

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

Kelly Creek Wind, LLC) **Docket No. EG16-____-000**

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

Pursuant to Section 366.7 of the Federal Energy Regulatory Commission's ("Commission") regulations¹ implementing the Public Utility Holding Company Act of 2005, enacted by the Energy Policy Act of 2005,² Kelly Creek Wind, LLC ("Kelly Creek"), hereby submits this notice of self-certification that it is an exempt wholesale generator ("EWG") based on its ownership and operation of a 183.7 MW nameplate wind-powered electric generating facility to be located in Ford and Kankakee Counties in Illinois, (the "Facility") with the sale of its output at wholesale.

I. COMMUNICATIONS

Kelly Creek requests that all correspondence, pleadings and other communications concerning this filing be served upon the following:

Joshua Pearson*
Vice President Legal & Associate
General Counsel
EDF Renewable Energy, Inc.
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*Individual designated for service.

¹ 18 C.F.R. § 366.7 (2015).

² Pub. L. No. 109-58, 119 Stat. 594 (2005).

II. DESCRIPTION OF APPLICANT

Kelly Creek is a limited liability company organized under the laws of the State of Delaware, with its principal place of business in Kankakee and Ford Counties, Illinois. It is indirectly wholly-owned by EDF Renewable Energy, Inc. (“EDF-RE”). Kelly Creek is developing and will own and operate the Facility to be located in Kankakee and Ford Counties in Illinois.

When completed, the Facility will consist of wind-turbines along with related facilities necessary to interconnect to the transmission system owned by Commonwealth Edison Company and operated by PJM Interconnection, L.L.C. (“PJM”). All of the output of the Facility will be sold exclusively at wholesale.

EDF-RE develops, builds, operates and manages renewable energy projects throughout North America. EDF-RE is wholly owned by EDF Energies Nouvelles S.A., a French société anonyme, a company organized under the laws of France, which in turn is wholly owned by Électricité de France, S.A. (“EDF SA”), which is owned by the French government (84.49%), with a small percentage of shares held by the employees (approx. 1.80%) and the remaining shares owned by the public.

III. SELF-CERTIFICATION OF EWG STATUS

Consistent with the Commission’s regulations, Kelly Creek 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 regulations³ for its energy sales from the Facility.

1. Kelly Creek 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, and the Facility will satisfy the definition of

³ 18 C.F.R. § 366.1 (2015).

an “eligible facility” because it will be used for the generation of electric energy exclusively for sale at wholesale.

2. Kelly Creek 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 the Public Utility Holding Company Act of 1935 (“PUHCA 1935”).

3. No rate or charge for, or in connection with, the construction of the Facility, or for electric energy produced thereby, was in effect under the laws of any State on October 24, 1992. Accordingly, no State determination is required with respect to this filing.

4. There are no lease arrangements through which Kelly Creek will lease the Facility to a public utility company or any other party.

5. Kelly Creek does not sell electricity at retail to any customer. Accordingly, the Facility does not rely on the exception provided by Section 32(b) of PUHCA 1935 regarding foreign sales of power at retail.

6. No portion of the Facility will be owned or operated by an “electric utility company” that is an “affiliate” or “associate company” of Kelly Creek.

In accordance with Section 366.7(a) of the Commission’s regulations, a copy of this

Notice is concurrently being served upon the Illinois Commerce Commission.

IV. CONCLUSION

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

Respectfully submitted,

/s/ *Andrea Wolfman*

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Counsel for Kelly Creek Wind, LLC

Dated: June 6, 2016

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the Illinois Commerce Commission, in accordance with Rule 2010 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010) and Section 366.7(a) of its regulations.

Dated this 6th day of June, 2016, at Washington, D.C.

/s/ Ambrea Watts

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