Btu/h
6)		Select thermal host's relationship to facility 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 Select thermal host's process type	Yes ☐ No ☐
2)		Select thermal host's relationship to facility Select thermal host's process type	Yes ☐ No ☐
3)		Select thermal host's relationship to facility 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

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.

Document Accession #: 20161020-3063 Filed Date: 10/20/2016

157 FERC ¶ 61,044
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Norman C. Bay, Chairman;
Cheryl A. LaFleur, and Colette D. Honorable.

SunE B9 Holdings, LLC Docket Nos. EL16-58-000
QF15-793-001
QF15-794-001
QF15-795-001

ORDER GRANTING IN PART AND DENYING IN PART REQUEST FOR LIMITED WAIVER

(Issued October 20, 2016)

1. On April 22, 2016, SunE B9 Holdings, LLC (SunE B9) filed a petition for declaratory order (Petition) requesting a limited waiver of the small power production qualifying facility (QF) filing requirements set forth in section 292.203(a)(3) of the Commission's regulations[1] for a period of non-compliance from December 2010 until May 27, 2015.[2] The request for waiver is granted in part and denied in part, as discussed below.

I. Background

2. SunE B9 owns solar modules which are connected to eighteen 500 kW inverters, and which began operation in December 2010. On May 27, 2015, SunE B9 filed three Form 556 self-certifications, describing each respective QF as a solar electric generating facility and listing nine inverters at QF15-793-000, six inverters at QF15-794-000, and three inverters at QF15-795-000. All three Form 556 self-certifications listed the same geographic coordinates, and SunE B9 acknowledged that they are located within one mile of each other.

[1] 18 C.F.R. § 292.203(a)(3) (2016).

[2] On May 27, 2015, SunE B9 filed Form 556 ("Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility") self-certifications in Docket Nos. QF15-793-000, QF15-794-000, and QF15-795-000. The Form 556 self-certifications state that the facilities were installed and began operation on December 22, 2010 for QF15-793-000; on December 20, 2010 for QF15-794-000; and December 28, 2010 for QF15-795-000.

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II. Request for Declaratory Order

3. SunE B9 explains that it has eighteen 500 kW inverters,[3] and further states that each inverter is physically separate and sells its output to Duke Energy Carolinas, LLC (Duke) under a separate power purchase agreement.[4] SunE B9 adds that it is a wholly-owned subsidiary of TerraForm Power, Inc., and that SunEdison, Inc. has an eighty-four percent indirect voting interest in TerraForm Power, Inc.

4. According to SunE B9, the inverters at issue have satisfied all of the requirements of the Public Utility Regulatory Policies Act of 1978 (PURPA)[5] during their entire operation, except for compliance with the filing requirement of section 292.203(a)(3).[6] SunE B9 argues that each inverter is exempt from the filing requirements of section 292.203(a)(3) because each inverter has a net power production capacity of less than 1 MW, and, pursuant to section 292.203(d),[7] facilities with a net power production capacity of 1 MW or less are exempt from the filing requirement of section 292.203(a)(3).[8]

5. However, SunE B9 is concerned that the Commission may apply the one-mile rule of section 292.204(a)(2)[9] and find that, because each inverter is within one mile of the

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[3] SunE B9 characterizes each inverter as a "Facility," such that it states that it has eighteen 500 kW "Facilities."

[4] Petition at 2.

[5] 16 U.S.C. §§ 796(17), 824a-3 (2012).

[6] 18 C.F.R. § 292.203(a)(3) (2016).

[7] *Id*. § 292.203(d) (2016).

[8] Petition at 3.

[9] Section 18 C.F.R. § 292.204(a) (2016), states:

(a) *Size of the facility—*

(1) *Maximum size*. Except as provided in paragraph (a)(4) of this section, the power production capacity of a facility for which qualification is sought, 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.

(2) *Method of calculation*.

(continued ...)

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others, none of the inverters are eligible for the filing exemption for QFs with a net capacity of 1 MW or less. SunE B9 therefore requests that, to the extent necessary, the Commission grant a limited waiver of the filing requirement of section 292.203(a)(3) such that each inverter will be treated as a QF from the date each inverter commenced operations until May 27, 2015.

6. SunE B9 characterizes the failure to timely submit notices of self-certification for the inverters as the result of a good faith error in interpreting an ambiguous regulation, asserting that the instructions for Form 556 and its Frequently Asked Questions for QFs do not adjust the facility size for affiliated facilities located within one mile in determining whether the less-than-1-MW filing exemption of section 292.203(d) is available to a QF.[10] SunE B9 states that the requested waiver is consistent with the Commission's precedent granting similar relief to other QFs.[11] SunE B9 asserts that the requested waiver will lighten the regulatory burden on QFs by providing most exemptions from the Federal Power Act (FPA), the Public Utility Holding Company Act of 2005,[12] and state laws provided to QFs under the Commission's regulations.[13]

7. SunE B9 states that it is not seeking waiver of FPA sections 205 and 206.[14] On April 22, 2016, SunE B9 made refunds to Duke and filed a refund report in Docket Nos. QF15-793-000 in the amount of $309,642.07, in QF15-794-000 in the amount of $207,455.46, and in QF15-795-000 in the amount of $101,381.39. On May 12, 2016, SunE B9 filed a revised refund report because certain principal amounts (i.e., initial

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(i) For purposes of this paragraph, facilities are considered to be located at the same site as the facility for which qualification is sought if they are located within one mile of the facility for which qualification is sought. . . .

(ii) For purposes of making the determination in clause (i), the distance between facilities shall be measured from the electrical generating equipment of a facility.

[10] Petition at 3 n.4.

[11] *Id*. at 4 (citing *Beaver Falls Mun. Auth.*, 149 FERC ¶ 61,108 (2014) (*Beaver Falls*); *OREG 1, Inc.,* 135 FERC ¶ 61,150 (2011), *reh'g denied,* 138 FERC ¶ 61,110 (2012) (*OREG 1*); *WM Renewable Energy, L.L.C.*, 130 FERC ¶ 61,268 (2010) (*WM Renewable*); *Ashland Windfarm, LLC*, 124 FERC ¶ 61,068 (2008) (*Ashland Windfarm*)).

[12] 42 U.S.C. § 16452 (2012).

[13] *Id*. at 4-5.

[14] *Id*. at 5 n.8.

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monthly amounts paid by Duke for QF sales during the refund period) were incorrect. SunE B9 corrected the refunds in Docket Nos. QF15-793-000 to the amount of $307,140.47, in QF15-794-000 to the amount of $205,700.40, and in QF15-795-000 to the amount of $99,956.28.

III. Notice and Interventions

8. Notice of SunE B9's filing was published in the *Federal Register,* 81 Fed. Reg. 26,219 (2016), with interventions or protests due on or before May 25, 2016. On April 29, 2016, Duke filed a motion to intervene and comments.

9. Duke states that, in May 2008, Duke entered into power purchase agreements with SunE DEC1, LLC, a subsidiary of Sun Edison, Inc., to purchase power from 31 facilities that are interconnected to Duke's transmission/distribution system. Duke states that the facilities are comprised of the eighteen inverters owned by SunE B9 and thirteen inverters that are owned by SunE M5B Holdings, LLC (SunE M5B).[15]

10. Duke notes that, on April 22, 2016, the same day that SunE B9 filed the Petition, SunE B9 also filed a refund report with the Commission for refunds based on the time value of amounts received for QF sales to Duke for service provided between the date service commenced and May 27, 2015, the date that SunE B9 submitted its QF self-certification notices. Duke states that, on the same day, refund payments were made to and received by Duke that were consistent with the refund report.[16]

11. Duke states that the Petition does not include six inverters owned by SunE M5B that are also located within one mile of each other and that were also not submitted for QF self-certifications until May 27, 2015 although they had commenced operations in 2010. Duke argues that, by analogy to the rationale contained in the Petition in which SunE B9 states that it would make refunds to Duke pertaining to its eighteen inverters consistent with Commission precedent, such Commission precedent similarly applies to amounts Duke paid for QF sales pertaining to the six inverters owned by SunE M5B and that Duke should be paid refunds related to such amounts.[17]

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[15] Duke Comments at 1-2.

[16] *Id*. at 2-3.

[17] *Id*. at 3.

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IV. Discussion

A. Procedural Matters

12. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2015), Duke's timely unopposed motion to intervene serves to make Duke a party to this proceeding.

B. Commission Determination

13. For many years, there was no express requirement in section 292.203 that a facility make a filing in order to establish QF status. However, in Order No. 671,[18] the Commission changed its regulations by adding the filing requirements for QF status contained in sections 292.203(a)(3) (for small power production facilities) and 292.203(b)(2) (for cogeneration facilities) of the Commission's regulations.[19] The Commission explained that it did not believe "that a facility should be able to claim QF status without having made any filing with this Commission."[20] Thus, our regulations require an owner or operator of a facility, whether existing or new, must, in addition to meeting other specified requirements, to file either a notice of self-certification, or an application for Commission certification that has been granted, in order to establish QF status for a generating facility larger than 1 MW.[21]

14. As noted above, the inverters began operation in December 2010 and SunE B9 filed three Form 556 self-certifications on May 27, 2015. The issue in this case is thus the intervening period and whether SunE B9's excuse for its failure to timely certify its inverters warrants waiver of the filing requirement for that period. We find that it does not, and we will deny SunE B9's requested waiver. SunE B9 has not justified its failure to comply with a filing requirement that has been present in the Commission's regulations since 2006.

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[18] *Revised Regulations Governing Small Power Production and Cogeneration Facilities,* Order No. 671, FERC Stats. & Regs. ¶ 31,203, *order on reh'g*, Order No. 671-A, FERC Stats. & Regs. ¶ 31,219 (2006).

[19] 18 C.F.R. §§ 292.203(a)(3), 292.203(b)(2) (2015). As with other changes in Commission regulations, this change was published in the *Federal Register*, 71 Fed. Reg. 7852 (2006).

[20] Order No. 671, FERC Stats. & Regs. ¶ 31,203 at P 81.

[21] 18 C.F.R. §§ 292.203(a)(3), 292.203(b)(2) (2016).

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15. SunE B9 argues that each inverter is exempt from the filing requirements of section 292.203(a)(3) because each inverter has a net power production capacity of less than 1 MW, and, pursuant to section 292.203(d), facilities with a net power production capacity of 1 MW or less are exempt from the filing requirement of section 292.203(a)(3). However, SunE B9 states that it understands that the Commission may apply the one-mile rule of section 292.204(a)(2), thus viewing each inverter as having a 17.36 MW capacity and thus not eligible for the filing exemption for QFs with a net capacity of 1 MW or less.[22] SunE B9 requests that, if the Commission applies the one-mile rule of section 292.204(a)(2) here, and finds that because each inverter is within one mile of the others none of the inverters are eligible for the less-than-1-MW filing exemption of 292.203(d), the Commission grant a waiver of the filing requirement. SunE B9 states that it has complied with all "substantive" requirements for small power production QF status since the date the inverters went into service, and has operated under the assumption that they qualified as QFs since each commenced operations.[23]

16. The explanation that SunE B9 cites for failing to timely file is not persuasive. On May 27, 2015, SunE B9 filed self-certifications for three QFs, each of which has a net power production capacity in excess of 1 MW. Because each QF has a net power production capacity in excess of 1 MW, the filing exemption for QFs with a net capacity of 1 MW or less does not apply to any of these three QFs. Moreover, the one-mile rule of section 292.204(a)(2) is a size determination which the Commission has consistently applied generally to the regulations pursuant to PURPA,[24] and which applies here to determining the applicability of the less-than-1-MW exemption of section 292.203(d). As SunE B9 acknowledges, each of the eighteen inverters are within one-mile of the others, and therefore their combined net capacity is in excess of 1 MW. Therefore, the filing exemption for QFs with a net capacity of 1 MW or less does not apply here, and absent our granting the requested waiver, SunE B9's inverters would not be considered QFs from the time they became operational until May 27, 2015, when SunE B9 filed the notices of self-certification.

17. As the Commission has stated, "[t]he filing requirement is a substantive and important criterion for QF status, which was expressly adopted in Order No. 671 and

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[22] Petition at 2, 4.

[23] *Id*. at 2-3.

[24] *Windfarms, Ltd.*, 13 FERC ¶ 61,017, at 61,031 (1980) (finding that the Commission intended the one-mile rule to apply to the regulations implementing section 210(e) of PURPA, despite the fact that they do not expressly refer to the one-mile rule.)

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must be followed."[25] Although SunE B9 argues that the failure to make the filing was due to an ambiguous regulation, the fact remains that, since the inverters began operation, they were out of compliance with the express requirements for QF status. In similar situations, the Commission has not been persuaded by claims that the facility met all other requirements for QF status because that argument improperly minimizes the importance of the filing requirement.[26]

18. SunE B9 cites several cases in support of the requested waiver.[27] We find that *Minwind I, Beaver Falls,* and *OREG 1* are particularly instructive. In each of those cases, the Commission denied waiver of the filing requirement, but nevertheless granted partial waiver to treat the facilities as QFs for the period that they were out of compliance.

19. Therefore, the Commission will grant SunE B9 the same partial waiver so that the inverters will be treated as QFs for the period that SunE B9's inverters operated out of compliance with the Commission's requirement that an owner of a small power production facility make a filing in order to certify as a QF, i.e., from December 2010, when the inverters began operation, until May 27, 2015, when the inverters self-certified as QFs, and as a consequence the inverters will qualify for most of the exemptions contained in sections 292.601 and 292.602 of the Commission's regulations,[28] excepting exemption from sections 205 and 206 of the FPA. Granting SunE B9 most of the exemptions from the FPA, the Public Utility Holding Company Act of 2005 and state laws, as provided in sections 292.601 and 292.602 of the regulations, which lighten the

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[25] *OREG 1, Inc.,* 135 FERC ¶ 61,150, at P 8.

[26] *See, e.g., Minwind I, LLC*, 149 FERC ¶ 61,109, at P 18 (2014) (*Minwind I*); *Beaver Falls,* 149 FERC ¶ 61,108 at P 25; *OREG 1*, *Inc.*, 135 FERC ¶ 61,150 at PP 8, 12.

[27] Petition at 4 n.7 (citing *Beaver Falls*, 149 FERC ¶ 61,108; *OREG 1, Inc.,* 135 FERC ¶ 61,150; *WM Renewable*, 130 FERC ¶ 61,268; *Ashland Windfarm*, 124 FERC ¶ 61,068). *Ashland Windfarm* involved atypical ownership of the petitioners' wind project companies. *Ashland Windfarm*, 124 FERC ¶ 61,068 at P 3. This case does not present a similar situation. SunE B9's reliance on *WM Renewable* is also misplaced. In *OREG 1*, the Commission stated that "*WM Renewable* was not consistent with the Commission's previously announced policy on dealing with late-filed QFs," and that the Commission has chosen "not to follow a decision inconsistent with its policy." *OREG 1*, *Inc.*, 135 FERC ¶ 61,150 at P 12.

[28] 18 C.F.R. §§ 292.601, 292.602 (2016).

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regulatory burden on QFs, but denying exemption from sections 205 and 206 of the FPA, is consistent with the Commission's action in other cases.[29]

20. In *Prior Notice and Filing Requirements Under Part II of the Federal Power Act*, 64 FERC ¶ 61,139, *order on reh'g*, 65 FERC ¶ 61,081 (1993) (*Prior Notice*), the Commission clarified its refund remedy (for both cost-based and market-based rates) for the late filing of jurisdictional rates and agreements under section 205 of the FPA when waiver of the 60-day prior notice requirement is denied. With respect to sales for resale made without Commission authorization under FPA section 205, the Commission stated it would require the utility to refund to its customers: (1) the time value of the revenues collected, calculated pursuant to section 35.19a of the regulations,[30] for the entire period that the rate was collected without Commission authorization; and (2) all revenues resulting from the difference, if any, between the market-based rate and a cost-justified rate.[31] The second component of the two-part refund methodology does not typically apply to QFs because the Commission has previously indicated that a QF can use a substitute for the cost-justified rate, which may include the market-based rate or the avoided cost rate.[32] To the extent that there is no difference between the QF's rate collected and the market-based rate or the QF's rate collected and the avoided cost rate, the QF would not have a refund obligation under that part of the refund methodology. Here, the inverters have been selling pursuant to negotiated rates, satisfying the second component of the two-part refund methodology, but SunE B9 remains subject to the first component, e.g., the time-value refund obligation.

21. For any monies collected before the effective date, SunE B9 must refund the time value of the monies actually collected for the time period during which the rates were

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[29] *See Minwind I*, 149 FERC ¶ 61,109 at P 22; *Beaver Falls,* 149 FERC ¶ 61,108 at P 31; *OREG 1*, *Inc.*, 138 FERC ¶ 61,110 at P 16; *see also Iowa Hydro, LLC*, 146 FERC ¶ 61,207, at P 14 (2014); *accord CII Methane Management IV, LLC,* 148 FERC ¶ 61,229, at P 5 (2014); *LG&E-Westmoreland Southampton* (*Southampton*), 76 FERC ¶ 61,116, at 61,603-05 (1996), *order granting clarification and denying reh'g*, 83 FERC ¶ 61,182, at 61,752-53 (1998).

[30] 18 C.F.R. § 35.19a (2016).

[31] *Prior Notice*, 64 FERC ¶ 61,139 at 61,980.

[32] *Minwind I*, 149 FERC ¶ 61,109 at P 23; *see Trigen-St. Louis Energy Corp.*, 120 FERC ¶ 61,044, at P 32 (2007); *see also CII Methane Management IV, LLC,* 148 FERC ¶ 61,229, at P 4 (2014).

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charged without Commission authorization.[33] SunE B9 states that it is not seeking waiver of FPA sections 205 and 206.[34] As a result, on April 22, 2016, SunE B9 made refunds to Duke in the amount of $618,478.92 in Docket Nos. QF15-793-000, QF15-794-000 and QF15-795-000. On May 12, 2016, SunE B9 filed a revised refund report because certain principal amounts (i.e., initial monthly amounts paid by Duke for QF sales during the refund period) were incorrect. SunE B9 corrected the refunds to $612,797.15. Duke states that refund payments were made to and received by Duke and were consistent with the refund report.[35]

22. Finally, we find that Duke's comments related to SunE M5B are beyond the scope of this proceeding. The only issue presented in this case is whether SunE B9 should be granted a waiver of the filing requirements to establish QF status, not whether SunE M5B should be required to pay refunds.

The Commission orders:

The request for waiver is hereby granted in part and denied in part, as discussed in the body of this order.

By the Commission. Commissioner Honorable is concurring with a separate statement attached.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.

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[33] *Minwind I*, 149 FERC ¶ 61,109 at P 24; *Florida Power & Light Co.*, 98 FERC ¶ 61,276 at 62,150-51, *reh'g denied*, 99 FERC ¶ 61,320 (2002).

[34] Petition at 5 n. 8.

[35] *Id*. at 2-3.

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

SunE B9 Holdings, LLC Docket No. EL16-58-000
QF15-793-001
QF15-794-001
QF15-795-001

(Issued October 20, 2016)

HONORABLE, Commissioner, *concurring*:

In today's order, the Commission directed SunE B9 to refund the time value of the revenues collected during periods of SunE B9's noncompliance with the Commission's QF requirements, consistent with the Commission's long-standing policy. I support that policy because it encourages timely compliance, but write separately to express concern with how time value refunds are calculated for generation resources.

Although I agree with the Commission's decision today, I believe it is appropriate to revisit how we establish a refund floor for time value refunds. The Commission establishes a refund floor for time value refunds to protect entities by ensuring that they will not be forced to operate at a loss. For generation resources, the Commission determines this floor by considering only variable operation and maintenance (O&M) costs. Thus, a generation resource is responsible to make time value refunds only to the extent such refunds would not recoup the resource's variable O&M costs. The Commission has taken a different approach in establishing refund floors for non-generation resources. In Opinion No. 540, the Commission explained the reason for the different approaches:[1]

> The Commission distinguished between the time value refund methodology that applies in cases involving power sales . . . in which the utility typically incurs substantial fuel and other O&M costs that vary with the amount of energy produced or transmitted, and the time value refund methodology that has been used and accepted in numerous generator interconnection and transmission line ownership cases, where the costs incurred are sunk investment in the transmission system or fixed O&M costs that do not vary depending on the

[1] *Opinion No. 540,* 153 FERC ¶ 61,185, at P57 (2015).

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amount of energy produced or transmitted . . .

As a result, the Commission's time value refund methodology does not distinguish between thermal and non-thermal generation resources (e.g., renewable resources), even though, as discussed below, non-thermal generation resources have levels of variable and fixed O&M costs more akin to that of interconnection customers and transmission owners.

The levels of variable and fixed O&M costs for renewable resources, including the solar resources at issue here, are more similar to that of interconnection customers and transmission owners than thermal generation resources. For example, according to a 2013 EIA report, a photovoltaic resource generally has $0.00/MWh variable O&M costs and $27.75/kW-year fixed O&M costs.[2] In contrast, a conventional natural gas combined-cycle generator generally has $3.60/MWh variable O&M costs (excluding fuel) and $13.17/kW-year fixed O&M costs. Adding fuel to the natural gas-fired generator's variable O&M costs, which the Commission uses to determine a refund floor, would further increase the variable O&M figure.[3]

Although not specifically at issue today, I remain sensitive to concerns that our policies with respect to generation resources might result in entities with higher fixed costs having to pay larger refunds because of the nature of their cost structure and not their conduct. Our industry has seen tremendous evolution and renewable generation resources have been reliably supplying electricity for many years. We must continually evaluate our policies to ensure they keep pace with changes in the markets we regulate. The Commission has properly considered fixed costs in the transmission context. I believe we should stand ready to apply those principles to similarly situated entities.

Accordingly, I respectfully concur.

Colette D. Honorable
Commissioner

[2] *See* https://www.eia.gov/forecasts/capitalcost/pdf/updated_capcost.pdf at Table 1.

[3] *See* https://www.eia.gov/forecasts/aeo/pdf/electricity_generation.pdf at Table 1b.

CERTIFICATE OF SERVICE

I, Victor, Barreiro hereby certify that I have this day served copies of the foregoing document on the attached list of persons.

xx by depositing a true and correct copy thereof, properly enveloped with postage paid in the United States mail at Minneapolis, Minnesota

xx electronic filing

DOCKET NO. E002, E111, E017, E015/CI-24-200

Dated this 3rd day of September 2024

/s/
_____
Victor Barreiro
Regulatory Administrator

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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Jack	Kluempke	Jack.Kluempke@state.mn.us	Department of Commerce	85 7th Place East Suite 600 St. Paul, MN 55101	Electronic Service	No	OFF_SL_24-200_Official
Steve	Kosbab	skosbab@meeker.coop	Meeker Cooperative Light and Power	1725 US Hwy 12 E Litchfield, MN 55355	Electronic Service	No	OFF_SL_24-200_Official
Michael	Krause	michaelkrause61@yahoo.com	Kandiyo Consulting, LLC	1200 Plymouth Avenue Minneapolis, MN 55411	Electronic Service	No	OFF_SL_24-200_Official
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Corrina	Kumpe	ckumpe@mysunshare.com		N/A	Electronic Service	No	OFF_SL_24-200_Official
Mark	Larson	mlarson@meeker.coop	Meeker Coop Light & Power Assn	1725 Highway 12 E Ste 100 Litchfield, MN 55355	Electronic Service	No	OFF_SL_24-200_Official
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Kristi	Robinson	krobinson@star-energy.com	STAR Energy Services, LLC	1401 South Broadway Pelican Rapids, MN 56572	Electronic Service	No	OFF_SL_24-200_Official
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Darla	Ruschen	d.ruschen@bcrea.coop	Brown County Rural Electric Assn.	PO Box 529 24386 State Highway 4 Sleepy Eye, MN 56085	Electronic Service	No	OFF_SL_24-200_Official
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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