

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

Slate Creek Wind Project, LLC) **Docket No. ER15-____-000**

**PETITION OF SLATE CREEK WIND PROJECT, LLC FOR ACCEPTANCE OF
MARKET-BASED RATE TARIFF, WAIVERS AND BLANKET APPROVALS**

Pursuant to Section 205 of the Federal Power Act (“FPA”),¹ Part 35 of the regulations of the Federal Energy Regulatory Commission (“FERC” or “Commission”),² and the requirements of Order No. 697,³ Slate Creek Wind Project, LLC (variously “Slate Creek,” “Applicant,” or “Seller”) hereby petitions for authorization to make market-based sales of energy, capacity, and certain ancillary services under a market-based rate tariff. Slate Creek respectfully requests acceptance of its market-based rate schedule, FERC Electric Tariff Original Volume No. 1 (“Tariff”), with an effective date of September 7, 2015. Slate Creek also requests waiver of certain Commission regulations and a grant of certain blanket approvals, which are customarily granted to sellers with market-based rate authorization.

¹ 16 U.S.C. § 824d (2012).

² 18 C.F.R. Part 35 (2014).

³ *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, FERC Stats. & Regs. ¶ 31,252 (“Order No. 697”), *clarified*, 121 FERC ¶ 61,260 (2007), *order on reh’g*, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268 (“Order No. 697-A”), *clarified*, 124 FERC ¶ 61,055 (2008), *order on reh’g*, Order No. 697-B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh’g*, Order No. 697-C, FERC Stats. & Regs. ¶ 31,291 (2009), *order on reh’g*, Order No. 697-D, FERC Stats. & Regs. ¶ 31,305 (2010).

I. COMMUNICATIONS

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

Alex Lazur
Senior Counsel
15445 Innovation Drive
San Diego, CA 92128
(858) 521-3463
alex.lazur@edf-re.com

Andrea Wolfman
Alston & Bird LLP
950 F Street, N.W.
Washington, DC 20004
(202) 239-3300
andrea.wolfman@alston.com

II. DESCRIPTION OF APPLICANT AND RELEVANT AFFILIATES

A. Slate Creek Wind Project, LLC

Slate Creek is a limited liability company organized under the laws of the State of Delaware with its principal place of business in Sumner County, Kansas. It is indirectly wholly-owned by EDF Renewable Energy, Inc. (“EDF-RE”). Slate Creek is developing and will own and operate an approximately 150 MW (nameplate) wind-powered electric generation facility and related generation interconnection facilities that is under construction in Sumner County, Kansas (the “Facility”). The Facility is expected to produce test power in the second half of September 2015. The Facility will be interconnected to the transmission system owned by Westar Energy (“Westar”) and operated by the Southwest Power Pool, Inc. (“SPP”). Therefore, the relevant market for the market power analysis is the SPP balancing authority area (“BAA”). All the electric energy and capacity from the Facility will be sold under a long-term power purchase agreement to Great Plains Energy, Inc.

B. Upstream Ownership

EDF-RE is a holding company that 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 S.A.”), which is owned by the French government (84.49%), with a small percentage of shares held by the current and former employees (approx. 1.72%) and the remaining shares owned by the public.

With the exception of the direct or indirect ownership interest 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 BAA is discussed below in Section II.D. 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”).⁴ 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 entities that own, operate, or are developing the wind and solar generation facilities that use or will use the Antelope Valley line to interconnect to the California Independent System Operator (“CAISO”)-controlled transmission grid at the Whirlwind Substation.⁵ 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 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.

⁴ *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).

⁵ 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 Pacific Wind Lessee, LLC*, 151 FERC ¶ 61,216 (2015) (order accepting revisions and reaffirming waivers).

C. Affiliates of EDF-RE (Applicant’s Indirect Parent)

1. EDF Inc.

EDF Inc. (f/k/a/ EDF Development Inc.)⁶ is a Delaware corporation and an indirect wholly-owned subsidiary of EDF S.A. EDF Inc. has a 49.99 percent interest in the Constellation Energy Nuclear Group, LLC (“CENG”). CENG owns several entities with market-based rate authority (collectively, the “CENG Nuclear Entities”)⁷ that, in turn, own five operating nuclear generator units: Calvert Cliffs Unit 1 (866 MW) and Calvert Cliffs Unit 2 (842 MW), both located in the PJM balancing authority area; Nine Mile Point Unit 1 (627 MW) and 82 percent of Nine Mile Point Unit 2 (1,287 MW), both located in the New York Independent System Operator, Inc. (“NYISO”) balancing authority area; and R.E. Ginna (582 MW), also located in the NYISO balancing authority area.

EDF Inc. also owns 100 percent of UniStar Nuclear Energy, L.L.C. (“UniStar”). UniStar is a developer of new nuclear projects in the United States. None of UniStar’s projects are operational at this time.

2. EDF Trading North America, LLC

EDF Trading North America, LLC (“EDFT”) is a Texas limited liability company with its principal place of business in Houston, Texas. EDFT is a wholly-owned direct

⁶ EDF Inc. is the entity that resulted from an internal corporate reorganization and change of name whereby Électricité de France International North America Inc. (U.S.), a wholly-owned subsidiary of EDF Development Inc. (“EDFD”), merged into EDFD. That internal corporate reorganization became effective on December 31, 2009. On January 2, 2010, EDFD changed its name to EDF Inc. *See EDF Inc.*, Notice of Name Change and Succession, Docket No. ER10-702-000 (filed Feb. 1, 2010).

⁷ *See Calvert Cliffs Nuclear Power Plant, Inc.*, Docket No. ER00-2917-001 (unpublished letter order issued Oct. 18, 2000); *Nine Mile Point Nuclear Station, LLC*, 95 FERC ¶ 61,202 (2001); *R.E. Ginna Nuclear Power Plant, LLC*, Docket No. ER04-485-000 (unpublished letter order issued Mar. 24, 2004).

subsidiary of EDF Trading Holdings, LLC (f/k/a EDF Trading North America, Inc.) (“EDF Holdings”), which itself is a wholly-owned indirect subsidiary of EDF S.A. EDFT is a power marketer authorized by the Commission to engage in the wholesale sale of electricity and related services at market-based rates.⁸

Several of EDFT’s subsidiaries also have been granted market-based rate authority: EDF Industrial Power Services (IL), LLC (“EIPS IL”), EDF Industrial Power Services (NY), LLC (“EIPS NY”), EDF Industrial Power Services (CA), LLC (“EIPS CA”), EDF Industrial Power Services (OH), LLC (EIPS OH), and EDF Energy Services, LLC (“EDF Energy Services”).⁹ These entities have been primarily engaged in retail marketing activities.

EDFT also holds a minority ownership interest in Champion Energy Marketing LLC (“Champion”).¹⁰ Champion, and its wholly-owned subsidiaries, Champion Energy Services, LLC (“Champion Energy Services”) and Champion Energy, LLC (“Champion Energy”), are competitive retail marketers with market-based rate authorization,¹¹ which

⁸ 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).

⁹ See *Eagle Industrial Power Services (IL), LLC* and *EDF Industrial Power Services (NY), LLC*, Docket Nos. ER10-1424-000, ER10-1424-001, ER10-1425-000, ER10-1425-001 (unpublished letter order issued Sept. 2, 2010); *EDF Industrial Power Services (CA), LLC*, Docket Nos. ER12-1825-0001 (unpublished letter order issued July 20, 2012); *EDF Industrial Power Services (OH), LLC*, Docket No. ER13-1680-000 (unpublished letter order issued July 26, 2013); and *EDF Energy Services, LLC*, Docket No. ER14-2672-000 (unpublished letter order issued Sept. 23, 2014). Pursuant to an internal corporate reorganization, EIPS NY, EIPS OH and EIPS IL have been merged into EDF Energy Services. As a result, EIPS NY, EIPS OH and EIPS IL will be terminating their market-based rate tariffs.

¹⁰ The Commission authorized this transaction on November 23, 2010 in Docket No. EC11-11-000. *Champion Energy Marketing LLC, et al.*, 133 FERC ¶ 62,172 (2010).

¹¹ *Champion Energy Services, LLC, et al.*, Docket Nos. ER10-3049-000 and ER10-3051-000 (unpublished letter order issued Nov. 10, 2010); *Champion Energy Marketing LLC*, Docket Nos. ER08-836-000 and ER08-836-001 (unpublished letter order issued May 23, 2008).

do not own, operate, or control any electric generation, transmission, distribution facilities or inputs to generation.¹² None of Champion or its affiliates has a franchised service territory or captive ratepayers.

EDFT also holds 49 percent of the common membership interests and certain preferred interests in Anahau Energy, LLC (“Anahau”), a Delaware limited liability company with its principal place of business in El Segundo, California. Anahau engages in bilateral sales of wholesale electric power. By letter order issued January 3, 2013, the Commission granted Anahau market-based rate authority and designated it a Category 1 Seller in all regions.¹³ Anahau does not own, operate, or control any electric generation, transmission, distribution facilities or inputs to generation, and it does not have a franchised service territory or captive ratepayers.

EDFT currently provides services to the owners of several generation facilities pursuant to energy management agreements (“EMAs”) with the facility owners. Under each EMA the plant owner retains ultimate decision-making authority over the plant’s operation and output. The Commission has determined that the EMAs do not confer upon EDFT control over the various plants’ operation and output.¹⁴ EDFT also engages in the physical and financial trading of other energy-related products.

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

¹² See *EDF Trading North America, LLC*, Notice of Non-Material Change in Status of EDF Trading North America, LLC, Docket Nos. ER10-2794-001, ER10-1424-002, and ER10-1425-002 (filed Jan 3, 2011) (accepted by Letter Order dated March 9, 2011).

¹³ *Anahau Energy, LLC*, Docket No ER13-415-000 (unpublished letter order issued Jan. 3, 2013).

¹⁴ *Lehman Brothers Commodity Services Inc.*, 125 FERC ¶ 61,122 at P 20 (2008).

electric power production and does not have a franchised service territory or captive ratepayers.

D. Affiliates in the SPP Balancing Authority Area

In addition to Slate Creek in the SPP balancing authority area, EDF-RE indirectly holds an ownership interest in and operates two other wind generation companies with market-based rate authority and two companies with wind generation projects in development.

Spearville 3, LLC: Spearville 3, LLC (“Spearville 3”) is a limited liability company that 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 Kansas City Power & Light Company (“KCPL”) and operated by SPP. Spearville 3 was granted authority to sell at market-based rates¹⁵ and its entire output is sold under a long-term power purchase agreement to KCPL.

Spinning Spur Wind, LLC: Spinning Spur Wind, LLC (“Spinning Spur”), is 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 rates¹⁶ and its entire output is sold under a long-term power purchase agreement to SPS.

¹⁵ *Spearville 3, LLC*, Docket No. ER12-2037-000, unpublished letter order issued July 24, 2012.

¹⁶ *Spinning Spur Wind, LLC*, Docket No. ER12-2314-000, unpublished letter order issued September 27, 2012.

Roosevelt Wind Project, LLC: Roosevelt Wind Project, LLC (“Roosevelt”), a limited liability company created to develop, construct, own and operate an approximately 250 MW (nameplate) capacity wind-powered electric generation facility that is under construction in Roosevelt County, New Mexico. When complete, the Roosevelt generation facility will interconnect with the SPS-owned transmission system, which is under the functional control of SPP, and its entire output will be sold into the SPS.¹⁷ The Roosevelt generation facility is expected to produce test power in late September or early October 2015.

Milo Wind Project, LLC: Milo Wind Project, LLC (“Milo”), a limited liability company created to develop, construct, own and operate a 49.65 MW (nameplate) capacity wind-powered electric generation facility that is under construction in Roosevelt County, New Mexico. When complete, the Milo generation facility will interconnect with the Southwest Public Service Company (“SPS”) owned transmission system, which is under the functional control of SPP, and its entire output will be sold into the SPP wholesale market.¹⁸ The Milo generation facility is expected to produce test power in early January 2016.

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

¹⁷ Roosevelt is filing its petition for authorization to make market-based sales of energy, capacity, and certain ancillary services contemporaneously with this Petition.

¹⁸ Milo is filing its petition for authorization to make market-based sales of energy, capacity, and certain ancillary services contemporaneously with this Petition.

III. MARKET POWER ANALYSIS

The Commission permits sales of energy and capacity at market-based rates if the seller and its affiliates lack both horizontal and vertical market power in the relevant geographic market.¹⁹ Applicants must also comply with the Commission’s regulations regarding affiliate abuse restrictions.²⁰ Slate Creek satisfies all requirements for Commission approval to sell at market-based rates.

A. Horizontal Market Power

Slate Creek 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.²¹ As noted above, Slate Creek is located in the BAA operated by SPP. Thus, the relevant geographic market is the SPP BAA. For purposes of this analysis, Slate Creek is affiliated with four generation facilities in the SPP BAA – Spearville 3, Spinning Spur, Roosevelt, and Milo (although Roosevelt and Milo are still in development).

The Commission permits generation owners that are unlikely to possess market power to submit streamlined applications using simplifying assumptions in their screen analyses.²² The Commission also permits an applicant to rely on an analysis previously accepted by the Commission for the same balancing authority area, if it reflects recent

¹⁹ See 18 C.F.R. § 35.37; Order No. 697 at PP 12-32.

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

²¹ Order No. 697 at P 231.

²² *Id.* at PP 308, 337.

data.²³ For purposes of this market power analysis, the analysis assumes that the collective capacity of Slate Creek and its affiliates in the SPP BAA is 712 MW and conservatively assumes that all of this capacity owned or controlled by Slate Creek and its affiliates is uncommitted. In preparing the indicative screens, Slate Creek relies on the data in a Southwestern Public Service Company market power analysis.²⁴ The analysis relied upon here was recently accepted by the Commission in *Balko Wind, LLC*, 151 FERC ¶ 61,161 PP 13-14 (2015); and *Origin Wind Energy, LLC*, 149 FERC ¶ 61,088 PP 12-14 (2014). As discussed below, and demonstrated in the tables provided at Attachment B, Slate Creek passes both indicative screens.

Pivotal Supplier Screen. The Pivotal Supplier screen evaluates the potential of a seller to exercise market power based on uncommitted capacity at the time of the BAA's annual peak demand.²⁵ "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."²⁶ The Pivotal Supplier screen focuses on the seller's ability to exercise market power unilaterally and examines whether the market demand can be met absent the seller during

²³ *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) (unpublished letter order accepting La Paloma's market power analysis, which relied on data previously accepted for the balancing authority area).

²⁴ *Southwestern Public Service Co.*, Docket No. ER14-865-000 supplement filed Feb. 12, 2014, accepted by unpublished letter order issued February 28, 2014.

²⁵ 18 C.F.R. § 35.37(c)(1).

²⁶ Order 697 at P 38 (footnote omitted). 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, Roosevelt hereby affirms that it has not contractually obtained control of another entity's assets in the relevant BAA.

peak times.²⁷ A seller is pivotal if demand cannot be met without some contribution of supply by the seller or its affiliates.²⁸

Slate Creek passes the Pivotal Supplier screen. It is not a purchaser under any power purchase agreement pursuant to which it has obtained rights to uncommitted capacity from others' facilities. As is shown in Attachment B, the Net Uncommitted Supply in the SPP BAA is 21,386 MW, whereas the generating capacity of Slate Creek and its affiliates located in this area is approximately 712 MW, significantly less than that of the SPP Net Uncommitted Supply. Accordingly, Slate Creek passes the 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.”²⁹ If the applicant has less than a 20% market share in all four seasons, it passes the Market Share screen.³⁰ As is shown in Attachment B, the SPP Total Seasonal Uncommitted Capacity ranges from 27,567 MW to 40,441 MW, and Slate Creek and its affiliates contribute at most only 712 MW, which results in Slate Creek and its affiliates owning or controlling 2.58% or less of the supply in the SPP market in all seasons. Accordingly, Slate Creek is presumed to have no market power in the SPP balancing authority area.

²⁷ See *AEP Power Marketing, Inc.*, at P 72.

²⁸ *Id.*

²⁹ Order No. 697 at P 43.

³⁰ *Id.* at PP 44, 89; see also *AEP Power Marketing* at P 13.

B. Vertical Market Power

Slate Creek and its relevant affiliates also lack vertical market power. To determine whether an applicant has vertical market power, the Commission considers the ownership, operation or control of transmission facilities.³¹ If a seller or its affiliates own such facilities, they may demonstrate a lack of market power by having an OATT on file with the Commission.³² The vertical 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.³³ Finally, an applicant must state that it will not erect barriers to entry in the relevant market.³⁴

Slate Creek and its relevant affiliates only own, operate, or control limited transmission-related equipment necessary to connect their facilities to the transmission grid. As noted above, EDF-RE holds an equity interest in the Sagebrush Line through its ownership in Oasis Power Partners, LLC. The Sagebrush Line is located in the CAISO BAA. EDF-RE does not operate or control the Sagebrush operations. In any event, Sagebrush has an OATT that has been accepted by the Commission,³⁵ which should satisfy any vertical market power concerns.³⁶ Also, as indicated above, EDF-RE has an ownership interest in the Antelope Valley generation-tie line facilities, also located in the

³¹ 18 C.F.R. § 35.37(d).

³² *Id.*

³³ 18 C.F.R. § 35.37(e).

³⁴ *Id.*

³⁵ *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).

³⁶ *See Order No. 697 at P 21.*

CAISO BAA, but those facilities are limited and discrete interconnection facilities used only to deliver power to purchasers. Consequently, the Commission has granted waiver of the OATT requirements for these facilities.³⁷ The Commission has previously found that ownership of such limited interconnection facilities does not confer transmission market power.³⁸

Neither Slate Creek nor any of its affiliates own or control inputs to electric power production that raise vertical market power concerns. Slate Creek and its affiliates currently control, as that term is defined in the generation interconnection process, three sites in the SPP region (other than the site on which the Facility and the Slate Creek and Milo projects are being constructed) that could potentially support approximately 1,364 MW, one site in the Southeast region that could support 20 MW, eight sites in the Northeast region that could support approximately 387 MW, three sites in the Central region that could support approximately 450 MW, four sites in the Northwest region that could support approximately 561 MW, and ten sites in the Southwest region that could support approximately 637 MW. Although Slate Creek and its affiliates do own or control one or more sites for developing generation capacity the sites are not located in an area that has a scarcity of similar alternative sites for market entrants, so there is no barrier to entry. The Commission has found that such cases do not raise vertical market power concerns.³⁹

³⁷ See *supra* note 5.

³⁸ See, e.g., *Eastern Desert Power, LLC, et al.*, 114 FERC ¶ 61,340 at PP 13-14 (2006).

³⁹ See, e.g., *Chanarambie Power Partners, L.L.C., et al.*, Docket Nos. ER03-1340-006, *et al.* (June 23, 2010) (unpublished letter order) (accepting that Oasis and Shiloh 2 do not have vertical market power because generation sites were located in areas with adequate alternatives); *Entergy Services, Inc.*, 58 FERC ¶ 61,234 at 61,758-59 (1992).

Neither Slate Creek nor its affiliates own or control intrastate natural gas storage or distribution facilities, physical coal supply sources, or access to the transportation of coal supplies. As noted above, EDF-RE owns two landfill gas production facilities and gas gathering lines in Pennsylvania, a biogas production facility in Colorado that produces pipeline-quality gas, and is a shipper on interstate pipelines to move the gas it produces to a market center, but does not own or control any physical natural gas transportation, storage or distribution facilities or own or control other physical inputs to electric generation or transmission.

In accordance with the Commission’s regulations, Slate Creek 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. This assurance, along with the facts discussed above, demonstrates that Slate Creek and its affiliates do not have vertical market power.

C. Affiliate Restrictions

The regulations restrict transactions between companies who have received market-based rate authority and affiliated public utilities.⁴⁰ In Order No. 697, however, the Commission clarified that these regulations do not apply when captive customers are not present.⁴¹ The term “captive customer” only refers to customers served under cost-based rate regulation,⁴² and does not refer to customers who have the ability to select a retail supplier based on rates, terms and conditions.⁴³ The customer of Slate Creek does

⁴⁰ 18 C.F.R. § 35.39.

⁴¹ Order No. 697 at PP 552, 589.

⁴² 18 C.F.R. § 35.36(a)(6).

⁴³ Order No. 697 at P 479; *see also* Order No. 697-A at PP 192, 198.

not and will not fit the Commission’s definition of “captive customer.” Further, Slate Creek is not affiliated with a franchised public utility. Thus, the affiliate restrictions do not apply to Applicant or its affiliates.

IV. ANCILLARY SERVICES

Applicant requests authorization to sell certain ancillary services in various markets as authorized for other companies permitted to sell at market-based rates, under the terms of Applicant’s tariff. Applicant’s tariff contains terms and conditions for the sale of certain ancillary services at market-based rates consistent with Commission precedent.⁴⁴

V. SELLER CATEGORY

The 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 same region as the seller’s generation assets; (4) are not affiliated with a franchised public utility in the same region as the

⁴⁴ 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. 46178 (July 30, 2013), at P 200 (“*Order No. 784*”). As required by Order No. 784, Applicant’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 it 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.

seller's generation assets; and (5) do not raise other vertical market power issues.⁴⁵ Any seller not in Category 1 is a Category 2 Seller.⁴⁶

Slate Creek submits that it is a Category 1 Seller in the Northeast, Southeast, Central, and Northwest regions. Slate Creek is a Category 1 Seller in those regions because (i) it owns or controls less than 500 MW of generation located in those regions, (ii) neither it nor its affiliates own or control transmission assets in those regions 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 those regions; (iv) it is not affiliated with a franchised public utility, and (v) there are no vertical market power issues raised in any of those regions. Slate Creek is a Category 2 Seller in the Southwest region because of its affiliation with Sagebrush and it is a Category 2 Seller in the SPP region because it and its affiliates own or control more than 500 MW of generation in that region.

VI. REPORTING REQUIREMENTS

Slate Creek 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.⁴⁷ Slate Creek also agrees to comply with the market behavior rules.⁴⁸ Slate Creek does not intend to report transactions to publishers of electricity or natural price indices.

⁴⁵ 18 C.F.R. § 35.36(a) (2).

⁴⁶ 18 C.F.R. § 35.36(a) (3).

⁴⁷ 18 C.F.R. §§ 35.10(b), 35.42.

⁴⁸ 18 C.F.R. § 35.41.

VII. REQUEST FOR WAIVERS AND AUTHORIZATIONS

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

- (1) Waiver of reporting requirements in 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, under Section 204 of the FPA and Part 34 of the Commission's regulations; and
- (4) Any other waiver or authorization that the Commission finds appropriate.

VIII. REQUESTED EFFECTIVE DATE

Slate Creek requests an effective date for its market-based rate tariff of September 7, 2015.

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

X. CONCLUSION

For the foregoing reasons, Slate Creek respectfully requests the Commission to issue an order (1) granting its petition for market-based rate authorization; (2) granting the requested waivers and authorizations, and (3) accepting the tariff records to be effective on September 7, 2015.

Respectfully submitted,

/s/ Andrea Wolfman

Andrea Wolfman
Alston & Bird LLP
950 F Street, N.W.
Washington, DC 20004
(202) 239-3300

Counsel for Slate Creek Wind Project, LLC

Dated: July 8, 2015

ATTACHMENT A

ASSET APPENDIX

Affiliates with Market-Based Rate Authority and Generation Assets¹

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)		
EDF Trading North America, LLC	ER03-774	N/A	EDF Trading Holdings LLC	EDF Trading Holdings LLC	10/31/2008	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)
EDF Industrial Power Services (CA), LLC	ER12-1825	N/A	EDF Trading North America, LLC	EDF Trading North America, LLC	N/A	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)
EDF Industrial Power Services (IL), LLC	ER10-1424	N/A	EDF Trading North America LLC	EDF Trading North America LLC	N/A	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)
EDF Industrial Power Services (NY), LLC	ER10-1425	N/A	EDF Trading North America LLC	EDF Trading North America LLC	N/A	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)
EDF Industrial Power Services (OH), LLC	ER13-1680	N/A	EDF Trading North America LLC	EDF Trading North America LLC	N/A	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)
EDF Energy Services, LLC	ER14-2672	N/A	EDF Trading North America LLC	EDF Trading North America LLC	N/A	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)	N/A (power marketer)

¹ Excludes assets outside the continental U.S and within ERCOT.

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)		
Champion Energy Marketing LLC	ER08-836	N/A	Champion Energy Holdings, LLC & EDF Trading North America, LLC	Champion Energy Holdings, LLC	N/A	N/A	N/A	N/A	N/A
Champion Energy Services, LLC	ER10-3049	N/A	Champion Energy Marketing LLC	Champion Energy Marketing LLC	N/A	N/A	N/A	N/A	N/A
Champion Energy, LLC	ER10-3051	N/A	Champion Energy Marketing LLC	Champion Energy Marketing LLC	N/A	N/A	N/A	N/A	N/A
Anahau Energy, LLC	ER13-415	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Allendale Biomass, LLC	N/A	N/A	Allendale Biomass	Allendale Biomass	N/A	Santee Cooper	Southeast	10/1/13	19.3
Bellevue Solar, LLC	ER11-4380-000	N/A	Bellevue Solar	Bellevue Solar	N/A	PGE	Northwest	10/26/2011	1.66
Catalina Solar Lessee, LLC	ER13-1562-000	N/A	Catalina Solar, LLC	N/A	N/A	CAISO	Southwest	2013	110

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)		
Champepadan Wind Power Partners, LLC	N/A	N/A	Champepadan	Champepadan	N/A	MISO	Central	12/19/2001	1.98
Chestnut Flats Lessee, LLC	ER13-1641-000	N/A	Chestnut Flats Wind, LLC	N/A	9/30/13	PJM	Northeast	12/29/11	38
DifWind Farms LTD VI	N/A	N/A	DifWind VI	DifWind VI	N/A	CAISO	Southwest	12/31/1984	26.8
DifWind Farms LTD VII	N/A	N/A	DifWind VII	DifWind VII	N/A	CAISO	Southwest	1/1/1985	23
DifWind Farms LTD VIII	N/A	N/A	DifWind VIII	DifWind VIII	N/A	CAISO	Southwest	12/31/1986	15
DifWind Farms LTD IX	N/A	N/A	DifWind IX	DifWind IX	N/A	CAISO	Southwest	1/1/1985	15
Dorchester Biomass, LLC	N/A	N/A	Dorchester Biomass	Dorchester Biomass	N/A	Santee Cooper	Southeast	10/1/13	19.3
EDF Renewable Wind Farm V, Inc.	N/A	N/A	EDF Renewable Wind Farm V	EDF Renewable Wind Farm V	N/A	CAISO	Southwest	1989	16.2
Fenton Power Partners I, LLC	ER07-357-000	N/A	Fenton Power Partners	Fenton Power Partners	N/A	MISO	Central	11/13/2007	205.5
Hoosier Wind Project, LLC	ER09-1181-000	N/A	Hoosier Wind Project	Hoosier Wind Project	N/A	MISO	Central	11/2009	106

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)		
Milo Wind Project, LLC	ER15-____ (pending)	N/A	Milo Wind Project	Milo Wind Project	N/A	SPP	SPP	Projected early-2016	49.65
Moulton Wind Power Partners, LLC	N/A	N/A	Moulton Wind	Moulton Wind	N/A	MISO	Central	12/19/2001	1.98
Oasis Power Partners, LLC	ER05-41-000	N/A	Oasis Power	Oasis Power	N/A	CAISO	Southwest	12/24/2004	60
Pacific Wind Lessee, LLC	ER12-1931-000	N/A	Pacific Wind, LLC	Pacific Wind Lessee, LLC	N/A	CAISO	Southwest	8/16/2012	140
Patterson Pass Wind Farm LLC	N/A	N/A	Patterson Pass	Patterson Pass	N/A	CAISO	Southwest	3/1995	21.7
Pilot Hill Wind, LLC	ER15-1045-000	N/A	Pilot Hill Wind, LLC	Pilot Hill Wind, LLC	N/A	PJM	Northeast	Projected mid-2015	176.9
Roosevelt Wind Project, LLC	ER15-____ (pending)	N/A	Roosevelt Wind Project	Roosevelt Wind Project	N/A	SPP	SPP	Projected late-2015	250
Sacramento Soleil, LLC	N/A	N/A	Sacramento Soleil	Sacramento Soleil	N/A	CAISO	Southwest	7/14/2008	1
Shiloh Wind Project 2, LLC	ER08-1237-000	N/A	Shiloh 2	Shiloh 2	N/A	CAISO	Southwest	1/30/2009	150
Shiloh III Lessee, LLC	ER12-610-009	N/A	Shiloh III Wind Project, LLC	Shiloh III Lessee	2/16/12	CAISO	Southwest	12/22/11	100

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)		
Shiloh IV Lessee, LLC	ER13-338-000	N/A	Shiloh IV Wind Project	Shiloh IV Lessee	12/27/12	CAISO	Southwest	12/21/2012	102.5
Slate Creek Wind Project, LLC	ER15-_____ (pending)	N/A	Slate Creek Wind Project	Slate Creek Wind Project	N/A	SPP	SPP	Projected late-2015	150
Spearville 3, LLC	ER12-2037-000	N/A	Spearville 3, LLC	Spearville 3, LLC	N/A	SPP	SPP	10/1/2012	100.8
Spinning Spur Wind, LLC	ER12-2314	N/A	Spinning Spur Wind, LLC	Spinning Spur Wind, LLC	N/A	SPP	SPP	12/20/2012	161
Wapsipinicon Wind Project, LLC	ER08-1288-000	N/A	Wapsipinicon	Wapsipinicon	N/A	MISO	Central	2/20/2009	100.5
Yamhill Solar, LLC	ER11-4381-000	N/A	Yamhill Solar	Yamhill Solar	N/A	PGE	Northwest	10/26/2011	1.19
Calvert Cliffs Nuclear Power Plant LLC	ER00-2917-000	Calvert Cliffs Nuclear Power Plant (Unit 1)	Calvert Cliffs Nuclear Power Plant LLC	Calvert Cliffs Nuclear Power Plant LLC	11/6/2009	PJM Interconnection	Northeast	1975	866
Calvert Cliffs Nuclear Power Plant LLC	ER00-2917-000	Calvert Cliffs Nuclear Power Plant (Unit 2)	Calvert Cliffs Nuclear Power Plant LLC	Calvert Cliffs Nuclear Power Plant LLC	11/6/2009	PJM Interconnection	Northeast	1977	842
R.E. Ginna Unit 1 Nuclear Power Plant, LLC	ER04-485-000	Ginna	R.E. Ginna Unit 1 Nuclear Power Plant, LLC	R.E. Ginna Unit 1 Nuclear Power Plant, LLC	11/6/2009	NYISO	Northeast	1970	582
Nine Mile Point Nuclear Station, LLC	ER01-1654-000	Nine Mile Point (Unit 1)	Nine Mile Point Nuclear Station, LLC	Nine Mile Point Nuclear Station, LLC	11/6/2009	NYISO	Northeast	1969	627

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)		
Nine Mile Point Nuclear Station, LLC	ER01-1654-000	Nine Mile Point (Unit 2)	Nine Mile Point Nuclear Station, LLC	Nine Mile Point Nuclear Station, LLC	11/6/2009	NYISO	Northeast	1988	1287.2

Electric Transmission Assets and/or Natural Gas Intrastate 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)	
Slate Creek Wind Project, LLC	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Oasis Power Partners, LLC	Sagebrush Line – used to connect wind power generation in Tehachapi Region to So. Cal. Edison substation	Sagebrush Partners	Sagebrush Partners	N/A	CAISO	Southwest	46-mile, 230kV
Pacific Wind Lessee, LLC and Catalina Solar	Antelope Valley Line (230 kV gen tie line)	Catalina Solar, LLC and affiliates	Catalina Solar and affiliates	N/A	CAISO	Southwest	10.55-mile for one 230 kV line and approximately 14-mile for the other 230 kV line

ATTACHMENT B

**MARKET POWER SCREENS
AND SUPPORTING MATERIAL**

Pivotal Supplier Analysis – Slate Creek Wind Project, LLC			
Row	Generation	MW	Reference
	Seller and Affiliate Capacity		
A	Installed Capacity	712	Slate Creek and affiliates approximate combined nameplate capacity in SPP.
B	Long-Term Firm Purchases	0	
C	Long-Term Firm Sales	0	Conservative assumption that all output of Slate Creek and its affiliates is uncommitted.
D	Imported Power	0	
	Non-Affiliate Capacity		
E	Installed Capacity	69,970	Exhibit MEA-3 (Row E + Row A)* minus Row A above
F	Long-Term Firm Purchases	4,245	Exhibit MEA-3*
G	Long-Term Firm Sales	(4,836)	Exhibit MEA-3 (SPP Report without off-set)*
H	Imported Power	0	Exhibit MEA-3 (conservative assumption)*
I	Balancing Authority Area Reserve Requirement	(1,006)	Exhibit MEA-3*
J	Amount of Line I Attributable to Seller, if any	-	
K	Total Uncommitted Supply (SUM A,B,C,D,E,F,G,H,I, M)	29,321	
	Load		
L	Balancing Authority Area Annual Peak Load	47,699	Exhibit MEA-3*
M	Average Daily Peak Native Load in Peak Month	(39,764)	Exhibit MEA-3*
N	Amount of Line M Attributable to Seller, if any	0	
O	Wholesale Load (SUM L,M)	7,935	
P	Net Uncommitted Supply (K-O)	21,386	
Q	Seller's Uncommitted Capacity (SUM A,B,C,D,J,N)	712	
Result of Pivotal Supplier Screen (Pass if Line Q < Line P)		PASS	
(Fail if Line Q > Line P)			
* See <i>Southwestern Public Service Company</i> , Docket No. ER14-865-000, supplement filed Feb. 12, 2014, accepted in unpublished letter order issued Feb. 28, 2014; and <i>Balko Wind, LLC</i> , 151 FERC ¶ 61,162 (2015).			

Market Share Analysis – Slate Creek Wind Project, LLC						
Row		Winter (MW)	Spring (MW)	Summer (MW)	Fall (MW)	Reference
	Seller and Affiliate Capacity					
A	Installed Capacity	712	712	712	712	Slate Creek and its affiliates approximate combined nameplate capacity in SPP.
B	Long-Term Firm Purchases	0	0	0	0	
C	Long-Term Firm Sales	0	0	0	0	Conservative assumption that all output of Slate Creek and its affiliates is uncommitted.
D	Seasonal Average Planned Outages	0	0	0	0	Simplifying assumption – assumes no outages for the purpose of this analysis.
E	Imported Power	0	0	0	0	
	Capacity Deductions					
F	Average Peak Native Load in the Season	(27,446)	(27,345)	(40,524)	(27,598)	Exhibit MEA-4*
G	Amount of Line F Attributable to Seller, if any	0	0	0	0	
H	Amount of Line F Attributable to Others, if any	(27,446)	(27,345)	(40,524)	(27,598)	Exhibit MEA-4 (Row H plus Row G)*
I	Balancing Authority Area Reserve Requirement	(986)	(960)	(1,006)	(1,053)	Exhibit MEA-4*
J	Amount of Line I Attributable to Seller, if any	0	0	0	0	
K	Amount of Line I Attributable to Others, if any	(986)	(960)	(1,006)	(1,053)	Exhibit MEA-4 (Row J plus Row K)*
	Non-Affiliate Capacity					
L	Installed Capacity	68,042	67,792	69,970	71,035	Exhibit MEA-4 (Row L plus Row A)* minus Row A above
M	Long-Term Firm Purchases	4,335	4,111	4,245	3,479	Exhibit MEA-4*
N	Long-Term Firm Sales	(4,715)	(4,768)	(4,836)	(4,836)	Exhibit MEA-4 (SPP Report without off-set)*
O	Local Seasonal Average Planned Outages	(3,064)	(4,204)	(994)	(1,298)	Exhibit MEA-4 (Row O plus Row D); * see Line D note above
P	Uncommitted Capacity Imports	0	0	0	0	Simplifying assumption
	Supply Calculation					
Q	Total Competing Supply (SUM L,M,N,O,P,H,K)	36,166	34,626	26,855	39,729	
R	Seller's Uncommitted Capacity (SUM A,B,C,D,E,G,J)	712	712	712	712	
S	Total Seasonal Uncommitted Capacity (SUM Q,R)	36,878	35,338	27,567	40,441	
T	Seller's Market Share (R/S)	1.93%	2.01%	2.58%	1.76%	
	Results (Pass if < 20%) (Fail if ≥ 20%)	PASS	PASS	PASS	PASS	

* See *Southwestern Public Service Company*, Docket No. ER14-865-000, supplement filed Feb. 12, 2014, accepted in unpublished letter order issued Feb. 28, 2014; and *Balko Wind, LLC*, 151 FERC ¶ 61,162 (2015).

Attachment B Supporting Material from Docket No. ER14-865-000

Part I -- Pivotal Supplier Analysis

		SPP	
Row	Generation	MW	Reference
			December 11- November 12
	Seller and Affiliate Capacity		
A	Installed Capacity	4,548	Exhibit MEA-2
B	Long-Term Firm Purchases	2,571	Exhibit MEA-2
C	Long-Term Firm Sales	-	
D	Imported Power		
	Non-Affiliate Capacity		
E	Installed Capacity	66,134	SPP Report, less Row A above
F	Long-Term Firm Purchases	4,245	SPP Report
G	Long-Term Firm Sales	(7,407)	SPP Report, offset Row B above
H	Imported Power	-	Conservatively assumed to be zero
I	Balancing Authority Area Reserve Requirement	(1,006)	SPP Report
J	Amount of Line I Attributable to Seller, if any	-	Conservatively assumed to be zero
K	Total Uncommitted Capacity (SUM A,B,C,D,E,F,G,H,I,M)	29,321	
	Load		
L	Balancing Authority Area Annual Peak Load	47,699	SPP Report, Integrated Hourly Max
M	Average Daily Peak Native Load in Peak Month	(39,764)	SPP Report, Integrated Hourly Monthly Avg
N	Amount of Line M Attributable to Seller, if any	(5,249)	SWPS Company Data
O	Wholesale Load (SUM L,M)	7,935	
P	Net Uncommitted Supply (K-O)	21,386	
Q	Seller's Uncommitted Capacity (SUM A,B,C,D,J,N)	1,870	
	Result of Pivotal Supplier Screen (Pass if Line Q < Line P) (Fail if Line Q > Line P)	PASS	

Part II -- Market Share Analysis

Row	SPP				Reference December 11 - November 12
	Winter (MW)	Spring (MW)	Summer (MW)	Fall (MW)	
Seller and Affiliate Capacity					
A	4,565	4,565	4,548	4,565	Exhibit MEA-2
B	2,652	2,652	2,571	2,652	Exhibit MEA-2
C	-	-	-	-	
D	(188)	(262)	(4)	(88)	SWPS Company Data (See Wkp-SWPS Outages)
E					
Capacity Deductions					
F	(27,446)	(27,345)	(40,524)	(27,598)	SPP Report, Integrated Hourly Seasonal
G	(3,225)	(3,414)	(4,537)	(3,502)	SWPS Company Data (See Wkp-SWPS Load)
H	(24,221)	(23,931)	(35,987)	(24,096)	
I	(986)	(960)	(1,006)	(1,053)	SPP Report, SPP Market Operating Reserves
J	(125)	(125)	(125)	(125)	SWPS Company Data
K	(861)	(835)	(881)	(928)	
Non-Affiliate Capacity					
L	64,189	63,939	66,134	67,182	SPP Report, Installed Capacity, less Row A above
M	4,335	4,111	4,245	3,479	SPP Report
N	(7,367)	(7,420)	(7,407)	(7,488)	SPP Report, offset Row B above
O	(2,876)	(3,942)	(990)	(1,210)	SPP Report, SPP Market Planned Outages
P	-	-	-	-	Conservatively assumed to be zero
Supply Calculation					
Q	33,199	31,922	25,113	36,939	
R	3,679	3,416	2,454	3,502	
S	36,878	35,338	27,567	40,441	
T	10.0%	9.7%	8.9%	8.7%	
	Results (Pass if < 20%)	PASS	PASS	PASS	PASS
	(Fail if > 20%)				