



Control Number: 20311



Item Number: 445

Addendum StartPage: 0



North America Europe Asia

RECEIVED
2020 MAY -5 AM 10:02
FEDERAL ENERGY REGULATORY COMMISSION

1901 L Street, NW
Washington, DC 20036
T +1 202 282 5000
F +1 202 282 5100

ALEXANDRA J. HEMMINGS
Associate
202-282-5824
AHemmings@winston.com

April 30, 2020

Public Utility Commission of Texas
1701 N. Congress Avenue
PO Box 13326
Austin, TX 78711-3326

Re: Notice of Self-Certification of EWG Status (Docket No. EG20-____-000)

Ladies and Gentlemen:

Taygete Energy Project, LLC filed the enclosed Notice of Self-Certification of Exempt Wholesale Generator Status this afternoon in Docket No. EG20-____-000. This mailing constitutes service in accordance with Rule 2010 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Sincerely,

Alexandra J. Hemmings

Alexandra J. Hemmings

Enc: Notice of Self-Certification of Exempt Wholesale Generator Status (Docket No. EG20-____-000)

445

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

Taygete Energy Project, LLC

)

Docket No. EG20-____-000

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

Pursuant to section 1266 of the Public Utility Holding Company Act of 2005 (“PUHCA 2005”)¹ and section 366.7(a) of the regulations of the Federal Energy Regulatory Commission (“FERC” or “Commission”),² Taygete Energy Project, LLC (“Taygete” or “Applicant”) hereby submits this notice of self-certification as an exempt wholesale generator (“EWG”), as defined in section 366.1 of the Commission’s regulations.³

I. CORRESPONDENCE AND COMMUNICATIONS

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

Michael A. Yuffee
Ryan C. Norfolk
Winston & Strawn, LLP
1901 L Street NW
Washington, D.C. 20036
Tel. (202) 282-5342
myuffee@winston.com
rnorfolk@winston.com

Andrew Golder
Sr. Director of Transmission Planning
7x Energy
3809 Juniper Trace
Austin, TX 78738
Andrew.golder@7x.energy

II. DESCRIPTION OF APPLICANT

Taygete is a Delaware limited liability company engaged in the business of operating an approximately 250 MW_{AC} (nameplate) solar photovoltaic generating facility and associated

¹ Pub. L. No. 109-58, 119 Stat. 594, § 1266 (2005).

² 18 C.F.R. § 366.7(a) (2019).

³ 18 C.F.R. § 366.1 (2019).

interconnection facilities located in Pecos County, Texas ("Facility"). The Facility is interconnected to the AEP Texas Inc. ("AEP Texas") transmission system in the Electric Reliability Council of Texas balancing authority area. Taygete and Northern States Power Company ("Northern States") are parties to a 10-year and seven months' wholesale power purchase agreement effective July 1, 2020, pursuant to which Northern States will purchase the majority of the electric energy, capacity, and ancillary services produced by the Facility, with the rest being sold to the market on a merchant basis. The Facility does not include (and the Applicant does not own, operate, or control) any transmission facilities other than limited and discrete interconnection facilities needed to connect the Facility to AEP Texas' transmission system. The Applicant expects to begin to generate test energy on or about June 11, 2020, and expects to reach commercial operation on or about March 17, 2021.

III. SELF CERTIFICATION OF EWG STATUS

Taygete makes the following representations in order to demonstrate that it meets the Commission's definition of an EWG under Section 366.1 of the Commission's regulations for its energy sales from the Facility.

- A. Taygete is engaged directly and exclusively in the business of operating the Facility, which will be used exclusively to generate electric products exclusively for sale at wholesale. Taygete's ongoing generation development activities are incidental to the wholesale generation business and will not violate the EWG exclusivity requirement. The Facility, as described above, will satisfy the definition of "Eligible Facilities" in Section 32(a)(2) of the Public Utility Holding Company Act of 1935, as incorporated by reference in 18 C.F.R. § 366.1, because it will be used for the generation of electric energy exclusively for sale at wholesale.

- B. The Facility includes no transmission or distribution facilities other than those interconnecting transmission facilities necessary to permit sales of electricity exclusively at wholesale.
- C. Applicant does not make sales of power at retail.
- D. The Facility is not located in a foreign country, and Taygete will not make any foreign sales of power at retail. All electric energy generated by the Facility will be sold directly within the United States exclusively at wholesale.
- E. No rate or charge for, or in connection with, the construction of the Facility, or for any electric energy produced thereby, was in effect under the laws of any state on October 24, 1992. As such, no determination of certification by any state commission is necessary prior to acceptance of this self-certification as an EWG.
- F. Other than Taygete, no portion of the Facility will be owned or operated by an electric utility company that is an affiliate or associate company of Applicant, as those terms are defined in Section 366.1 of the Commission's regulations.
- G. There are no lease arrangements involving the Facility and any public utility company or any affiliate or associate company of any public utility company.

In accordance with Section 366.7(a) of the Commission's regulations, a copy of this notice of self-certification is being concurrently served upon the Public Utility Commission of Texas.

III. CONCLUSION

Based on the facts, representations, and statements set forth herein, Taygete hereby requests that the Commission accept this notice of self-certification of EWG status.

Respectfully Submitted,

Michael A. Yuffee

Michael A. Yuffee
Alexandra J. Hemmings
Winston & Strawn, LLP
1901 L Street NW
Washington, D.C. 20036

*Attorneys for
Taygete Energy Project, LLC*

Dated: April 30, 2020

CERTIFICATE OF SERVICE

I, Alexandra J. Hemmings, hereby certify that I have this day caused the foregoing Notice of Self-Certification of Exempt Wholesale Generator Status of Taygete Energy Project, LLC, to be served by first-class mail upon the Public Utility Commission of Texas.

Dated at Washington, D.C., this 30th day of April, 2020.

Alexandra J. Hemmings

Alexandra J. Hemmings
Winston & Strawn, LLP
1901 L Street NW
Washington, D.C. 20036
Tel: (202) 282-5824
ahemmings@winston.com