

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

Summit Farms Solar, LLC

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Docket No. EG16-____ -000

**SUMMIT FARMS SOLAR, LLC
NOTICE OF SELF-CERTIFICATION OF
EXEMPT WHOLESALE GENERATOR STATUS**

Pursuant to the Public Utility Holding Company Act of 2005 (“PUHCA 2005”)¹ and Section 366.7 of the Federal Energy Regulatory Commission’s (“Commission”) regulations, 18 C.F.R. § 366.7 (2016), Summit Farms Solar, LLC (“Applicant”) 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 (2016). In support of this Notice, Applicant hereby states as follows:

I. COMMUNICATIONS

All correspondence and communications regarding this proceeding should be addressed and directed to the following persons:

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¹ Pub. L. No. 109-58, §§ 1261-1277, 119 Stat. 594, 972-78 (2005).

II. DESCRIPTION OF APPLICANT

A. Ownership

Applicant is a North Carolina limited liability company and a direct, wholly owned subsidiary of Dominion Solar Projects V, Inc. (“DSP V”). DSP V is a direct, wholly owned subsidiary of Dominion Energy, Inc. (“DEI”). DEI is a direct, wholly owned subsidiary of Dominion Resources, Inc., a holding company within the meaning of PUHCA 2005.²

B. Applicant’s Proposed Activities

Applicant is developing and will own and operate an approximately 60 MW solar photovoltaic generation facility and the limited interconnection facilities necessary to connect the facility to the electric transmission system operated by PJM Interconnection, L.L.C. (“Facility”). The Facility is located in Currituck County, North Carolina. Applicant anticipates that the Facility may generate test power in November, 2016 and commence commercial operation shortly thereafter. Pursuant to three separate 25-year power purchase agreements, Applicant will sell all of the net energy from the Facility to non-affiliates. Concurrent with this filing, Applicant is applying for authorization to make wholesale sales of energy, capacity, and ancillary services at market-based rates.

Applicant may also engage in the following incidental activities that the Commission has found to be consistent with EWG status:

- Lease or rent property to third parties, but to the extent a lease arrangement is not reasonably necessary to the Applicant’s business and a rental fee is received above a nominal amount, Applicant will, consistent with EWG precedent, donate or transfer such rental revenues to a non-

² *Dominion Resources, Inc.*, Notification of Holding Company Status Pursuant to 18 C.F.R. § 366.4(a), Docket No. HC06-1-000 (filed Apr. 19, 2006).

- affiliated entity;³
- Sell renewable energy credits consistent with the Commission's limitation that an EWG may sell such credits only where they are associated with power produced from the Facility;⁴
- Engage in project development activities associated with the Facility;⁵ and
- Engage in other incidental activities that are consistent with the Commission's precedent.

III. SELF-CERTIFICATION OF EWG STATUS

Pursuant to Sections 366.1 and 366.7 of the Commission's regulations,⁶ Applicant represents that it satisfies the requirements for EWG status, as follows:

1. Applicant is a North Carolina limited liability company that will own and operate the Facility.
2. Applicant is engaged directly and exclusively in the business of operating all or part of one or more eligible facilities and selling electric energy at wholesale.
3. Except for the incidental activities noted above, Applicant is exclusively engaged in the business of operating the Facility. The Facility is an eligible facility as defined in Section 32(a)(2) of the PUHCA, which is incorporated by reference in Section 1262(6) of PUHCA 2005,⁷ and Section 366.1 of the Commission's regulations.
4. Applicant will not make foreign retail sales of electric energy.

³ See, e.g., *Duke Energy Hot Spring, LLC*, 98 FERC ¶61,287 (2002); *PSEG Fossil, LLC, et al.*, 95 FERC ¶ 61,405 (2001).

⁴ See *Madison Windpower, LLC*, 93 FERC ¶ 61,270 (2000).

⁵ See, e.g., *Empresa Valley Hermoso, S.A.*, 72 FERC ¶ 61,306 at 62,288 (1995). Applicant will, to the extent required by the Commission, file a new notification of EWG status if it acquires ownership and/or operating interests in any additional eligible facilities not described herein or EWGs.

⁶ 18 C.F.R. §§ 366.1, 366.7.

⁷ 42 U.S.C. § 16451(6) (2006).

5. No portion of the Facility will be owned or operated by an electric utility company that is an affiliate or an associate company of the Applicant, as those terms are defined in Section 366.1 of the Commission's regulations.

6. No rate or charge for, or in connection with, the construction of the Facility, or for the 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 any state commission is necessary prior to certification of Applicant as an EWG.

7. Concurrently with the filing of this Notice with the Commission, Applicant is filing a copy of this Notice with the North Carolina Utilities Commission, which is the state regulatory authority of the state in which the Facility will be located.

IV. CONCLUSION

Based on the foregoing facts and representations, Applicant requests that the Commission accept this Notice and grant Applicant status as an EWG.

Respectfully submitted,

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