

I. COMMUNICATIONS

Ringer Hill requests that all correspondence pleadings and other communication concerning this filing be served upon the following:

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II. DESCRIPTION OF APPLICANT AND RELEVANT AFFILIATES

A. Ringer Hill Wind, LLC

Ringer Hill is an exempt wholesale generator (“EWG”) who will own and operate an approximately 39.9 megawatt (MW) wind-powered electric generation facility and certain related generation interconnection facilities exclusively for wholesale located in Somerset County, Pennsylvania.³ The Facility is expected to commence commercial operations in late 2016. The Facility will be comprised of 14 wind turbine generators and associated facilities necessary for the generation of electric energy. The Facility will include interconnection facilities necessary to interconnect the Facility to the transmission system owned by Pennsylvania Electric Company, a FirstEnergy Company (“Penelec”) and operated by PJM Interconnection, L.L.C. (“PJM”).⁴ Ringer Hill will own the interconnection facilities that consist of

³ Ringer Hill Wind, LLC et al., Notice of Exempt Wholesale Generator Status, Docket No. EG16-51 (Notice of Effectiveness of Exempt Wholesale Generator Status issued May 9, 2016).

⁴ The Ringer Hill facility is not located within any of the PJM submarkets, as confirmed by PJM.

generator leads, step-up transformers, substations and/or other related appurtenant equipment to the point of interconnection. Ringer Hill will sell the electric energy and capacity from the Facility exclusively at wholesale rates.⁵

B. Upstream Ownership

Ringer Hill is a limited liability company formed under the laws of the State of Delaware, with a principal place of business in Somerset County, Pennsylvania. Ringer Hill is a direct, wholly-owned subsidiary of NJR Clean Energy Ventures II Corporation (“NJRCEVII”). NJRCEVII is a direct, wholly-owned subsidiary of NJR Clean Energy Ventures Corporation (“NJRCEV”). NJRCEV is a direct, wholly-owned subsidiary of New Jersey Resources Corporation (“NJR”), a publicly traded Fortune 1000 company that provides, through subsidiary or affiliate companies, safe and reliable natural gas and clean energy services, including transportation, distribution and asset management, throughout North America. In addition, NJR is a holding company within the meaning of Section 366.1 of the Commission’s regulations solely due to its ownership of exempt entities, as set forth in Sections 366.3(a)(1), 366.3(a)(2) and 366.3(b)(2)(vi).⁶

⁵ In connection with owning and operating the Facility, Ringer Hill may engage in the incidental activities that the Commission has found to be permissible EWG activities.

⁶ 18 C.F.R. §§ 366.3(a)(1), 366.3(a)(2) and 366.3(b)(2)(vi). *See also New Jersey Resources Corp.*, FERC Docket No. PH06-45-000 (Notice of Effectiveness of Holding Company and Transaction Exemptions and Waivers) (July 18, 2006); *see also New Jersey Resources Corp.*, FERC Docket No. PH11-11-000 (Notification of Material Change in Facts and FERC-65A Exemption Notification) (filed Jan. 18, 2011), *New Jersey Resources Corp.*, FERC Docket No. PH14-6-000 (Notification of Material Change in Facts and FERC-65A Exemption Notification) (filed Feb. 27, 2014), *New Jersey Resources Corp.*, FERC Docket No. PH15-11-000 (Notice of Material Change in Facts) (filed Feb. 24, 2015), *New Jersey Resources Corp.*, FERC Docket No. PH16-4 (Notice of Material Change in Facts and FERC-65A Exemption Notification) (filed Feb. 5, 2016).

C. Relevant Affiliates

Ringer Hill is affiliated with certain generation assets in the PJM BAA, including in the Northeast region.⁷ As shown in Attachment A, Ringer Hill is affiliated with sixteen solar projects in PJM, ranging in size from 0.7 to 18.3 MW (nameplate capacity), for a total of 99.6 MW. This includes both operational facilities and facilities projected to be operational in 2016. With the addition of the 39.9 MW of Ringer Hill later this year, the total electric generation capacity of Ringer Hill together with the generation assets owned by affiliates in PJM will be 139.5 megawatts, all of which are renewable energy resources (either solar or wind).

As also shown in Attachment A, affiliates of Ringer Hill own 9.7 MW of wind capacity in the Northwest region; 19.9 MW of wind capacity in the Midcontinent ISO (MISO) (Central region); and 50.7 MW of wind capacity in the Southwest Power Pool (“SPP”). Ringer Hill also does not have any affiliates that own or control transmission facilities other than limited and discrete generation interconnection facilities necessary to interconnect generation facilities to the grid, and it is not affiliated with a franchised public utility.

With regard to affiliation with entities owning or operating other inputs to generation, Ringer Hill is affiliated with New Jersey Natural Gas Company (“NJNG”), a natural gas local distribution company that serves customers in Monmouth, Ocean, Middlesex, Morris, Burlington, and Sussex counties, New Jersey. NJNG is a direct wholly-owned subsidiary of NJR. The NJNG

⁷ See Attachment A – Asset Appendix.

distribution system is an open access system and there are currently 51 third party suppliers that sell gas directly to consumers on the NJNG system. Ringer Hill is also affiliated with Steckman Ridge, LP, a Commission-regulated interstate natural gas storage company located in Bedford County, Pennsylvania, NJR Energy Services Company, a natural gas marketer that sells natural gas throughout the U.S. and in Canada and provides natural gas asset management services, and PennEast Pipeline Company, LLC, a planned Commission-regulated interstate natural gas pipeline company to be constructed in Pennsylvania and New Jersey.⁸

III. REQUEST FOR AUTHORIZATION TO SELL ENERGY, CAPACITY, AND ANCILLARY SERVICES AT MARKET-BASED RATES

A. Seller's Rate Schedule

Ringer Hill requests authorization to sell energy, capacity and certain ancillary services under its proposed Market-Based Rate Tariff to any purchaser that is not a franchised public utility affiliate.⁹ Ringer Hill shall comply with all the Commission's regulations regarding affiliate abuse restrictions.¹⁰ The Commission

⁸ *PennEast Pipeline Company, LLC*, Application for Certificates of Public Convenience and Necessity and Related Authorizations, Docket No. CP15-558 (filed September 25, 2015).

⁹ See 18 C.F.R Part 35. Ringer Hill is not affiliated with any electric utility that has a franchised electric service territory (though, as noted above, it is affiliated with a franchised gas distribution system in New Jersey).

¹⁰ See *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, 72 Fed. Reg. 39,904 (July 20, 2007), FERC Stats and Regs. ¶31,252 at P 467 (Order No. 697); Order No. 697, clarified, 121 FERC ¶ 61,260 (2007); order on reh'g and clarification, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268 (2008) (Order No. 697-A); Final Rule, order on reh'g and clarification, Order No. 697-B, FERC Stats. & Regs. ¶ 31,285 (2008); order on reh'g and clarification, Order No. 697-C, FERC Stats. & Regs. ¶ 31,291 (2009); Final Rule, order on reh'g and clarification, Order No. 697-D, FERC Stats. & Regs. ¶ 31,305 (2010); order on request for clarification, 131 FERC ¶ 61,021 (issued April 15, 2010); see also *Heartland Energy Servs., Inc.*, 68 FERC ¶ 61,223 at pp. 62,060-63 (Aug. 10, 1994); *Enron Power Enter. Corp.*, 52 FERC ¶

authorizes sales of energy, capacity and ancillary services at market-based rates if the seller and its affiliates (1) lack horizontal market power in a relevant geographic market, *i.e.*, they do not have (or have adequately mitigated) market power in generation; and (2) lack vertical market power in the relevant geographic market, *i.e.*, they do not have (or have adequately mitigated) market power in transmission and cannot erect barriers to entry to competing suppliers through the control in inputs to electric power generation.¹¹

B. Ringer Hill Lacks Horizontal Market Power

Ringer Hill lacks horizontal market power. For sellers in an Independent System Operator (“ISO”) or Regional Transmission Organization (“RTO”), the Commission has defined the “relevant geographic market” as the market covered by the ISO or RTO.¹² As noted above, Ringer Hill is located in the BAA operated by PJM. Thus, the relevant geographic market is the PJM BAA. Out of an abundance of caution, Ringer Hill has included a Pivotal Supplier and Market Share analysis of the PJM East submarket in Attachment B.

The Commission permits generation owners that are unlikely to possess market power to submit streamlined applications using simplifying assumptions in their screen analyses.¹³ The Commission also permits an applicant to rely on an analysis previously accepted by the Commission for the same balancing authority

61,193 at p.61,708 (Aug. 16, 1990); *FirstEnergy Servs., Inc.*, 94 FERC ¶ 61,052 at pp. 61,251-52 (Jan. 24, 2001).

¹¹ 18 C.F.R. § 35.39; Order No. 697 at P 467.

¹² Order No. 697 at P 231.

¹³ *Id.* at PP 308, 337.

area, if it reflects recent data.¹⁴ For purposes of this market power analysis, the analysis conservatively assumes that all of the capacity owned and controlled by Ringer Hill in the relevant region is uncommitted. In preparing the indicative screens, Ringer Hill relies on the data in two recent market power analyses.¹⁵ This analysis and related streamlined approach were accepted by the Commission in *Panda Liberty, LLC*, letter order issued in Docket No. ER15-1841 (July 16, 2015), and *Cogentrix Virginia Financing Holding Company, LLC* letter order issued in Docket No. ER16-328-001 (January 29, 2016).¹⁶

For purposes of this Application, Ringer Hill assumes that all the capacity owned or controlled by it and its affiliates in the relevant market is uncommitted. Based upon this conservative assumption, the sum of the uncommitted capacity of Ringer Hill and its affiliates in the PJM BAA is approximately 139.5 MW. Ringer Hill also includes approximately 19.9 MW of affiliated imports from first-tier markets (MISO BAA) in its market power analysis and also assumes such imports are uncommitted.

Pivotal Supplier Test. The Pivotal Supplier test compares the uncommitted capacity owned or controlled by applicant in the relevant market with the net

¹⁴ *AEP Power Marketing, Inc.*, 108 FERC ¶ 61,026 at P 175 (2004); *see also La Paloma Generating Company, LLC*, Docket No. ER00-107-006 (Dec. 9, 2010) (letter order accepting La Paloma's market power analysis, which relied on data previously accepted for the balancing authority area).

¹⁵ *Panda Liberty LLC*, Exhibit JRS-4 in Application for Market-Based Rate Authorization, Docket No. ER15-1841 (filed June 2, 2015) (accepted by letter order dated July 16, 2015) (*Panda Liberty*), *Cogentrix Virginia Financing Holding Company, LLC*, Petition for Order Accepting Market-Based Rate Tariff and Request for Waivers and Blanket Approvals, Docket No. ER16-328 (filed November 13, 2015) (referring to *Panda Liberty LLC*) (accepted by letter order dated Jan. 29, 2016) (*Cogentrix*). These filings are relied upon in Attachment B to this Petition.

¹⁶ See Order No. 697 at P 337; *AEP Power Marketing, Inc.*, 107 FERC ¶ 61,018 at PP 113-117 (2004).

uncommitted capacity in that market. Where the applicant's total uncommitted capacity in the market is less than the difference between the total uncommitted capacity and the wholesale load, applicant passes the screen.¹⁷ "Uncommitted capacity is determined by adding the total nameplate or seasonal capacity of generation owned or controlled through contract or firm purchases, less operating reserves, native load commitments and long-term sales."¹⁸ In applying the pivotal supplier test, the Commission reviews the Seller's ability to exercise market power unilaterally and examines whether the market demand can be met absent the seller during peak times.¹⁹ Where demand cannot be met without some contribution of supply by the seller or its affiliates, a seller is considered pivotal.²⁰

Ringer Hill fully passes the pivotal supplier test, even after combining Ringer Hill's capacity with the capacity of its affiliates in the PJM BAA and accounting for all of its affiliate's committed capacity. As shown in Attachment B, the Net Uncommitted Supply in the PJM BAA area is 46,537.5 MW, whereas the generating capacity of Ringer Hill itself is 39.9 MW, and together with affiliated generation in PJM is 139.5 MW, and thus both amounts are significantly less than that of the PJM Net Uncommitted Supply of 46,537.5 MW. The Net Uncommitted Supply in the PJM East submarket is 1,919.5 MW so again, the generating capacity of Ringer Hill

¹⁷ See *AEP Power Marketing, Inc.*, 107 FERC ¶ 61,018 at P 99.

¹⁸ Order 697 at P 38. For purposes of the horizontal market power analysis, the Commission assigns control to the owner of a generating facility absent a contractual agreement transferring such control. *Id.* at P 183. As required by Paragraph 186 of Order No. 697, Ringer Hill hereby affirms that it has not contractually obtained control of another entity's assets in the relevant BAA.

¹⁹ See *AEP Power Marketing, Inc.*, 107 FERC ¶61,018 at P 72.

²⁰ *Id.*

and its affiliates is significantly less than the total Net Uncommitted Supply.

Accordingly, Ringer Hill passes the PJM market Pivotal Supplier screen.

Market Share Screen. The Market Share screen addresses on a seasonal basis “whether a seller has a dominant position in the market based on the number of megawatts of uncommitted capacity owned or controlled by the seller as compared to the uncommitted capacity of the entire relevant market.”²¹ If the applicant has less than a 20% market share in all four seasons, it passes the Market Share screen.²² As is shown in Attachment B, the PJM Total Seasonal Uncommitted Capacity ranges from 72,184 MW to 80,026 MW, and Ringer Hill contributes only 39.9 MW, which results in Ringer Hill owning or controlling 0.06% or less of the supply in the PJM market in all seasons. If the capacity of Ringer Hill and its PJM affiliates were used (139.5 MW), their market share would be 0.2% for all seasons.

If the adjacent first tier submarket were included (PJM East), Ringer Hill and its PJM affiliates still easily pass the pivotal supplier test. The PJM East submarket Total Seasonal Uncommitted Capacity ranges from 10,257 MW to 14,300 MW, which results in Ringer Hill and its PJM affiliates owning or controlling only 1.4% or less of the supply in all seasons. Accordingly, Ringer Hill is presumed to have no market power in the PJM BAA or in the PJM East submarket.

C. Ringer Hill Lacks Vertical Market Power

Ringer Hill lacks vertical market power. To determine whether an applicant has vertical market power, the Commission considers the ownership, operation or

²¹ Order No. 697 at P 43.

²² *Id.* at PP 44, 89; *see also AEP Power Marketing* at P 13.

control of transmission facilities.²³ If a seller or its affiliates own such facilities, they may demonstrate a lack of market power by having an Open Access Transmission Tariff on file with the Commission.²⁴ The vertical market power analysis also considers an applicant's ownership or control of inputs to electric power production – such as sites for generation capacity, physical coal supply sources or access to coal supplies, or intrastate natural gas transportation, storage or distribution facilities.²⁵ Finally, an applicant must state that it will not erect barriers to entry in the relevant market.²⁶

Ringer Hill, and its generation affiliates, only own, operate, or control discrete and limited transmission-related equipment necessary to connect their facilities to the transmission grid, and such facilities are not part of an integrated system. The Commission has previously found that ownership of such limited interconnection facilities does not confer transmission market power.²⁷ As noted above, Ringer Hill is affiliated with NJNG that owns and operates intrastate natural gas distribution facilities in New Jersey. The Commission employs a rebuttable presumption that ownership or control of intrastate natural gas distribution facilities does not allow a seller to raise or erect barriers to entry.²⁸ As a result, the affiliation with natural gas distribution facilities does not present any vertical market power issues in the relevant

²³ 18 C.F.R. § 35.37(d).

²⁴ *Id.*

²⁵ 18 C.F.R. § 35.37(e).

²⁶ *Id.*

²⁷ *See, e.g., Eastern Desert Power, LLC, et al.*, 114 FERC ¶ 61,340 at PP 13-14 (2006).

²⁸ Order No. 607 at P 446.

geographic market here.²⁹ Ringer Hill is not affiliated with physical coal supply sources, or any means of access to the transportation of coal supplies.

Affiliates of Ringer Hill control one generation site in the Northeast region that could support approximately 10 MW of solar generation. There is no barrier to entry because these sites are not located in an area that has a scarcity of similar alternative sites for market entrants so. In sum, neither Ringer Hill nor any of its affiliates own or control inputs to electric power production that raise vertical market power concerns.

Ringer Hill hereby states that neither it nor any of its affiliates have erected barriers to entry in the relevant geographic market, and will not erect such barriers to entry. In light of this assurance, together with the underlying facts discussed above, Ringer Hill does not have vertical market power.

D. There Is No Potential for Affiliate Abuse or Reciprocal Dealing

There are certain restrictions on transactions between companies who have received market-based rate authority and affiliated public utilities.³⁰ However, the Commission clarified in Order No. 697 that these restrictions do not apply when captive customers are not present.³¹ The term “captive customer” only refers to customers served under cost-based rate regulation,³² and does not refer to customers

²⁹ Moreover, the NJNG distribution facilities are operated on an open access basis so competitive suppliers can serve any gas-fired generation that is or may be connected to the NJNG distribution facilities.

³⁰ 18 C.F.R. § 35.39.

³¹ Order No. 697 at PP 552, 589.

³² 18 C.F.R. § 35.36(a) (6).

who have the ability to select a retail supplier based on rates, terms and conditions.³³

Ringer Hill has no “captive customers,” and it is not affiliated with a public utility with an electric franchise. Thus, the affiliate restrictions do not apply to Applicant or its affiliates.

IV. ANCILLARY SERVICES

Applicant requests authorization under the terms of its Tariff to sell certain ancillary services in various organized markets administered by PJM, NYISO, MISO, ISO-NE and CAISO, in accordance with standard tariff language adopted by the Commission for such sales by companies permitted to sell at market-based rates. Applicant’s Tariff contains terms and conditions for the sale of certain ancillary services at market-based rates consistent with Commission precedent.³⁴

V. SELLER CATEGORY

The Commission’s regulations define “Category 1 Sellers” as wholesale power producers that: (1) own or control 500 MW or less of generation in aggregate per region; (2) do not own, operate or control transmission facilities other than limited equipment to connect generating facilities to the transmission grid; (3) are not affiliated with anyone that owns, operates or controls transmission facilities in the

³³ Order No. 697 at P 479; *see also* Order No. 697-A at PP 192, 198.

³⁴ Order No. 697-A, Appendix C; *Midwest Independent Transmission System Operator, Inc.*, 123 FERC ¶ 61,297, at P 46 (2008); *Southwest Power Pool, Inc.*, 144 FERC ¶ 61,224, at P 412 (2013); and *Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies*, 78 Fed. Reg. 46,178 (July 30, 2013), FERC Stats & Regs. ¶ 31,349 at P 200 (Order No. 784). Consistent with Order No. 784, Ringer Hill’s tariff states that it will not make third-party sales of operating reserves 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 unless Ringer Hill has made a future filing with the Commission seeking such authorization by making the required showing and receiving Commission authorization prior to making such sales. *Id.* at PP 200-202.

same region as the seller's generation assets; (4) are not affiliated with a franchised public utility in the same region as the seller's generation assets; and (5) do not raise other vertical market power issues.³⁵ Any seller not in Category 1 is a Category 2 Seller.³⁶

Ringer Hill is a Category 1 Seller in all regions, specifically the Northeast, Southeast, Central, Northwest, Southwest, and SPP regions. With respect to the PJM region, Ringer Hill is a Category 1 Seller because (i) it owns or controls less than 500 MW of generation located in the PJM region and does not own or control generation facilities in other regions, (ii) neither it nor its affiliates own, operate or control transmission assets in any region other than as necessary for the interconnection of generation to the interconnected transmission grid, (iii) it is not affiliated with an owner or operator of transmission facilities in any region; (iv) it is not affiliated with a franchised public utility, and (v) there are no vertical market power issues raised in any region.

VI. COMPLIANCE WITH REPORTING REQUIREMENTS

Ringer Hill agrees to comply with all the reporting requirements normally imposed on sellers permitted to sell power at market-based rates, including filing Electric Quarterly Reports, updated market power analyses, and notices of material changes in status.³⁷ Ringer Hill also agrees to comply with the market behavior

³⁵ 18 C.F.R. § 35.36(a) (2).

³⁶ 18 C.F.R. § 35.36(a) (3).

³⁷ 18 C.F.R. §§ 35.10(b), 35.42.

rules.³⁸ Ringer Hill does not intend to report transactions to publishers of electricity or natural price indices.

VII. REQUEST FOR WAIVERS AND AUTHORIZATIONS

Ringer Hill requests the following waivers, blanket approvals, and authorizations traditionally granted to market-based rate sellers:

- (1) Waiver of subparts B and C of Part 35 of the Commission's regulations, except as to Sections 35.12(a), 35.13(b), 35.15 and 35.16;
- (2) Waiver of accounting, reporting and other requirements of Parts 41, 101 and 141 of the Commission's regulations, except Sections 141.14 and 141.15;
- (3) Blanket authorization to issue securities or assume liabilities in the future under Section 204 of the FPA and Part 34 of the Commission's regulations; and
- (4) Any other waiver or authorization that the Commission determines is appropriate.

VIII. REQUESTED EFFECTIVE DATE

Ringer Hill requests an effective date for its market-based rate tariff of September 16, 2016.

IX. LIST OF DOCUMENTS SUBMITTED WITH THIS FILING

The documents included in this filing consist of the following:

1. This Petition
2. Asset Appendix (Attachment A)

³⁸ 18 C.F.R. § 35.41.

3. Market power screens and supporting materials (Attachment B)
4. Market-Based Rate Tariff (Attachment C)

X. CONCLUSION

For the foregoing reasons, Ringer Hill respectfully requests that the Commission issue an order that (1) grants its Petition for market-based rate authorization; (2) grants its requested waivers and authorizations, and (3) accepts the Tariff to be effective on September 16, 2016.

Respectfully submitted,

/s/ William D. DeGrandis

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Dated: June 3, 2016

ATTACHMENT A

ASSET APPENDIX

Affiliates with Market-Based Rate Authority or Qualifying Facility Status 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)		
NJR Clean Energy Ventures Corporation	N/A	Blair Road Solar	NJR Clean Energy Ventures Corporation	NJR Clean Energy Ventures Corporation	N/A	PJM	Northeast	2/6/11	1.5
NJR Clean Energy Ventures Corporation	N/A	Raritan Center Parkway Solar	NJR Clean Energy Ventures Corporation	NJR Clean Energy Ventures Corporation	N/A	PJM	Northeast	9/22/11	0.7
NJR Clean Energy Ventures Corporation	N/A	Vineland – Mays Landing Solar	NJR Clean Energy Ventures Corporation	NJR Clean Energy Ventures Corporation	N/A	PJM	Northeast	9/30/11	4.7
NJR Clean Energy Ventures Corporation	N/A	Manalapan Village Solar	NJR Clean Energy Ventures Corporation	NJR Clean Energy Ventures Corporation	N/A	PJM	Northeast	12/12/11	3.6
NJR Clean Energy Ventures Corporation	N/A	McGraw-Hill Solar	NJR Clean Energy Ventures Corporation	NJR Clean Energy Ventures Corporation	N/A	PJM	Northeast	12/29/11	14.1
NJR Clean Energy Ventures Corporation	N/A	Wakefern Food Corp Solar Facility	NJR Clean Energy Ventures Corporation	NJR Clean Energy Ventures Corporation	N/A	PJM	Northeast	12/31/12	2.4

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)		
NJR Clean Energy Ventures Corporation	N/A	Medford Solar Facility	NJR Clean Energy Ventures Corporation	NJR Clean Energy Ventures Corporation	N/A	PJM	Northeast	Three Phases: #1 – 10/11/12 #2 – 7/31/13 #3 – 12/17/13	9.6
NJR Clean Energy Ventures II Corporation	N/A	West Pemberton Solar Project	NJR Clean Energy Ventures II Corporation	NJR Clean Energy Ventures II Corporation	N/A	PJM	Northeast	6/13/14	9.2
NJR Clean Energy Ventures II Corporation	N/A	Rock Solid Solar Project	NJR Clean Energy Ventures II Corporation	NJR Clean Energy Ventures II Corporation	N/A	PJM	Northeast	11/24/14	9.9
NJR Clean Energy Ventures II Corporation	N/A	Harmony Solar Project	NJR Clean Energy Ventures II Corporation	NJR Clean Energy Ventures II Corporation	N/A	PJM	Northeast	6/26/15	3.9
NJR Clean Energy Ventures II Corporation	N/A	Jacobstown Solar Facility	NJR Clean Energy Ventures II Corporation	NJR Clean Energy Ventures II Corporation	N/A	PJM	Northeast	Three Phases: #1 – 9/30/14 #2 – 1/9/15 #3 – 9/17/15	18.3
NJR Clean Energy Ventures II Corporation	N/A	Sharon Station Solar Project	NJR Clean Energy Ventures II Corporation	NJR Clean Energy Ventures II Corporation	N/A	PJM	Northeast	5/31/16	3.3
NJR Clean Energy Ventures II Corporation	N/A	Junction Road Solar Project	NJR Clean Energy Ventures II Corporation	NJR Clean Energy Ventures II Corporation	N/A	PJM	Northeast	5/31/16	5.4

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)		
NJR Clean Energy Ventures II Corporation	N/A	Cedar Branch Solar Project	NJR Clean Energy Ventures II Corporation	NJR Clean Energy Ventures II Corporation	N/A	PJM	Northeast	Projected September 2016	7.1
NJR Clean Energy Ventures II Corporation	N/A	East Amwell Solar Project	NJR Clean Energy Ventures II Corporation	NJR Clean Energy Ventures II Corporation	N/A	PJM	Northeast	5/31/16	2.2
Bernards Solar, LLC	N/A	Bernards Solar Project	Bernards Solar, LLC	Bernards Solar, LLC	N/A	PJM	Northeast	Projected September 2016	3.7
Two Dot Wind Farm, LLC	N/A	Two Dot Montana	Two Dot Wind Farm, LLC	Two Dot Wind Farm, LLC	N/A	NorthWestern Energy	Northwest	6/19/14	9.7
Carroll Area Wind Farm, LLC	N/A	Carroll Area Wind Farm	Carroll Area Wind Farm, LLC	Carroll Area Wind Farm, LLC	N/A	MISO	Central	1/27/15	19.9
Alexander Wind Farm, LLC	ER15-2135	Alexander Wind Farm	Alexander Wind Farm, LLC	Alexander Wind Farm, LLC	N/A	SPP	SPP	12/1/15	50.7
Ringer Hill Wind, LLC	ER16-____ (pending)	Ringer Hill Wind Farm*	Ringer Hill Wind, LLC	Ringer Hill Wind, LLC	N/A	PJM	Northeast	Projected late 2016	39.9

All solar facilities and the Two Dot Montana and Carroll Wind Farm projects are Qualifying Facilities without tariffs. Alexander Wind Firm is the only project with both EWG status and MBR authority.

Electric Transmission Assets and/or Natural Gas 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)	
Ringer Hill Wind, LLC	N/A	N/A	N/A	N/A	N/A	N/A	N/A

ATTACHMENT B

**MARKET POWER SCREENS
AND SUPPORTING MATERIAL**

Pivotal Supplier Analysis of the PJM Market* – Ringer Hill Wind, LLC			
Row	Generation	MW	Reference
	Seller and Affiliate Capacity		
A	Installed Capacity	139.5	Ringer Hill Wind and PJM Affiliates nameplate capacity
B	Long-Term Firm Purchases	0	No affiliate projects in PJM have Power Purchase Agreements
C	Long-Term Firm Sales	0	All Ringer Hill output and affiliates resources in PJM listed in Att. A are uncommitted
D	Imported Power	0	
	Non-Affiliate Capacity		
E	Installed Capacity	194,414	
F	Long-Term Firm Purchases	0	
G	Long-Term Firm Sales	0	
H	Imported Power	0	
I	Balancing Authority Area Reserve Requirement	-6,338	
J	Amount of Line I Attributable to Seller, if any	0	
K	Total Uncommitted Supply	74,754.5	(SUM A,B,C,D,E,F,G,H,I, M)
	Load		
L	Balancing Authority Area Annual Peak Load	141,678	
M	Average Daily Peak Native Load in Peak Month	-113,461	
N	Amount of Line M Attributable to Seller, if any	0	
O	Wholesale Load	28,217	(SUM L,M)
P	Net Uncommitted Supply	46,537.5	(SUM K-O)
Q	Seller's Uncommitted Capacity	139.5	(SUM A,B,C,D,J,N)
	Result of Pivotal Supplier Screen	PASS	(Pass if Line Q < Line P, Fail if Line Q > Line P)

*See Cogentrix Pivotal Supplier Analysis – PJM BAA (Attachment C), see also *Panda Liberty* at ft. 15 of this Petition.

Market Share Analysis of the PJM Market* – Ringer Hill Wind, LLC						
Row		Winter (MW)	Spring (MW)	Summer (MW)	Fall (MW)	Reference*
	Seller and Affiliate Capacity					
A	Installed Capacity	139.5	139.5	139.5	139.5	Ringer Hill Wind and Affiliates nameplate capacity
B	Long-Term Firm Purchases	-	-	-	-	
C	Long-Term Firm Sales	-	-	-	-	Conservatively assumed to be 0
D	Seasonal Average Planned Outages	-	-	-	-	
E	Imported Power	-	-	-	-	
	Capacity Deductions					
F	Average Peak Native Load in the Season	-112,941	-94,813	-114,760	-95,808	
G	Amount of Line F Attributable to Seller, if any	-	-	-	-	
H	Amount of Line F Attributable to Others, if any	-112,941	-94,813	-114,760	-95,808	Row H plus Row G
I	Balancing Authority Area Reserve Requirement	-6,378	-5,428	-6,442	-5,495	
J	Amount of Line I Attributable to Seller, if any	-	-	-	-	
K	Amount of Line I Attributable to Others, if any	-6,378	-5,428	-6,442	-5,495	Row J plus Row K
	Non-Affiliate Capacity					
L	Installed Capacity	203,144	202,695	194,414	202,648	
M	Long-Term Firm Purchases	-	-	-	-	
N	Long-Term Firm Sales	-	-	-	-	
O	Local Seasonal Average Planned Outages	-3,938	-29,277	-1,167	-25,214	
P	Uncommitted Capacity Imports	-	-	-	-	
	Supply Calculation					
Q	Total Competing Supply	79,887	73,177	72,045	76,131	(SUM L,M,N,O,P,H,K)
R	Seller's Uncommitted Capacity	139.5	139.5	139.5	139.5	(SUM A,B,C,D,E,G,J)
S	Total Seasonal Uncommitted Capacity	80,026.5	73,316.5	72,184.5	76,270.5	Capacity (SUM Q,R)
T	Seller's Market Share	0.2%	0.2%	0.2%	0.2%	(R/S)
		PASS	PASS	PASS	PASS	Results (Pass if < 20%) (Fail if ≥ 20)

* See Cogentrix Market Share Screen – PJM BAA (Attachment C), see also Panda Liberty, Affidavit of Julie Solomon (Exhibit JRS-4), at ft. 15 of this Petition.

Pivotal Supplier Analysis of the PJM East Market*– Ringer Hill Wind, LLC			
Row	Generation	MW	Reference
	Seller and Affiliate Capacity		
A	Installed Capacity	139.5	Ringer Hill Wind and PJM Affiliates nameplate capacity
B	Long-Term Firm Purchases	0	No affiliate projects in PJM have Power Purchase Agreements
C	Long-Term Firm Sales	0	All Ringer Hill output and affiliates resources in PJM listed in Att. A are uncommitted
D	Imported Power	0	
	Non-Affiliate Capacity		
E	Installed Capacity	33,250	
F	Long-Term Firm Purchases	0	
G	Long-Term Firm Sales	0	
H	Imported Power	0	
I	Balancing Authority Area Reserve Requirement	-1,387	
J	Amount of Line I Attributable to Seller, if any	0	
K	Total Uncommitted Supply	8,617.5	(SUM A,B,C,D,E,F,G,H,I, M)
	Load		
L	Balancing Authority Area Annual Peak Load	30,083	
M	Average Daily Peak Native Load in Peak Month	-23,385	
N	Amount of Line M Attributable to Seller, if any	0	
O	Wholesale Load	6,698	(SUM L,M)
P	Net Uncommitted Supply	1,919.5	(SUM K-O)
Q	Seller's Uncommitted Capacity	139.5	(SUM A,B,C,D,J,N)
Result of Pivotal Supplier Screen		PASS	(Pass if Line Q < Line P, Fail if Line Q > Line P)

*See Cogentrix Pivotal Supplier Analysis – PJM BAA (Attachment C), see also Panda Liberty at ft. 15 of this Petition.

Market Share Analysis of the PJM East Market – Ringer Hill Wind, LLC						
Row		Winter (MW)	Spring (MW)	Summer (MW)	Fall (MW)	Reference
	Seller and Affiliate Capacity					
A	Installed Capacity	139.5	139.5	139.5	139.5	Ringer Hill Wind and Affiliates nameplate capacity
B	Long-Term Firm Purchases	-	-	-	-	
C	Long-Term Firm Sales	-	-	-	-	Conservatively assumed to be 0
D	Seasonal Average Planned Outages	-	-	-	-	
E	Imported Power	-	-	-	-	
	Capacity Deductions					
F	Average Peak Native Load in the Season	-19,357	-16242	-21,648	-17,171	
G	Amount of Line F Attributable to Seller, if any	-	-	-	-	
H	Amount of Line F Attributable to Others, if any	-19,357	-16242	-21,648	-17,171	Row H plus Row G
I	Balancing Authority Area Reserve Requirement	-1,148	-963	-1,284	-1,018	
J	Amount of Line I Attributable to Seller, if any	-	-	-	-	
K	Amount of Line I Attributable to Others, if any	-1,148	-963	-1,284	-1,018	Row J plus Row K
	Non-Affiliate Capacity					
L	Installed Capacity	35,353	35,079	33,250	35,774	
M	Long-Term Firm Purchases	-	-	-	-	
N	Long-Term Firm Sales	-	-	-	-	
O	Local Seasonal Average Planned Outages	-687	-5,083	-200	-4,465	
P	Uncommitted Capacity Imports	-	-	-	-	
	Supply Calculation					
Q	Total Competing Supply	14,161	12,791	10,118	13,120	(SUM L,M,N,O,P,H,K)
R	Seller's Uncommitted Capacity	139.5	139.5	139.5	139.5	(SUM A,B,C,D,E,G,J)
S	Total Seasonal Uncommitted Capacity	14,300.5	12,930.5	10,257.5	13,259.5	Capacity (SUM Q,R)
T	Seller's Market Share	1.0%	1.1%	1.4%	1.1%	(R/S)
		PASS	PASS	PASS	PASS	Results (Pass if < 20%) (Fail if ≥ 20)

* See Cogentrix Market Share Screen – PJM BAA (Attachment C), see also Panda Liberty, Affidavit of Julie Solomon (Exhibit JRS-4), at ft. 15 of this Petition.

ATTACHMENT C

MARKET-BASED RATE TARIFF

1. **Availability:** Ringer Wind Hill, LLC (Seller) makes electric energy, capacity and ancillary services available under this Rate Schedule for wholesale sales to any purchaser with whom Seller has contracted.
2. **Applicability:** This Rate Schedule is applicable to all sales of electric energy, capacity and ancillary services by Seller not otherwise subject to a particular Rate Schedule of Seller.
3. **Rates:** All sales shall be made at the rates established between Seller and the purchaser.
4. **Other Terms and Conditions:** All other terms and conditions shall be established by agreement between Seller and the purchaser.
5. **Ancillary Services:** Seller will make available to any purchaser with whom it has contracted, the ancillary services listed in this Paragraph.
 - 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 Open Access Transmission Tariff 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 C.F.R. 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 C.F.R. 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. Seller Category:** Seller is a Category 1 seller in the Northeast, Southeast, Central, Northwest, Southwest, and Southwest Power Pool regions, as defined in 18 C.F.R. § 35.36(a).
- 8. Limitations and Exemptions Regarding Market-Based Rate Authority:** Seller has requested waiver of: Subparts B and C of Part 35, except for sections 35.12(a), 35.13(b), 35.15 and 35.16. Seller has also received waiver of: Part 41, Part 101, and Part 141 with the exception of 18 C.F.R. §§ 141.14 and 141.15. Seller has also requested blanket approval under Part 34. (See Ringer Hill Wind, LLC, Docket No. ER16-____-000 (2016) (pending).)
- 9. Effective Date:** This Tariff is effective on the date specified by the Commission.

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FERC rendition of the electronically filed tariff records in Docket No. ER16-01878-000

Filing Data:

CID: C005276

Filing Title: Ringer Hill Wind, LLC FERC Electric Tariff, Original Baseline

Company Filing Identifier: 135

Type of Filing Code: 400

Associated Filing Identifier:

Tariff Title: Ringer Hill Wind, LLC, FERC Electric Tariff, Original Volume No. 1

Tariff ID: 29

Payment Confirmation:

Suspension Motion: N

Tariff Record Data:

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

Original, Ringer Hill Wind Tariff, 1.0.0, A

Record Narrative Name: Original tariff of Ringer Hill Wind, LLC

Tariff Record ID: 34

Tariff Record Collation Value: 1000 Tariff Record Parent Identifier: 0

Proposed Date: 2016-09-16

Priority Order: 500

Record Change Type: New

Record Content Type: 1

Associated Filing Identifier:

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-000 (2016)
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Document Content(s)

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