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June 8, 2016

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**VIA ETARIFF**

The Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

**Re: Summer Solar LLC  
Filing of Large Generator Interconnection Agreement Co-Tenancy Agreement  
Request for Waiver of Prior Notice Requirements  
REQUEST FOR EXPEDITED REVIEW  
Docket No. ER16-\_\_\_**

Dear Secretary Bose:

Pursuant to Section 205 of the Federal Power Act ("FPA"), 16 U.S.C. § 824d, and Sections 35.12 and 385.207 of the Federal Energy Regulatory Commission ("Commission" or "FERC") regulations, 18 C.F.R. § 35.12 and 18 C.F.R. § 385.207, Summer Solar LLC ("Summer") submits for filing the Large Generator Interconnection Agreement Co-Tenancy Agreement dated May 24, 2016 (the "Agreement" or the "Co-Tenancy Agreement"), by and among Summer, Antelope Big Sky Ranch LLC ("Antelope Big Sky Ranch"), Antelope DSR 1, LLC ("Antelope DSR 1"), Antelope DSR 2, LLC ("Antelope DSR2"), Antelope DSR 3, LLC ("Antelope DSR 3"), Bayshore Solar A, LLC ("Bayshore Solar A"), Bayshore Solar B, LLC ("Bayshore Solar B"), Bayshore Solar C, LLC ("Bayshore Solar C"), Elevation Solar C LLC ("Elevation Solar C"), Solverde 1, LLC ("Solverde 1"), Western Antelope Blue Sky Ranch B LLC ("WABSRB"), (each a "Co-Tenant" and collectively the "Co-Tenants"), and Sustainable Power Services, LLC as the Manager (the "Manager"). Summer respectfully requests that the Commission accept the LGIA Co-Tenancy Agreement effective July 7, 2016.

**I. REQUEST FOR WAIVER OF PRIOR NOTICE REQUIREMENTS AND EXPEDITED REVIEW**

Summer requests that the Commission issue an order accepting the Co-Tenancy Agreement for filing with an effective date of July 15, 2016, and grant Summer a waiver of the Commission's prior notice requirements such that the Co-Tenancy Agreement receives an effective date of July 7, 2016. Summer submits that good cause for the requested waiver exists because the Co-Tenancy Agreement relates to the rights and responsibilities of the Co-Tenants

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under the First Amended and Restated Large Generator Interconnection Agreement dated April 13, 2016 among the Co-Tenants, Southern California Edison, and the California ISO (the "LGIA").

Moreover, in light of the commissioning schedule for several of the Co-Tenants utilizing the Co-Tenancy Agreement, Summer respectfully requests expedited consideration of this filing. Summer accordingly requests that the Commission establish in its public notice a shortened 21-day comment period and that the Commission consider the Agreement on an expedited basis and issue an order accepting the Agreement no later than July 15, 2016.

Summer submits that good cause for such waiver exists because the LGIA was negotiated solely to provide service for each Co-Tenant's respective generation facility. In addition, each of the Co-Tenants and the Manager is affiliated and therefore the Agreement does not involve the interests of unaffiliated third parties. For these reasons, Summer believes that good cause exists for expedited review of this Application.

## **II. DOCUMENTS SUBMITTED**

In support of its request for Commission acceptance of the Co-Tenancy Agreement, Summer provides the following documents:

1. This filing letter;
2. A copy of the Co-Tenancy Agreement in PDF format to be filed in eTariff.

## **III. COMMUNICATIONS**

Summer requests that service be made and communications be directed to the individuals listed below:

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#### IV. DESCRIPTION OF CO-TENANTS

Each of the Co-Tenants and Manager is a Delaware limited liability company and a wholly-owned subsidiary of FTP Power LLC, a Delaware limited liability company (“FTP Power”). Accordingly, the Co-Tenants and the Manager are affiliates.

Summer will own and operate a solar PV project with a nameplate capacity rating of 20 MW AC located in Los Angeles County, California (the “Summer Project”). Summer has filed notices with the Commission of the Summer Project’s status as a qualifying facility (“QF”)<sup>1</sup> and as an exempt wholesale generator (“EWG”).<sup>2</sup> Summer has also been granted market-based rate authority by the Commission<sup>3</sup> The Summer Project anticipates being in commercial operation by the summer of 2016.

Antelope Big Sky Ranch is developing a solar PV project with a nameplate capacity rating of 20 MW AC also located in Los Angeles County, California and in the vicinity of the Summer Project (the “Antelope Big Sky Ranch Project”). Antelope Big Sky Ranch has filed notices with the Commission of the Antelope Big Sky Ranch Project’s status as a QF<sup>4</sup> and as an EWG.<sup>5</sup> Antelope Big Sky Ranch also has been granted market-based rate authority by the Commission.<sup>6</sup> The Antelope Big Sky Ranch Project is scheduled to be placed in service in summer 2016.

Antelope DSR 1 will own and operate a solar PV project with a nameplate capacity rating of 50 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the “Antelope DSR 1 Project”). Antelope DSR 1 plans to file notices with the

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<sup>1</sup> FERC Form 556 Self-Certification of Qualifying Facility Status for a Small Power Production or Cogeneration Facility, Docket No. QF16-359 (filed January 15, 2016).

<sup>2</sup> Notice of Self-Certification of Exempt Wholesale Generator Status by Summer Solar LLC, Docket No. EG16- 50-000 (filed February 4, 2016).

<sup>3</sup> Application for Order Accepting Market-Based Rate Tariff of Summer Solar LLC, Docket No. ER16-890-000 (filed February 2, 2016), accepted by letter order on April 24, 2016.

<sup>4</sup> FERC Form 556 Self-Certification of Qualifying Facility Status for a Small Power Production or Cogeneration Facility, Docket No. QF16-549 (filed March 16, 2016).

<sup>5</sup> Notice of Self-Certification of Exempt Wholesale Generator Status by Antelope Big Sky Ranch LLC, Docket No. EG16-75 (filed March 22, 2016).

<sup>6</sup> Application for Order Accepting Market-Based Rate Tariff of Antelope Big Sky Ranch LLC, Docket No. ER16-1255 (filed March 22, 2016), accepted by letter order on May 13, 2016.

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Commission of the Antelope DSR 1 Project's status as a QF and as an EWG. Antelope DSR 1 also plans to apply to the Commission for market-based rate authority.

Antelope DSR 2 will own and operate a solar PV project with a nameplate capacity rating of 5 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the "Antelope DSR 2 Project"). Antelope DSR 2 filed notices with the Commission of the Antelope DSR 2 Project's status as a QF<sup>7</sup> and plans to file as an EWG.

Antelope DSR 3 will own and operate a solar PV project with a nameplate capacity rating of 30 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the "Antelope DSR 3 Project"). Antelope DSR 3 plans to file notices with the Commission of the Antelope DSR 3 Project's status as a QF and as an EWG. Antelope DSR 3 will also apply to the Commission for market-based rate authority.

Bayshore Solar A will own and operate a solar PV project with a nameplate capacity rating of 20 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the "Bayshore Solar A Project"). Bayshore Solar A plans to file notices with the Commission of the Bayshore Solar A Project's status as a QF and as an EWG. Bayshore Solar A will also apply to the Commission for market-based rate authority.

Bayshore Solar B will own and operate a solar PV project with a nameplate capacity rating of 20 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the "Bayshore Solar B Project"). Bayshore Solar B plans to file notices with the Commission of the Bayshore Solar B Project's status as a QF and as an EWG. Bayshore Solar B will also apply to the Commission for market-based rate authority.

Bayshore Solar C will own and operate a solar PV project with a nameplate capacity rating of 20 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the "Bayshore Solar C Project"). Bayshore Solar C plans to file notices with the Commission of the Bayshore Solar C Project's status as a QF and as an EWG. Bayshore Solar C will also apply to the Commission for market-based rate authority.

Elevation Solar C will own and operate a solar PV project with a nameplate capacity rating of 40 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the "Elevation Solar C Project"). Elevation Solar C has filed notices with the

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<sup>7</sup> FERC Form 556 Self-Certification of Qualifying Facility Status for a Small Power Production or Cogeneration Facility, Docket No. QF16- 898 (filed May 27, 2016).

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Commission of the Elevation Solar C Project's status as a QF<sup>8</sup> and as an EWG.<sup>9</sup> Elevation Solar C will also apply to the Commission for market-based rate authority.

Solverde 1 will own and operate a solar PV project with a nameplate capacity rating of 85 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the "Solverde 1 Project"). Solverde 1 plans to file notice with the Commission of its status as an EWG and will apply to the Commission for market-based rate authority.

WABSRB will own and operate a solar PV project with a nameplate capacity rating of 20 MW AC located in Los Angeles County, California and in the vicinity of the Summer Project (the "WABSRB Project"). WABSRB has filed notices with the Commission of the WABSRB Project's status as a QF<sup>10</sup> and plans to file as an EWG. WABSRB will also apply to the Commission for market-based rate authority.

The Manager shall coordinate compliance with the LGIA by the Co-Tenants, as an agent of and representative for the Co-Tenants for all purposes under the LGIA.

## **V. INFORMATION REQUIRED BY 18 C.F.R. PART 35**

This is an initial rate filing. As such, Summer submits the following information required by Section 35.12 of the Commission's regulations.

### **A. List of Documents Submitted with the Filing**

A list of documents submitted is provided in Section II of this letter.

### **B. Names and Addresses of the Persons to Whom a Copy of the Rate Schedules Have Been Mailed**

A copy of this filing has been delivered to each of the parties to the Agreement.

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<sup>8</sup> FERC Form 556 Self-Certification of Qualifying Facility Status for a Small Power Production or Cogeneration Facility, Docket No. QF16-777 (filed April 28, 2016).

<sup>9</sup> Notice of Self-Certification of Exempt Wholesale Generator Status by Elevation Solar C LLC, Docket No. EG16-89 (filed April 28, 2016).

<sup>10</sup> FERC Form 556 Self-Certification of Qualifying Facility Status for a Small Power Production or Cogeneration Facility, Docket No. QF16-900 (filed May 31, 2016).

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**C. Description of the Rate Schedule**

The Co-Tenancy Agreement provides that each Co-Tenant shall have an undivided ownership interest as tenant-in-common in the rights and obligations of the Interconnection Customer and the LGIA equal to its Co-Tenancy Percentage Interest for the purposes of securing interconnection rights under the LGIA.

**D. Showing that All Requisite Agreements Have Been Obtained**

The LGIA Co-Tenancy Agreement was freely negotiated and executed by all parties to the Agreement. No other party must agree to the Agreement. All parties to the Co-Tenancy Agreement have agreed to the sharing of the rights and obligations of the Interconnection Customer and the LGIA as set forth in the final execution version of the Co-Tenancy Agreement, as provided in Attachment A.

**E. Estimates of Transactions and Revenues by Month and Year, and Basis for the Rate or Charge**

The Co-Tenants to the Co-Tenancy Agreement do not charge one another for service thereunder and the responsibility for costs of construction of the Interconnection Customer Interconnection Facilities are generally apportioned outside of the Co-Tenancy Agreement.

The Co-Tenancy Agreement provides that the Manager shall, as authorized agent for each Co-Tenant, administer the collection and payment of the LGIA Operating Expenses and other amounts due from the Interconnection Customer under the LGIA. Each Co-Tenant shall be responsible for the payment of its share, if any, of the LGIA Operating Expenses according to such Co-Tenant's Cost Allocation Percentage. Each Co-Tenant shall be responsible for the payment of its share, if any, of costs that occur under the LGIA that are not LGIA Operating Expenses according to its respective Co-Tenancy Percentage Interest.

**F. Comparison of Rate to Other Rates of Project Companies**

No Co-Owner/Co-Tenant has any other rate schedules for transmission service.

**G. Material Required to be Furnished under Statement BL**

This material is not applicable and, therefore, has been omitted.

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## **VI. REQUESTED EFFECTIVE DATE**

Summer requests acceptance of the Agreement and waiver of the prior notice requirement to the extent needed to allow the Agreement to take effect on July 15, 2016. The requested effective date aligns with the date that the Co-Tenants' commissioning of their respective generation facilities.

## **VII. CONCLUSION**

Summer requests that the Commission accept for filing the Co-Tenancy Agreement by and among itself and Antelope Big Sky Ranch LLC, Antelope DSR 1, LLC, Antelope DSR 2, LLC, Antelope DSR 3, LLC, Bayshore Solar A, LLC, Bayshore Solar B, LLC, Bayshore Solar C, LLC, Elevation Solar C LLC, Solverde 1, LLC, Summer Solar LLC, Western Antelope Blue Sky Ranch B LLC, and Sustainable Power Services, LLC, and that the Commission grant a waiver of its prior notice requirements in order to permit this Agreement to be effective July 7, 2016. Furthermore, Summer respectfully requests that the Commission grant expedited review and issue an order accepting the Agreement no later than July 15, 2016, for the reasons described above.

Respectfully submitted,

*/s/ Jason Johns*

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*Counsel for Summer Solar LLC*

Summer Solar LLC  
FERC FPA Electric Tariff  
Agreements  
Effective Date: July 7, 2016  
Co-Tenancy Agreement  
Option Code A

**EXHIBIT A**

**Large Generator Interconnection Agreement  
Co-Tenancy Agreement  
by and among**

**Antelope Big Sky Ranch LLC,**

**Antelope DSR 1, LLC,**

**Antelope DSR 2, LLC,**

**Antelope DSR 3, LLC,**

**Bayshore Solar A, LLC,**

**Bayshore Solar B, LLC,**

**Bayshore Solar C, LLC,**

**Elevation Solar C LLC,**

**Solverde 1, LLC,**

**Summer Solar LLC,**

**Western Antelope Blue Sky Ranch B LLC,**

**and**

**Sustainable Power Services, LLC**



FERC rendition of the electronically filed tariff records in Docket No. ER16-01897-000

Filing Data:

CID: C005111

Filing Title: Co-Tenancy Agreement

Company Filing Identifier: 100

Type of Filing Code: 400

Associated Filing Identifier:

Tariff Title: Agreements

Tariff ID: 2

Payment Confirmation:

Suspension Motion:

Tariff Record Data:

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

Section 1, Co-Tenancy Agreement, 1.0.0, A

Record Narrative Name: N/A

Tariff Record ID: 1001

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

Proposed Date: 2016-07-07

Priority Order: 500

Record Change Type: NEW

Record Content Type: 2

Associated Filing Identifier:

This is a PDF section and we cannot render PDF in a RTF document.

Document Content(s)

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FERC GENERATED TARIFF FILING.RTF.....9-9