

Fowler Ridge Wind Farm LLC, Market-Based Rate Wholesale Power Sale Tariff			
Filing Category:	Compliance	Filing Date:	11/25/2015
FERC Docket:	ER16-00393-000	FERC Action:	Accept
FERC Order:	Delegated Letter Order	Order Date:	03/24/2016
Effective Date:	01/24/2016	Status:	Effective

Tariff, Market-Based Rate Wholesale Power Sale Tariff, 0.0.4

## **FOWLER RIDGE WIND FARM LLC**

### **Market-Based Rate Wholesale Power Sale Tariff**

1. **Availability.** Fowler Ridge Wind Farm LLC (“Seller”), may make electric capacity, energy, and ancillary services available under this Tariff to any purchaser for resale.
2. **Rates.** All sales shall be made at rates established by agreement between the purchaser and Seller.
3. **Seller Category.** Seller is a Category 2 seller in the Northeast region and a Category 1 Seller in the: Northwest, Central, Southwest, Southwest Power Pool, and Southeast regions, as defined in 18 C.F.R. § 35.36(a).
4. **Ancillary Services.** Seller may make available to any purchaser the following ancillary services:
  - a. **PJM:** Seller offers regulation and frequency response service, energy imbalance service, and operating reserve service (which includes spinning, 10-minute, and 30-minute reserves) for sale into the market administered by PJM Interconnection, L.L.C. (“PJM”) and, where the PJM Open Access Transmission Tariff permits, the self-supply of these services to purchasers for a bilateral sale that is used to satisfy the ancillary services requirements of the PJM Office of Interconnection.
  - b. **New York:** Seller offers regulation and frequency response service, and operating reserve service (which include 10-minute non-synchronous, 30-minute operating reserves, 10-minute spinning reserves, and 10-minute non-spinning reserves) for sale to purchasers in the market administered by the New York Independent System Operator, Inc.
  - c. **New England:** Seller offers regulation and frequency response service (automatic generator control), operating reserve service (which includes 10-minute spinning reserve, 10-minute non-spinning reserve, and 30-minute operating reserve service) to purchasers within the markets administered by the ISO New England, Inc.
  - d. **MISO:** Seller offers regulation service and operating reserve service (which includes 10-minute spinning reserve and 10-minute supplemental reserve) for sale to the Midcontinent Independent System Operator, Inc. (MISO) and to others that

are self-supplying ancillary services to MISO.

- e. **Third-party ancillary services:** Seller offers Regulation and Frequency Response Service, Reactive Supply and Voltage Control Service, Energy and Generator Imbalance Service, Operating Reserve-Spinning, and Operating Reserve-Supplemental. Sales will not include the following: (1) sales to an RTO or an ISO, *i.e.*, where that entity has no ability to self-supply ancillary services but instead depends on third parties; and (2) sales to a traditional, franchised public utility affiliated with the third-party supplier, or sales where the underlying transmission service is on the system of the public utility affiliated with the third-party supplier. Sales of Operating Reserve-Spinning and Operating Reserve-Supplemental will not include sales 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, except where the Commission has granted authorization. Sales of Regulation and Frequency Response Service and Reactive Supply and Voltage Control Service will not include sales 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, except at rates not to exceed the buying public utility transmission provider's OATT rate for the same service or where the Commission has granted authorization.
5. **Compliance with Commission Regulations.** Seller shall comply with the provisions of 18 C.F.R. Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning seller's market-based rate authority, including orders in which the Commission authorizes seller to engage in affiliate sales under this tariff or otherwise restricts or limits the seller's market-based rate authority. Failure to comply with the applicable provisions of 18 C.F.R. Part 35, Subpart H, and with any orders of the Commission concerning seller's market-based rate authority, will constitute a violation of this tariff.
6. **Limitations and Exemptions Regarding Market-Based Rate Authority.** Seller has received (i) waiver of the accounting and periodic reporting requirements contained in 18 C.F.R. Parts 41, 101, and 141; (ii) waiver of 18 C.F.R. Part 35, Subparts B and C, except for sections 35.12(a), 35.13(b), 35.15, and 35.16; and (iii) blanket authorization for the issuance of securities and the assumption of liabilities pursuant to Section 204 of the Federal Power Act, 16 U.S.C. § 824e, and Part 34 of the Commission's Regulations. *See* Fowler Ridge Wind Farm LLC, Docket No. ER08-1323-000.

In its September 29, 2011 Order Conditionally Granting Request for Waiver of Affiliate Restrictions, FERC granted Seller a limited waiver of the Affiliate Restrictions in 18 C.F.R. § 35.39 to permit Seller to share fuel procurement employees between a franchised public utility and its market-regulated power sales affiliates. *Virginia Electric and Power Co.*, 136 FERC ¶ 61,215 (Sept 29, 2011).

On July 11, 2013, in its Order Conditionally Granting Request for Waiver of Affiliate Restrictions, FERC granted Seller a limited waiver of the Affiliate Restrictions in 18

C.F.R. § 35.39 to permit Seller to share nuclear generation outage planning employees between a franchised public utility and its market-regulated power sales affiliates. *Virginia Electric and Power Co.*, 144 FERC ¶ 61,021 (July 11, 2013).