

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC

OMB Control # 1902-0075
Expiration 11/30/2022

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

| | | | |
|-------------------------|--|--|--|
| Application Information | 1a Full name of applicant (legal entity on whose behalf qualifying facility status is sought for this facility) Prelude LLC | | |
| | 1b Applicant street address 146 Alpine Dr | | |
| | 1c City Green Bay | | 1d State/province Wi |
| | 1e Postal code 54302 | 1f Country (if not United States) | 1g Telephone number 920 393 4131 |
| | 1h Has the instant facility ever previously been certified as a QF? Yes <input checked="" type="checkbox"/> No | | |
| | 1i If yes, provide the docket number of the last known QF filing pertaining to this facility: QF <u>14</u> - <u>85</u> - <u>006</u> | | |
| | 1j Under which certification process is the applicant making this filing? <input checked="" type="checkbox"/> Notice of self-certification (see note below) <input type="checkbox"/> Application for Commission certification (requires filing fee; see "Filing Fee" section on page 2) Note: a notice of self-certification is a notice by the applicant itself that its facility complies with the requirements for QF status. A notice of self-certification does not establish a proceeding, and the Commission does not review a notice of self-certification to verify compliance. See the "What to Expect From the Commission After You File" section on page 4 for more information. | | |
| | 1k What type(s) of QF status is the applicant seeking for its facility? (check all that apply) <input checked="" type="checkbox"/> Qualifying small power production facility status <input type="checkbox"/> Qualifying cogeneration facility status | | |
| | 1l What is the purpose and expected effective date(s) of this filing? <input type="checkbox"/> Original certification; facility expected to be installed by _____ and to begin operation on _____ <input checked="" type="checkbox"/> Change(s) to a previously certified facility to be effective on <u>10/25/23</u> (identify type(s) of change(s) below, and describe change(s) in the Miscellaneous section starting on page 24) <input type="checkbox"/> Name change and/or other administrative change(s) <input type="checkbox"/> Change in ownership <input checked="" type="checkbox"/> Change(s) affecting plant equipment, fuel use, power production capacity and/or cogeneration thermal output Supplement or correction to a previous filing submitted on _____ (describe the supplement or correction in the Miscellaneous section starting on page 24) | | |
| | 1m If any of the following three statements is true, check the box(es) that describe your situation and complete the form to the extent possible, explaining any special circumstances in the Miscellaneous section starting on page 24. <input type="checkbox"/> The instant facility complies with the Commission's QF requirements by virtue of a waiver of certain regulations previously granted by the Commission in an order dated _____ (specify any other relevant waiver orders in the Miscellaneous section starting on page 24) <input type="checkbox"/> The instant facility would comply with the Commission's QF requirements if a petition for waiver submitted concurrently with this application is granted <input type="checkbox"/> The instant facility complies with the Commission's regulations, but has special circumstances, such as the employment of unique or innovative technologies not contemplated by the structure of this form, that make the demonstration of compliance via this form difficult or impossible (describe in Misc. section starting on p. 24) | | |

| | | | | |
|--|---|--|--|--|
| Contact Information | 2a Name of contact person Thomas Mattson | | 2b Telephone number 920 393 4131 | |
| | 2c Which of the following describes the contact person's relationship to the applicant? (check one) <input checked="" type="checkbox"/> Applicant (self) <input type="checkbox"/> Employee, owner or partner of applicant authorized to represent the applicant <input type="checkbox"/> Employee of a company affiliated with the applicant authorized to represent the applicant on this matter <input type="checkbox"/> 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) <input checked="" type="checkbox"/> | | | |
| | 2e Street address (if same as Applicant, check here and skip to line 3a) <input checked="" type="checkbox"/> | | | |
| | 2f City | | 2g State/province | |
| | 2h Postal code | | 2i Country (if not United States) | |
| | Facility Identification and Location | 3a Facility name Conant | | |
| 3b Street address (if a street address does not exist for the facility, check here and skip to line 3c) <input checked="" type="checkbox"/> | | | | |
| 3c Geographic coordinates: Specify the latitude and longitude coordinates of the facility in degrees (to three decimal places). Use the following formula to convert to decimal degrees from degrees, minutes and seconds: decimal degrees = degrees + (minutes/60) + (seconds/3600). See the "Geographic Coordinates" section on page 5 for help. Latitude <u>43.160</u> degrees <input type="text" value="North (+)"/> Longitude <u>99.927</u> degrees <input type="text" value="West (-)"/> | | | | |
| 3d City (if unincorporated, check here and enter nearest city) <input type="checkbox"/> Colomn | | 3e State/province South Dakota | | |
| 3f County (or check here for independent city) Tripp | | 3g Country (if not United States) | | |
| Transacting Utilities | Identify the electric utilities that are contemplated to transact with the facility. | | | |
| | 4a Identify utility interconnecting with the facility Rosebud Electric cooperative | | | |
| | 4b Identify utilities providing wheeling service or check here if none <input checked="" type="checkbox"/> | | | |
| | 4c Identify utilities purchasing the useful electric power output or check here if none Basin Electric Cooperative | | | |
| | 4d Identify utilities providing supplementary power, backup power, maintenance power, and/or interruptible power service or check here if none Rosebud Electric cooperative | | | |

Ownership and Operation

5a Direct ownership as of effective date or operation date: Identify all direct owners of the facility holding at least 10 percent equity interest. For each identified owner, also (1) indicate whether that owner is an electric utility, as defined in section 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or a holding company, as defined in section 1262(8) of the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451(8)), and (2) for owners which are electric utilities or holding companies, provide the percentage of equity interest in the facility held by that owner. If no direct owners hold at least 10 percent equity interest in the facility, then provide the required information for the two direct owners with the largest equity interest in the facility.

| Full legal names of direct owners | Electric utility or holding company | If Yes, % equity interest |
|-----------------------------------|---|---------------------------|
| 1) Thomas James Mattson | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | 100 |
| 2) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 3) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 4) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 5) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 6) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 7) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 8) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 9) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 10) | Yes <input type="checkbox"/> No <input type="checkbox"/> | |

Check here and continue in the Miscellaneous section starting on page 24 if additional space is needed

5b Upstream (i.e., indirect) ownership as of effective date or operation date: Identify all upstream (i.e., indirect) owners of the facility that both (1) hold at least 10 percent equity interest in the facility, and (2) are electric utilities, as defined in section 3(22) of the Federal Power Act (16 U.S.C. 796(22)), or holding companies, as defined in section 1262(8) of the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451(8)). Also provide the percentage of equity interest in the facility held by such owners. (Note that, because upstream owners may be subsidiaries of one another, total percent equity interest reported may exceed 100 percent.)

Check here if no such upstream owners exist.

| Full legal names of electric utility or holding company upstream owners | % equity interest |
|---|-------------------|
| 1) | |
| 2) | |
| 3) | |
| 4) | |
| 5) | |
| 6) | |
| 7) | |
| 8) | |
| 9) | |
| 10) | |

Check here and continue in the Miscellaneous section starting on page 24 if additional space is needed

5c Identify the facility operator

Prelude LLC

Energy Input

6a Describe the primary energy input: (check one main category and, if applicable, one subcategory)

- | | | |
|--|---|--|
| <input type="checkbox"/> Biomass (specify) | <input checked="" type="checkbox"/> Renewable resources (specify) | <input type="checkbox"/> Geothermal |
| <input type="checkbox"/> Landfill gas | <input type="checkbox"/> Hydro power - river | <input type="checkbox"/> Fossil fuel (specify) |
| <input type="checkbox"/> Manure digester gas | <input type="checkbox"/> Hydro power - tidal | <input type="checkbox"/> Coal (not waste) |
| <input type="checkbox"/> Municipal solid waste | <input type="checkbox"/> Hydro power - wave | <input type="checkbox"/> Fuel oil/diesel |
| <input type="checkbox"/> Sewage digester gas | <input type="checkbox"/> Solar - photovoltaic | <input type="checkbox"/> Natural gas (not waste) |
| <input type="checkbox"/> Wood | <input type="checkbox"/> Solar - thermal | <input type="checkbox"/> Other fossil fuel (describe on page 24) |
| <input type="checkbox"/> Other biomass (describe on page 24) | <input checked="" type="checkbox"/> Wind | |
| <input type="checkbox"/> Waste (specify type below in line 6b) | <input type="checkbox"/> Other renewable resource (describe on page 24) | <input type="checkbox"/> Other (describe on page 24) |

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 24)
 - Waste natural gas from gas or oil wells (describe on page 24 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 24)
 - Heat from exothermic reactions (describe on page 24)
 - Residual heat (describe on page 24)
 - 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 24; 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)).

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

| | | |
|--------------------------------|--|-------------|
| Technical Facility Information | 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. | |
| | 7a The maximum gross power production capacity at the terminals of the individual generator(s) under the most favorable anticipated design conditions | 19,750 kW |
| | 7b 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 reported parasitic station power. | 0 kW |
| | 7c Electrical losses in interconnection transformers | 350 kW |
| | 7d Electrical losses in AC/DC conversion equipment, if any | 0 kW |
| | 7e 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 |
| | 7f Total deductions from gross power production capacity = 7b + 7c + 7d + 7e | 350.0 kW |
| | 7g Maximum net power production capacity = 7a - 7f | 19,400.0 kW |
| | 7h Description 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 24. <p>19,400 KW net capacity, eight 5.6 MW wind turbines will be installed. The wind farm output will be collected and stepped up to 32Kv at the wind farms own collection field substation, where 15 miles of 32Kv run to Prelude Light Blue QF14-90-000 wind farm, and then stepped up to 115Kv, where 2 miles of 115Kv run to RoseBud Electric Cooperatives Colome 115 Kv substation.</p> | |

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 pages 11 through 15.

Certification of Compliance with Size Limitations

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 8f below (as applicable).

Electric Generating Equipment

Electrical generating equipment will refer to all boilers, heat recovery steam generators, prime movers (any mechanical equipment driving an electric generator), electrical generators, photovoltaic solar panels, inverters, fuel cell equipment and/or other primary power generation equipment used in the facility, excluding equipment for gathering energy to be used in the facility. Each wind turbine on a wind farm and each solar panel in a solar facility is considered electrical generating equipment because each wind turbine and each solar panel is independently capable of producing electric energy.

Distance

The distance between two facilities is to be measured from the edge of the closest electrical generating equipment for which qualification or recertification is sought to the edge of the nearest electrical generating equipment of the other affiliated small power production qualifying facility using the same energy resource. An affiliated small power production QF located one mile or less from the instant facility is irrebuttably presumed to be at the same site. An affiliated small power production QF located more than one mile and less than 10 miles from the instant facility is rebuttably presumed to be at a separate site. An affiliated small power production QF located 10 miles or more from the instant facility is irrebuttably presumed to be located at a separate site.

8a Identify affiliated small power production QFs located less than 10 miles from the electrical generating equipment of the instant facility that use the same energy resource and are held (with at least a 5 percent equity interest) by any of the entities identified in lines 5a or 5b or their affiliates. Specify the latitude and longitude coordinates for both the applicant and the affiliate small power production QF based on the nearest electrical generating equipment for each facility. Report coordinates in degrees (to three decimal places) as a positive number for east and north or a negative number for west and south. Use the following formula to convert to decimal degrees from degrees, minutes and seconds: decimal degrees = degrees + (minutes/60) + (seconds/3600). See the "Geographic Coordinates" section on page 5 for help obtaining coordinates. The distances for each facility listed below will be automatically calculated from the reported coordinates. See www.ferc.gov/QF for more information on how this form calculates distance.

Check here if no such facilities exist.

| Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) |
|--|---------------------------|--|--------------------|
| South Dakota | QF 14 - 87 | 19,400 kW | Prelude LLC |
| Coordinates (in degrees) and Distance (miles): | | | |
| 1) Closest electrical generating equipment for applicant's facility: | | | |
| Latitude 43.160 | North (+) | Longitude 99.927 | West (-) |
| Closest electrical generating equipment for affiliate's facility: | | | |
| Latitude 43.200 | North (+) | Longitude 99.754 | West (-) |
| | | | Distance 9.4 miles |

Certification of Compliance with Size Limitations (continued)

8a Continued

| | | | | |
|----|---|---|--|-------------------------------------|
| | <p>Facility location (city or county, state)</p> <p>_____</p> | <p>Root docket # (if any)</p> <p>QF _____ - _____</p> | <p>Maximum net power production capacity</p> <p>_____ kW</p> | <p>Common owner(s)</p> <p>_____</p> |
| | <p>Coordinates (in degrees) and Distance (miles):</p> <p>_____</p> | | | |
| 2) | <p>Closest electrical generating equipment for applicant's facility:</p> <p>Latitude _____ <input type="text" value="Choose +/-"/> Longitude _____ <input type="text" value="Choose +/-"/></p> | | | |
| | <p>Closest electrical generating equipment for affiliate's facility:</p> <p>Latitude _____ <input type="text" value="Choose +/-"/> Longitude _____ <input type="text" value="Choose +/-"/> Distance _____ miles</p> | | | |
| | <p>Facility location (city or county, state)</p> <p>_____</p> | <p>Root docket # (if any)</p> <p>QF _____ - _____</p> | <p>Maximum net power production capacity</p> <p>_____ kW</p> | <p>Common owner(s)</p> <p>_____</p> |
| | <p>Coordinates (in degrees) and Distance (miles):</p> <p>_____</p> | | | |
| 3) | <p>Closest electrical generating equipment for applicant's facility:</p> <p>Latitude _____ <input type="text" value="Choose +/-"/> Longitude _____ <input type="text" value="Choose +/-"/></p> | | | |
| | <p>Closest electrical generating equipment for affiliate's facility:</p> <p>Latitude _____ <input type="text" value="Choose +/-"/> Longitude _____ <input type="text" value="Choose +/-"/> Distance _____ miles</p> | | | |
| | <p>Facility location (city or county, state)</p> <p>_____</p> | <p>Root docket # (if any)</p> <p>QF _____ - _____</p> | <p>Maximum net power production capacity</p> <p>_____ kW</p> | <p>Common owner(s)</p> <p>_____</p> |
| | <p>Coordinates (in degrees) and Distance (miles):</p> <p>_____</p> | | | |
| 4) | <p>Closest electrical generating equipment for applicant's facility:</p> <p>Latitude _____ <input type="text" value="Choose +/-"/> Longitude _____ <input type="text" value="Choose +/-"/></p> | | | |
| | <p>Closest electrical generating equipment for affiliate's facility:</p> <p>Latitude _____ <input type="text" value="Choose +/-"/> Longitude _____ <input type="text" value="Choose +/-"/> Distance _____ miles</p> | | | |
| | <p>Facility location (city or county, state)</p> <p>_____</p> | <p>Root docket # (if any)</p> <p>QF _____ - _____</p> | <p>Maximum net power production capacity</p> <p>_____ kW</p> | <p>Common owner(s)</p> <p>_____</p> |
| | <p>Coordinates (in degrees) and Distance (miles):</p> <p>_____</p> | | | |
| 5) | <p>Closest electrical generating equipment for applicant's facility:</p> <p>Latitude _____ <input type="text" value="Choose +/-"/> Longitude _____ <input type="text" value="Choose +/-"/></p> | | | |
| | <p>Closest electrical generating equipment for affiliate's facility:</p> <p>Latitude _____ <input type="text" value="Choose +/-"/> Longitude _____ <input type="text" value="Choose +/-"/> Distance _____ miles</p> | | | |

Certification of Compliance with Size Limitations (continued)

| 8a Continued | | | | | | | | | | | | |
|---|--|--|--|--|-----------------|-------|-----------------|----------|-------|---|--|--|
| 6) | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; border-bottom: 1px solid black; padding: 2px;">Facility location (city or county, state)</td> <td style="width: 15%; border-bottom: 1px solid black; padding: 2px;">Root docket # (if any)</td> <td style="width: 15%; border-bottom: 1px solid black; padding: 2px;">Maximum net power production capacity</td> <td style="width: 37%; border-bottom: 1px solid black; padding: 2px;">Common owner(s)</td> </tr> <tr> <td style="padding: 2px;">_____</td> <td style="padding: 2px;">QF ____ - _____</td> <td style="padding: 2px;">_____ kW</td> <td style="padding: 2px;">_____</td> </tr> </table> | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) | _____ | QF ____ - _____ | _____ kW | _____ | Coordinates (in degrees) and Distance (miles): _____ | | |
| | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) | | | | | | | | |
| | _____ | QF ____ - _____ | _____ kW | _____ | | | | | | | | |
| | Closest electrical generating equipment for applicant's facility: | | | _____ | | | | | | | | |
| Latitude _____ <input type="text" value="Choose +/-"/> | Longitude _____ <input type="text" value="Choose +/-"/> | _____ | | | | | | | | | | |
| Closest electrical generating equipment for affiliate's facility: | | | Distance _____ | | | | | | | | | |
| Latitude _____ <input type="text" value="Choose +/-"/> | Longitude _____ <input type="text" value="Choose +/-"/> | _____ miles | | | | | | | | | | |
| 7) | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; border-bottom: 1px solid black; padding: 2px;">Facility location (city or county, state)</td> <td style="width: 15%; border-bottom: 1px solid black; padding: 2px;">Root docket # (if any)</td> <td style="width: 15%; border-bottom: 1px solid black; padding: 2px;">Maximum net power production capacity</td> <td style="width: 37%; border-bottom: 1px solid black; padding: 2px;">Common owner(s)</td> </tr> <tr> <td style="padding: 2px;">_____</td> <td style="padding: 2px;">QF ____ - _____</td> <td style="padding: 2px;">_____ kW</td> <td style="padding: 2px;">_____</td> </tr> </table> | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) | _____ | QF ____ - _____ | _____ kW | _____ | Coordinates (in degrees) and Distance (miles): _____ | | |
| | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) | | | | | | | | |
| | _____ | QF ____ - _____ | _____ kW | _____ | | | | | | | | |
| | Closest electrical generating equipment for applicant's facility: | | | _____ | | | | | | | | |
| Latitude _____ <input type="text" value="Choose +/-"/> | Longitude _____ <input type="text" value="Choose +/-"/> | _____ | | | | | | | | | | |
| Closest electrical generating equipment for affiliate's facility: | | | Distance _____ | | | | | | | | | |
| Latitude _____ <input type="text" value="Choose +/-"/> | Longitude _____ <input type="text" value="Choose +/-"/> | _____ miles | | | | | | | | | | |
| 8) | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; border-bottom: 1px solid black; padding: 2px;">Facility location (city or county, state)</td> <td style="width: 15%; border-bottom: 1px solid black; padding: 2px;">Root docket # (if any)</td> <td style="width: 15%; border-bottom: 1px solid black; padding: 2px;">Maximum net power production capacity</td> <td style="width: 37%; border-bottom: 1px solid black; padding: 2px;">Common owner(s)</td> </tr> <tr> <td style="padding: 2px;">_____</td> <td style="padding: 2px;">QF ____ - _____</td> <td style="padding: 2px;">_____ kW</td> <td style="padding: 2px;">_____</td> </tr> </table> | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) | _____ | QF ____ - _____ | _____ kW | _____ | Coordinates (in degrees) and Distance (miles): _____ | | |
| | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) | | | | | | | | |
| | _____ | QF ____ - _____ | _____ kW | _____ | | | | | | | | |
| | Closest electrical generating equipment for applicant's facility: | | | _____ | | | | | | | | |
| Latitude _____ <input type="text" value="Choose +/-"/> | Longitude _____ <input type="text" value="Choose +/-"/> | _____ | | | | | | | | | | |
| Closest electrical generating equipment for affiliate's facility: | | | Distance _____ | | | | | | | | | |
| Latitude _____ <input type="text" value="Choose +/-"/> | Longitude _____ <input type="text" value="Choose +/-"/> | _____ miles | | | | | | | | | | |
| 9) | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; border-bottom: 1px solid black; padding: 2px;">Facility location (city or county, state)</td> <td style="width: 15%; border-bottom: 1px solid black; padding: 2px;">Root docket # (if any)</td> <td style="width: 15%; border-bottom: 1px solid black; padding: 2px;">Maximum net power production capacity</td> <td style="width: 37%; border-bottom: 1px solid black; padding: 2px;">Common owner(s)</td> </tr> <tr> <td style="padding: 2px;">_____</td> <td style="padding: 2px;">QF ____ - _____</td> <td style="padding: 2px;">_____ kW</td> <td style="padding: 2px;">_____</td> </tr> </table> | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) | _____ | QF ____ - _____ | _____ kW | _____ | Coordinates (in degrees) and Distance (miles): _____ | | |
| | Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) | | | | | | | | |
| | _____ | QF ____ - _____ | _____ kW | _____ | | | | | | | | |
| | Closest electrical generating equipment for applicant's facility: | | | _____ | | | | | | | | |
| Latitude _____ <input type="text" value="Choose +/-"/> | Longitude _____ <input type="text" value="Choose +/-"/> | _____ | | | | | | | | | | |
| Closest electrical generating equipment for affiliate's facility: | | | Distance _____ | | | | | | | | | |
| Latitude _____ <input type="text" value="Choose +/-"/> | Longitude _____ <input type="text" value="Choose +/-"/> | _____ miles | | | | | | | | | | |

Certification of Compliance with Size Limitations (continued)

8a Continued

| Facility location (city or county, state) | Root docket # (if any) | Maximum net power production capacity | Common owner(s) |
|---|---------------------------|--|----------------------|
| _____ | QF ____ - ____ | _____ kW | _____ |
| Coordinates (in degrees) and Distance (miles): | | | |
| 10) Closest electrical generating equipment for applicant's facility: | | | |
| Latitude _____ | Choose +/- | Longitude _____ | Choose +/- |
| Closest electrical generating equipment for affiliate's facility: | | | |
| Latitude _____ | Choose +/- | Longitude _____ | Choose +/- |
| | | | Distance _____ miles |

Check here and continue in the Miscellaneous section starting on page 24 if additional space is needed. Use the calculator below to calculate distances based on facility coordinates.

Distance Calculator Specify the latitude and longitude coordinates for both the applicant and the affiliate small power production QF based on the nearest electrical generating equipment for each facility. Report coordinates in degrees (to three decimal places) as a positive number for east and north or a negative number for west and south. Use the following formula to convert to decimal degrees from degrees, minutes and seconds: decimal degrees = degrees + (minutes/60) + (seconds/3600). See the "Geographic Coordinates" section on page 5 for help obtaining coordinates. The distances for each facility listed below will be automatically calculated from the reported coordinates. See www.ferc.gov/QF for more information on how this form calculates distance.

Closest electrical generating equipment for applicant's facility (degrees):

Latitude _____ Choose +/- Longitude _____ Choose +/-

Closest electrical generating equipment for affiliate's facility (degrees):

Latitude _____ Choose +/- Longitude _____ Choose +/- Distance _____ miles

8b You have the option below to assert preemptively that your facility is at a separate site from affiliated small power production QFs using the same energy resource more than one mile but less than 10 miles from your facility. If additional space is needed, continue in the Miscellaneous section starting on page 24.

Pursuant to 18 C.F.R. § 292.204(a)(2)(i)(C), if affiliated small power producer qualifying facilities are more than one mile but less than 10 miles apart there is a rebuttable presumption that they are at separate sites. The factors listed below are examples of the factors that the Commission may consider in deciding whether small power production facilities that are owned by the same person(s) or its affiliates are located "at the same site": (1) *physical characteristics*, including such common characteristics as: infrastructure, property ownership, property leases, control facilities, access and easements, interconnection agreements, interconnection facilities up to the point of interconnection to the distribution or transmission system, collector systems or facilities, points of interconnection, motive force or fuel source, off-take arrangements, connections to the electrical grid, evidence of shared control systems, common permitting and land leasing, and shared step-up transformers; and (2) *ownership/other characteristics*, including such characteristics as whether the facilities in question are: owned or controlled by the same person(s) or affiliated persons(s), operated and maintained by the same or affiliated entity(ies), selling to the same electric utility, using common debt or equity financing, constructed by the same entity within 12 months, managing a power sales agreement executed within 12 months of a similar and affiliated small power production qualifying facility (continued next page)...

| | |
|---|--|
| Certification of Compliance with Size Limitations (continued) | <p>8b Continued</p> <p>... (continued from previous page) in the same location, placed into service within 12 months of an affiliated small power production QF project's commercial operation date as specified in the power sales agreement, or sharing engineering or procurement contracts.</p> |
| | <p>8c 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?</p> <p> <input type="checkbox"/> Yes (continue at line 8d below) <input checked="" type="checkbox"/> No (skip lines 8d through 8f) </p> |
| | <p>8d Was the original notice of self-certification or application for Commission certification of the facility filed on or before December 31, 1994? Yes No</p> |
| | <p>8e Did construction of the facility commence on or before December 31, 1999? Yes No</p> |
| | <p>8f If you answered No in line 8e, indicate whether reasonable diligence was exercised toward the completion of the facility, taking into account all factors relevant to construction? Yes No</p> <p>If you answered Yes, provide a brief narrative explanation in the Miscellaneous section starting on page 24 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.</p> |
| Certification of Compliance with Fuel Use Requirements | <p>Pursuant to 18 C.F.R. § 292.204(b), qualifying small power production facilities may use fossil fuels, in minimal 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.</p> |
| | <p>9a Certification of compliance with 18 C.F.R. § 292.204(b) with respect to uses of fossil fuel:</p> <p><input checked="" type="checkbox"/> Applicant certifies that the facility will use fossil fuels <i>exclusively</i> for the purposes listed above.</p> |
| | <p>9b Certification of compliance with 18 C.F.R. § 292.204(b) with respect to amount of fossil fuel used annually:</p> <p><input checked="" type="checkbox"/> 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.</p> |

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 16 through 18. Otherwise, skip pages 16 through 18.

| General Cogeneration Information | <p>Pursuant to 18 C.F.R. § 292.202(c), a cogeneration facility produces electric energy and forms of useful thermal energy (such as heat or steam) used for industrial, commercial, heating, or cooling purposes, through the sequential use of energy. Pursuant to 18 C.F.R. § 292.202(s), "sequential use" of energy means the following: (1) for a topping-cycle cogeneration facility, the use of reject heat from a power production process in sufficient amounts in a thermal application or process to conform to the requirements of the operating standard contained in 18 C.F.R. § 292.205(a); or (2) for a bottoming-cycle cogeneration facility, the use of at least some reject heat from a thermal application or process for power production.</p> | | | | | | | | | | | | | | | | | | | |
|--|---|--|-------------|--------------------------|---|--------------------------|---|--------------------------|--|--------------------------|--|--------------------------|---|--------------------------|---|--------------------------|--|--------------------------|---|--------------------------|
| | <p>10a What type(s) of cogeneration technology does the facility represent? (check all that apply)</p> <p style="text-align: center;"> <input type="checkbox"/> Topping-cycle cogeneration <input type="checkbox"/> Bottoming-cycle cogeneration </p> | | | | | | | | | | | | | | | | | | | |
| | <p>10b To help demonstrate the sequential operation of the cogeneration process, and to support compliance with other requirements such as the operating and efficiency standards, include with your filing a mass and heat balance diagram depicting average annual operating conditions. This diagram must include certain items and meet certain requirements, as described below. You must check next to the description of each requirement below to certify that you have complied with these requirements.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%; text-align: center; border-bottom: 1px solid black;">Check to certify compliance with indicated requirement</th> <th style="text-align: center; border-bottom: 1px solid black;">Requirement</th> </tr> </thead> <tbody> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>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.</td> </tr> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>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.</td> </tr> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>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.</td> </tr> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>Diagram must specify average gross electric output in kW or MW for each generator.</td> </tr> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>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.</td> </tr> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>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 24, 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).</td> </tr> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>Diagram must specify working fluid flow conditions at input to and output from each steam turbine or other expansion turbine or back-pressure turbine.</td> </tr> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>Diagram must specify working fluid flow conditions at delivery to and return from each thermal application.</td> </tr> <tr> <td style="text-align: center; vertical-align: top;"><input type="checkbox"/></td> <td>Diagram must specify working fluid flow conditions at make-up water inputs.</td> </tr> </tbody> </table> | Check to certify compliance with indicated requirement | Requirement | <input type="checkbox"/> | 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. | <input type="checkbox"/> | 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. | <input type="checkbox"/> | 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. | <input type="checkbox"/> | Diagram must specify average gross electric output in kW or MW for each generator. | <input type="checkbox"/> | 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. | <input type="checkbox"/> | 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 24, 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). | <input type="checkbox"/> | Diagram must specify working fluid flow conditions at input to and output from each steam turbine or other expansion turbine or back-pressure turbine. | <input type="checkbox"/> | Diagram must specify working fluid flow conditions at delivery to and return from each thermal application. | <input type="checkbox"/> |
| Check to certify compliance with indicated requirement | Requirement | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | 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. | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | 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. | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | 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. | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Diagram must specify average gross electric output in kW or MW for each generator. | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | 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. | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | 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 24, 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). | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Diagram must specify working fluid flow conditions at input to and output from each steam turbine or other expansion turbine or back-pressure turbine. | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Diagram must specify working fluid flow conditions at delivery to and return from each thermal application. | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Diagram must specify working fluid flow conditions at make-up water inputs. | | | | | | | | | | | | | | | | | | | |

EPAct 2005 Requirements for Fundamental Use of Energy Output from Cogeneration Facilities

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

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

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.

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 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 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 24 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?

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 *not* 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) *before* selling energy pursuant to section 210 of PURPA in the future. Skip lines 11f through 11j.

11f 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.

EPAAct 2005 Requirements for Fundamental Use of Energy Output from Cogeneration Facilities (continued)

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 EPAAct 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 EPAAct 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 EPAAct 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) | % |

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 24 a narrative explanation of and support for why your facility meets the requirement that the electrical, thermal, chemical and mechanical output of an EPAAct 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.