

November 30, 2017

### Via Electronic Filing

Chief Clerk NC Utilities Commission 430 North Salisbury Street Raleigh, NC 27603

RE: Docket No. SP-4345, Sub 0

FERC Form 556 for ABD Farm Solar, LLC (4.950MW<sub>AC</sub>)

Dear Clerk Jarvis,

Enclosed for filing is a copy of the updated Form 556 for <u>ABD Farm Solar, LLC</u> that has been filed with the Federal Energy Regulatory Commission in Docket QF14-595-002.

Thank you for your assistance with this matter. If you should require additional information and/or have any questions, please feel free to contact us directly at <a href="mailto:regulatory@ccrenew.com">regulatory@ccrenew.com</a>.

Enclosure

# FEDERAL ENERGY REGULATORY COMMISSION WASHINGTON, DC

OMB Control # 1902-0075 Expiration 06/30/2019

# Form 556 Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility

### General

Questions about completing this form should be sent to <a href="Form556@ferc.gov">Form556@ferc.gov</a>. Information about the Commission's QF program, answers to frequently asked questions about QF requirements or completing this form, and contact information for QF program staff are available at the Commission's QF website, <a href="https://www.ferc.gov/QF">www.ferc.gov/QF</a>. The Commission's QF website also provides links to the Commission's QF regulations (18 C.F.R. § 131.80 and Part 292), as well as other statutes and orders pertaining to the Commission's QF program.

### Who Must File

Any applicant seeking QF status or recertification of QF status for a generating facility with a net power production capacity (as determined in lines 7a through 7g below) greater than 1000 kW must file a self-certification or an application for Commission certification of QF status, which includes a properly completed Form 556. Any applicant seeking QF status for a generating facility with a net power production capacity 1000 kW or less is exempt from the certification requirement, and is therefore not required to complete or file a Form 556. *See* 18 C.F.R. § 292.203.

### How to Complete the Form 556

This form is intended to be completed by responding to the items in the order they are presented, according to the instructions given. If you need to back-track, you may need to clear certain responses before you will be allowed to change other responses made previously in the form. If you experience problems, click on the nearest help button ( ) for assistance, or contact Commission staff at Form556@ferc.gov.

Certain lines in this form will be automatically calculated based on responses to previous lines, with the relevant formulas shown. You must respond to all of the previous lines within a section before the results of an automatically calculated field will be displayed. If you disagree with the results of any automatic calculation on this form, contact Commission staff at <a href="Form556@ferc.gov">Form556@ferc.gov</a> to discuss the discrepancy before filing.

You must complete all lines in this form unless instructed otherwise. Do not alter this form or save this form in a different format. Incomplete or altered forms, or forms saved in formats other than PDF, will be rejected.

### How to File a Completed Form 556

Applicants are required to file their Form 556 electronically through the Commission's eFiling website (see instructions on page 2). By filing electronically, you will reduce your filing burden, save paper resources, save postage or courier charges, help keep Commission expenses to a minimum, and receive a much faster confirmation (via an email containing the docket number assigned to your facility) that the Commission has received your filing.

If you are simultaneously filing both a waiver request and a Form 556 as part of an application for Commission certification, see the "Waiver Requests" section on page 3 for more information on how to file.

### Paperwork Reduction Act Notice

This form is approved by the Office of Management and Budget. Compliance with the information requirements established by the FERC Form No. 556 is required to obtain or maintain status as a QF. See 18 C.F.R. § 131.80 and Part 292. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The estimated burden for completing the FERC Form No. 556, including gathering and reporting information, is as follows: 3 hours for self-certification of a small power production facility, 8 hours for self-certifications of a cogeneration facility, 6 hours for an application for Commission certification of a small power production facility, and 50 hours for an application for Commission certification of a cogeneration facility. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden, to the following: Information Clearance Officer, Office of the Executive Director (ED-32), Federal Energy Regulatory Commission, 888 First Street N.E., Washington, DC 20426 (DataClearance@ferc.gov); and Desk Officer for FERC, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 (oira\_submission@omb.eop.gov). Include the Control No. 1902-0075 in any correspondence.

FERC Form 556 Page 2 - Instructions

### Electronic Filing (eFiling)

To electronically file your Form 556, visit the Commission's QF website at www.ferc.gov/QF and click the eFiling link.

If you are eFiling your first document, you will need to register with your name, email address, mailing address, and phone number. If you are registering on behalf of an employer, then you will also need to provide the employer name, alternate contact name, alternate contact phone number and and alternate contact email.

Once you are registered, log in to eFiling with your registered email address and the password that you created at registration. Follow the instructions. When prompted, select one of the following QF-related filing types, as appropriate, from the Electric or General filing category.

Filing category	Filing Type as listed in eFiling	Description
	(Fee) Application for Commission Cert. as Cogeneration QF	Use to submit an application for Commission certification or Commission recertification of a cogeneration facility as a QF.
	(Fee) Application for Commission Cert. as Small Power QF	Use to submit an application for Commission certification or Commission recertification of a small power production facility as a QF.
	Self-Certification Notice (QF, EG, FC)	Use to submit a notice of self- certification of your facility (cogeneration or small power production) as a QF.
Electric	Self-Recertification of Qualifying Facility (QF)	Use to submit a notice of self- recertification of your facility (cogeneration or small power production) as a QF.
	Supplemental Information or Request	Use to correct or supplement a Form 556 that was submitted with errors or omissions, or for which Commission staff has requested additional information. Do not use this filing type to report new changes to a facility or its ownership; rather, use a self- recertification or Commission recertification to report such changes.
General	(Fee) Petition for Declaratory Order (not under FPA Part 1)	Use to submit a petition for declaratory order granting a waiver of Commission QF regulations pursuant to 18 C.F.R. §§ 292.204(a) (3) and/or 292.205(c). A Form 556 is not required for a petition for declaratory order unless Commission recertification is being requested as part of the petition.

You will be prompted to submit your filing fee, if applicable, during the electronic submission process. Filing fees can be paid via electronic bank account debit or credit card.

During the eFiling process, you will be prompted to select your file(s) for upload from your computer.

FERC Form 556 Page 3 - Instructions

### Filing Fee

No filing fee is required if you are submitting a self-certification or self-recertification of your facility as a QF pursuant to 18 C.F.R. § 292.207(a).

A filing fee is required if you are filing either of the following:

(1) an application for Commission certification or recertification of your facility as a QF pursuant to 18 C.F.R. § 292.207(b), or

(2) a petition for declaratory order granting waiver pursuant to 18 C.F.R. §§ 292.204(a)(3) and/or 292.205(c).

The current fees for applications for Commission certifications and petitions for declaratory order can be found by visiting the Commission's QF website at www.ferc.gov/QF and clicking the Fee Schedule link.

You will be prompted to submit your filing fee, if applicable, during the electronic filing process described on page 2.

### Required Notice to Utilities and State Regulatory Authorities

Pursuant to 18 C.F.R. § 292.207(a)(ii), you must provide a copy of your self-certification or request for Commission certification to the utilities with which the facility will interconnect and/or transact, as well as to the State regulatory authorities of the states in which your facility and those utilities reside. Links to information about the regulatory authorities in various states can be found by visiting the Commission's QF website at <a href="https://www.ferc.gov/QF">www.ferc.gov/QF</a> and clicking the Notice Requirements link.

### What to Expect From the Commission After You File

An applicant filing a Form 556 electronically will receive an email message acknowledging receipt of the filing and showing the docket number assigned to the filing. Such email is typically sent within one business day, but may be delayed pending confirmation by the Secretary of the Commission of the contents of the filing.

An applicant submitting a self-certification of QF status should expect to receive no documents from the Commission, other than the electronic acknowledgement of receipt described above. Consistent with its name, a self-certification is a certification by the applicant itself that the facility meets the relevant requirements for QF status, and does not involve a determination by the Commission as to the status of the facility. An acknowledgement of receipt of a self-certification, in particular, does not represent a determination by the Commission with regard to the QF status of the facility. An applicant self-certifying may, however, receive a rejection, revocation or deficiency letter if its application is found, during periodic compliance reviews, not to comply with the relevant requirements.

An applicant submitting a request for Commission certification will receive an order either granting or denying certification of QF status, or a letter requesting additional information or rejecting the application. Pursuant to 18 C.F.R. § 292.207(b)(3), the Commission must act on an application for Commission certification within 90 days of the later of the filing date of the application or the filing date of a supplement, amendment or other change to the application.

### **Waiver Requests**

18 C.F.R. § 292.204(a)(3) allows an applicant to request a waiver to modify the method of calculation pursuant to 18 C.F.R. § 292.204(a)(2) to determine if two facilities are considered to be located at the same site, for good cause. 18 C.F.R. § 292.205(c) allows an applicant to request waiver of the requirements of 18 C.F.R. §§ 292.205(a) and (b) for operating and efficiency upon a showing that the facility will produce significant energy savings. A request for waiver of these requirements must be submitted as a petition for declaratory order, with the appropriate filing fee for a petition for declaratory order. Applicants requesting Commission recertification as part of a request for waiver of one of these requirements should electronically submit their completed Form 556 along with their petition for declaratory order, rather than filing their Form 556 as a separate request for Commission recertification. Only the filing fee for the petition for declaratory order must be paid to cover both the waiver request and the request for recertification *if such requests are made simultaneously*.

18 C.F.R. § 292.203(d)(2) allows an applicant to request a waiver of the Form 556 filing requirements, for good cause. Applicants filing a petition for declaratory order requesting a waiver under 18 C.F.R. § 292.203(d)(2) do not need to complete or submit a Form 556 with their petition.

FERC Form 556 Page 4 - Instructions

### **Geographic Coordinates**

If a street address does not exist for your facility, then line 3c of the Form 556 requires you to report your facility's geographic coordinates (latitude and longitude). Geographic coordinates may be obtained from several different sources. You can find links to online services that show latitude and longitude coordinates on online maps by visiting the Commission's QF webpage at <a href="www.ferc.gov/QF">www.ferc.gov/QF</a> and clicking the Geographic Coordinates link. You may also be able to obtain your geographic coordinates from a GPS device, Google Earth (available free at <a href="http://earth.google.com">http://earth.google.com</a>), a property survey, various engineering or construction drawings, a property deed, or a municipal or county map showing property lines.

### Filing Privileged Data or Critical Energy Infrastructure Information in a Form 556

The Commission's regulations provide procedures for applicants to either (1) request that any information submitted with a Form 556 be given privileged treatment because the information is exempt from the mandatory public disclosure requirements of the Freedom of Information Act, 5 U.S.C. § 552, and should be withheld from public disclosure; or (2) identify any documents containing critical energy infrastructure information (CEII) as defined in 18 C.F.R. § 388.113 that should not be made public.

If you are seeking privileged treatment or CEII status for any data in your Form 556, then you must follow the procedures in 18 C.F.R. § 388.112. See <a href="https://www.ferc.gov/help/filing-guide/file-ceii.asp">www.ferc.gov/help/filing-guide/file-ceii.asp</a> for more information.

Among other things (see 18 C.F.R. § 388.112 for other requirements), applicants seeking privileged treatment or CEII status for data submitted in a Form 556 must prepare and file both (1) a complete version of the Form 556 (containing the privileged and/or CEII data), and (2) a public version of the Form 556 (with the privileged and/or CEII data redacted). Applicants preparing and filing these different versions of their Form 556 must indicate below the security designation of this version of their document. If you are *not* seeking privileged treatment or CEII status for any of your Form 556 data, then you should not respond to any of the items on this page.

Non-Public: Applicant is seeking privileged treatment and/or CEII status for data contained in the Form 556 lines indicated below. This non-public version of the applicant's Form 556 contains all data, including the data that is redacted in the (separate) public version of the applicant's Form 556.
<ul> <li>Public (redacted): Applicant is seeking privileged treatment and/or CEII status for data contained in the Form 556 lines</li> <li>indicated below. This public version of the applicants's Form 556 contains all data except for data from the lines indicated below, which has been redacted.</li> </ul>
<b>Privileged</b> : Indicate below which lines of your form contain data for which you are seeking privileged treatment
Critical Energy Infrastructure Information (CEII): Indicate below which lines of your form contain data for which you are seeking CEII status

The eFiling process described on page 2 will allow you to identify which versions of the electronic documents you submit are public, privileged and/or CEII. The filenames for such documents should begin with "Public", "Priv", or "CEII", as applicable, to clearly indicate the security designation of the file. Both versions of the Form 556 should be unaltered PDF copies of the Form 556, as available for download from <a href="https://www.ferc.gov/QF">www.ferc.gov/QF</a>. To redact data from the public copy of the submittal, simply omit the relevant data from the Form. For numerical fields, leave the redacted fields blank. For text fields, complete as much of the field as possible, and replace the redacted portions of the field with the word "REDACTED" in brackets. Be sure to identify above all fields which contain data for which you are seeking non-public status.

The Commission is not responsible for detecting or correcting filer errors, including those errors related to security designation. If your documents contain sensitive information, make sure they are filed using the proper security designation.

### FEDERAL ENERGY REGULATORY COMMISSION WASHINGTON, DC

OMB Control # 1902-0075 Expiration 06/30/2019

Form 556 Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility

1b Applicant street a 3250 Ocean Pa Suite 355			
1c City		1d State/provi	ince
Santa Monica		CA	
<b>1e</b> Postal code 90405	1f Country (if not United States)		<b>1g</b> Telephone number (310) 581–6299
<b>1h</b> Has the instant fa	cility ever previously been certified as a Q	PF? Yes ⊠ N	No [
<b>1i</b> If yes, provide the	docket number of the last known QF filing	g pertaining to th	nis facility: QF14 - 595 - 001
<b>1j</b> Under which certi	fication process is the applicant making th	nis filing?	
Notice of self-ce (see note below	ertification A	application for Co ee; see "Filing Fee	ommission certification (requires filing e" section on page 3)
QF status. A not notice of self-cer	elf-certification is a notice by the applicant ce of self-certification does not establish a tification to verify compliance. See the "W 3 for more information.	a proceeding, an	d the Commission does not review a
<b>1k</b> What type(s) of Q	F status is the applicant seeking for its fac	ility? (check all th	nat apply)
Qualifying sma	l power production facility status 🔲 Q	Qualifying cogene	eration facility status
<b>1I</b> What is the purpo	se and expected effective date(s) of this fi	ling?	
Original certific	ation; facility expected to be installed by	a	nd to begin operation on
	previously certified facility to be effective of change(s) below, and describe change		laneous section starting on page 19)
Name change	ge and/or other administrative change(s)		
	wnership		
	ffecting plant equipment, fuel use, power	production capa	acity and/or cogeneration thermal outp
Supplement or o	orrection to a previous filing submitted o	n	
	pplement or correction in the Miscellaneo		ng on page 19)
	wing three statements is true, check the k sible, explaining any special circumstance		
The instant fa	cility complies with the Commission's QF anted by the Commission in an order date Wiscellaneous section starting on page 19	requirements by ed	• • •
	cility would comply with the Commission with this application is granted	's QF requiremer	nts if a petition for waiver submitted
employment	cility complies with the Commission's reg of unique or innovative technologies not ation of compliance via this form difficult	contemplated by	

Page 6 - All Facilities

FERC	Form	556
------	------	-----

	2a Name of contact person			<b>2b</b> Telephone number			
	Evan Riley			(310) 581-6299			
	<b>2c</b> Which of the following describes	the contact person's relation	onship to the app	olicant? (check one)			
	Applicant (self) Employee, owner or partner of applicant authorized to represent the applicant						
O	Employee of a company affiliated with the applicant authorized to represent the applicant on this matter						
Employee of a company affiliated with the applicant authorized to represent the applicant on this matter  Lawyer, consultant, or other representative authorized to represent the applicant on this matter  2d Company or organization name (if applicant is an individual, check here and skip to line 2e)  Cypress Creek Renewables, LLC  2e Street address (if same as Applicant, check here and skip to line 3a)							
ГЛ	2d Company or organization name (if applicant is an individual, check here and skip to line 2e)						
ıfο	Cypress Creek Renewables, LLC						
<u>+</u>	<b>2e</b> Street address (if same as Application	ant check here and skin to	line 3a) 🔯				
.ac	<b>2e</b> Street address (if same as Applicant, check here and skip to line 3a) ∑						
ont	2e Street address (if same as Applicant, check here and skip to line 3a)   2f City  2g State/province						
Ö	2f City		2g State/provi	nce			
	Zi City		29 State/provi	nec			
	<b>2h</b> Postal code	2i Country (if not United	Statos)				
	Zii Fostai code	21 Country (if flot officed i	States)				
	<b>3a</b> Facility name						
L	ABD Farm Solar, LLC						
ţi		a do a a mot aviet for the a faci	itu abaalubayaa	and alian to line 2a)			
Ca	<b>3b</b> Street address (if a street address	s does not exist for the facil	ity, check here a	nd skip to line 3c/X			
$\preceq$							
ınd							
D D				our facility by checking the box in line 3b, in degrees (to three decimal places). Use			
tio	the following formula to convert	to decimal degrees from c	legrees, minutes	and seconds: decimal degrees =			
Ca				es" section on page 4 for help. If you graphic coordinates below is optional.			
ţij	Fact (1)			✓ North (⊥)			
Facility Identification and Location	Longitude West (-)	.749 degrees	Latitude	35.730 degrees			
<u> </u>	<b>3d</b> City (if unincorporated, check he	re and enter nearest city)	3e State/pr	<del>_</del>			
<u> </u> :	Asheboro		North Car	rolina			
aci	<b>3f</b> County (or check here for indepe	ndent city)	Country (if not	United States)			
ш	Randolph	3	, ,	,			
	Identify the electric utilities that are o	contemplated to transact w	vith the facility.				
S	<b>4a</b> Identify utility interconnecting w						
itie	Duke Energy Progress	itil the lacility					
		:					
) D	<b>4b</b> Identify utilities providing wheel	ing service or check here if	none 🔀				
ij							
acı	<b>4c</b> Identify utilities purchasing the u	setul electric power outpu	t or check here if	none 🔝			
ıns	Duke Energy Progress						
Transacting Utilities	<b>4d</b> Identify utilities providing supple service or check here if none	ementary power, backup p	ower, maintenar	nce power, and/or interruptible power			
•	Duke Energy Progress						

FERC Form 556

Page 7 - All Facilities

direct own two direct	owners with the largest equity interest in the facility.  Full legal names of direct owners	Electric utility or holding company	If Y % eq inter
1) ABD Far	m Solar, LLC	Yes 🔀 No 🗌	
2)		Yes No	
3)		Yes No	
4)		Yes No	
5)		Yes No	
6)		Yes No	
7)		Yes No	
8)		Yes No	
9)		Yes No	
5b Upstream of the facilidefined in 1262(8) of equity inte	here and continue in the Miscellaneous section starting on pagice, indirect) ownership as of effective date or operation date: It that both (1) hold at least 10 percent equity interest in the fasection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 1645) rest in the facility held by such owners. (Note that, because ups	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utilities (18)). Also provide the percent	ect) owr es, as a section tage of
5b Upstream ( of the facili defined in 1262(8) of equity inte another, to	here and continue in the Miscellaneous section starting on pagice, indirect) ownership as of effective date or operation date: It that both (1) hold at least 10 percent equity interest in the fastection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451)	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utilities (18)). Also provide the percent	ect) owi les, as a sectior tage of aries of
5b Upstream ( of the facili defined in 1262(8) of equity inte another, to	here and continue in the Miscellaneous section starting on pagice, indirect) ownership as of effective date or operation date: It that both (1) hold at least 10 percent equity interest in the fasection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upstal percent equity interest reported may exceed 100 percent.)	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own les, as n section tage of aries of % equ
Theck    Check     Check	here and continue in the Miscellaneous section starting on pagice, indirect) ownership as of effective date or operation date: It that both (1) hold at least 10 percent equity interest in the fasection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upstal percent equity interest reported may exceed 100 percent.) if no such upstream owners exist.	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own es, as a section tage of aries of % equ inter
Theck  Check  The Check  The Check  The facility of the facility defined in 1262(8) of equity inte another, to the Check here  The Cypress  Check here	here and continue in the Miscellaneous section starting on page i.e., indirect) ownership as of effective date or operation date: It y that both (1) hold at least 10 percent equity interest in the fasection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upstal percent equity interest reported may exceed 100 percent.) if no such upstream owners exist.   Full legal names of electric utility or holding company upst	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) owr es, as a section tage of
Theck  Check  The Check  The facility of the facility defined in 1262(8) of equity integrand another, to the check here  Check here  Cypress  Cypress	here and continue in the Miscellaneous section starting on page i.e., indirect) ownership as of effective date or operation date: It y that both (1) hold at least 10 percent equity interest in the fassection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upsetal percent equity interest reported may exceed 100 percent.) if no such upstream owners exist.  Full legal names of electric utility or holding company upst	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own les, as n section tage of aries of % equ inter
Check  5b Upstream ( of the facili defined in 1262(8) of equity inte another, to Check here  1) Cypress 2) Cypress 3) Cypress	here and continue in the Miscellaneous section starting on page i.e., indirect) ownership as of effective date or operation date: It that both (1) hold at least 10 percent equity interest in the fasection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upstal percent equity interest reported may exceed 100 percent.)  if no such upstream owners exist.  Full legal names of electric utility or holding company upst  Creek Fund 10, LLC  Creek Fund 10 Tenant, LLC	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own les, as n section tage of aries of wequent inter
Theck  Check  The Check  The facility of the facility defined in 1262(8) of equity integrand another, to the check here  Check here  Cypress  Cypress  Cypress  Cypress  Cypress  Cypress  Cypress  Cypress	here and continue in the Miscellaneous section starting on page i.e., indirect) ownership as of effective date or operation date: It that both (1) hold at least 10 percent equity interest in the fasection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upsital percent equity interest reported may exceed 100 percent.)  if no such upstream owners exist.  Full legal names of electric utility or holding company upst  Creek Fund 10, LLC  Creek Fund 10 Tenant, LLC  Creek Fund 10 Managing Member, LLC	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own les, as n sectior tage of aries of  median  inter  51  51
10) Check  5b Upstream ( of the facili defined in 1262(8) of equity inte another, to Check here  1) Cypress 2) Cypress 3) Cypress 4) CCP Fun 5) Cypress	here and continue in the Miscellaneous section starting on page i.e., indirect) ownership as of effective date or operation date: It that both (1) hold at least 10 percent equity interest in the fasection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upstal percent equity interest reported may exceed 100 percent.)  if no such upstream owners exist.  Full legal names of electric utility or holding company upst  Creek Fund 10, LLC  Creek Fund 10 Tenant, LLC  Creek Fund 10 Managing Member, LLC  d 10 Holdings, LLC	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own es, as a section tage of aries of % equ inter
Check  5b Upstream ( of the facili defined in 1262(8) of equity inte another, to Check here  1) Cypress 2) Cypress 3) Cypress 4) CCP Fun 5) Cypress 6) Cypress	here and continue in the Miscellaneous section starting on page i.e., indirect) ownership as of effective date or operation date: It y that both (1) hold at least 10 percent equity interest in the fassection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upsetal percent equity interest reported may exceed 100 percent.)  if no such upstream owners exist.  Full legal names of electric utility or holding company upst  Creek Fund 10, LLC  Creek Fund 10 Tenant, LLC  Creek Fund 10 Managing Member, LLC  d 10 Holdings, LLC  Creek Power II, LLC	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own les, as n section tage of aries of inter
Theck  Check  The Check  The facility defined in 1262(8) of equity interpretation another, to the check here  Check here  Cypress	here and continue in the Miscellaneous section starting on page i.e., indirect) ownership as of effective date or operation date: It that both (1) hold at least 10 percent equity interest in the fasection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upsital percent equity interest reported may exceed 100 percent.)  if no such upstream owners exist.  Full legal names of electric utility or holding company upst  Creek Fund 10, LLC  Creek Fund 10 Managing Member, LLC  d 10 Holdings, LLC  Creek Power II, LLC  Creek Financial Holdings, LLC	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own les, as a section tage of aries of  inter  51  51  51
Check  5b Upstream ( of the facili defined in 1262(8) of equity inte another, to Check here  1) Cypress 2) Cypress 3) Cypress 4) CCP Fun 5) Cypress 6) Cypress 7) Cypress 8) Cypress 8) Cypress	here and continue in the Miscellaneous section starting on page i.e., indirect) ownership as of effective date or operation date: It ty that both (1) hold at least 10 percent equity interest in the fassection 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or hold the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451 rest in the facility held by such owners. (Note that, because upstal percent equity interest reported may exceed 100 percent.)  if no such upstream owners exist.  Full legal names of electric utility or holding company upst  Creek Fund 10, LLC  Creek Fund 10 Tenant, LLC  Creek Fund 10 Managing Member, LLC  d 10 Holdings, LLC  Creek Power II, LLC  Creek Financial Holdings, LLC  Creek Renewables Holdings, LLC	Yes No ge 19 if additional space is need dentify all upstream (i.e., indirectlity, and (2) are electric utility alding companies, as defined in (8)). Also provide the percentistream owners may be subsidirectly	ect) own les, as a sectior tage of aries of

**Energy Input** 

FERC Form 556 Page 8 - All Facilities **6a** Describe the primary energy input: (check one main category and, if applicable, one subcategory) Biomass (specify) Renewable resources (specify) Geothermal Fossil fuel (specify) ☐ Landfill gas ☐ Hydro power - river ☐ Manure digester gas ☐ Hydro power - tidal Coal (not waste) ☐ Municipal solid waste ☐ Hydro power - wave ☐ Fuel oil/diesel ☐ Sewage digester gas ☐ Natural gas (not waste) Solar - thermal ☐ Wood Other fossil fuel (describe on page 19) Other biomass (describe on page 19) ☐ Wind Other renewable resource Other (describe on page 19) Waste (specify type below in line 6b) (describe on page 19) **6b** If you specified "waste" as the primary energy input in line 6a, indicate the type of waste fuel used: (check one) Waste fuel listed in 18 C.F.R. § 292.202(b) (specify one of the following) ☐ Anthracite culm produced prior to July 23, 1985 Anthracite refuse that has an average heat content of 6,000 Btu or less per pound and has an average ash content of 45 percent or more Bituminous coal refuse that has an average heat content of 9,500 Btu per pound or less and has an average ash content of 25 percent or more Top or bottom subbituminous coal produced on Federal lands or on Indian lands that has been determined to be waste by the United States Department of the Interior's Bureau of Land Management (BLM) or that is located on non-Federal or non-Indian lands outside of BLM's jurisdiction, provided that the applicant shows that the latter coal is an extension of that determined by BLM to be waste Coal refuse produced on Federal lands or on Indian lands that has been determined to be waste by the ☐ BLM or that is located on non-Federal or non-Indian lands outside of BLM's jurisdiction, provided that applicant shows that the latter is an extension of that determined by BLM to be waste Lignite produced in association with the production of montan wax and lignite that becomes exposed as a result of such a mining operation Gaseous fuels (except natural gas and synthetic gas from coal) (describe on page 19) Waste natural gas from gas or oil wells (describe on page 19 how the gas meets the requirements of 18 ☐ C.F.R. § 2.400 for waste natural gas; include with your filing any materials necessary to demonstrate compliance with 18 C.F.R. § 2.400) ☐ Materials that a government agency has certified for disposal by combustion (describe on page 19) Heat from exothermic reactions (describe on page 19) Residual heat (describe on page 19) ☐ Used rubber tires ☐ Plastic materials ☐ Refinery off-gas ☐ Petroleum coke Other waste energy input that has little or no commercial value and exists in the absence of the qualifying facility industry (describe in the Miscellaneous section starting on page 19; include a discussion of the fuel's lack of commercial value and existence in the absence of the qualifying facility industry) **6c** Provide the average energy input, calculated on a calendar year basis, in terms of Btu/h for the following fossil fuel energy inputs, and provide the related percentage of the total average annual energy input to the facility (18 C.F.R. § 292.202(j)). For any oil or natural gas fuel, use lower heating value (18 C.F.R. § 292.202(m)).

	Annual average energy	Percentage of total
Fuel	input for specified fuel	annual energy input
Natural gas	<sub>0</sub> Btu/h	0 %
Oil-based fuels	<sub>0</sub> Btu/h	0 %
Coal	<sub>0</sub> Btu/h	0 %

FERC Form 556 Page 9 - All Facilities

Indicate the maximum gross and maximum net electric power production capacity of the facility at the point(s) of delivery by completing the worksheet below. Respond to all items. If any of the parasitic loads and/or losses identified in lines 7b through 7e are negligible, enter zero for those lines.

<b>7a</b> The maximum gross power production capacity at the terminals of the individual generator(s) under the most favorable anticipated design conditions	4,950 kW
<b>7b</b> Parasitic station power used at the facility to run equipment which is necessary and integral to the power production process (boiler feed pumps, fans/blowers, office or maintenance buildings directly related to the operation of the power generating facility, etc.). If this facility includes non-power production processes (for instance, power consumed by a cogeneration facility's thermal host), do not include any power consumed by the non-power production activities in your	1,550 m
reported parasitic station power.	24.7 kW
7c Electrical losses in interconnection transformers	49.5 <b>kW</b>
7d Electrical losses in AC/DC conversion equipment, if any	0 kW
<b>7e</b> Other interconnection losses in power lines or facilities (other than transformers and AC/DC conversion equipment) between the terminals of the generator(s) and the point of interconnection	
with the utility	0 kW
<b>7f</b> Total deductions from gross power production capacity = 7b + 7c + 7d + 7e	
	74.2 kW
<b>7g</b> Maximum net power production capacity = 7a - 7f	
	4,875.8 kW

Poscription of facility and primary components: Describe the facility and its operation. Identify all boilers, heat recovery steam generators, prime movers (any mechanical equipment driving an electric generator), electrical generators, photovoltaic solar equipment, fuel cell equipment and/or other primary power generation equipment used in the facility. Descriptions of components should include (as applicable) specifications of the nominal capacities for mechanical output, electrical output, or steam generation of the identified equipment. For each piece of equipment identified, clearly indicate how many pieces of that type of equipment are included in the plant, and which components are normally operating or normally in standby mode. Provide a description of how the components operate as a system. Applicants for cogeneration facilities do not need to describe operations of systems that are clearly depicted on and easily understandable from a cogeneration facility's attached mass and heat balance diagram; however, such applicants should provide any necessary description needed to understand the sequential operation of the facility depicted in their mass and heat balance diagram. If additional space is needed, continue in the Miscellaneous section starting on page 19.

Technical Facility Information

The facility will be a 4.95 MW AC photovoltaic (PV) array comprised of approximately twenty thousand nine hundred seventy six (20,976) 335Wp panels (or equivalent) attached to ground-mounted racks. The facility will utilize approximately six (6) 733kW inverters and one (1) 540kW inverter (or equivalent).

### Information Required for Small Power Production Facility

If you indicated in line 1k that you are seeking qualifying small power production facility status for your facility, then you

must respond to the items on this page. Otherwise, skip page 10. Pursuant to 18 C.F.R. § 292.204(a), the power production capacity of any small power production facility, together with the power production capacity of any other small power production facilities that use the same energy resource, are owned by the same person(s) or its affiliates, and are located at the same site, may not exceed 80 megawatts. To demonstrate compliance with this size limitation, or to demonstrate that your facility is exempt from this size limitation under the Solar, Wind, Waste, and Geothermal Power Production Incentives Act of 1990 (Pub. L. 101-575, 104 Stat. 2834 (1990) as amended by Pub. L. 102-46, 105 Stat. 249 (1991)), respond to lines 8a through 8e below (as applicable). 8a Identify any facilities with electrical generating equipment located within 1 mile of the electrical generating equipment of the instant facility, and for which any of the entities identified in lines 5a or 5b, or their affiliates, holds at least a 5 percent equity interest. Certification of Compliance Check here if no such facilities exist. Root docket # **Facility location** Maximum net power with Size Limitations (city or county, state) (if any) Common owner(s) production capacity 1) QF 2) QF kW OF kW Check here and continue in the Miscellaneous section starting on page 19 if additional space is needed 8b The Solar, Wind, Waste, and Geothermal Power Production Incentives Act of 1990 (Incentives Act) provides exemption from the size limitations in 18 C.F.R. § 292.204(a) for certain facilities that were certified prior to 1995. Are you seeking exemption from the size limitations in 18 C.F.R. § 292.204(a) by virtue of the Incentives Act? Yes (continue at line 8c below) No (skip lines 8c through 8e) 8c Was the original notice of self-certification or application for Commission certification of the facility filed on or before December 31, 1994? Yes No **8d** Did construction of the facility commence on or before December 31, 1999? Yes 8e If you answered No in line 8d, indicate whether reasonable diligence was exercised toward the completion of the facility, taking into account all factors relevant to construction? Yes No If you answered Yes, provide a brief narrative explanation in the Miscellaneous section starting on page 19 of the construction timeline (in particular, describe why construction started so long after the facility was certified) and the diligence exercised toward completion of the facility. Pursuant to 18 C.F.R. § 292.204(b), qualifying small power production facilities may use fossil fuels, in minimal with Fuel Use Requirements amounts, for only the following purposes: ignition; start-up; testing; flame stabilization; control use; alleviation or prevention of unanticipated equipment outages; and alleviation or prevention of emergencies, directly affecting the public health, safety, or welfare, which would result from electric power outages. The amount of fossil fuels used for these purposes may not exceed 25 percent of the total energy input of the facility during the 12-month period beginning with the date the facility first produces electric energy or any calendar year thereafter. 9a Certification of compliance with 18 C.F.R. § 292.204(b) with respect to uses of fossil fuel: Applicant certifies that the facility will use fossil fuels *exclusively* for the purposes listed above. 9b Certification of compliance with 18 C.F.R. § 292.204(b) with respect to amount of fossil fuel used annually: Applicant certifies that the amount of fossil fuel used at the facility will not, in aggregate, exceed 25 percent of the total energy input of the facility during the 12-month period beginning with the date the

facility first produces electric energy or any calendar year thereafter.

# Information Required for Cogeneration Facility

If you indicated in line 1k that you are seeking qualifying cogeneration facility status for your facility, then you must respond to the items on pages 11 through 13. Otherwise, skip pages 11 through 13.

	energy (such as heat or suse of energy. Pursuant cycle cogeneration facilithermal application or possible.	92.202(c), a cogeneration facility produces electric energy and forms of useful thermal steam) used for industrial, commercial, heating, or cooling purposes, through the sequential to 18 C.F.R. § 292.202(s), "sequential use" of energy means the following: (1) for a toppingty, the use of reject heat from a power production process in sufficient amounts in a rocess to conform to the requirements of the operating standard contained in 18 C.F.R. § ottoming-cycle cogeneration facility, the use of at least some reject heat from a thermal or power production.
	<b>10a</b> What type(s) of cog	eneration technology does the facility represent? (check all that apply)
	Topping-cycle	e cogeneration Bottoming-cycle cogeneration
	other requirements balance diagram de meet certain requir	te the sequential operation of the cogeneration process, and to support compliance with a such as the operating and efficiency standards, include with your filing a mass and heat epicting average annual operating conditions. This diagram must include certain items and tements, as described below. You must check next to the description of each requirement at you have complied with these requirements.
	Check to certify compliance with	
	indicated requirement	Requirement
ration n		Diagram must show orientation within system piping and/or ducts of all prime movers, heat recovery steam generators, boilers, electric generators, and condensers (as applicable), as well as any other primary equipment relevant to the cogeneration process.
gene natio		Any average annual values required to be reported in lines 10b, 12a, 13a, 13b, 13d, 13f, 14a, 15b, 15d and/or 15f must be computed over the anticipated hours of operation.
General Cogeneration Information		Diagram must specify all fuel inputs by fuel type and average annual rate in Btu/h. Fuel for supplementary firing should be specified separately and clearly labeled. All specifications of fuel inputs should use lower heating values.
ene		Diagram must specify average gross electric output in kW or MW for each generator.
O		Diagram must specify average mechanical output (that is, any mechanical energy taken off of the shaft of the prime movers for purposes not directly related to electric power generation) in horsepower, if any. Typically, a cogeneration facility has no mechanical output.
		At each point for which working fluid flow conditions are required to be specified (see below), such flow condition data must include mass flow rate (in lb/h or kg/s), temperature (in °F, R, °C or K), absolute pressure (in psia or kPa) and enthalpy (in Btu/lb or kJ/kg). Exception: For systems where the working fluid is <i>liquid only</i> (no vapor at any point in the cycle) and where the type of liquid and specific heat of that liquid are clearly indicated on the diagram or in the Miscellaneous section starting on page 19, only mass flow rate and temperature (not pressure and enthalpy) need be specified. For reference, specific heat at standard conditions for pure liquid water is approximately 1.002 Btu/(lb*R) or 4.195 kJ/(kg*K).
		Diagram must specify working fluid flow conditions at input to and output from each steam turbine or other expansion turbine or back-pressure turbine.
		Diagram must specify working fluid flow conditions at delivery to and return from each thermal application.
		Diagram must specify working fluid flow conditions at make-up water inputs.

EPAct 2005 cogeneration facilities: The Energy Policy Act of 2005 (EPAct 2005) established a new section 210(n) of the Public Utility Regulatory Policies Act of 1978 (PURPA), 16 USC 824a-3(n), with additional requirements for any qualifying cogeneration facility that (1) is seeking to sell electric energy pursuant to section 210 of PURPA and (2) was either not a cogeneration facility on August 8, 2005, or had not filed a self-certification or application for Commission certification of QF status on or before February 1, 2006. These requirements were implemented by the Commission in 18 C.F.R. § 292.205(d). Complete the lines below, carefully following the instructions, to demonstrate whether these additional requirements apply to your cogeneration facility and, if so, whether your facility complies with such requirements.	
11a Was your facility operating as a qualifying cogeneration facility on or before August 8, 2005? Yes No	6
<b>11b</b> Was the initial filing seeking certification of your facility (whether a notice of self-certification or an application for Commission certification) filed on or before February 1, 2006? Yes No	(
If the answer to either line 11a or 11b is Yes, then continue at line 11c below. Otherwise, if the answers to both lines 11a and 11b are No, skip to line 11e below.	
<b>11c</b> With respect to the design and operation of the facility, have any changes been implemented on or after February 2, 2006 that affect general plant operation, affect use of thermal output, and/or increase net power production capacity from the plant's capacity on February 1, 2006?	(
Yes (continue at line 11d below)	
No. Your facility is not subject to the requirements of 18 C.F.R. § 292.205(d) at this time. However, it may be subject to to these requirements in the future if changes are made to the facility. At such time, the applicant would need to recertify the facility to determine eligibility. Skip lines 11d through 11j.	
<b>11d</b> Does the applicant contend that the changes identified in line 11c are not so significant as to make the facility a "new" cogeneration facility that would be subject to the 18 C.F.R. § 292.205(d) cogeneration requirements?	(
Yes. Provide in the Miscellaneous section starting on page 19 a description of any relevant changes made to the facility (including the purpose of the changes) and a discussion of why the facility should not be considered a "new" cogeneration facility in light of these changes. Skip lines 11e through 11j.	
No. Applicant stipulates to the fact that it is a "new" cogeneration facility (for purposes of determining the applicability of the requirements of 18 C.F.R. § 292.205(d)) by virtue of modifications to the facility that were initiated on or after February 2, 2006. Continue below at line 11e.	
11e Will electric energy from the facility be sold pursuant to section 210 of PURPA?	6
Yes. The facility is an EPAct 2005 cogeneration facility. You must demonstrate compliance with 18 C.F.R. § 292.205(d)(2) by continuing at line 11f below.	
No. Applicant certifies that energy will <i>not</i> be sold pursuant to section 210 of PURPA. Applicant also certifies its understanding that it must recertify its facility in order to determine compliance with the requirements of 18 C.F.R. § 292.205(d) <i>before</i> selling energy pursuant to section 210 of PURPA in the future. Skip lines 11f through 11j.	
<b>11f</b> Is the net power production capacity of your cogeneration facility, as indicated in line 7g above, less than or equal to 5,000 kW?	(
Yes, the net power production capacity is less than or equal to 5,000 kW. 18 C.F.R. § 292.205(d)(4) provides a rebuttable presumption that cogeneration facilities of 5,000 kW and smaller capacity comply with the requirements for fundamental use of the facility's energy output in 18 C.F.R. § 292.205(d)(2). Applicant certifies its understanding that, should the power production capacity of the facility increase above 5,000 kW, then the facility must be recertified to (among other things) demonstrate compliance with 18 C.F.R. § 292.205(d)(2). Skip lines 11g through 11j.	
No, the net power production capacity is greater than 5,000 kW. Demonstrate compliance with the requirements for fundamental use of the facility's energy output in 18 C.F.R. § 292.205(d)(2) by continuing on the next page at line 11g.	
	the Public Utility Regulatory Policies Act of 1978 (PURPA). 16 USC 824a-3(n), with additional requirements for any qualifying cogeneration facility that (1) is seeking to sell electric energy pursuant to section 210 of PURPA and (2) was either not a cogeneration facility on August 8, 2005, or had not filed a self-certification or application for Commission in 18 C.F.R. § 292.205(d). Complete the lines below, carefully following the instructions, to demonstrate whether these additional requirements apply to your cogeneration facility and, if so, whether your facility complies with such requirements.  11a Was your facility operating as a qualifying cogeneration facility on or before August 8, 2005? Yes No 11b Was the initial filing seeking certification of your facility (whether a notice of self-certification or an application for Commission certification) filed on or before February 1, 2006? Yes No 11b and 10b are No, skip to line 11a or 11b is Yes, then continue at line 11c below. Otherwise, if the answers to both lines 11a and 11b are No, skip to line 11a below.  11c With respect to the design and operation of the facility, have any changes been implemented on or after February 2, 2006 that affect general plant operation, affect use of thermal output, and/or increase net power production capacity from the plants' capacity on February 1, 2006?  Yes (continue at line 11d below)  No. Your facility is not subject to the requirements of 18 C.F.R. § 292.205(d) at this time. However, it may be subject to to these requirements in the future if changes are made to the facility. At such time, the applicant would need to recertify the facility to determine eligibility. Skip lines 11d through 11j.  11d Does the applicant contend that the changes identified in line 11c are not so significant as to make the facility a "new" cogeneration facility that would be subject to the 18 C.F.R. § 292.205(d) cogeneration requirements?  Yes. Provide in the Miscellaneous section starting on page 19 a description of any relevant changes m

Lines 11g through 11k below guide the applicant through the process of demonstrating compliance with the requirements for "fundamental use" of the facility's energy output. 18 C.F.R. § 292.205(d)(2). Only respond to the lines on this page if the instructions on the previous page direct you to do so. Otherwise, skip this page.

18 C.F.R. § 292.205(d)(2) requires that the electrical, thermal, chemical and mechanical output of an EPAct 2005 cogeneration facility is used fundamentally for industrial, commercial, residential or institutional purposes and is not intended fundamentally for sale to an electric utility, taking into account technological, efficiency, economic, and variable thermal energy requirements, as well as state laws applicable to sales of electric energy from a qualifying facility to its host facility. If you were directed on the previous page to respond to the items on this page, then your facility is an EPAct 2005 cogeneration facility that is subject to this "fundamental use" requirement.

The Commission's regulations provide a two-pronged approach to demonstrating compliance with the requirements for fundamental use of the facility's energy output. First, the Commission has established in 18 C.F.R. § 292.205(d)(3) a "fundamental use test" that can be used to demonstrate compliance with 18 C.F.R. § 292.205(d)(2). Under the fundamental use test, a facility is considered to comply with 18 C.F.R. § 292.205(d)(2) if at least 50 percent of the facility's total annual energy output (including electrical, thermal, chemical and mechanical energy output) is used for industrial, commercial, residential or institutional purposes.

Second, an applicant for a facility that does not pass the fundamental use test may provide a narrative explanation of and support for its contention that the facility nonetheless meets the requirement that the electrical, thermal, chemical and mechanical output of an EPAct 2005 cogeneration facility is used fundamentally for industrial, commercial, residential or institutional purposes and is not intended fundamentally for sale to an electric utility, taking into account technological, efficiency, economic, and variable thermal energy requirements, as well as state laws applicable to sales of electric energy from a qualifying facility to its host facility.

Complete lines 11g through 11j below to determine compliance with the fundamental use test in 18 C.F.R. § 292.205(d)(3). Complete lines 11g through 11j even if you do not intend to rely upon the fundamental use test to demonstrate compliance with 18 C.F.R. § 292.205(d)(2).

11g Amount of electrical, thermal, chemical and mechanical energy output (net of internal	
generation plant losses and parasitic loads) expected to be used annually for industrial,	
commercial, residential or institutional purposes and not sold to an electric utility	MWh
11h Total amount of electrical, thermal, chemical and mechanical energy expected to be	
sold to an electric utility	MWh
11i Percentage of total annual energy output expected to be used for industrial,	
commercial, residential or institutional purposes and not sold to a utility	
= 100 * 11g /(11g + 11h)	0 %

11j Is the response in line 11i greater than or equal to 50 percent?

Yes. Your facility complies with 18 C.F.R. § 292.205(d)(2) by virtue of passing the fundamental use test provided in 18 C.F.R. § 292.205(d)(3). Applicant certifies its understanding that, if it is to rely upon passing the fundamental use test as a basis for complying with 18 C.F.R. § 292.205(d)(2), then the facility must comply with the fundamental use test both in the 12-month period beginning with the date the facility first produces electric energy, and in all subsequent calendar years.

No. Your facility does not pass the fundamental use test. Instead, you must provide in the Miscellaneous section starting on page 19 a narrative explanation of and support for why your facility meets the requirement that the electrical, thermal, chemical and mechanical output of an EPAct 2005 cogeneration facility is used fundamentally for industrial, commercial, residential or institutional purposes and is not intended fundamentally for sale to an electric utility, taking into account technological, efficiency, economic, and variable thermal energy requirements, as well as state laws applicable to sales of electric energy from a QF to its host facility. Applicants providing a narrative explanation of why their facility should be found to comply with 18 C.F.R. § 292.205(d)(2) in spite of non-compliance with the fundamental use test may want to review paragraphs 47 through 61 of Order No. 671 (accessible from the Commission's QF website at www.ferc.gov/QF), which provide discussion of the facts and circumstances that may support their explanation. Applicant should also note that the percentage reported above will establish the standard that that facility must comply with, both for the 12-month period beginning with the date the facility first produces electric energy, and in all subsequent calendar years. *See* Order No. 671 at paragraph 51. As such, the applicant should make sure that it reports appropriate values on lines 11g and 11h above to serve as the relevant annual standard, taking into account expected variations in production conditions.

Usefulness of Topping-Cycle

## Information Required for Topping-Cycle Cogeneration Facility

If you indicated in line 10a that your facility represents topping-cycle cogeneration technology, then you must respond to

12	to each host for each use. For ho	nal host, and specify the annual average rate of the state of the stat	
	Name of entity (thermal host) taking thermal output	Thermal host's relationship to facility; Thermal host's use of thermal output	Average annual rate of thermal output attributable to use (net o heat contained in proces return or make-up water
1)		Select thermal host's relationship to facility	
1)		Select thermal host's use of thermal output	Btu/h
2)		Select thermal host's relationship to facility	
-)		Select thermal host's use of thermal output	Btu/h
3)		Select thermal host's relationship to facility	
)	(	Select thermal host's use of thermal output	Btu/h
ŀ)		Select thermal host's relationship to facility	
r <i>)</i>	9	Select thermal host's use of thermal output	Btu/h
5)		Select thermal host's relationship to facility	
"	9	Select thermal host's use of thermal output	Btu/h
5)		Select thermal host's relationship to facility	
,,		Select thermal host's use of thermal output	Btu/h
	Check here and continue in t	he Miscellaneous section starting on page 19 if a	idditional space is needed

output related to the instant facility, then you need only provide a brief description of that use and a reference by date and docket number to the order certifying your facility with the indicated use. Such exemption may not be used if any change creates a material deviation from the previously authorized use.) If additional space is needed, continue in the Miscellaneous section starting on page 19.

Applicants for facilities representing topping-cycle technology must demonstrate compliance with the topping-cycle operating standard and, if applicable, efficiency standard. Section 292.205(a)(1) of the Commission's regulations (18 C.F.R. § 292.205(a)(1)) establishes the operating standard for topping-cycle cogeneration facilities: the useful thermal energy output must be no less than 5 percent of the total energy output. Section 292.205(a)(2)
(18 C.F.R. § 292.205(a)(2)) establishes the efficiency standard for topping-cycle cogeneration facilities for which installation commenced on or after March 13, 1980: the useful power output of the facility plus one-half the useful
thermal energy output must (A) be no less than 42.5 percent of the total energy input of natural gas and oil to the facility; and (B) if the useful thermal energy output is less than 15 percent of the total energy output of the facility, be no less than 45 percent of the total energy input of natural gas and oil to the facility. To demonstrate
compliance with the topping-cycle operating and/or efficiency standards, or to demonstrate that your facility is exempt from the efficiency standard based on the date that installation commenced, respond to lines 13a through 13l below.

If you indicated in line 10a that your facility represents *both* topping-cycle and bottoming-cycle cogeneration technology, then respond to lines 13a through 13l below considering only the energy inputs and outputs attributable to the topping-cycle portion of your facility. Your mass and heat balance diagram must make clear which mass and energy flow values and system components are for which portion (topping or bottoming) of the cogeneration system.

cogeneration system.				
13a Indicate the annual average rate of useful thermal energy output made available				
to the host(s), net of any heat contained in condensate return or make-up water		Btu/h		
13b Indicate the annual average rate of net electrical energy output				
		kW		
13c Multiply line 13b by 3,412 to convert from kW to Btu/h				
	0	Btu/h		
<b>13d</b> Indicate the annual average rate of mechanical energy output taken directly off				
of the shaft of a prime mover for purposes not directly related to power production				
(this value is usually zero)		hp		
13e Multiply line 13d by 2,544 to convert from hp to Btu/h				
	0	Btu/h		
13f Indicate the annual average rate of energy input from natural gas and oil				
		Btu/h		
<b>13g</b> Topping-cycle operating value = 100 * 13a / (13a + 13c + 13e)				
	0	%		
<b>13h</b> Topping-cycle efficiency value = 100 * (0.5*13a + 13c + 13e) / 13f				
	0	%		
13i Compliance with operating standard: Is the operating value shown in line 13g gre	eater than or equal to 5	%?		
Yes (complies with operating standard) No (does not comply wi	ith operating standard)			
<b>13j</b> Did installation of the facility in its current form commence on or after March 13, 1	9807			
Dia installation of the facility in its current form commence on or after waren 13, 1	700.			
Yes. Your facility is subject to the efficiency requirements of 18 C.F.R. § 292.205(a)(2). Demonstrate				
$\square$ compliance with the efficiency requirement by responding to line 13k or 13l, a	is applicable, below.			
No. Your facility is exempt from the efficiency standard. Skip lines 13k and 13l				
13k Compliance with efficiency standard (for low operating value): If the operating va	alue chown in line 13a i	د امدد		
than 15%, then indicate below whether the efficiency value shown in line 13h greater		3 1633		
than 1370, then maleate below whether the emelency value shown in fine 1311 greater	than of equal to 4570.			
Yes (complies with efficiency standard) No (does not comply wi	ith efficiency standard)			
13I Compliance with efficiency standard (for high operating value): If the operating value	alue shown in line 13a	is		
greater than or equal to 15%, then indicate below whether the efficiency value shown in line 13h is greater than or				
equal to 42.5%:	<b>3</b>			
Yes (complies with efficiency standard) No (does not comply wi	ith efficiency standard)			

# Information Required for Bottoming-Cycle Cogeneration Facility

If you indicated in line 10a that your facility represents bottoming-cycle cogeneration technology, then you must respond to the items on pages 16 and 17. Otherwise, skip pages 16 and 17.

	14a	host. For hosts with multiple be separate rows.	mal host and each bottoming-cycle cogeneration pottoming-cycle cogeneration processes, provide the	
		Name of entity (thermal host) performing the process from which at least some of the reject heat is used for power production	Thermal host's relationship to facility; Thermal host's process type	augmented for purposes of increasing power production capacity? (if Yes, describe on p. 19)
	1)		Select thermal host's relationship to facility	Yes No
	1)		Select thermal host's process type	
<u>บ</u>	2)		Select thermal host's relationship to facility	Yes No
ک			Select thermal host's process type	
ر ا	3)		Select thermal host's relationship to facility	Yes No
Jseruiness of Bottomin Thermal Output	,		Select thermal host's process type	
	Check here and continue in the Miscellaneous section starting on page 19 if additional space is needed  14b Demonstration of usefulness of thermal output: At a minimum, provide a brief description of each process identified above. In some cases, this brief description is sufficient to demonstrate usefulness. However, if your facility's process is not common, and/or if the usefulness of such thermal output is not reasonably clear, then you must provide additional details as necessary to demonstrate usefulness. Your application may be rejected and/or additional information may be required if an insufficient showing of usefulness is made. (Exception: If you have previously received a Commission certification approving a specific bottoming-cycle process related to the instant facility, then you need only provide a brief description of that process and a reference by date and docket number to the order certifying your facility with the indicated process. Such exemption may not be used if any material changes to the process have been made.) If additional space is needed, continue in the Miscellaneous section starting on page 19.			

OFFICIAL COPY

# Bottoming-Cycle Operating and Efficiency Value Calculation

Applicants for facilities representing bottoming-cycle technology and for which installation commenced on or after March 13, 1990 must demonstrate compliance with the bottoming-cycle efficiency standards. Section 292.205(b) of the Commission's regulations (18 C.F.R. § 292.205(b)) establishes the efficiency standard for bottoming-cycle cogeneration facilities: the useful power output of the facility must be no less than 45 percent of the energy input of natural gas and oil for supplementary firing. To demonstrate compliance with the bottoming-cycle efficiency standard (if applicable), or to demonstrate that your facility is exempt from this standard based on the date that installation of the facility began, respond to lines 15a through 15h below.

If you indicated in line 10a that your facility represents *both* topping-cycle and bottoming-cycle cogeneration technology, then respond to lines 15a through 15h below considering only the energy inputs and outputs attributable to the bottoming-cycle portion of your facility. Your mass and heat balance diagram must make clear which mass and energy flow values and system components are for which portion of the cogeneration system (topping or bottoming).

<b>15a</b> Did installation of the facility in its current form commence on or after March 13, 1980?				
Yes. Your facility is subject to the efficiency requirement of 18 C.F.R. § 292.205(b). Demonstrate compliance with the efficiency requirement by responding to lines 15b through 15h below.				
No. Your facility is exempt from the efficiency standard. Skip the rest of page	17.			
<b>15b</b> Indicate the annual average rate of net electrical energy output	kW			
<b>15c</b> Multiply line 15b by 3,412 to convert from kW to Btu/h	0 Btu/h			
<b>15d</b> Indicate the annual average rate of mechanical energy output taken directly off of the shaft of a prime mover for purposes not directly related to power production (this value is usually zero)	hp			
<b>15e</b> Multiply line 15d by 2,544 to convert from hp to Btu/h	0 Btu/h			
<b>15f</b> Indicate the annual average rate of supplementary energy input from natural gas or oil	Btu/h			
<b>15g</b> Bottoming-cycle efficiency value = 100 * (15c + 15e) / 15f	0 %			
<b>15h</b> Compliance with efficiency standard: Indicate below whether the efficiency value shown in line 15g is greater than or equal to 45%:				
Yes (complies with efficiency standard) No (does not comply w	ith efficiency standard)			

FERC Form 556 Page 18 - All Facilities

# Certificate of Completeness, Accuracy and Authority

Applicant must certify compliance with and understanding of filing requirements by checking next to each item below and signing at the bottom of this section. Forms with incomplete Certificates of Completeness, Accuracy and Authority will be rejected by the Secretary of the Commission.

Signer identified below certifies the following: (check all items and applicable subitems)

Signer identified below certifies the follow	ring: (check all items and applicable subitems)	
	g any information contained in any attached docu I any information contained in the Miscellaneous s	
$\bowtie$ He or she has provided all of the requ to the best of his or her knowledge ar	ired information for certification, and the provided and belief.	I information is true as stated,
He or she possess full power and auth Practice and Procedure (18 C.F.R. § 38	nority to sign the filing; as required by Rule 2005(a) (3). he or she is one of the following: (ch	(3) of the Commission's Rules o eck one)
$\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ $	he filing is made	
$\ igsqcolong$ An officer of the corporation,	trust, association, or other organized group on bel	nalf of which the filing is made
An officer, agent, or employe filing is made	of the governmental authority, agency, or instrum	entality on behalf of which the
	oractice before the Commission under Rule 2101 o F.R. § 385.2101) and who possesses authority to sig	
He or she has reviewed all automatic Miscellaneous section starting on page	calculations and agrees with their results, unless o ge 19.	therwise noted in the
interconnect and transact (see lines 4	Form 556 and all attachments to the utilities with a through 4d), as well as to the regulatory authorit the Required Notice to Public Utilities and State Re	ies of the states in which the
Procedure (18 C.F.R. § 385.2005(c)) provide	ture date below. Rule 2005(c) of the Commission's es that persons filing their documents electronical led documents. A person filing this document eleded below.	ly may use typed characters
Your Signature	Your address	Date
Evan Riley	3250 Ocean Park Blvd., Suite 355 Santa Monica, CA 90405	10/20/2017
Audit Notes		
Commission Staff Use Only:		

FERC Form 556 Page 19 - All Facilities

### Miscellaneous

Use this space to provide any information for which there was not sufficient space in the previous sections of the form to provide. For each such item of information *clearly identify the line number that the information belongs to*. You may also use this space to provide any additional information you believe is relevant to the certification of your facility.

Your response below is not limited to one page. Additional page(s) will automatically be inserted into this form if the length of your response exceeds the space on this page. Use as many pages as you require.

Please note that only the following changes have been made:

Section 2 - Contact Information

Item 3a - Facility Name

Section 5 - Ownership and Operation

Section 7 - Technical Facility Information

-----

The facility is expected to be placed in service on or around December 11, 2017.

\_\_\_\_\_

Notes Regarding Section 5b:

NOTE: The members of Laurel Creek Holdings, LLC are (i) a private individual and (ii) two family trusts. Neither the private individual nor the beneficiaries of the family trusts own or control over 10 percent of any other operating electric assets or inputs to electric generation other than Cypress Creek Holdings, LLC and its subsidiaries.

NOTE: Item 5b lists all upstream owners of the facility that qualify as holding companies under 42 U.S.C. 16451(8) and hold at least 10 percent equity interest in the facility. However, please note the existence of at least one additional upstream owner of the facility with at least 10 percent equity interest in the facility (the "Passive Owners"). The membership interests of the Passive Owners are non-voting securities; therefore, the Passive Owners do not qualify as holding companies under 42 U.S.C. 16451(8) and as a result are not listed in Item 5b of this filing. None of the upstream owners of the facility qualify as electric utilities under 16 U.S.C. 796(22).