

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

Milford Solar Phase II, LLC

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Docket No. EG25-____-000

**NOTICE OF SELF-CERTIFICATION OF
EXEMPT WHOLESALE GENERATOR STATUS**

Pursuant to the Public Utility Holding Company Act of 2005,¹ and section 366.7 of the regulations of the Federal Energy Regulatory Commission (Commission),² Milford Solar Phase II, LLC (Applicant) hereby submits this notice of self-certification as an exempt wholesale generator (EWG), as defined in section 366.1 of the Commission's regulations.³

I. COMMUNICATIONS

All communications regarding this Notice should be directed to:

Vanessa Kwong
Vice President, Legal
Longroad Energy Holdings, LLC
220 Montgomery Street
Suite 860
San Francisco, CA 94104
Tel: (415) 792-6074
vanessa.kwong@longroadenergy.com

Jessica Friedman
Amanda Conner
Märya Pirak
Rock Creek Energy Group, LLP
1 Thomas Circle NW, Suite 700
Washington, DC 20005
Tel: (202) 944-0353
jfriedman@rockcreekenergygroup.com
aconner@rockcreekenergygroup.com
mpirak@rockcreekenergygroup.com

II. DESCRIPTION OF THE APPLICANT

Applicant is developing and will own and operate a 300 MWac (nameplate) solar photovoltaic electric generation facility located in Beaver County, Utah (Facility). The Facility will consist of solar modules and inverters and associated facilities and equipment necessary for

¹ Pub. L. No. 109-58, § 1266, 119 Stat. 594, 975 (Aug. 8, 2005).

² 18 C.F.R § 366.7 (2024).

³ Id. § 366.1.

the generation and sale of electric energy at wholesale. The Facility will also include limited and discrete interconnection customer's interconnection facilities (ICIF) necessary to effectuate Applicant's wholesale power sales from the Facility. The Facility's ICIF will interconnect to the 88-mile, 345 kV radial generator lead line (Milford Line)⁴ which interconnects to transmission facilities owned by Intermountain Power Agency (IPA) at the Intermountain Power Project Switchyard. By virtue of the Milford Line's interconnection to IPA, the Facility will be operationally within the Los Angeles Department of Water and Power (LADWP) balancing authority area (BAA).⁵

III. REPRESENTATIONS REGARDING EXEMPT WHOLESALE GENERATOR STATUS

- a. Applicant is engaged directly and exclusively in the business of owning or operating, or both owning and operating, all or part of one or more eligible facilities and selling electric energy at wholesale.
- b. The Facility is an "eligible facility" because (i) it will be used for the generation of electric energy exclusively for sale at wholesale; and (ii) it will include only those interconnecting transmission facilities that are necessary to effect a sale of electric energy at wholesale.

⁴ Pursuant to agreements on file with the Commission, Applicant will receive interconnection and transmission service from its affiliate Milford Gen Lead, LLC (Milford Gen Lead), which will own a portion of the Milford Line prior to such service commencing. See Milford Gen Lead, LLC, Docket No. ER25-1284-000 (Apr. 4, 2025) (unpublished letter order). Milford Gen Lead is an EWG. See Notice of Self-Certification of Exempt Wholesale Generator Status, Docket No. EG25-9-000 (filed Oct. 15, 2024); Notice of Effectiveness of Exempt Wholesale Generator Status, Docket Nos. EG25-9-000, et al. (Jan. 2, 2025).

⁵ Further, pursuant to section 9.2 of Applicant's large generator interconnection agreement with Milford Gen Lead, Applicant intends to select LADWP as the BAA where the Facility will be located.

- c. No rate or charge for, or in connection with, the construction of the Facility, or for electric energy produced by the Facility (other than any portion of a rate or charge which represents recovery of the cost of a wholesale rate or charge), was in effect under the laws of any state on October 24, 1992. Therefore, no determinations by a state commission are necessary for this self-certification to become effective.
- d. No portion of the Facility will be owned or operated by an electric utility company that is an affiliate or associate company of Applicant, as defined in section 366.1 of the Commission's regulations, other than an affiliate or associate company that is an EWG.⁶
- e. Applicant may be engaged in certain activities that are incidental to the generation of electric energy for sale at wholesale to the extent permitted by the Commission, including sales of ancillary services and renewable energy credits (RECs) or other environmental attributes associated with the electricity produced by the Facility. The Commission has determined that sales of ancillary services and RECs associated with an eligible facility do not jeopardize EWG status.⁷ In the event that Applicant is required to procure and sell RECs or other environmental attributes to fulfill its contractual obligations under a power purchase agreement, Applicant will not sell RECs or environmental attributes in excess of the Facility's power production capability. Applicant will not procure any RECs or

⁶ See Buffalo Gap Wind Farm 2, LLC, 118 FERC ¶ 61,069 (2007) (clarifying that affiliated EWGs may share ownership of eligible facilities).

⁷ See Sithe Framingham, LLC, 83 FERC ¶ 61,106 (1998) (ancillary services); Madison Windpower, LLC, 93 FERC ¶ 61,270 (2000) (RECs). Other incidental activities that Applicant may engage in will be consistent with the Commission's precedent.

environmental attributes solely for trading purposes, and will not otherwise engage in speculative trading activities.

- f. Applicant does not receive revenues for any other activities, including leases, licenses, or similar arrangements involving the Facility, that go beyond the core functions of an EWG.

IV. STATE COMMISSION NOTIFICATION

As required by section 366.7(a) of the Commission's regulations, Applicant is serving a copy of this self-certification on the Public Service Commission of Utah, the state commission of the state in which the Facility is located.

V. CONCLUSION

For the reasons set forth in this notice of self-certification, Applicant satisfies the requirements of EWG status because it is engaged exclusively in the business of owning and/or operating eligible facilities and selling electric energy at wholesale.

Respectfully submitted,

/s/ Jessica Friedman

Jessica Friedman, Partner

Amanda Conner, Partner

Märya Pirak, Energy Regulatory Advisor

Rock Creek Energy Group, LLP

1 Thomas Circle, NW, Suite 700

Washington, DC 20005

Tel: (202) 944-0353

jfriedman@rockcreekenergygroup.com

aconner@rockcreekenergygroup.com

mpirak@rockcreekenergygroup.com

On behalf of Milford Solar Phase II, LLC

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