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FOUNDED 1866

November 13, 2015

**VIA ELECTRONIC SUBMISSION**

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

Re: ***EDF Trading North America, LLC — Docket No. ER16-\_\_\_;***  
***EDF Energy Services, LLC — Docket No. ER16-\_\_\_;***  
***EDF Industrial Power Services (CA), LLC — Docket No. ER16-\_\_\_***

**NOTICE OF CHANGE IN STATUS AND TARIFF AMENDMENTS**

Dear Secretary Bose:

Pursuant to Order No. 652<sup>1</sup> and Part 35 of the Federal Energy Regulatory Commission's regulations,<sup>2</sup> EDF Trading North America, LLC ("EDFT"), EDF Energy Services, LLC ("EDF Energy") and EDF Industrial Power Services (CA), LLC ("EIPS CA", and together with EDFT and EDF Energy, the "Sellers") hereby submit this Notice of Change in Status and Tariff Amendments to reflect a change from the facts relied upon by the Commission in granting the Sellers their market-based rate ("MBR") authorizations and to amend the Sellers' tariffs to reflect a change to their respective seller category status in the Southwest Power Pool ("SPP") region pursuant to 18 C.F.R. § 35.36(a) (2015).

**I. COMMUNICATIONS AND CORRESPONDENCE**

All communications and correspondence regarding this filing should be directed to:

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<sup>1</sup> *Reporting Requirements for Changes in Status for Pub. Utils. with Market-Based Rate Auth.*, Order No. 652, 110 FERC ¶ 61,097, order on reh'g, 111 FERC ¶ 61,413 (2005).

<sup>2</sup> 18 C.F.R. Part 35.

Kimberly D. Bose, Secretary  
November 13, 2015  
Page 2

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## II. DESCRIPTION OF THE PARTIES

### A. Sellers

EDFT is a limited liability company with its principal place of business in Houston, Texas. EDFT is a wholly-owned direct subsidiary of EDF Trading Holdings, LLC (f/k/a EDF Trading North America, Inc.), which itself is a wholly-owned indirect subsidiary of Électricité de France, S.A. (“EDF”). EDFT is a power marketer authorized by the Commission to engage in the wholesale sale of electricity and related services at market-based rates.<sup>3</sup>

EDFT wholly-owns EDF Energy<sup>4</sup> and EIPS CA,<sup>5</sup> both limited liability companies with market-based rate authority primarily engaged in retail marketing activities. EDFT also holds 49 percent of the common membership interests and certain preferred interests in Anahau Energy, LLC (“Anahau”), a limited liability company with its principal place of business in El Segundo, California. Anahau has been granted market-based rate authority.<sup>6</sup>

Except as described herein, none of EDFT or its subsidiaries directly or indirectly owns or controls any electric generation, transmission, distribution facilities, or inputs to electric power production and does not have a franchised service territory or captive ratepayers.

### B. EDF Renewable Energy, Inc.

EDF Renewable Energy, Inc. (“EDF-RE”) is a holding company wholly-owned by EDF Energies Nouvelles S.A., a French société anonyme, a company organized under the laws of France,

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<sup>3</sup> See *Eagle Energy Partners, Inc.*, Docket No. ER03-774-000, 1-2 (unpublished letter order issued June 11, 2003); see also *EDF Trading North America, LLC*, Notice of Name Change and Succession; Notice of Change in Status, Docket No. ER10-92-000 (filed Oct. 22, 2009).

<sup>4</sup> See *EDF Energy Services, LLC*, Docket No. ER14-2672-000 (unpublished letter order issued Sept. 23, 2014).

<sup>5</sup> See *EDF Industrial Power Services (CA), LLC*, Docket Nos. ER12-1825-001 (unpublished letter order issued July 20, 2012).

<sup>6</sup> *Anahau Energy, LLC*, Docket No ER13-415-000 (unpublished letter order issued Jan. 3, 2013).

Kimberly D. Bose, Secretary  
November 13, 2015  
Page 3

which in turn is wholly-owned by EDF S.A., which is owned by the French government (84.44%), with a small percentage of shares held by the current and former employees (approx. 1.85%) and the remaining shares owned by the public.

With the exception of the direct or indirect ownership interests discussed below, EDF S.A. does not otherwise: (a) directly or indirectly own or control any generation or transmission facilities in the United States; (b) engage in wholesale sales of electric energy, or any other Commission jurisdictional transactions in the United States; (c) hold electric transmission rights and natural gas transportation rights in the United States; or (d) directly or indirectly own or control a franchised utility. In addition, EDF S.A. does not directly or indirectly own any physical natural gas transportation facilities or own or control other physical inputs to electric generation or transmission in the United States.

EDF-RE develops, builds, operates and manages renewable energy projects throughout North America. EDF-RE provides operation and maintenance services to wind turbines across the country through another subsidiary, but the turbine owners retain ultimate decision-making authority over turbine operations. The generation owned or controlled by EDF-RE in the SPP Balancing Authority Area (“BAA”) is discussed below. EDF-RE is not, and does not own or control, a franchised utility in North America.

EDF-RE holds an equity interest in the Sagebrush Partnership (“Sagebrush”) through its ownership interests in Oasis Power Partners, LLC. Sagebrush owns and operates a 46-mile, 230 kV transmission line that extends from the Tehachapi region of California to Southern California Edison Company’s Vincent Substation. Sagebrush has a Commission-accepted Open Access Transmission Tariff (“OATT”).<sup>7</sup> EDF-RE also has an ownership interest in a generation-tie line interconnection facility that is the subject of a filed common facilities agreement – the Antelope Valley line. EDF-RE’s ownership interest in the Antelope Valley generation-tie line facilities is through its indirect ownership interest in the project companies that own or operate the wind and solar generation facilities that use the Antelope Valley line to interconnect to the California Independent System Operator (“CAISO”)-controlled transmission grid at the Whirlwind Substation.<sup>8</sup> Other than its indirect interest in Sagebrush, and the generator interconnection line discussed above, EDF-RE does not directly or indirectly own or control any transmission facilities in North America. Even with its interest in these facilities, EDF-RE only owns facilities as necessary for interconnection purposes.

EDF-RE owns two landfill gas production facilities and gas gathering lines in Pennsylvania and a biogas production facility in Colorado that produces pipeline-quality gas but does not own or

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<sup>7</sup> *Sagebrush, a California Partnership*, Docket No. ER10-1988-001, unpublished letter order (Feb. 28, 2011). *See also Sagebrush, a California Partnership*, 130 FERC ¶ 61,093 (2010).

<sup>8</sup> The shared facilities agreement for this line was accepted for filing in *Pacific Wind Lessee, LLC*, 141 FERC ¶ 61,122 (2012) (order granting waivers of the OATT, Open Access Same-Time Information System, and Standards of Conduct requirements). *See also Revised Shared Transmission Facility Agreement, Pacific Wind Lessee, LLC*, Docket No. ER15-1519-000 (filed April 16, 2015).

Kimberly D. Bose, Secretary

November 13, 2015

Page 4

control any physical natural gas transportation, storage or distribution facilities, or own or control other physical inputs to electric generation or transmission. EDF-RE holds, through its subsidiaries, only those natural gas and electric energy transportation rights necessary to enable the delivery of natural gas from its landfill gas production or electric energy generated by its subsidiaries to a customer's point of receipt under long-term purchase agreements or a market hub.

### **III. NOTICE OF CHANGE IN STATUS**

Sellers submit this notification to inform the Commission of their affiliation with certain entities that will own and operate wind generation facilities located in the SPP BAA. These entities are indirectly owned by Sellers' affiliate, EDF-RE.<sup>9</sup> The facilities are under construction and not yet operational. As described below, the facilities are expected to produce test power in the fourth quarter of 2015.

#### **A. Description of Projects**

Roosevelt Wind Project, LLC ("Roosevelt") is a limited liability company organized under the laws of the State of Delaware with its principal place of business in Roosevelt County, New Mexico. It is indirectly wholly-owned by EDF-RE. Roosevelt is developing and will own and operate an approximately 250 MW (nameplate) wind-powered electric generation facility and related generation interconnection facilities that are under construction in Roosevelt County, New Mexico (the "Roosevelt Facility"). The Roosevelt Facility is expected to produce test power in the fourth quarter of 2015. The Roosevelt Facility will be interconnected to the transmission system owned by Southwest Public Service Company ("SPS") and operated by the SPP. Roosevelt has received market-based rate authorization from the Commission<sup>10</sup> and is an Exempt Wholesale Generator ("EWG").<sup>11</sup> The Roosevelt Facility's output will be sold under a long-term contract to SPS.

Milo Wind Project, LLC ("Milo") is a limited liability company organized under the laws of the State of Delaware with its principal place of business in Roosevelt County, New Mexico. It is indirectly wholly-owned by EDF-RE. Milo is developing and will own and operate a 49.65 MW (nameplate) wind-powered electric generation facility and related generation interconnection facilities that are under construction in Roosevelt County, New Mexico (the "Milo Facility"). The Milo Facility is expected to produce test power in the fourth quarter of 2015. The Milo Facility will be interconnected to the transmission system owned by SPS and operated by the SPP. Milo has received market-based rate authorization from the Commission<sup>12</sup> and is an EWG.<sup>13</sup> The Milo Facility's output will be sold into the SPS wholesale market.

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<sup>9</sup> See *Bellevue Solar, LLC*, et al., Docket Nos. ER11-4380-005, et al., Notice of Non-Material Change in Status (filed Oct. 7, 2015).

<sup>10</sup> *Roosevelt Wind Project, LLC*, Docket No. ER15-2130-000 (unpublished letter order dated August 26, 2015).

<sup>11</sup> *Roosevelt Wind Project, LLC*, Docket No. EG15-26-000 (notice of effectiveness dated March 12, 2015).

<sup>12</sup> *Milo Wind Project, LLC*, Docket No. ER15-2131-000 (unpublished letter order dated August 26, 2015).

<sup>13</sup> *Milo Wind Project, LLC*, Docket No. EG15-25-000 (notice of effectiveness dated March 12, 2015).

Kimberly D. Bose, Secretary  
November 13, 2015  
Page 5

Slate Creek Wind Project, LLC (“Slate Creek”) is a limited liability company created to develop, construct, own and operate an approximately 150 MW (nameplate) wind-powered electric generation facility that is under construction in Sumner County, Kansas. When complete, the Slate Creek generation facility will be interconnected to the transmission system owned by Westar Energy and operated by SPP, with the output sold under a long-term contract to Kansas City Power & Light Company (“KCP&L”). Slate Creek was granted authority to sell at market-based rates<sup>14</sup> and is an EWG.<sup>15</sup>

In addition to Roosevelt, Milo and Slate Creek in the SPP BAA, EDF-RE indirectly holds an ownership interest in and operates two other wind generation companies with market-based rate authority:

- **Spearville 3, LLC:** Spearville 3, LLC (“Spearville 3”) is a limited liability company organized under the laws of the State of Delaware, with its principal place of business in Ford County, Kansas. Spearville 3 owns and operates a 100.8 MW (nameplate) wind-powered electric generating facility located in Ford County, Kansas along with the facilities necessary to interconnect with the transmission system owned by KCP&L and operated by SPP. Spearville 3 was granted authority to sell at market-based rates<sup>16</sup> and its entire output is sold under a long-term power purchase agreement to KCP&L.
- **Spinning Spur Wind LLC:** Spinning Spur Wind LLC (“Spinning Spur”), a limited liability company that owns and operates a 161 MW (nameplate) capacity wind generation facility located in Oldham County, Texas. The Spinning Spur generation facility is interconnected with the SPS-owned transmission system, which is operated by SPP. Spinning Spur was granted authority to sell at market-based rates<sup>17</sup> and its entire output is sold under a long-term power purchase agreement to SPS.

Once the Roosevelt, Milo, and Slate Creek facilities are operational, Roosevelt, Milo and their affiliates will own or control approximately 712 MW of generation in the SPP BAA.

## **B. Market Power Analysis**

Sellers’ affiliation with Roosevelt, Milo, and Slate Creek does not result in any horizontal or vertical market power issues. Sellers do not own or control generation in the SPP BAA. As noted, once the Roosevelt, Milo, and Slate Creek facilities are operational, Sellers will be affiliated with approximately 712 MW of generation in the SPP BAA. As demonstrated in their market-based rate petitions, Roosevelt, Milo, Slate Creek and their affiliates, including Sellers, lack horizontal market

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<sup>14</sup> *Slate Creek Wind Project, LLC*, Docket No. ER15-2129-000 (unpublished letter order issued Aug. 26, 2015).

<sup>15</sup> *Slate Creek Wind Project, LLC*, Docket No. EG15-101-000 (notice of effectiveness dated September 3, 2015).

<sup>16</sup> *Spearville 3, LLC*, Docket No. ER12-2037-000 (unpublished letter order issued July 24, 2012).

<sup>17</sup> *Spinning Spur Wind LLC*, Docket No. ER12-2314-000 (unpublished letter order issued Sept. 27, 2012).

Kimberly D. Bose, Secretary  
November 13, 2015  
Page 6

power in the relevant geographic market – the SPP BAA.<sup>18</sup> Thus, Sellers’ affiliation with Roosevelt, Milo, and Slate Creek does not result in any horizontal market power issues.

In addition, Roosevelt, Milo, and Slate Creek do not own or control a transmission facility, other than those limited facilities required to interconnect their generation facilities with the grid, and do not own or control any inputs to electric generation such as intrastate natural gas transportation, storage or distribution facilities, sites for generation capacity development, or physical sources of coal supplies or transportation for coal supplies. Thus, Sellers’ affiliation with Roosevelt, Milo, and Slate Creek does not result in any vertical market power issues. Finally, Sellers further affirm that they have not erected barriers to entry in the relevant markets and will not erect barriers to entry in the relevant markets.

An updated asset appendix for the Sellers is attached as Attachment B.

#### **IV. TARIFF AMENDMENTS**

Category 1 Sellers are wholesale power marketers and wholesale power producers that (i) own or control 500 MW or less of generation in aggregate per region; (ii) do not own, operate or control transmission facilities other than limited equipment necessary to connect individual generating facilities to the transmission grid (or have been granted waiver of the requirements of Order No. 888); (iii) are not affiliated with anyone that owns, operates or controls transmission facilities in the same region as the seller’s generation assets; (iv) are not affiliated with a franchised public utility in the same region as the seller’s generation assets; and (iv) do not raise other vertical market power issues.<sup>19</sup> Category 2 Sellers means any Sellers not in Category 1.<sup>20</sup>

Once the Roosevelt, Milo, and Slate Creek facilities are operational, generation capacity under the control of EDF-RE in the SPP region will be approximately 712 MW, which is more than the 500 MW threshold for a Category 1 Seller. Accordingly, Sellers are revising their seller category status from Category 1 to Category 2 in the SPP region. Sellers respectfully request waiver of the notice requirement contained in section 35.3 of the Commission’s regulations to allow these revisions to become effective as of November 16, 2015.

#### **V. MATERIALS ENCLOSED**

In accordance with Part 35 of the Commission’s regulations, this filing consists of this transmittal letter and the materials provided in the following appendices:

- This Transmittal Letter

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<sup>18</sup> The indicative screens submitted with Roosevelt’s market-based rate petition, as revised on July 31, 2015, in Docket No. ER15-2130 are included as Attachment C, hereto.

<sup>19</sup> 18 C.F.R. § 35.36 (2015).

<sup>20</sup> *Id.*

Kimberly D. Bose, Secretary  
November 13, 2015  
Page 7

- Attachment A – Revised Tariff Records (Clean and Redline)
- Attachment B – Updated Asset Appendix
- Attachment C – Indicative Screens

## **VI. CONCLUSION**

For the reasons provided herein, Sellers respectfully request that the Commission accept this notice for filing and make the revisions to Sellers' tariffs contained herein effective as of November 16, 2015.

Respectfully submitted,

*/s/*  
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Kenneth W. Irvin  
Terence T. Healey  
Christopher J. Polito

*Counsel for the Sellers*

Enclosures

**Attachment A**

**Revised Tariff Record (Clean)**



## **EDF Energy Services, LLC Market-Based Rate Tariff**

### **1. Availability**

EDF Energy Services, LLC (“Seller”) makes electric energy, capacity and ancillary services available under this tariff to any purchaser, except as prohibited below.

### **2. Applicability**

This Tariff is applicable to all sales of energy and capacity by Seller not otherwise subject to a particular rate schedule of Seller that is on file with the Commission.

### **3. Rates**

All sales shall be made at rates established by agreement between the purchaser and Seller.

### **4. Other Terms and Conditions**

All other terms and conditions shall be established by agreement between the purchaser and Seller.

### **5. Ancillary Services**

Seller may offer for sale those ancillary services in those markets specified and authorized by the Commission from time to time in orders extending such authority to all sellers authorized to sell electric energy and capacity at market-based rates, including:

- a. PJM: Seller 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.
- b. New York: Seller offers regulation and frequency response service, and operating reserve service (which include 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. New England: Seller 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.
- d. California: Seller 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. MISO: Seller offers regulation service and operating reserve service (which include 10-

minute spinning reserve and 10-minute supplemental reserve) for sale to the Midcontinent Independent System Operator, Inc. (“MISO”) and to others that are self-supplying ancillary services to MISO.

- f. Southwest Power Pool: Seller offers regulation service and operating reserve service (which include 10-minute spinning reserve and 10-minute supplemental reserve) for sale to the Southwest Power Pool, Inc. (“SPP”) and to others that are self-supplying ancillary services to SPP.
- g. Third-party ancillary services: Seller offers Regulation and Frequency Response Service, Reactive Supply and Voltage Control Service, Energy and Generator Imbalance Service, Operating Reserve-Spinning, and Operating Reserve-Supplemental. 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; and (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 the public utility affiliated with the third-party supplier. Sales of Operating Reserve-Spinning and Operating Reserve-Supplemental will not include 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, except where the Commission has granted authorization. Sales of Regulation and Frequency Response Service and Reactive Supply and Voltage Control Service will not include 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, except at rates not to exceed the buying public utility transmission provider’s OATT rate for the same service or where the Commission has granted authorization.

## **6. Compliance with Commission Regulations**

Seller shall comply with the provisions of 18 CFR Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning Seller’s market-based rate authority, including orders in which the Commission authorizes Seller to engage in affiliate sales under this tariff or otherwise restricts or limits the Seller’s market-based rate authority. Failure to comply with the applicable provisions of 18 CFR Part 35, Subpart H, and with any orders of the Commission concerning Seller’s market-based rate authority, will constitute a violation of this tariff.

## **7. Limitations and Exemptions Regarding Market-Based Rate Authority**

Seller does not have any limitations on its market-based rate authority, except as may otherwise be provided in this tariff. Seller has obtained waivers from Subparts B and C of Part 35 of the Commission’s regulations, regarding the filing of tariffs, except sections 35.12(a), 35.13(b), 35.15, and 35.16; and Parts 41, 101 and 141 of the Commission’s regulations, with the exception of 18 C.F.R. §§ 141.14 and 141.15. Seller also has blanket approval under Part 34 of the Commission’s regulations for future issuances of securities and assumptions of liabilities, subject to objection by an interested party. These waivers and blanket approvals are consistent with the waivers and approvals previously granted to Seller. *See EDF Energy Services, LLC*, Docket No. ER14-2672-000.

**8. Seller Category**

Seller is a Category 2 seller in the Northeast, Southwest and Southwest Power Pool regions and a Category 1 seller in all other regions, as defined in 18 C.F.R. § 35.36(a).

**9. Effective Date**

This tariff is effective on the date specified by the Commission.

## **Revised Tariff Record (Marked)**

**EDF Energy Services, LLC  
Market-Based Rate Tariff**

**1. Availability**

EDF Energy Services, LLC (“Seller”) makes electric energy, capacity and ancillary services available under this tariff to any purchaser, except as prohibited below.

**2. Applicability**

This Tariff is applicable to all sales of energy and capacity by Seller not otherwise subject to a particular rate schedule of Seller that is on file with the Commission.

**3. Rates**

All sales shall be made at rates established by agreement between the purchaser and Seller.

**4. Other Terms and Conditions**

All other terms and conditions shall be established by agreement between the purchaser and Seller.

**5. Ancillary Services**

Seller may offer for sale those ancillary services in those markets specified and authorized by the Commission from time to time in orders extending such authority to all sellers authorized to sell electric energy and capacity at market-based rates, including:

- a. PJM: Seller 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.
- b. New York: Seller offers regulation and frequency response service, and operating reserve service (which include 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. New England: Seller 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.
- d. California: Seller 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. MISO: Seller offers regulation service and operating reserve service (which include 10-minute spinning reserve and 10-minute supplemental reserve) for sale to the Midcontinent Independent System Operator, Inc. (“MISO”) and to others that are self-supplying ancillary

services to MISO.

- f. Southwest Power Pool: Seller offers regulation service and operating reserve service (which include 10-minute spinning reserve and 10-minute supplemental reserve) for sale to the Southwest Power Pool, Inc. (“SPP”) and to others that are self-supplying ancillary services to SPP.
- g. Third-party ancillary services: Seller offers Regulation and Frequency Response Service, Reactive Supply and Voltage Control Service, Energy and Generator Imbalance Service, Operating Reserve-Spinning, and Operating Reserve-Supplemental. 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; and (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 the public utility affiliated with the third-party supplier. Sales of Operating Reserve-Spinning and Operating Reserve-Supplemental will not include 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, except where the Commission has granted authorization. Sales of Regulation and Frequency Response Service and Reactive Supply and Voltage Control Service will not include 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, except at rates not to exceed the buying public utility transmission provider’s OATT rate for the same service or where the Commission has granted authorization.

## **6. Compliance with Commission Regulations**

Seller shall comply with the provisions of 18 CFR Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning Seller’s market-based rate authority, including orders in which the Commission authorizes Seller to engage in affiliate sales under this tariff or otherwise restricts or limits the Seller’s market-based rate authority. Failure to comply with the applicable provisions of 18 CFR Part 35, Subpart H, and with any orders of the Commission concerning Seller’s market-based rate authority, will constitute a violation of this tariff.

## **7. Limitations and Exemptions Regarding Market-Based Rate Authority**

Seller does not have any limitations on its market-based rate authority, except as may otherwise be provided in this tariff. Seller has obtained waivers from Subparts B and C of Part 35 of the Commission’s regulations, regarding the filing of tariffs, except sections 35.12(a), 35.13(b), 35.15, and 35.16; and Parts 41, 101 and 141 of the Commission’s regulations, with the exception of 18 C.F.R. §§ 141.14 and 141.15. Seller also has blanket approval under Part 34 of the Commission’s regulations for future issuances of securities and assumptions of liabilities, subject to objection by an interested party. These waivers and blanket approvals are consistent with the waivers and approvals previously granted to Seller. *See EDF Energy Services, LLC*, Docket No. ER14-2672-000.

## **8. Seller Category**

Seller is a Category 2 seller in the Northeast, [Southwest](#) and Southwest [Power Pool](#) regions and a Category 1 seller in all other regions, as defined in 18 C.F.R. § 35.36(a).

**9. Effective Date**

This tariff is effective on the date specified by the Commission.

**Attachment B**  
**Updated Asset Appendix**