

Escalante Solar III, LLC, Rate Schedules and Tariffs

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Market-Based Rate Tariff, FERC Electric Tariff No. 1, 2.0.0

Status: Effective

## ESCALANTE SOLAR III, LLC

### Market-Based Rate Wholesale Power Sale Tariff

1. Availability. Escalante Solar III, LLC ("Seller") makes electric energy, capacity, and ancillary services available under this Tariff to any purchaser for resale.
2. Applicability. This Tariff is applicable to all sales of capacity, energy, or ancillary services by Seller not otherwise subject to a particular rate schedule.
3. Rates. All sales shall be made at rates established by agreement between the purchaser and Seller.
4. Other Terms and Conditions. All other terms and conditions of sales shall be established by agreement between the purchaser and Seller.
5. Ancillary Services. Seller may make available to any purchaser the following ancillary services.
  - a. California: Seller offers regulation service, spinning reserve service, and non-spinning reserve service to the California Independent System Operator Corporation ("CAISO") and to others that are self-supplying ancillary services to the CAISO.
  - 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. PJM Region: 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.

- e. MISO: Seller offers regulation service and operating reserve service (which include 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.
  - f. Southwest Power Pool: Seller offers regulation service and operating reserve service (which include 10-minute spinning reserve and 10-minute supplemental reserve) for sale to the Southwest Power Pool, Inc. (SPP) and to others that are self-supplying ancillary services to SPP.
  - g. Third Party Ancillary Services: Seller offers Regulation Service, Reactive Supply and Voltage Control Service, Energy and Generator Imbalance Service, Operating Reserve-Spinning, Operating Reserve-Supplemental, and Primary Frequency Response Service. 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 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.
6. Compliance with Commission Regulations. Seller shall comply with the provisions of 18 CFR 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 CFR 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.
7. Limitations and Exemptions Regarding Market-Based Rate Authority. Seller has received (i) waiver of the accounting and reporting requirements contained in 18 C.F.R. Parts 41, 101 (with the exception that waiver of the provisions of Part 101 that apply to hydropower licensees is not granted with respect to licensed hydropower projects), and 141, except for sections 141.14 and 141.15; (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 under 18 C.F.R. Part 34 of all future issuances of securities and assumption of liabilities. *See Escalante Solar III, LLC*, Docket No. ER16-857 (2016).

8. Seller Category. Seller is a Category 2 seller in the Northwest region, as defined by 18 CFR § 35.36(a). Seller is a Category 1 seller in the Central, Northeast, Southeast, Southwest, and Southwest Power Pool regions, as defined by 18 CFR § 35.36(a).