

HISCOCK & BARCLAY^{LLP}

Arthur W. Adelberg
Partner

December 15, 2014

By Electronic Filing

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Re: Crawfordsville Energy, LLC Application for Market-Based Rate Authorization
and Request for Waivers and Blanket Authorizations; Docket No. ER15-____-000

Dear Secretary Bose:

Attached please find the Application for Market-Based Rate Authorization and Request for Waivers and Blanket Authorizations of Crawfordsville Energy, LLC (public and privileged versions). Applicant respectfully requests a tariff effective date of February 14, 2014.

Appendix E to this Application contains commercially sensitive information. Applicant respectfully requests that it be treated as Privileged and Confidential and not be placed in the public record. Accordingly, Appendix E is redacted from the public version of the attached Application.

Please contact me if you have any questions regarding this filing.

Sincerely,

/s/ Arthur W. Adelberg

Arthur W. Adelberg
Counsel for Crawfordsville Energy, LLC

Enclosures

CRAWFORDSVILLE ENERGY, LLC
FERC ELECTRIC TARIFF, VOLUME NO. 1

1. Availability: Crawfordsville Energy, LLC (“Crawfordsville”) makes electric energy and capacity available under this FERC electric tariff to any purchaser, except as prohibited below. Crawfordsville also makes available, to any purchaser, ancillary services except as prohibited below:
 - a. New England: Crawfordsville offers regulation and frequency response service (automatic generator control), operating reserve service (which includes 10-minute spinning reserve, 10-minute non-spinning reserve, and 30-minute operating reserve service) to purchasers within the markets administered by the ISO New England, Inc.
 - b. New York: Crawfordsville offers regulation and frequency response service, and operating reserve service (which includes 10-minute non-synchronous, 30-minute operating reserves, 10-minute spinning reserves, and 10-minute non-spinning reserves) for sale to purchasers in the market administered by the New York Independent System Operator, Inc.
 - c. PJM: Crawfordsville offers regulation and frequency response service, energy imbalance service, and operating reserve service (which includes spinning, 10-minute, and 30-minute reserves) for sale into the market administered by PJM Interconnection, L.L.C. (“PJM”) and, where the PJM Open Access Transmission Tariff permits, the self-supply of these services to purchasers for a bilateral sale that is used to satisfy the ancillary services requirements of the PJM Office of Interconnection.
 - d. California. Crawfordsville offers regulation service, spinning reserve service, and non-spinning reserve service to the California Independent System Operator Corporation (“CAISO”) and to others that are self-supplying ancillary services to the CAISO.
 - e. Midwest ISO. Crawfordsville offers regulation service and operating reserve service (which include 10-minute spinning reserve and 10-minute supplemental reserve) for sale to the Midwest Independent Transmission System Operator, Inc. (“Midwest ISO”) and to others that are self-supplying ancillary services to Midwest ISO.
 - f. Third-Party Ancillary Services: Crawfordsville offers Regulation Service, Energy Imbalance Service, Spinning Reserves, and Supplemental Reserves. Sales will not include the following: (1) sales to an RTO or an ISO, *i.e.*, where that entity has no ability to self-supply ancillary services but instead depends on third parties; (2) sales to a traditional, franchised public utility affiliated with the third-party supplier, or sales where the underlying transmission service is on the system of a public utility affiliated with the third-party supplier; and (3) sales to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to its own customers.

2. Applicability: This tariff is applicable to all sales of energy, capacity and ancillary services by Crawfordsville at market-based rates.
3. Rates: All sales shall be made at rates established by agreement between the purchaser and Crawfordsville.
4. Other Terms and Conditions: All other terms and conditions shall be established by agreement between Crawfordsville and the purchaser.
5. Compliance with Commission Regulations: Crawfordsville shall comply with the provisions of 18 C.F.R. Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning Crawfordsville's market-based rate authority, including orders in which the Commission authorizes Crawfordsville to engage in affiliate sales under this tariff or otherwise restricts or limits Crawfordsville's market-based rate authority. Failure to comply with the applicable provisions of 18 C.F.R. Part 35, Subpart H, and with any orders of the Commission concerning Crawfordsville's market-based rate authority, will constitute a violation of this tariff.
6. Limitations and Exemptions Regarding Market-Based Rate Authority: Crawfordsville has been granted the following waivers and exemptions in connection with its market-based rate authority: (i) waiver of Subparts B and C of Part 35 regarding the filing of rate schedules, except Sections 35.12(a), 35.13(b), 35.15 and 35.16; (ii) waiver of the accounting and related reporting requirements under Parts 41, 101 and 141 of the Commission's regulations, except for Parts 141.14 and 141.15; and (iii) blanket authorization under Section 204 of the Federal Power Act, 16 U.S.C. § 824c, and Part 34 of the Commission's regulations to issue securities and assume obligations and liability. See *Crawfordsville Energy, LLC*, Letter Order Granting Market-Based Rate Authorization, Docket No. ER15- (February __, 2015).
7. Seller Category: Crawfordsville is a Category 1 Seller in all Regions, as defined in 18 C.F.R. 35.36(a).
8. Effective Date: This tariff is effective upon the date specified by the Commission.

**BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C.**

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)	
Crawfordsville Energy, LLC)	Docket No. ER15-____-000
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**APPLICATION FOR MARKET-BASED RATE AUTHORITY, DESIGNATION
OF CATEGORY 1 STATUS, AND REQUEST FOR WAIVERS AND
BLANKET APPROVALS**

INTRODUCTION

Pursuant to Section 205 of the Federal Power Act (“FPA”), 16 U.S.C. § 824d (2014), Rules 205 and 207 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or “Commission”), 18 C.F.R. §§ 385.205 and 385.207 (2014), and Part 35 of the Commission's Regulations, 18 C.F.R. Part 35 (2014), Crawfordsville Energy, LLC (“Crawfordsville”) respectfully requests that the Commission designate it as a Category 1 Seller in all Regions and: (1) grant it authorization to make wholesale sales of electric capacity, energy and ancillary services at market-based rates; (2) accept for filing its attached market-based rate (“MBR”) tariff, FERC Electric MBR Tariff No 1 (“Tariff”), to become effective February 15, 2015; and (3) grant such waivers and blanket authorizations as the Commission has granted to other market-based rate sellers.

I. COMMUNICATIONS

Applicant requests that the following persons be placed on the official list for service in this proceeding and respectfully requests waiver, to the extent necessary, of Section

385.203(b)(3) of the Commission's regulations, 18 C.F.R. § 385.203(b)(3)(2014), to permit designation of such persons:

William J. Harrington*
President & CEO
Sterling Energy Group, LLC
532 Connecticut St.
Gary, IN 46402
Tel: (219) 886-0661
Bharrington_1@msn.com

Arthur W. Adelberg*
Hiscock & Barclay LLP
1325 G St NW
Suite 500
Washington, DC 20005
Tel: (202) 380-6514
aadelberg@hblaw.com

George M. Pond*
Hiscock & Barclay LLP
80 State St.
Albany, NY 12207
Tel: (518) 429-4232
gpond@hblaw.com

* Individual designated for service

II. EXACT NAME AND ADDRESS OF APPLICANT

The exact name of the Applicant is Crawfordsville Energy, LLC. Its principal place of business is 532 Connecticut St., Gary, IN 46402.

III. DOCUMENTS INCLUDED IN THIS FILING

The following documents are attached to this Application:

- App. A: Crawfordsville Energy, LLC FERC Electric Tariff No. 1
- App. B: Asset Appendix
 - Market Based Rate Authority and Generation Assets
 - Electric Transmission Assets and/or Natural Gas Intrastate Pipelines and/or Gas Storage Projects
- App. C: Comparison of Losses on Un-Tariffed Sales with Time-Value of Monies Received

- App. D: Horizontal Market Screens
- App. E: **PRIVILEGED AND CONFIDENTIAL** List of Sterling Energy Group, Inc. Shareholders

IV. DESCRIPTION OF APPLICANT

Crawfordsville owns a 24.1 MW coal-fired generating plant and associated interconnection facilities (“the Plant”) located in Crawfordsville, Indiana, in the retail service territory of Crawfordsville Electric Light & Power (“CELP”), a municipal utility. It was built by CELP as a single-unit 11 MW plant with a diesel generator for black-start capability in 1938, and upgraded with a second unit to its current capacity in 1965. CELP operated the Plant until December 31, 2013, when it sold the plant to Sterling Energy Group, Inc. (“Sterling”).¹ Under the acquisition agreement with CELP, Crawfordsville remains interconnected to, and maintains the ability to make sales into, the MISO grid through transformers owned by CELP. Sterling has operated the Plant intermittently since then, selling test power to the Indiana Municipal Power Agency (“IMPA”), but the Plant has not operated since August 1, 2014.² Sterling plans to make the plant a combined heat and power (“CHP”) facility through the use of clean coal technologies on one of the Plant’s two existing coal units as well as adding combined cycle gas-fired capacity and the addition of a steam loop.

Sterling is a privately-owned energy company formed under the laws of the State of Indiana with limited operations in power generation and oil and gas production and transmission. Sterling is primarily owned by two individuals, William J. Harrington, who owns 37.4 percent of the company, and Fred L. Solomon, who owns 24.9 percent. The remaining approximately 130

¹ In anticipation of the acquisition, Crawfordsville filed a Notice of Self-Certification as an EWG in Docket No. EG12-110-000. The Commission issued a Notice of Effectiveness on December 5, 2012.

² While the sales were made without a tariff on file, Crawfordsville lost money on them. See discussion at Section VII, below.

shareholders individually each own less than 5 percent of the company. A comprehensive list of Sterling's shareholders is attached as Appendix E. **This list is commercially sensitive, and Crawfordsville requests that it be treated as Privileged and Confidential.** To the best of our knowledge, none of Sterling's shareholders owns other electric generation or transmission assets or gas assets. Sterling will be the only member of Crawfordsville.

In addition to owning Crawfordsville, Sterling is the sole direct owner of Niagara Generation, LLC ("Niagara"), Sterling Energy, LLC ("Sterling Energy"), Sterling Natural Resources, LLC ("SNR"), and KYNGO Holdings LLC ("KYNGO").

Sterling acquired Niagara, which owns a 51 MW coal and biomass fired generating plant in Niagara Falls, New York, from USRG Biomass, LLC in August 2013. Niagara sells power into the NYISO market under market-based rate authority originally granted to a predecessor entity, WPS Niagara Generation, LLC, by the Commission in 2002.³ Sterling is planning to convey Niagara's assets to a new subsidiary, NiGen, LLC, in order to facilitate refinancing of the assets. In that connection, Niagara and NiGen, LLC have applied to the Commission for approval of the sale under FPA Section 203,⁴ and NiGen has filed an application for MBR authority (in case the Commission does not allow Niagara to transfer its MBR authority as part of the asset sale).⁵

Of Sterling's remaining subsidiaries, Sterling Energy is a developer of "clean coal" technologies that owns no generating facilities; SNR is currently inactive; and KYNGO and its subsidiaries, all of which are directly or indirectly owned by KYNGO, own and operate

³ *WPS Niagara Generation LLC*, Letter Order (Docket No. ER03-55 (December 3, 2002)). The Commission approved the sale of Niagara Generation to USRG in 2006. *See WPS Empire State, Inc.*, 117 FERC ¶ 62,244 (2006). Shortly thereafter, Niagara filed a Notice of Non-Material Change in Status and Notice of Succession, which the Commission accepted in *Letter Order*, Docket No. ER07-585-000 and ER07-585-001 (May 24, 2007). On September 23, 2010, the Commission granted Niagara Category 1 Status in Docket No. ER07-585-003.

⁴ *Niagara Generation, LLC, et al.*, Docket No. EL15-43-000, Application filed December 2, 2014.

⁵ *NiGen, LLC*, Docket No. ER15-567-000, Application filed December 3, 2014.

approximately 100 miles of pipeline and gathering systems in Butler and Warren County, Kentucky, used to deliver gas from company-owned wells to an industrial customer.

Neither Sterling nor any of its subsidiaries owns or operates any facilities for the transmission of electricity (other than interconnection facilities). The only facilities owned by Crawfordsville and its affiliates for the sale of electric power are the Plant and the associated books and records; and the generation, interconnection facilities, books, records and market-based rate tariff of Niagara mentioned above. They do not own or operate any facilities for the distribution of electric power at retail and have no contracts with any transmission owner or electric distribution utility.

The Plant is located in the Central region as identified in Appendix D of Order No. 697.⁶

V. REQUEST FOR BLANKET AUTHORIZATION TO SELL ELECTRICITY AT MARKET-BASED RATES

Crawfordsville requests authorization to sell electric energy, capacity, and ancillary services at market-based rates pursuant to the attached FERC Electric Tariff No. 1. The Commission allows power sales at market-based rates if the seller and its affiliates do not have, or have adequately mitigated, horizontal and vertical market power. The Commission has also codified affiliate restrictions in its regulations, which must be satisfied on an ongoing basis.⁷

A. Crawfordsville Does Not Have Horizontal Market Power

Under Order No. 697, applicants for market-based rates are required to show a lack of horizontal market power. The Horizontal Market Power Analysis examines the balancing

⁶ *Market-Based Rates for Wholesale Sales of Elec. Energy*, Order No. 697, *FERC Stats. & Regs.* ¶ 31,252 at P 23, *clarified*, 121 FERC ¶ 61,260 (2007), *order on rehearing*, Order No. 697-A, *FERC Stats. & Regs.* ¶ 31,268, *clarified*, 124 FERC ¶ 61,055, *order on rehearing*, Order No. 697-B, *FERC Stats. & Regs.* ¶ 31,285 (2008), *order on rehearing*, Order No. 697-C, *FERC Stats. & Regs.* ¶ 31,291 (2009), *order on rehearing*, Order No. 697-D, *FERC Stats. & Regs.* ¶ 31,305 (2010), *aff'd sub nom. Montana Consumer Counsel v. FERC*, 659 F. 3d 910 (9th Cir. 2011), *cert. denied*, 133 S. Ct. 26 (2012).

⁷ Order No. 697 at P 23.

authority area in which the seller's generation is physically located through two screens, the Pivotal Supplier Analysis and the Wholesale Market Share Analysis, each of which serves as a check on the other to determine whether a seller has the ability to exercise horizontal market power. The Commission has authorized the submission of streamlined applications and the use of simplifying assumptions where appropriate.⁸ The Commission also allows applicants to rely on recently accepted market power analyses from other cases.⁹ In this Application, Crawfordsville is relying on data provided in horizontal market screen analyses for the MISO balancing area set forth in Exh. PHR-1 of the updated market analysis submitted by Cleco Power LLC, *et al.*, on January 29, 2014 in Docket No. 10-1825-003 ("Cleco Exh. PHR-1"). The Commission relied on that analysis in *Dow Chemical Co.*, 148 FERC ¶ 61,017 at P 12 (2014).

Generally, an applicant's relevant geographic market is: (i) the balancing authority area in which the applicant's generation is located and markets directly connected to such control area market, except that if a generator is interconnected to a transmission system that is not owned by an affiliate of the generator, the relevant market is the control area in which the generator is located;⁹ or (ii) if an applicant is located within an independent system operator ("ISO") or regional transmission organization ("RTO") market with Commission-approved market structures in place, the geographic region under the control of such ISO/RTO is the relevant geographic market for an applicant's market-based rate analysis.¹⁰ Based on Order No. 697 and Order No. 697-A, the relevant geographic market for Crawfordsville is the MISO Balancing Authority Area.

⁸ Order No. 697 at P 337; *see also AEP Power Marketing, Inc.*, 107 FERC ¶ 61,018, *order on rehearing*, 108 FERC ¶ 61,026, at P 107 (2004).

⁹ *See Dow Chemical Co.*, 148 FERC ¶ 61,017 at P 12 (2014).

The pivotal supplier test compares the amount of uncommitted capacity owned or controlled by a seller in the relevant market and the net uncommitted capacity in that market. If the seller's total uncommitted capacity in the market is less than the difference between the uncommitted supply and the wholesale load in the market, the seller passes the screen.¹⁰ As shown at Appendix D, page 1, total uncommitted supply in the MISO control area is 58,636 MW, and wholesale load is 15,996 MW, leaving net uncommitted supply of 42,640 MW. With capacity of only 24.1 MW, Crawfordsville passes this test.

The market share screen reflects the total share of uncommitted capacity in the relevant market during each of the four seasons. If the seller's share of uncommitted capacity is under 20 percent in each season, the seller passes this screen.¹¹ As shown in Appendix D, page 2, total uncommitted capacity ranges from 59,753 MW (summer) to 80,014 MW (fall),¹² and Crawfordsville's 24.1 MW ranges from about 0.3 to 0.4 percent of those amounts. Therefore, Crawfordsville passes this test.

B. Crawfordsville Does Not Have Vertical Market Power

Pursuant to Order No. 697, a market-based rate authority applicant must demonstrate that it and its relevant affiliates lack vertical market power because (i) they lack, or have adequately mitigated, transmission market power and (ii) they cannot erect barriers to entry. Crawfordsville clearly meets those requirements.

First, neither Crawfordsville nor any of its affiliates own, operate or control transmission facilities within the United States, other than the limited interconnection facilities that are part of

¹⁰ *AEP Power Marketing, Inc.*, *supra*, 107 FERC ¶ 61,018 at P 99.

¹¹ Order No. 697 at P 44.

¹² *See* Cleco Exh. PHR-2 in Docket No. ER10-1825-003, *supra*.

the Facility and the Crawfordsville Facility. An applicant's ownership of limited interconnection facilities for such purposes does not confer the applicant with transmission market power.¹³

Second, apart from the very limited natural gas facilities of KYNGO, neither Crawfordsville nor its affiliates has any ownership in or control in the United States of intrastate natural gas transportation, intrastate natural gas storage or distribution facilities; sites for generation capacity development; sources of coal supplies and the transportation of coal supplies such as barges and rail cars; and Crawfordsville has not erected barriers to entry in the United States and will not erect barriers to entry in the United States. The natural gas facilities of KYNGO and its subsidiaries are limited to intrastate natural gas pipelines and gathering facilities in Kentucky used solely to transport gas from company wells to a single industrial customer and therefore present no threat of vertical market power.

Third, neither Crawfordsville nor its affiliates has erected barriers to entry into the MISO Balancing Authority Area or any other Balancing Authority Area, and neither will erect barriers to entry into the MISO Balancing Authority Area or any other Balancing Authority Area.

VI. SELLER CATEGORY

Crawfordsville will be a wholesale power producer that (1) owns or controls less than 500 MW of generation in aggregate in the Central Region and no generating capacity in the Northeast, Northwest, Southwest, Southeast, or SPP Regions; (2) does not own, operate or control transmission facilities in any Region (other than limited equipment necessary to connect individual generating facilities to the transmission grid); (3) will not be affiliated with anyone that owns, operates or controls transmission facilities in any Region; (4) is not be affiliated with

¹³ See, e.g., *Eastern Desert Power, LLC*, 114 FERC ¶ 61,340 at P 13 (2006).

a franchised public utility in any Region; and (5) does not raise other vertical market power issues. Therefore, Crawfordsville meets the criteria for Category 1 Status in all Regions.

Attached hereto are charts identifying Crawfordsville's energy affiliate and associated assets, as prescribed in Order No. 697, Appendix B.

VII. CRAWFORDSVILLE SHOULD NOT BE REQUIRED TO ISSUE REFUNDS FOR SALES OF POWER PRIOR TO THE EFFECTIVE DATE OF THE TARIFF

As noted above, Crawfordsville made limited sales of test power to IMPA between January 1 and August 1, 2014, during which time it had no FERC tariff on file. While the Commission generally requires parties that profit from un-tariffed sales to make refunds,¹⁴ that requirement does not apply where "the monies received did not include any profit and time-value refunds would result in a loss." *Florida Power & Light Co.*, 133 FERC ¶ 61,120 at P 5 (2010). As shown in Appendix C hereto, Crawfordsville's losses on the sales exceeded the time value of the money it collected for those sales. Accordingly, the Commission should not require Crawfordsville to issue any refund to IMPA.

VIII. REQUEST FOR WAIVERS AND ADDITIONAL BLANKET AUTHORITY

Crawfordsville requests waivers from the following Commission regulations, which have been granted to other sellers:

- 1) Subparts B and C of Part 35, regarding the filing of rate schedules, except sections 35.12(a), 35.13(b), 35.15, and 35.16;

¹⁴ *San Gorgonio Farms, Inc.*, 140 FERC ¶ 61,234 (2012) at P 44, citing *Prior Notice and Filing Requirements under Part II of the Federal Power Act*, 64 FERC ¶ 61,139, clarified, 65 FERC ¶ 61,083 (1993). See also *Central Hudson Gas & Elec. Corp.*, 60 FERC ¶ 61,106, reh. denied, 61 FERC ¶ 61,089 (1992).

- 2) Part 41, regarding accounts, records, and memoranda;
- 3) Part 101, regarding the uniform system of accounts; and
- 4) Part 141 (except Parts 141.14 and 141.15), regarding statements and reports.

Crawfordsville also requests blanket approval under Part 34 of the Commission's regulations of future issuances regarding securities and assumptions of liabilities, subject to objection by an interested party.

IX. REQUESTED EFFECTIVE DATE

Crawfordsville respectfully requests that the Commission accept the Tariff for filing effective February 15, 2015.

X. QUARTERLY FILINGS

Crawfordsville will submit electric quarterly reports in accordance with the requirements of Order No. 2001.¹⁵

XI. CONCLUSION

WHEREFORE, Crawfordsville requests that the Commission issue an order accepting FERC Electric Tariff No. 1 effective February 15, 2015 and granting the waivers and authorizations requested herein.

¹⁵ *Revised Public Utility Filing Requirements*, Order No. 2001, FERC Stats. & Regs. ¶ 31,127, *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reh'g denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filing*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001-D, 102 FERC ¶ 61,334 (2003).

Respectfully submitted,

CRAWFORDSVILLE ENERGY, LLC

By: /s/Arthur W. Adelberg

Arthur W. Adelberg

Hiscock & Barclay LLP

1325 G St NW

Suite 500

Washington, DC 20005

Tel: (202) 380-6514

aadelberg@hblaw.com

Counsel for Crawfordsville Energy, LLC

December 15, 2014

APPENDIX B

ASSET APPENDIX

Market-Based Rate Authority and Generation Assets

Filing Entity and its Energy Affiliates	Docket # where MBR authority was granted	Generation Name	Owned By	Controlled By	Date Control Transferred	Location		In-service Date	Nameplate and/or Seasonal Rating
						Balancing Authority Area	Geographic Region (per Appendix D)		
Niagara Generation, LLC	ER03-55	Niagara Generation	Niagara Generation	Niagara Generation	11/1/2013	NYISO	Northeast	1991	51 MW (nameplate)

Electric Transmission Assets and/or Natural Gas Intrastate Pipelines and/or Gas Storage Facilities

Filing Entity and its Energy Affiliates	Asset Name and Use	Owned By	Controlled By	Date Control Transferred	Location		Size
					Balancing Authority Area	Geographic Region (per Appendix D)	
KYNGO Holdings, LLC and subs	Viking Gas Pipeline, LLC and Gulfstar Energy Group, LLC; gathering system for gas from company-owned wells to industrial customer	KYNGO Holdings, LLC	KYNGO Holdings, LLC	NA	SERC	CENTRAL	Approx. 100 miles of gas pipeline with 1,000 MMcf/day capacity

APPENDIX C

COMPARISON OF LOSSES ON UN-TARIFFED SALES VS. TIME VALUE OF MONIES RECEIVED

Crawfordsville Energy, LLC
Income Statement Data and Interest Calculation
Management Use only

	Account	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
A	Total Revenues			153,454.00	124,422.66	218,768.00	24,619.93	133,846.96	48,515.84			
B	Interest on Revenue at 3.25%			3,744.00	2,696.00	4,144.00	402.00	1,815.00	524.00			
C	Total Cost of Sales			92,072.40	76,690.44	131,260.80	14,771.96	80,308.18	29,109.50	101,968.32	16,015.22	6,742.51
D	O&M Expense	50,286.16	45,713.30	50,151.77	58,316.92	71,728.57	55,462.93	71,059.11	63,052.06	93,399.32	105,088.88	55,678.06
E	Net Operating Income (Loss)	(50,286.16)	(45,713.30)	11,229.83	(10,584.70)	15,778.63	(45,614.96)	(17,520.32)	(43,645.73)	(195,367.64)	(121,104.10)	(62,420.57)

TIME VALUE OF MONIES RECEIVED (ROW B): \$13,325

CUMULATIVE NET OPERATING LOSS (ROW E, COLS. MARCH THRU AUGUST): (\$90,357.25)

EXCESS OF LOSS OVER TIME VALUE: \$77,032.25

APPENDIX D

HORIZONTAL MARKET SCREENS

Row	Generation	MW	Reference
Capacity Owned or Controlled by Crawfordsville			
A	Installed Capacity	24	
B	Long-Term Firm Purchases	-	
C	Long-Term Firm Sales	-	
D	Imported Power	-	
Non-Affiliate Capacity			
E	Installed Capacity	156,766	Workpaper -
	Long-Term Firm Purchases	8,113	Workpaper - SIL
G	Long-Term Firm Sales	(2,747)	Workpaper - SIL
H	Imported Power	10,165	Workpaper - SIL
I	Balancing Authority Area Reserve Requirement	(4,753)	Workpaper - Reserves
J	Amount of Line I Attributable to Seller		
K	Total Uncommitted Supply	54,910	Sum of Rows A, B, C, D, E, F, G, H, I, M
Load			
L	Balancing Authority Area Annual Peak	128,654	Workpaper - Load
M	Average Daily Peak Native Load in Peak	(112,658)	Workpaper - Load
N	Amount of Line M Attributable to Seller, if Any		Workpaper - Load
O	Wholesale Load (Sum of Rows L, M)	15,972	Row L + Row M
P	Net Uncommitted Supply	38,938	Row K - Row O
Q	Seller's Uncommitted Capacity	24	Sum of Rows A, B, C, D, J, N
	Result of Pivotal Supplier Screen	PASS	Pass if Row Q < Row P; Fail if Row Q > Row P

Market Share Analysis – MISO Market

Row		Winter (MW)	Spring (MW)	Summer (MW)	Fall (MW)	Reference
Seller and Affiliate Capacity						
A	Installed Capacity	24	24	24	24	
B	Long-Term Firm Purchases	-	-	-	-	
C	Long-Term Firm Sales	-	-	-	-	
D	Seasonal Average Planned Outages	-	-	-	-	
E	Imported Power					
Capacity Deductions						
F	Average Peak Native Load in the Season	(84,250)	(79,041)	(103,818)	(80,662)	Workpaper -load
G	Amount of Line F Attributable to Seller, if any	-	-	-	-	
H	Amount of Line F Attributable to Others, if any	(84,250)	(79,041)	(103,818)	(80,662)	Row F - Row G
I	Balancing Authority Area Reserve Requirement, if any	(4,354)	(4,354)	(4,753)	(4,354)	Workpaper - reserves
J	Amount of Line I Attributable to Seller, if any	-	-	-	-	
K	Amount of Line I Attributable to Others, if any	(4,354)	(4,354)	(4,753)	(4,354)	Row I - Row J
Non-Affiliate Capacity						
L	Installed Capacity	163,461	163,461	156,766	163,461	Workpaper -
M	Long-Term Firm Purchases	7,369	7,108	8,113	7,108	
N	Long-Term Firm Sales	(2,832)	(2,832)	(2,747)	(2,832)	
O	Local Seasonal Average Planned Outages	(12,983)	(20,658)	(3,981)	(14,324)	Workpaper -
P	Uncommitted Capacity Imports	11,480	11,569	10,165	11,569	Workpaper -
Supply Calculation						
Q	Total Competing Supply (SUM L,M,N,O,P,H,K)	77,891	75,343	59,745	79,966	
R	Seller's Uncommitted Capacity (SUM A,B,C,D,E,G,J)	24	24	24	24	
S	Total Seasonal Uncommitted Capacity (SUM Q,R)	79,915	75,366	59,769	79,990	
T	Seller's Market Share (R/S)	0.2%	0.2%	0.3%	0.2%	
	Results (Pass if < 20%)	PASS	PASS	PASS	PASS	

APPENDIX E

SHAREOWNERS OF STERLING

ENERGY GROUP, INC.

PRIVILEGED AND

CONFIDENTIAL

PRIVILEGED AND CONFIDENTIAL-NON-PUBLIC

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PRIVILEGED AND CONFIDENTIAL-NON-PUBLIC

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PRIVILEGED AND CONFIDENTIAL-NON-PUBLIC

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PRIVILEGED AND CONFIDENTIAL-NON-PUBLIC

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PRIVILEGED AND CONFIDENTIAL-NON-PUBLIC

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FERC rendition of the electronically filed tariff records in Docket No. ER15-00631-000

Filing Data:

CID: C004674

Filing Title: Market Based Rate Tariff

Company Filing Identifier: 426

Type of Filing Code: 400

Associated Filing Identifier:

Tariff Title: FERC Electric MBR Tariff No 1

Tariff ID: 601

Payment Confirmation:

Suspension Motion:

Tariff Record Data:

Record Content Description, Tariff Record Title, Record Version Number, Option Code:

FERC Electric Tariff, Market Base Rate Tariff, 0.0.0, A

Record Narrative Name:

Tariff Record ID: 1

Tariff Record Collation Value: 1000000 Tariff Record Parent Identifier: 0

Proposed Date: 2015-02-15

Priority Order: 500

Record Change Type: NEW

Record Content Type: 1

Associated Filing Identifier:

CRAWFORDSVILLE ENERGY, LLC FERC ELECTRIC TARIFF, VOLUME NO. 1

1. **Availability:** Crawfordsville Energy, LLC (“Crawfordsville”) makes electric energy and capacity available under this FERC electric tariff to any purchaser, except as prohibited below. Crawfordsville also makes available, to any purchaser, ancillary services except as prohibited below:
 - a. **New England:** Crawfordsville offers regulation and frequency response service (automatic generator control), operating reserve service (which includes 10-minute spinning reserve, 10-minute non-spinning reserve, and 30-minute operating reserve service) to purchasers within the markets administered by the ISO New England, Inc.
 - b. **New York:** Crawfordsville offers regulation and frequency response service, and operating reserve service (which includes 10-minute non-synchronous, 30-minute operating reserves, 10-minute spinning reserves, and 10-minute non-spinning reserves) for sale to purchasers in the market administered by the New York Independent System Operator, Inc.
 - c. **PJM:** Crawfordsville offers regulation and frequency response service, energy imbalance service, and operating reserve service (which includes spinning, 10-minute, and 30-minute reserves) for sale into the market administered by PJM Interconnection, L.L.C. (“PJM”) and, where the PJM Open Access Transmission Tariff permits, the self-supply of these services to purchasers for a bilateral sale that is used to satisfy the ancillary services requirements of the PJM Office of Interconnection.
 - d. **California.** Crawfordsville offers regulation service, spinning reserve service, and non-spinning reserve service to the California Independent

System Operator Corporation (“CAISO”) and to others that are self-supplying ancillary services to the CAISO.

- e. Midwest ISO. Crawfordsville offers regulation service and operating reserve service (which include 10-minute spinning reserve and 10-minute supplemental reserve) for sale to the Midwest Independent Transmission System Operator, Inc. (“Midwest ISO”) and to others that are self-supplying ancillary services to Midwest ISO.
- f. Third-Party Ancillary Services: Crawfordsville offers Regulation Service, Energy Imbalance Service, Spinning Reserves, and Supplemental Reserves. Sales will not include the following: (1) sales to an RTO or an ISO, *i.e.*, where that entity has no ability to self-supply ancillary services but instead depends on third parties; (2) sales to a traditional, franchised public utility affiliated with the third-party supplier, or sales where the underlying transmission service is on the system of a public utility affiliated with the third-party supplier; and (3) sales to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to its own customers.

2. Applicability: This tariff is applicable to all sales of energy, capacity and ancillary services by Crawfordsville at market-based rates.
3. Rates: All sales shall be made at rates established by agreement between the purchaser and Crawfordsville.
4. Other Terms and Conditions: All other terms and conditions shall be established by agreement between Crawfordsville and the purchaser.
5. Compliance with Commission Regulations: Crawfordsville shall comply with the provisions of 18 C.F.R. Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning Crawfordsville's market-based rate authority, including orders in which the Commission authorizes Crawfordsville to engage in affiliate sales under this tariff or otherwise restricts or limits Crawfordsville's market-based rate authority. Failure to comply with the applicable provisions of 18 C.F.R. Part 35, Subpart H, and with any orders of the Commission concerning Crawfordsville's market-based rate authority, will constitute a violation of this tariff.
6. Limitations and Exemptions Regarding Market-Based Rate Authority: Crawfordsville has been granted the following waivers and exemptions in connection with its market-based rate authority: (i) waiver of Subparts B and C of Part 35 regarding the filing of rate schedules, except Sections 35.12(a), 35.13(b), 35.15 and 35.16; (ii) waiver of the accounting and related reporting requirements under Parts 41, 101 and 141 of the Commission's regulations, except for Parts 141.14 and 141.15; and (iii) blanket authorization under Section 204 of the Federal Power Act, 16 U.S.C. § 824c, and Part 34 of the Commission's regulations to issue securities and assume obligations and liability. See *Crawfordsville Energy, LLC*, Letter Order Granting Market-Based Rate Authorization, Docket No. ER15- (February __, 2015).
7. Seller Category: Crawfordsville is a Category 1 Seller in all Regions, as defined in 18 C.F.R. 35.36(a).
8. Effective Date: This tariff is effective upon the date specified by the Commission.

Document Content(s)

426-fdca27e7-0fb2-4481-8019-8dc9bb637f23.DOCX.....	1-1
426-a092dc6f-dff2-4838-9dad-e13dec206d04.DOCX.....	2-3
426-ab2f5850-e009-4715-b13f-3e9556c9acb1.DOCX.....	4-59
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