

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

Seiling Wind, LLC

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Docket No. EG14-____-000

**NOTICE OF SELF-CERTIFICATION OF
EXEMPT WHOLESALE GENERATOR STATUS OF
SEILING WIND, LLC**

Pursuant to the Public Utility Holding Company Act of 2005 (“PUHCA 2005”), enacted pursuant to the Energy Policy Act of 2005, §§ 1261-77, Pub. L. No. 109-58, 119 Stat. 594 (2005), and Section 366.7, 18 C.F.R. § 366.7 (2013) of the regulations of the Federal Energy Regulatory Commission (“FERC” or “Commission”), Seiling Wind, LLC, a Delaware limited liability company (“Applicant” or “Seiling Wind”), hereby submits this notice of self-certification (“Notice”) of its status as an exempt wholesale generator (“EWG”), as defined in Section 366.1 of the Commission’s rules, 18 C.F.R. § 366.1 (2013). In support of this Notice, Applicant hereby states as follows:

I. Principal Office of Applicant

The principal office of Applicant is set forth below:

Seiling Wind, LLC
700 Universe Blvd.
Juno Beach, FL 33408-0420

II. Communications

All communications regarding this Application should be provided to:

Gunnar Birgisson
Senior Attorney
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W., Ste. 220
Washington, D.C. 20004
(202) 349-3494
(202) 347-7076 (fax)
gunnar.birgisson@nee.com

III. Description of Applicant and Facility

Applicant is a Delaware limited liability company and a wholly-owned indirect subsidiary of NextEra Energy Resources, LLC (“NextEra”). NextEra is a Delaware limited liability company and a wholly-owned indirect subsidiary of NextEra Energy, Inc., a Florida corporation and a holding company as defined in Section 366.1 of the Commission’s regulations. Seiling Wind will own and operate a wind generating facility with 200 MW aggregate nameplate capacity (the “Facility”) located in Dewey County, Oklahoma, within the Southwest Power Pool balancing authority area. The Facility will interconnect with Oklahoma Gas & Electric Company.

In connection with operating the Facility, Applicant also may engage in the following incidental activities that the Commission has found permissible EWG activities:

- Trade emission allowances consistent with the Commission’s limitation that an EWG may engage in such trading so long as the emission allowances were originally obtained in the normal course of operating the Facility.¹
- Sell “green” power certificates or credits consistent with the Commission’s limitation that an EWG may sell such certificates or credits where they are associated with power produced by the Facility.²
- Engage in other activities incidental to the sale of electric energy at wholesale that are consistent with the Commission’s EWG precedent.

IV. Representations Regarding Exempt Wholesale Generator Status

Consistent with Section 366.1 of the Commission’s regulations, Applicant makes the following representations in order to certify that it satisfies the requirements for EWG status:

¹ See *UGI Development Co.*, 89 FERC ¶ 61,192 (1999).

² See *Madison Windpower, LLC*, 93 FERC ¶ 61,270 (2000).

1. Applicant represents that it will be engaged directly and exclusively in the business of owning and operating the Facility and selling electric energy at wholesale. Consistent with the Commission's EWG precedent, the associated activities described in Part III above are incidental to the wholesale generation business and will not violate the EWG exclusivity requirement. The Facility, as described above, will satisfy the definition of Eligible Facilities as defined in Section 32(a)(2) of the Public Utility Holding Company Act of 1935 and as incorporated by reference in 18 C.F.R. § 366.1, because it will be used for the generation of electric energy exclusively for sale at wholesale.

2. The Facility includes no transmission or distribution facilities other than those interconnecting transmission facilities necessary to permit the Facility to engage in sales at wholesale.

3. Applicant will not make sales of power at retail.

4. No rate or charge for, or in connection with, the construction of the Facility, or for electric energy produced by the Facility, was in effect under the laws of any State on October 24, 1992. As such, no determination or certification by a state commission is necessary prior to certification of the Facility as an EWG.

5. No portion of the Facility will be owned or operated by an "electric utility company" that is an "affiliate" or "associate company" of Applicant that is not itself and EWG, as defined in Section 366.1 of the Commission's regulations.

6. There are no leasing arrangements involving the Facility and any public utility company or any affiliate or associate company of any public utility company.

V. **Conclusion**

Based upon the foregoing, Applicant respectfully requests that the Commission accept its notice of self-certification of EWG status.

Respectfully submitted,

/s/ Gunnar Birgisson
Gunnar Birgisson
Senior Attorney
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W.
Suite 220
Washington, D.C. 20004
(202) 349-3494

Counsel for Seiling Wind, LLC

Dated: July 14, 2014

CERTIFICATE OF SERVICE

I, Gunnar Birgisson, hereby certify that I have this day caused the foregoing Notice of Self- Certification of Exempt Wholesale Generator Status of Seiling Wind, LLC to be served by first-class mail upon the Florida Public Service Commission and the Oklahoma Corporation Commission.

Dated at Washington, D.C. this 14th day of July 2014.

/s/ Gunnar Birgisson _____
Gunnar Birgisson
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W.
Suite 220
Washington, D.C. 20004

Document Content(s)

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