

June 5, 2014

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

RE: *Southwest Power Pool, Inc.*, Docket No. ER14-\_\_\_\_\_  
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 this filing to notify the Commission of the cancellation of a Large Generator Interconnection Agreement ("LGIA") between SPP as Transmission Provider, Happy Hereford Wind, LLC ("Happy Hereford") as Interconnection Customer, and Southwestern Public Service Company ("SPS") as Transmission Owner ("Happy Hereford LGIA").<sup>1</sup> SPP respectfully requests that the Commission accept the cancellation of the Happy Hereford LGIA effective May 26, 2014.

**I. Background and Notice of Cancellation**

On June 1, 2009, in Docket No. ER09-1249-000<sup>2</sup>, SPP filed the Happy Hereford LGIA because it did not conform to the form of LGIA set forth in the SPP Open Access

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<sup>1</sup> The Happy Hereford LGIA was designated by SPP as Original Service Agreement No. 1819.

<sup>2</sup> Submission of Large Generator Interconnection Agreement of Southwest Power Pool, Inc., Docket No. ER09-1249-000 (June 1, 2009) ("June Filing"). The Interconnection Customer in the June Filing was Happy Whiteface Wind, LLC ("Happy Whiteface"). Subsequently, in July 2011 Happy Whiteface assigned the LGIA to Happy Hereford.

Transmission Tariff (“SPP Tariff”).<sup>3</sup> The Commission accepted the Happy Hereford LGIA on July 29, 2009.<sup>4</sup>

In accordance with Article 5.16 of the Happy Hereford LGIA, Happy Hereford suspended all work by SPS associated with the construction and installation of the Transmission Owner’s Interconnection Facilities and/or Network Upgrades required under the Happy Hereford LGIA effective May 26, 2011. Article 5.16 of the Happy Hereford LGIA provides that the duration of the suspension period must not exceed 3 years or the LGIA shall be deemed terminated.<sup>5</sup> On March 11, 2014, SPP sent a letter to Happy Hereford notifying Happy Hereford that the end of the suspension period for the Happy Hereford LGIA was May 26, 2014. SPP received no response from Happy Hereford. As a result, on May 30, 2014, SPP notified Happy Hereford in writing that SPP had not received the required notification nor security to remove the Happy Hereford LGIA from suspension and that, consistent with Article 5.16 of the Happy Hereford LGIA, SPP would deem the Happy Hereford LGIA terminated on May 26, 2014.

## **II. Effective Date and Waiver**

SPP requests an effective date of May 26, 2014, for the cancellation of the Happy Hereford LGIA. To permit such an effective date, SPP also requests a waiver of the Commission’s sixty day notice requirement.<sup>6</sup> Good cause exists for such a waiver because May 26, 2014 was the deadline for Happy Hereford to authorize the recommencement of work pursuant to Article 5.16 of the Happy Hereford LGIA and is the date that SPP notified Happy Hereford that the Happy Hereford LGIA would be terminated pursuant to Article 5.16 of the LGIA. The Commission has granted waiver of the sixty day notice requirement for other notices of cancellation of agreements to allow the cancellation to become effective on the date that SPP notified the parties that it was terminating the agreements.<sup>7</sup>

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<sup>3</sup> See Southwest Power Pool, Inc., FERC Electric Tariff, Fifth Revised Volume No. 1 at Attachment V, Appendix 6 (hereinafter, the “*pro forma* LGIA”).

<sup>4</sup> See *Sw. Power Pool, Inc.*, Letter Order, Docket No. ER09-1249-000 (July 29, 2009).

<sup>5</sup> See Happy Hereford LGIA, Article 5.16. Specifically, Article 5.16 provides that “Interconnection Customer can request more than one suspension, however the cumulative duration of the suspensions must not exceed three (3) years or this Agreement shall be deemed terminated.”

<sup>6</sup> See 18 C.F.R. § 35.15(a).

<sup>7</sup> See *Sw. Power Pool, Inc.*, Letter Order, Docket No. ER13-2189-000 (Oct. 4, 2013); *Sw. Power Pool, Inc.*, Letter Order, Docket No. ER13-1543-000 (July 10, 2013); *Sw. Power Pool, Inc.*, Letter Order, Docket No. ER13-884-000 (Apr. 1, 2013); *Sw. Power Pool, Inc.*, Letter Order, Docket No. ER12-1819-000 (June 26,

**III. Service**

SPP is serving a copy of this filing on the representatives for Happy Hereford and SPS listed in the Happy Hereford LGIA.

**IV. Communications**

Correspondence and communications with respect to this filing should be sent to, and SPP requests that the Secretary include on the official service list, the following:

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Respectfully submitted,

/s/ Tessie Kentner  
Tessie Kentner

**Attorney for Southwest  
Power Pool, Inc.**