



Control Number: 50831



Item Number: 1

Addendum StartPage: 0



Pursuant to PUC SUBSTANTIVE RULE § 25.109

## Registration Form for Power Generation Companies and Self-Generators

### Part A – Type of Registration

#### 1. Type of registration

Check only one of the following.

- |                                                                               |                                                               |
|-------------------------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> New self-generator registration                      | <input type="checkbox"/> Amending self-generator registration |
| <input checked="" type="checkbox"/> New power generation company registration | <input type="checkbox"/> Amending PGC registration            |
| <input type="checkbox"/> New EWG/PGC                                          |                                                               |

#### 2. Amendments

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

- |                                                      |                                                          |
|------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Name change amendment       | <input type="checkbox"/> Facility/output capacity change |
| <input type="checkbox"/> Change in ownership/control | <input type="checkbox"/> New generating plant/facility   |
| <input type="checkbox"/> Registration relinquishment | <input type="checkbox"/> Other                           |

Registration number:

Provide an explanation, if necessary:

### Part B - Applicable to Registration of Self-Generators

#### 1. Registering Party

Legal name:

Texas business address:

City:	ZIP:	Principal place of business:
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#### 2. Contact Information (for all communications)

Name:	Title:
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Address:

City:	State:	ZIP:
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Email:	Phone:	Fax:
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## Part C - Applicable to Registration of Power Generation Companies

<b>1. Registering Party</b>		
<b>Legal name:</b> West Raymond Wind Farm, LLC		<b>Trade/commercial name:</b> West Raymond Wind Farm
<b>Texas business address:</b> 701 Brazos St., Ste 1400		
<b>City:</b> Austin	<b>ZIP:</b> 78701	<b>Principal place of business:</b> Chicago, IL
<b>2. Contact Information (for all communications)</b>		
<b>Name:</b> Paul Varnado		<b>Title:</b> Assistant General Counsel
<b>Address:</b> 353 N. Clark St. 30th Flr		
<b>City:</b> Chicago	<b>State:</b> IL	<b>ZIP:</b> 60654
<b>Email:</b> paul.varnado@rwe.com		<b>Phone:</b> 312-245-5927 <b>Fax:</b> 312-923-9469
<b>3. Names and types of business of the registering party's corporate parent companies with percentages of ownership</b>		
<b>Name (press Enter Key for multiple entries)</b>	<b>Types of business</b>	<b>% of ownership</b>
RWE Renewables Americas, LLC	Generation Development and Ownership	100%
RWE Renewables Development, LLC	Intermediate parent company	5%
RWE Investco Mgmt, LLC	Intermediate parent company	95%
RWE Investco EPC Mgmt, LLC	Intermediate parent company	100%
West Raymond Holdco, LLC	Intermediate parent company	100%
<b>4. Description of the types of services provided by the registering party that pertain to the generation of electricity</b>		
Electricity generator		
<b>5. Name and corporate relationship of each affiliate that buys and sells electricity at wholesale in Texas, sells electricity at retail in Texas, or is an electric or municipally owned utility in Texas</b>		
<b>Name (press Enter Key for multiple entries)</b>	<b>Corporate relationship</b>	
RWE Renewables QSE, LLC	Affiliates	
RWE Renewables Energy Marketing, LLC		
Champion Wind Farm, LLC		
Forest Creek Wind Farm, LLC		
Inadale Wind Farm, LLC		
Panther Creek Wind Farm I&II, LLC		
Panther Creek Wind Farm Three, LLC		
Papalote Creek I, LLC		
Papalote Creek II, LLC		
Magic Valley Wind Farm I, LLC		
Pyron Wind Farm, LLC		
Roscoe Wind Farm, LLC		

Sand Bluff Wind Farm, LLC Anacacho Wind Farm, LLC Grandview Wind Farm, LLC Colbeck's Corner, LLC Bruenning's Breeze Wind Farm, LLC Stella Wind Farm, LLC West of the Pecos Solar, LLC Peyton Creek Wind Farm, LLC Cranell Wind Farm, LLC	
6. If applicable, attach to this form any Supplemental Information, as described in the Instructions, labeled "Attachment B8"	

**Part D – Applicable to all Registering Parties**

**AFFIDAVIT**

*(Must be notarized by a public notary in and for the State of Texas)*

STATE OF TEXAS                    §  
COUNTY OF **TRAVIS**                    §

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

Check one of the following boxes:

- ☐ I am an authorized representative of the registering party, which is a **self-generator**.
- ☒ I am an authorized representative of the registering party, which is a **power generation company** and swear that the company:
- (A) Generates electricity that is intended to be sold at wholesale;
  - (B) Does not own a transmission or distribution facility in this state other than an essential interconnecting facility, a facility not dedicated to public use, or a facility otherwise excluded from the definition of "electric utility" under PUC SUBSTANTIVE RULE 25.5; and
  - (C) Does not have a certificated service area.

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

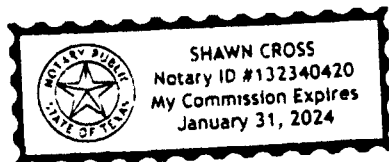
  
Signature of Authorized Representative

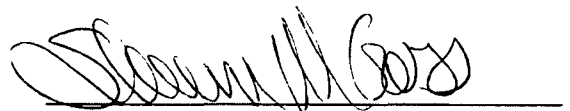
JOHN FRANK  
Printed Name

**West Raymond Wind Farm, LLC**

Name of Registering Party

Sworn and subscribed before me this 8<sup>th</sup> day of May, 2020.  
Month Year



  
Notary Public in and for the State of Texas



## Part E – Applicable to all Registering Parties

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

Generating facility name	Electric storage facility	Physical address of facility	County of facility	Interconnecting TSP	Power region	Total capacity (MW)	Type of generation*
West Raymond Wind Farm, LLC	<input type="checkbox"/>	12200 Lilly Rd. Sebastian, TX 78594	Cameron Willacy Hidalgo	AEP Texas	ERCOT	239.8	Wind
	<input type="checkbox"/>						
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	<input type="checkbox"/>						
	<input type="checkbox"/>						

\*i.e., biomass, wind, geothermal, fossil fuels, solar, hydro, nuclear, landfill gas

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

**West Raymond Wind Farm, LLC** )

**Docket No. EG20-\_\_\_\_-000**

**NOTICE OF SELF-CERTIFICATION OF  
EXEMPT WHOLESALE GENERATOR STATUS**

Pursuant to Section 366.7(a) of the Federal Energy Regulatory Commission's ("Commission") regulations,<sup>1</sup> implementing the Public Utility Holding Company Act of 2005 ("PUHCA 2005"),<sup>2</sup> West Raymond Wind Farm, LLC ("West Raymond Wind") hereby submits this notice of self-certification of its status as an exempt wholesale generator ("EWG") as defined in Section 366.1 of the Commission's regulations.<sup>3</sup>

**I. COMMUNICATIONS**

All correspondence and communications regarding this notice should be sent to the following persons who are authorized to receive service:

Paul Varnado  
RWE Renewables Americas, LLC  
353 N. Clark Street, 30th Floor  
Chicago, IL 60654  
(312) 358-9873  
paul.varnado@rwe.com

Alison Gardner  
RWE Renewables Americas, LLC  
701 Brazos St., Suite 1400  
Austin, TX 78701  
(512) 482-4009  
Alison.gardner@rwe.com

**II. DESCRIPTION OF WEST RAYMOND WIND**

West Raymond Wind is a Delaware limited liability company and indirect, wholly-owned subsidiary of RWE Renewables Americas, LLC ("RWERA"), which is an exempt holding

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<sup>1</sup> 18 C.F.R. § 366.7(a) (2018).

<sup>2</sup> Enacted pursuant to the Energy Policy Act of 2005, §§ 1261-77, Pub. L. No. 109-58, 119 Stat. 594, 972-78 (2005).

<sup>3</sup> 18 C.F.R. § 366.1.

company in the business of developing or acquiring, through subsidiaries, electric generation facilities in the United States. RWERA is an indirect, wholly-owned subsidiary of RWE AG, a German company.

West Raymond Wind is constructing and will own and operate a wind-powered electric generation facility of approximately 240 MW located in Willacy, Hidalgo, and Cameron Counties, Texas (the “West Raymond Facility”). The West Raymond Facility is expected to commence commercial operations in late 2020 and will be comprised of wind turbine generators and associated facilities and equipment necessary for the generation of power at wholesale.

The Facility will include Interconnection Customer Interconnection Facilities (“ICIF”) necessary to effectuate West Raymond Wind’s wholesale power sales. West Raymond Wind will own and operate ICIF consisting of radial electric generator tie lines, step-up transformers, substations and related equipment to the point of interconnection. The West Raymond Facility will be interconnected with the transmission system owned by AEP Texas, Inc. and operated by the Electric Reliability Council of Texas (“ERCOT”).

### **III. REPRESENTATIONS REGARDING EWG STATUS**

The Commission has consistently granted EWG status to entities that were formed to own and/or operate all or part of one or more Eligible Facilities.<sup>4</sup> Consistent with Section 366.1 of the Commission’s regulations, West Raymond Wind makes the following representations in order to certify that it satisfies the requirements for EWG status:

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<sup>4</sup> Section 366.1 of the Commission’s regulations adopts by reference Section 32(a)(2) of the Public Utility Holding Company Act of 1935 (as amended, “PUHCA 1935”), 15 U.S.C. § 79a-5a(a)(2), which defines the term eligible wholesale facilities. The term “Eligible Facilities” as used herein has the meaning ascribed to it in Section 32(a)(2) of PUHCA 1935.



1. West Raymond Wind will be engaged directly, or indirectly through one or more affiliates as described in Section 366.1 of the Commission's regulations, and exclusively in the business of owning and/or operating the West Raymond Facility, which is an Eligible Facility, because it will be used for the generation of electric energy exclusively for sale at wholesale.

2. The West Raymond Facility will be interconnected with the transmission facilities of AEP Texas, Inc. and does not include any transmission or distribution facilities other than the limited ICIF (described in Section II) necessary to effectuate the West Raymond Facility's wholesale power sales.

3. West Raymond Wind will not make any sales of power at retail.

4. No rate or charge for, or in connection with, the construction of the West Raymond Facility, or for electric energy produced by the West Raymond Facility, was in effect under the laws of any State on October 24, 1992. As such, no determination or certification by a state commission is necessary prior to certification of the West Raymond Facility as an EWG.

5. No portion of the West Raymond Facility will be owned or operated by an "electric utility company" that is an "affiliate" or "associate company" of West Raymond Wind that is not itself an EWG, as defined in Section 366.1 of the Commission's regulations.

6. There are no leasing arrangements involving the West Raymond Facility and any public utility company or any affiliate or associate company of any public utility company.

#### **IV. OTHER POTENTIAL INCIDENTAL ACTIVITIES**

West Raymond Wind may engage in activities incidental to its wholesale sale of electric generation from an Eligible Facility, which do not violate the EWG exclusivity requirement under Commission precedent, including some or all of the following:

- Sell ancillary services from the West Raymond Facility which are incidental to, and by-products of, the West Raymond Facility's operations as a wholesale power generator;<sup>5</sup>
- Reassign excess transmission capacity consistent with the Commission's requirement that such reassignment of excess transmission capacity be limited to transmission capacity West Raymond Wind originally obtained for the purpose of affecting a specific wholesale sale of electric energy;<sup>6</sup>
- Purchase and sell congestion revenue rights that West Raymond Wind needs for the West Raymond Facility's wholesale power sales;<sup>7</sup>
- Trade emission allowances consistent with the Commission's limitation that an EWG may engage in such trading so long as the emission allowances were originally obtained in the normal course of operating the West Raymond Facility;<sup>8</sup>
- Sell "green" power certificates or renewable energy credits consistent with the Commission's limitation that an EWG may sell such certificates or credits where they are associated with power produced by the Facility;<sup>9</sup>
- Lease or rent property to third parties, but to the extent a lease arrangement is not reasonably related to West Raymond Wind's generation business and a rental fee is received above a nominal amount, West Raymond Wind will, consistent with EWG precedent, donate or transfer such rental revenues to a non-affiliated entity;<sup>10</sup>
- Engage in project development activities associated with the West Raymond Facility. Such project development activities may include: due diligence; site investigations; feasibility studies; preliminary design and engineering; licensing and permitting; negotiation of asset and land acquisitions; negotiation of contractual commitments with lenders, equity investors, governmental authorities and other project participants and such other activities as may be necessary to financially close on eligible facilities; negotiation of power sales contracts; equipment purchases; fuel supply; engineering, construction, interconnection, and related matters; preparation and

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<sup>5</sup> The Commission has recognized that the sale of the following ancillary services are consistent with EWG status: reactive power and voltage support, regulation and frequency response services, load following, energy balancing services, spinning and supplemental reserves, and blackstart capability, and other ancillary services consistent with the Commission's rules or as otherwise permitted by the Commission. See, e.g., *Duke Energy Oakland, LLC*, 83 FERC ¶ 61,304 (1998); *Sithe Framingham, LLC*, 83 FERC ¶ 61,106 (1998).

<sup>6</sup> See *CNG Power Services Corp.*, 71 FERC ¶ 61,026 at 61,103-04 (1995).

<sup>7</sup> See *Duquesne Power, LP*, 106 FERC ¶ 61,104 (2004).

<sup>8</sup> See *UGI Development Co.*, 89 FERC ¶ 61,192 (1999).

<sup>9</sup> See *Madison Windpower, LLC*, 93 FERC ¶ 61,270 (2000).

<sup>10</sup> See, e.g., *Duke Energy Hot Spring, LLC*, 98 FERC ¶ 61,287 (2002); *PSEG Fossil, LLC, et al.*, 95 FERC ¶ 61,405 (2001).

submission of bid proposals; and development of financing programs related to owning or operating the West Raymond Facility and/or additional electric generation facilities that satisfy the criteria for EWG status;<sup>11</sup>

Pursuant to Section 366.7(a) of the Commission's regulations,<sup>12</sup> a copy of this Notice of Self-Certification of Exempt Wholesale Generator Status is being concurrently served upon the Public Utility Commission of Texas.

#### **IV. CONCLUSION**

For the reasons set forth in this notice of self-certification, West Raymond Wind satisfies the Commission's requirements for EWG status.

Respectfully submitted,

**/s/ Paul Varnado**

Paul Varnado  
*Counsel for RWE Renewables  
Americas, LLC*

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<sup>11</sup> See, e.g., *Empresa Valley Hermosa, S.A.*, 72 FERC ¶ 61,306 (1995). West Raymond Wind will, to the extent required by the Commission, file a new notification of EWG status if it acquires ownership and/or operating interests in any additional Eligible Facilities or EWGs not described herein.

<sup>12</sup> 18 C.F.R. § 366.7(a).

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

**West Raymond Wind Farm, LLC )**

**Docket No. EG20-\_\_-000**

**NOTICE OF SELF-CERTIFICATION  
OF EXEMPT WHOLESALE GENERATOR STATUS**

(\_\_\_\_\_, 2020)

Take notice that on April 29, 2020, West Raymond Wind Farm, LLC (“Applicant”) filed a Notice of Self-Certification demonstrating that the Applicant is an exempt wholesale generator within the meaning of section 366.1 of the Commission’s regulations.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 C.F.R. §§ 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate, pursuant to 18 C.F.R. § 385.214. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the “eLibrary” link and is available for review in the Commission’s Public Reference Room in Washington, D.C. There is an “eSubscription” link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Kimberly D. Bose  
Secretary**