

170 FERC ¶ 61,195
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

March 17, 2020

In Reply Refer To:
Golden Fields Solar IV, LLC
Docket No. ER20-840-000

Golden Fields Solar III, LLC
Docket No. ER20-847-000

McDermott Will & Emery
500 North Capitol Street, NW
Washington, DC 20001

Attention: David Tewksbury

Dear Mr. Tewksbury:

1. On January 17, 2020, you submitted for filing, on behalf of Golden Fields Solar IV, LLC (Golden Fields IV), an Amended and Restated Rosamond Shared Facilities Agreement No. 1 (Amended SFA), among Golden Fields IV, Solar Star California XLI, LLC, Golden Fields Solar I, LLC, Golden Fields Solar III, LLC (Golden Fields III), and SunPower Capital Services, LLC. You also submitted for filing, on behalf of Golden Fields III, a Certificate of Concurrence to the Amended SFA.
2. Golden Field IV states that it is an exempt wholesale generator and wholly owned, indirect subsidiary of Clearway Energy Group, LLC. Golden Field IV also states that it is developing and will construct, own, and operate the Golden Fields Solar IV Project (Golden Fields IV Project), which is currently planned to be an approximately 100 MW solar-powered generating facility located in Kern County, California and interconnected with transmission facilities owned by Southern California Edison Company and controlled by the California Independent System Operator Corporation.
3. Golden Fields IV states that the purpose of the proposed Amended SFA is to reallocate the rights and interests of Golden Fields Solar II, LLC (Golden Fields II), Golden Fields III, and Golden Fields IV under the Original SFA,¹ including interests in

¹ The Commission accepted the Original SFA by letter dated June 2, 2016, in Docket No. ER16-1399-000.

the interconnection facilities to reflect changes in their project development plans. Specifically, Golden Fields IV states that the Amended SFA provides for: (1) the reallocation of rights and interests to allow for the combination of what were formerly known as the Golden Fields Solar II Project, the Golden Fields Solar III Project, and the Golden Fields IV Solar Project, into a new Golden Fields Solar III Project, which will be an approximately 192 MW solar-powered generation facility located in Kern County, California, (2) the new Golden Fields IV Project, as discussed above, and (3) the removal of Golden Fields II as a party and co-tenant.

4. In addition, Golden Fields IV requests waiver of the requirements of Parts 41, regarding accounts, records, and memoranda, 101, and 141, with the exception of sections 141.14 and 141.15, of the Commission's regulations, as well as waiver of the reporting requirements of Subparts B and C of Part 35, with the exception of sections 35.12(a), 35.13(b), 35.15, and 35.16. Furthermore, Golden Fields IV requests that the Commission grant blanket authorizations with respect to issuance of securities and assumptions of liability under Part 34 of the Commission's regulations. Golden Fields IV states that such waivers and blanket authorizations are consistent with those granted to other interconnection-only entities.²

5. Finally, Golden Fields IV and Golden Fields III request waiver of the Commission's prior notice requirements to allow the Amended SFA and the Certificate of Concurrence to become effective on January 18, 2020. Golden Fields IV maintains that good cause exist to grant waiver because the filing does not involve a rate change.³

6. Notices of the filings were published in the *Federal Register*, 85 Fed. Reg. 4316 (Jan. 24, 2020) and 85 Fed. Reg. 4963 (Jan. 28, 2020), with interventions and protests due on or before February 7, 2020. A supplemental notice that the section 205 rate filing includes a request for blanket section 204 authorization was published in the *Federal Register*, 85 Fed. Reg. 11,367 (Feb.27, 2020), with interventions and protests due on or before February 27, 2020. None was filed.

7. The Amended SFA appears to be just and reasonable and has not been shown to be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful. Accordingly, waiver of the Commission's notice requirements pursuant to section 35.11

² Golden Fields IV Transmittal Letter at P 8 (citing *Community Wind North, LLC*, 157 FERC ¶ 61,030, at PP 9-11 (2016); *East Ridge Transmission, LLC*, 155 FERC ¶ 61,123 at P 10-11 (2016); *Maine GenLead, LLC*, 146 FERC ¶ 61,223 at P 17-18 (2014), *order on reh'g, Dominion Solar*, 152 FERC ¶ 61,014 at P 8 (2015)).

³ *Id.* at P 5-6.

of the Commission's regulations, 18 C.F.R. § 35.11, is granted,⁴ and the Amended SFA and Certificate of Concurrence are accepted for filing, effective January 18, 2020, as requested.⁵

8. Golden Fields IV's request for waiver of Subpart B and C of Part 35 of the Commission's regulations⁶ requiring the filing of cost-of-service information, except for sections 35.12(a), 35.13(b), 35.15, and 35.16 is granted. Further, Golden Fields IV's request for waiver of Part 41⁷ and Part 141⁸ of the Commission's regulations concerning accounting and reporting requirements is granted, with the exception of sections 141.14 and 141.15.

9. We also grant Golden Fields IV's request for waiver of Part 101 of the Commission's regulations.⁹ The Commission has granted waiver of Part 101 in cases where a transmission owner's facilities are limited and discrete and only serve a merchant generation affiliate.¹⁰ However, notwithstanding the waiver of the accounting requirements of Part 101, we expect Golden Fields IV to keep its accounting records in accordance with generally accepted accounting principles.

10. Finally, we grant blanket authorizations of Part 34 of the Commission's regulations.¹¹ As the Commission previously has noted, section 204 of the FPA serves to ensure that public utilities do not, by issuing securities or assuming obligations or liabilities,

⁴ *Central Hudson Gas & Electric Corporation*, 60 FERC ¶ 61,106, *reh'g denied*, 61 FERC ¶ 61,089 (1992).

⁵ Golden Fields Solar IV, LLC, FERC FPA Electric Tariff, Tariffs, Rate Schedules, and Service Agreements, [Rosamond SFA, Golden Fields Solar IV Rosamond SFA, 2.0.0](#), and Golden Fields Solar III, LLC, FERC FPA Electric Tariff, Tariffs, Rate Schedules, and Service Agreements, [Rosamond SFA, Golden Fields Solar III Rosamond SFA, 2.0.0](#).

⁶ 18 C.F.R. §§ 35.12-29 (2019).

⁷ 18 C.F.R. pt. 41 (2019).

⁸ 18 C.F.R. pt. 141 (2019).

⁹ 18 C.F.R. pt. 101 (2019).

¹⁰ *See Maine GenLead*, 146 FERC ¶ 61,223 at P 18.

¹¹ 18 C.F.R. pt. 34 (2019).

put at risk their ability to provide service to customers that depend on that service.¹² Applying the foregoing principles here, we find that it is appropriate to grant Golden Fields IV's request for blanket authorization for issuance of securities and assumptions of liability under Part 34 because no co-tenant is providing any jurisdictional interconnection or transmission service under the Amended SFA. However, Golden Fields IV must notify the Commission if the circumstances providing the basis for the blanket authorization change.¹³

By direction of the Commission.

Kimberly D. Bose,
Secretary.

¹² *Dominion Solar*, 152 FERC ¶ 61,014 at P 10 (citing *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, 119 FERC ¶ 61,295, *clarified*, 121 FERC ¶ 61,260 (2007), *order on reh'g*, Order No. 697-A, 123 FERC ¶ 61,055, *clarified*, 124 FERC ¶ 61,055, *order on reh'g*, Order No. 697-B, 125 FERC ¶ 61,326 (2008), *order on reh'g*, Order No. 697-C, 124 FERC ¶ 61,284 (2009), *order on reh'g*, Order No. 697-D, 130 FERC ¶ 61,206 (2010), *aff'd sub nom. Mont. Consumer Counsel v. FERC*, 659 F.3d 910 (9th Cir. 2011), *cert. denied*, 133 S. Ct. 26 (2012)).

¹³ We further note that if the Commission subsequently grants a request by a non-affiliated entity to use the Shared Facilities, Golden Fields IV would no longer qualify for blanket authorization.