



414 Nicollet Mall  
Minneapolis, MN 55401

October 5, 2016

The Honorable Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
Room 1A-East  
888 First Street, N.E.  
Washington, DC 20426

RE: Notice of Cancellation of Engineering and Procurement Agreement  
between Southwestern Public Service Company and Orion Wind  
Resources, LLC.  
FERC Electric Tariff Second Revised Volume No. 6  
Service Agreement No. 682-SPS  
Docket No. ER17-\_\_\_\_-000

Dear Secretary Bose:

Pursuant to Section 35.15 of the Federal Energy Regulatory Commission (“Commission”) Rules and Regulations, 18 C.F.R. § 35.15 (2015), Xcel Energy Services Inc. (“XES”), on behalf of Southwestern Public Service Company (“SPS”)<sup>1</sup>, hereby submits for filing the proposed cancellation of the Engineering and Procurement Agreement (“Agreement”) between SPS and Orion Wind Resources, LLC (“Orion Wind”). SPS and Orion Wind are referred to herein as “Party” or collectively as the “Parties”.

XES requests the cancellation be made effective as of October 6, 2016, one (1) day after the day of filing. XES respectfully requests waiver of any Commission regulations necessary for the Agreement to be canceled effective as of the date requested.

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<sup>1</sup> Xcel Energy Services Inc. (“XES”) is the service company subsidiary of Xcel Energy Inc., the holding company parent of SPS and the other Xcel Energy Operating Companies, namely, Northern States Power Company, a Minnesota corporation, Northern States Power Company, a Wisconsin corporation, and Public Service Company of Colorado. As such, XES makes filings for, and appears in proceedings before, the Commission on behalf of the Xcel Energy Operating Companies.

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A. Background of the Contracting Parties

SPS is a wholly-owned utility operating company subsidiary of Xcel Energy Inc., and is, *inter alia*, engaged in the business of generating, transmitting, distributing and/or selling electric power and energy and related services in the States of Texas, New Mexico, Oklahoma, and Kansas. SPS provides wholesale transmission service, *inter alia*, pursuant to the Xcel Energy Operating Companies Joint Open Access Transmission Tariff, First Revised Volume No. 1 (“Joint OATT”), on file with the Commission pursuant to Order Nos. 890 *et seq*.<sup>2</sup>

Orion Wind Resources, LLC (“Orion”) is a wholly-owned subsidiary of Orion Wind Power Resources, LLC.

B. The Service Agreement to be Cancelled

On May 19, 2015, SPS entered into the Agreement with Orion. The Agreement authorized SPS Design Engineering to provide for engineering, design, and procurement of materials necessary for SPS to add one 115kV breaker and terminate Orion’s generation facilities in order to accommodate Orion’s proposed interconnection of a 320 MW wind generation facility. The Agreement was filed with the Commission on May 21, 2015. The Commission accepted the Agreement by letter order issued July 6, 2015, with an effective date of July 20, 2015 in Docket No. ER15-1762-000.

Following the execution of the Agreement, Orion formed Bethel Wind Farm, LLC (“Bethel”). Orion designated Bethel as the responsible party to execute the Generator Interconnection Agreement (“GIA”) related to the Agreement.

Section 13 of the Agreement states that it “will terminate on... the date upon which the Parties hereto execute the...GIA...” On September 23, 2015, SPS, Bethel Wind, and Southwest Power Pool (“SPP”) entered into a GIA pursuant to the SPP Tariff. The GIA became effective on September 23, 2015. The GIA was executed and all other obligations of the Agreement were fulfilled as of September 23, 2015. Accordingly, the Agreement is no longer necessary.

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<sup>2</sup> The Xcel Energy OATT was filed via eTariff in *Southwestern Public Service Company*, Docket No. ER16-1422-000, *et al.*

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C. Proposed Effective Date of Cancellation

XES submits this proposed cancellation of the Agreement pursuant to Section 35.15 of the Commission's regulations. The cancellation is filed as a letter notification, to be compliant with the Commission's Order No. 714<sup>3</sup>, with the Notice of Cancellation coversheet submitted as Version 0.1.0 of the Agreement. XES respectfully requests that the cancellation become effective as of October 6, 2016, one (1) day after the day of filing.

To the extent necessary, XES respectfully requests waiver of any Commission regulations necessary for the Agreement to be canceled effective as of the date requested.

D. Correspondence and Communications

XES requests that all Commission orders and correspondence as well as pleadings from other persons concerning this filing be served on each of the following:

Mark C. Moeller, Manager  
Transmission Business Relations  
Xcel Energy Services Inc.  
414 Nicollet Mall – GO6  
Minneapolis, MN 55401  
Phone: (612) 330-7663  
Email: [mark.c.moeller@xcelenergy.com](mailto:mark.c.moeller@xcelenergy.com)

Skip Black, Trans Acct Representative  
Transmission Business Relations  
Xcel Energy Services Inc.  
6086 West 48th Street  
Amarillo, TX 79109  
Phone: (806) 640-6340  
Email: [skip.larry.black@xcelenergy.com](mailto:skip.larry.black@xcelenergy.com)

E. Contents of Filing

Pursuant to the Commission's filing requirements at 18 C.F.R. § 35:

- (1) This filing contains:
  - (a) This transmittal letter as Notice of Cancellation;
  - (b) Notice of Cancellation form Version 0.1.0; and

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<sup>3</sup> *Electronic Tariff Filings*, Order No. 714, 73 FR 57515 (Oct. 3, 2008), FERC Stats. & Regs. ¶ 31,275 (2008).

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(c) The Service List of Parties being served with a notice of this filing.

(2) The proposed effective date of this cancellation is October 5, 2016.

F. Service and Posting

A notice of this filing will be served electronically on each party to this Agreement and pertinent Public Utilities Commissions, as shown on the attached Service List. In addition, a copy of this filing will be available at the offices of SPS at 6086 West 48<sup>th</sup> Street, Amarillo, Texas 79109.

G. Conclusion

XES appreciates the Commission's attention to this matter. Please direct any questions regarding this filing to Amanda Palecek at (612) 321-3134.

Sincerely,

*/s/Mark C. Moeller*

Mark C. Moeller  
Manager, Transmission Business Relations  
Xcel Energy Services Inc.,  
on behalf of  
Southwestern Public Service Company

Enclosures

## SERVICE LIST

Ms. Penny Murrell, Director  
Division of Electric Power Regulation (Central)  
Federal Energy Regulatory Commission  
888 First Street, NE  
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Filing Clerk  
Public Utility Commission of Texas  
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Records Management Bureau  
New Mexico Public Regulation Commission  
1120 Paseo De Peralta  
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Corporation Commission of the  
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Juan Hayem  
Senior Manager – Transmission  
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[amakee@orionrenewables.com](mailto:amakee@orionrenewables.com); [jhayem@invenergyllc.com](mailto:jhayem@invenergyllc.com)

## CERTIFICATE OF SERVICE

I, Amanda Palecek, hereby certify that I have this day served a notice or copy of the enclosed document filing via electronic mail on each party designated on the attached service list.

Dated at Minneapolis, Minnesota this 5th day of October, 2016.

*/s/ Amanda Palecek*

**Amanda Palecek**  
**Xcel Energy**  
**Transmission Business Analyst 414**  
Nicollet Mall - GO6  
Minneapolis, MN 55401  
**P:** 612.321.3134  
**E:** amanda.palecek@xcelenergy.com

Southwestern Public Service Company  
FERC FPA Electric Tariff, Second Revised Volume No. 6  
Service Agreement No. 682-SPS  
Proposed Effective Date: 10/6/2016

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Version 0.1.0  
Approved Effective Date:

## **NOTICE OF CANCELLATION**

**Engineering and Procurement Agreement**

**For the Castro County Wind Farm**

**Between**

**Southwestern Public Service Company**

**And**

**Orion Wind Resources LLC**

**Dated: May 19, 2015**

**Version 0.1.0**

FERC rendition of the electronically filed tariff records in Docket No. ER17-00023-000

Filing Data:

CID: C000825

Filing Title: SPS-OrWR-682-0.1.0-NOC

Company Filing Identifier: 1005

Type of Filing Code: 10

Associated Filing Identifier:

Tariff Title: Transmission and Service Agreements Tariff

Tariff ID: 2001

Payment Confirmation:

Suspension Motion:

Tariff Record Data:

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

682-SPS, OrWR - GEN-2014-040 - E&P Agrmt, 0.1.0, A

Record Narrative Name:

Tariff Record ID: 665

Tariff Record Collation Value: 413827072 Tariff Record Parent Identifier: 211

Proposed Date: 2016-10-06

Priority Order: 1000000000

Record Change Type: CHANGE

Record Content Type: 1

Associated Filing Identifier:

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**Dated: May 19, 2015**



**Version 0.1.0**

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