

144 FERC ¶ 62,125
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
Mosaic Fertilizer, LLC
Docket No. QF13-404-000

August 12, 2013

Mosaic Fertilizer, LLC
Mr. Richard Krakowski
13830 Circa Crossing Drive
Lithia, FL 33547

Reference: Commission Certification of Qualifying Facility Status

Dear Mr. Krakowski:

On May 2, 2013, Mosaic Fertilizer, LLC (Mosaic) filed a Form 556 seeking Commission certification of qualifying facility (QF) status for its facility – Uncle Sam (2014 Small Power Production Facility) – pursuant to section 292.207(b) of the Commission’s regulations.¹

Notice of the application was published in the *Federal Register*, 78 Fed. Reg. 28,212 (2013), with protests or interventions due on or before May 23, 2013. None was filed.

Mosaic states that the facility is approximately a 14.8 MW net capacity waste heat facility located in St. James Parish County, Louisiana. The energy input to the facility is reject/waste heat recovered from the exothermic reactions involved in Mosaic’s sulfuric acid manufacturing processes. The sulfuric acid plants convert the waste heat into superheated steam for supply to a steam turbine-generator set that will produce electricity. The facility will also include associated auxiliaries, including feed and condensate pumps, water circulation pumps, etc.

Under section 292.203(a) of the Commission’s regulations,² a qualifying small

¹ 18 C.F.R. § 292.207(b) (2012).

² 18 C.F.R. § 292.203(a) (2012).

power production facility must comply with the size and fuel use criteria specified in section 292.204 of the Commission's regulations.³ Mosaic's 14.8 MW net capacity facility does not exceed the 80 MW power production capacity size requirement; and the sole energy source of the facility is waste heat, a permissible energy source. Fossil fuel will not be used by the facility for any purpose. Therefore, Mosaic satisfies the size and fuel use requirements for certification as a small power production QF.

Accordingly, certification of QF status is granted pursuant to 18 C.F.R. § 292.207(b)(2) and section 3(17)(C) of the Federal Power Act, as amended by section 201 of the PURPA, provided that the facility is operated in the manner described in the application and this letter order.⁴ To the extent that the facts or representations which form the basis for this letter order change, the facility might still be a QF under the changed circumstances. However, self-recertification or Commission-recertification at that point will be necessary to assure QF status.

This action is taken pursuant to authority delegated to the Director, Division of Electric Power Regulation – Central under 18 C.F.R. § 375.307(a)(6)(ii). This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Penny S. Murrell, Director
Division of Electric Power
Regulation – Central

³ 18 C.F.R. § 292.204 (2012).

⁴ Certification as a QF serves only to establish eligibility for benefits provided by PURPA, as implemented by the Commission's regulations, 18 C.F.R. Part 292. It does not relieve a facility of any other requirements of local, state, or federal law, including those regarding site, construction, operation, licensing and pollution abatement. Certification does not establish any property rights, resolve competing claims for a site, or authorize construction.