



**CIMARRON BEND WIND PROJECT II, LLC**  
A SUBSIDIARY OF ENEL GREEN POWER NORTH AMERICA, INC.

MEGAN J. BEAUREGARD  
SENIOR ASSOCIATE GENERAL COUNSEL  
[megan.beauregard@enel.com](mailto:megan.beauregard@enel.com)  
978-296-6822

September 6, 2016

**VIA ELECTRONIC FILING**

**Via E-Filing**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Re: Exempt Wholesale Generator Filing for Cimarron Bend Wind Project II, LLC  
Docket No. EG16-\_\_\_\_\_

Dear Secretary Bose:

Enclosed for filing please find a Notice of Self-Certification for Exempt Wholesale Generator Status for the Cimarron Bend Wind Project II, LLC.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

/s/

Megan J. Beauregard  
Senior Associate General Counsel

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

Cimarron Bend Wind Project II, LLC     )  
                                                          )     Docket No. EG16-\_\_\_\_\_ -000  
                                                          )

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

---

Pursuant to the Public Utility Holding Company Act of 2005 (“PUHCA 2005”), enacted as part of the Energy Policy Act of 2005,<sup>1</sup> and Section 366.7 of the Rules and Regulations of the Federal Energy Regulatory Commission (“Commission”),<sup>2</sup> Cimarron Bend Wind Project I, LLC (“Applicant”) hereby submits this Notice of Self-Certification of Exempt Wholesale Generator (“EWG”) Status based on its development, ownership and operation of an 200MW wind powered electric generating facility located in Clark County, Kansas (the “Facility”).

**I. CORRESPONDENCE AND COMMUNICATIONS**

All communications and correspondence regarding this Notice shall be directed to:

Megan Beauregard  
Senior Associate General Counsel  
Enel Green Power North America, Inc.  
1 Tech Drive, Ste 220  
Andover, MA 01810  
Phone: (978) 296-6822  
megan.beauregard@enel.com

---

<sup>1</sup> EPAAct 2005, Pub. L. No. 109-58, 1261-80, 119 Stat. 594 (2005).

<sup>2</sup> 18 C.F.R. § 366.7 (2011).

## II. DESCRIPTION OF APPLICANT

Applicant is a limited liability company organized under the laws of the State of Delaware with a corporate office located in Andover, Massachusetts. The Facility is located in Clark County, Kansas. The Facility is a new 200 MW, wind powered electric generating plant. The Applicant is developing the Facility within the CMS Electric Cooperative service territory. The Facility will interconnect with the transmission facilities that are owned and controlled by ITC Great Plains, LLC. The Facility is expected to commence commercial operations in January 2017.

## III. SELF CERTIFICATION OF EWG STATUS

The Commission's regulations require that an EWG be engaged directly or indirectly through one or more affiliates, and exclusively in the business of owning and/or operating one or more eligible facilities and selling electric energy at wholesale.<sup>3</sup> Consistent with the Commission's regulations, Applicant makes the following representations to certify that it will satisfy the requirements for EWG status:

1. Applicant will be engaged directly and exclusively in the business of owning or operating, or both owning and operating, all or part of one or more "eligible facilities" and selling electric energy at wholesale.
2. The Facility will satisfy the definition of an "eligible facility" because it will be used for the generation of electric energy exclusively for sale at wholesale. The Applicant will not own any transmission facilities other than those interconnection facilities that are necessary to effect the wholesale sale of electric energy from the Facility, consistent with Commission precedent construing the definition of "eligible facility" under Section 32(a)(2) of PUHCA 1935.
3. No rate or charge for, or in connection with, the construction of the Facility, or for

---

<sup>3</sup> See 18 C.F.R. §§ 366.7 and 366.1 (2008). Section 366.1 incorporates Sections 32(a)(2) through (4), and Sections 32(b) through (d) of the Public Utility Holding Company Act of 1935, 15 U.S.C. §§ 79z-5a(a)(2)-(4), 79z-5b(b)-(d) ("PUHCA 1935"), for the purposes of establishing or determining whether an entity qualifies for EWG status.

electric energy produced thereby, was in effect under the laws of any State on October 24, 1992 and, therefore, no State determination is required with respect to this filing.

4. 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 the Commission’s regulations.<sup>4</sup>

In accordance with Section 366.7(a) of the Commission’s regulations, a copy of this Notice is concurrently being served upon the Kansas Public Service Commission.

#### IV. CONCLUSION

For the foregoing reasons, Applicant respectfully requests that the Commission accept this Notice of Self-Certification of EWG Status.

Respectfully submitted,

/s/ Megan Beauregard

Megan Beauregard  
Senior Associate General Counsel  
Enel Green Power North America, Inc.  
1 Tech Drive, Ste 220  
Andover, MA 01810  
P: 978-296-6822  
megan.beauregard@enel.com

Dated: September 6, 2016

---

<sup>4</sup> The terms “electric utility company,” “affiliate,” and “associate company” are defined in 18 C.F.R. § 366.1 (2011).

Document Content(s)

EWG Filing Final.DOCX.....1-4