

May 21, 2012

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

Re: *Southwest Power Pool, Inc.*, Docket No. ER12- 1819  
Submission of Notice of Cancellation of Large Generator Interconnection  
Agreement

Dear Secretary Bose:

Pursuant to section 35.15 of the Federal Energy Regulatory Commission's ("Commission") regulations, 18 C.F.R. § 35.15, Southwest Power Pool, Inc. ("SPP") submits for filing a notice of cancellation of the Large Generator Interconnection Agreement ("LGIA") between SPP as Transmission Provider, Goodland Wind, LLC ("Goodland Wind") as Interconnection Customer, and Sunflower Electric Power Corporation ("Sunflower") as Transmission Owner ("Goodland Wind LGIA"). SPP respectfully requests an effective date of April 21, 2012 for the cancellation of the Goodland Wind LGIA.

### **Background and Notice of Cancellation**

On October 24, 2008, SPP filed the Goodland Wind LGIA in Docket No. ER09-132-000, which the Commission accepted by delegated letter order on December 17, 2008.<sup>1</sup>

Pursuant to Article 5.16 of the Goodland Wind LGIA, Goodland Wind suspended all Transmission Owner work associated with the construction and installation of Interconnection Facilities and/or Network Upgrades required under the LGIA effective, April 21, 2009. Article 5.16 of the Goodland Wind LGIA provides that the Interconnection Customer may suspend the Transmission Owner's work under the LGIA for a maximum period of 3 years, and at the end of the 3 year period, the Interconnection Customer must request that the Transmission Owner recommence work under the LGIA

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<sup>1</sup> *Sw. Power Pool, Inc.*, Letter Order, Docket No. ER09-132-000 (Dec. 17, 2008).

or the “LGIA shall be deemed terminated.”<sup>2</sup> In accordance with Article 5.16, Goodland Wind had until April 21, 2012, i.e., 3 years after April 21, 2009, to authorize the Transmission Owner to resume work under the Goodland Wind LGIA or the Goodland Wind LGIA would be deemed terminated.

On January 30, 2012, SPP notified Goodland Wind that, consistent with Article 5.16 of the Goodland Wind LGIA, Goodland Wind must provide authorization to resume engineering, procurement, and construction no later than April 21, 2012. In a response dated April 18, 2012, Goodland Wind notified SPP that Goodland Wind had no plans of moving forward with the Goodland Wind LGIA and acknowledging that the Goodland Wind LGIA would terminate at the end of the three year suspension period. On April 23, 2012, SPP notified Goodland Wind in writing that SPP had received Goodland Wind’s notice and that SPP terminated the Goodland Wind LGIA effective April 21, 2012, the date the 3 year suspension period for the Goodland Wind LGIA ended.

Accordingly, SPP is notifying the Commission that the Goodland Wind LGIA is terminated effective April 21, 2012.

#### **Effective Date and Waiver**

SPP requests that the Commission grant an effective date of April 21, 2012 for the notice of cancellation of the Goodland Wind LGIA. To permit such an effective date, SPP further requests waiver of the Commission’s sixty day notice requirement.<sup>3</sup> Good cause exists for such a waiver because April 21, 2012 was the deadline for Goodland Wind to authorize the recommencement of work pursuant to Article 5.16 of the Goodland Wind LGIA and is the date SPP notified Goodland Wind that the Goodland Wind LGIA was terminated pursuant to Article 5.16. Furthermore, the Commission has granted waiver of the sixty day notice requirement for other notices of cancellation of agreements

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<sup>2</sup> See Goodland Wind LGIA at Article 5.16 (“Interconnection Customer reserves the right, upon written notice to Transmission Provider and Transmission Owner, to suspend at any time all work by Transmission Owner associated with the construction and installation of Transmission Owner’s Interconnection Facilities and/or Network Upgrades required under this LGIA . . . In the event Interconnection Customer suspends work by Transmission Owner required under this LGIA pursuant to this Article 5.16, and has not requested Transmission Owner to recommence the work required under this LGIA on or before the expiration of three (3) years following commencement of such suspension, this LGIA shall be deemed terminated.”).

<sup>3</sup> See 18 C.F.R. § 35.15.

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to allow the cancellation to become effective on the date that SPP notified the parties that it was terminating the agreements.<sup>4</sup>

### Service

SPP is serving a copy of this filing on the representatives for Goodland Wind and Sunflower listed in the Goodland Wind LGIA.

### Communications

Any correspondence regarding this matter should be directed to:

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Respectfully submitted,

/s/ Tyler R. Brown  
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**Attorneys for Southwest Power  
Pool, Inc.**

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<sup>4</sup> See *Sw. Power Pool, Inc.*, Letter Order, Docket No. ER11-4662 (Nov. 15, 2011) (Commission granted an effective date of August 22, 2011, for a notice of cancellation filed on September 28, 2011; August 22, 2011 was the day SPP notified parties that it was terminating the agreement.).