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October 20, 2023

VIA EFILING

The Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Skysol, LLC
Docket No. EG24-___-000

Dear Secretary Bose:

Pursuant to Section 366.7 of the Federal Energy Regulatory Commission's (the "Commission") regulations, 18 C.F.R. § 366.7, please find enclosed a notice of self-certification of exempt wholesale generator ("EWG") status submitted for filing by Skysol, LLC. This filing has been emailed on this date to the Oregon Public Utility Commission.

Please contact the undersigned if you have any questions regarding this notice.

Respectfully submitted,

/s/ Jessica L. Bayles
Jessica L. Bayles
Stoel Rives LLP

Counsel for Skysol, LLC

cc: Oregon Public Utility Commission

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

Skysol, LLC

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Docket No. EG24-__-000

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

Pursuant to the Public Utility Holding Company Act of 2005 (“PUHCA 2005”)¹ and Section 366.7 of the regulations of the Federal Energy Regulatory Commission (the “Commission”), 18 C.F.R. § 366.7, Skysol, LLC (“Company”) hereby submits this Notice of Self-Certification as an Exempt Wholesale Generator (“EWG”) (“Notice”), as defined in Section 366.1 of the Commission’s regulations, 18 C.F.R. § 366.1.

I. COMMUNICATIONS

Communications with regard to this Notice should be addressed to:

SKYSOL, LLC
300 Spectrum Center Drive
Suite 1020
Irvine, CA 92618
Telephone: (949) 748-5970
Email: legal@174powerglobal.com;
G-Renewables-Legal-
USA@totalenergies.com

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II. DESCRIPTION OF COMPANY

The Company is developing and will lease and operate² an approximately 55 MWac solar photovoltaic (“solar PV”) powered electricity generating facility in Klamath County, Oregon (the “Facility”). The Facility will be interconnected to the transmission system owned by PacifiCorp in the PacifiCorp West (“PACW”) balancing authority area (“BAA”). The Facility has an

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

² Applicant will lease the Facility from a non-affiliated third party that is a passive owner-lessor and not a public utility under a sale-leaseback transaction. *See Baltimore Refuse Energy Systems*, 40 FERC ¶ 61,366 (1987); *Pacific Power & Light Co.*, 3 FERC ¶ 61,119 (1978).

executed power purchase agreement under which all of the Facility's output will be sold to PacifiCorp. All of the Facility's output will be sold exclusively at wholesale.

The Facility is expected to begin generating test energy in December 2023. The Facility will be comprised of solar PV panels, and associated facilities and equipment necessary for the generation of power at wholesale. The Facility will also include electric interconnection facilities necessary to effectuate the Company's wholesale power sales from the Facility.

III. REPRESENTATIONS REGARDING EWG STATUS

The Commission's regulations require that an EWG be engaged directly, or indirectly through one or more affiliates, and exclusively in the business of owning and/or operating one or more eligible facilities and selling electric energy at wholesale.³ Consistent with the Commission's regulations, the Company makes the following representations to certify that it satisfies the requirements for EWG status:

A. The Company is engaged directly, or indirectly through one of more affiliates as defined in section 366.1 of the Commission's regulations, and exclusively in the business of owning or operating, or both owning and operating, all or part of one or more "eligible facilities" and selling electric energy at wholesale.⁴

³ See 18 C.F.R. §§ 366.7 and 366.1 (2014). Section 366.1 incorporates Sections 32(a)(2) through (4), and Sections 32(b) through (d) of the Public Utility Holding Company Act of 1935, 15 U.S.C. §§ 79z-5a(a)(2)-(4), 79z-5b(b)-(d) ("PUHCA 1935"), for purposes of establishing or determining whether an entity qualifies for EWG status.

⁴ The Company may engage in activities incidental to the sale of electric energy, consistent with Commission precedent. The Commission's precedent provides that an EWG applicant may engage in certain activities associated with the development and acquisition of as-yet-unidentified eligible facilities and/or EWGs, including due diligence, project design review and development, preparation of bid proposals, application for permits and/or regulatory approvals, negotiation of agreements to sell electricity at wholesale, negotiation of contractual commitments with lenders and equity investors, negotiation of contractual commitments with governmental authorities and other project participants, and other such activities as may be required to achieve financial closing on an eligible facility and/or EWG. *Southern Elec. Wholesale Generators, Inc.*, 66 FERC ¶ 61,264 (1994); *Entergy Power Asia Ltd.*, 67 FERC ¶ 61,342 (1994).

B. The Facility is an “eligible facility” because (i) it is used for the generation of electric energy exclusively for sale at wholesale and (ii) it includes only those interconnecting transmission facilities that are necessary to effect a sale of electric energy at wholesale.

C. No rate or charge for, or in connection with, the construction of the Facility, or for electric energy produced by the Facility (other than any portion of a rate or charge which represents recovery of the cost of a wholesale rate or charge), was in effect under the laws of any state on October 24, 1992. Therefore, no determinations by a state commission are necessary for this self-certification to become effective.

D. No portion of the Facility is owned or operated by an electric utility company that is an affiliate or an associate company of the Company, as defined in section 366.1 of the Commission’s regulations other than an affiliate or associate company that is an EWG.

IV. STATE COMMISSION NOTIFICATION

As required by section 366.7(a) of the Commission’s regulations, the Company has on this day mailed a copy of this Notice of Self-Certification to the Oregon Public Utility Commission, which is the state regulatory authority of the state in which the Facility is located.

V. SUBSCRIPTION CERTIFICATION

Pursuant to Section 366.7 of the Commission’s regulations, attached to this filing as Attachment A is a signed subscription certification by a representative legally authorized to bind the Company, attesting to the facts and representations in this Notice, which demonstrate eligibility for EWG status.

VI. CONCLUSION

Based upon the facts, representations and statements set forth herein, the Company respectfully requests that the Commission accept this notice of self-certification of EWG status.

DATED: October 20, 2023.

Respectfully submitted,

/s/ Jessica L. Bayles
Jessica L. Bayles

Counsel for Skysol, LLC

ATTACHMENT A

SUBSCRIPTION CERTIFICATION

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

Skysol, LLC

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Docket No. EG24-__-000

CERTIFICATION

I, the undersigned, and as an officer of Hanwha Total Solar II, LLC, Sole Member of Skysol, LLC, certify that I have read the foregoing Notice of Self-Certification of Exempt Wholesale Generator Status being filed by Skysol, LLC for a determination of exempt wholesale generator status and know the contents thereof; and the facts and representations set forth in the attached certification of exempt wholesale generator status are true and correct to the best of my knowledge, information and belief. I possess the full power and authority to sign this filing.

DATED: October 19, 2023

DocuSigned by:

Naim Amarsy

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Name: Naim Amarsy

Title: Co-JV Manager

ATTACHMENT B

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Self-Certification of Exempt Wholesale Generator Status of Skysol, LLC was served on the 20th day of October 2023, upon the following:

Oregon Public Utility Commission
puc.filingcenter@state.or.us

/s/ Jessica L. Bayles

Jessica L. Bayles
Stoel Rives LLP
1150 18th St NW, Suite 325
Washington, DC 20036

Counsel for Skysol, LLC