

October 30, 2023

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

Re: *Southwest Power Pool, Inc.*, Docket No. ER24-_____
Submission of Notice of Cancellation of 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 Generator Interconnection Agreement ("GIA") among SPP as Transmission Provider, Wheatbelt Wind, LLC ("Wheatbelt") as Interconnection Customer, and Evergy Kansas Central, Inc. ("Evergy KS") as Transmission Owner ("First Revised Wheatbelt GIA").¹ SPP respectfully requests that the Commission accept the cancellation of the First Revised Wheatbelt GIA effective October 7, 2023.

I. Background and Notice of Cancellation

On August 24, 2020, the Parties entered into a GIA ("Original Wheatbelt GIA"). The Parties subsequently amended the Original Wheatbelt GIA in accordance with Article 30.10 of the Original Wheatbelt GIA.² The Original Wheatbelt GIA and the First

¹ The First Revised Wheatbelt GIA was designated by SPP as First Revised Service Agreement No. 3727. SPP, Wheatbelt and Evergy KS are herein referred to as the "Parties."

² The Original Wheatbelt GIA was amended effective August 2, 2022.

Revised Wheatbelt GIA conformed to the *pro forma* GIA in SPP's Open Access Transmission Tariff ("SPP Tariff")³ and were reported solely in SPP's Electric Quarterly Report.⁴

Pursuant to Appendix B, Milestone 10 of the First Revised Wheatbelt GIA, by May 26, 2023, Wheatbelt was to provide written authorization to proceed with design, procurement, and construction of Transmission Owner Interconnection Facilities and all Network Upgrades listed in Appendix A, Items 1.(b) and 2.(b) to be constructed by Transmission Owner per Article 5.5.2. Additionally, pursuant to Appendix B, Milestone 11 of the First Revised Wheatbelt GIA, on or before June 1, 2023, Wheatbelt was to provide payment to Transmission Owner in the amount of \$2,187,012 for design, procurement, construction, and coordination of the Interconnection Facilities and all Network Upgrades listed in Appendix A, Items 1.(b) and 2.(b). Wheatbelt failed to provide written authorization to proceed and to provide payment by May 26, 2023 and June 1, 2023 respectively; and, therefore, was in Breach of the First Revised Wheatbelt GIA.

In a letter dated September 7, 2023, SPP informed Wheatbelt of this Breach and provided notice pursuant to Section 17.1.1 of the First Revised Wheatbelt GIA that Wheatbelt had thirty (30) days from receipt of the notice to provide written authorization to proceed and payment. Wheatbelt did not provide the required written authorization to proceed and payment to Evergy KS. Therefore, on October 11, 2023, SPP notified Wheatbelt that, pursuant to Article 17.1.2 of the First Revised Wheatbelt GIA, SPP was terminating the First Revised Wheatbelt GIA effective October 7, 2023.

³ See SPP Tariff Sixth Revised Volume No. 1 at Attachment V, Appendix 6.

⁴ *Revised Public Utility Filing Requirements*, Order No. 2001, 99 FERC ¶ 61,107, *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reh'g denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filing*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001-D, 102 FERC ¶ 61,334, *order refining filing requirements*, Order No. 2001-E, 105 FERC ¶ 61,352 (2003), *order on clarification*, Order No. 2001-F, 106 FERC ¶ 61,060 (2004), *order revising filing requirements*, Order No. 2001-G, 120 FERC ¶ 61,270, *order on reh'g and clarification*, Order No. 2001-H, 121 FERC ¶ 61,289 (2007), *order revising filing requirements*, Order No. 2001-I, 125 FERC ¶ 61,103 (2008). The Original Wheatbelt GIA was reported in the third quarter of 2020. The First Revised Wheatbelt GIA was reported in the third quarter of 2022.

Accordingly, SPP is notifying the Commission that the First Revised Wheatbelt GIA is terminated effective October 7, 2023.

II. Effective Date and Waiver

SPP requests that the Commission grant an effective date of October 7, 2023, for the notice of cancellation of the First Revised Wheatbelt GIA. SPP further requests waiver of the Commission's sixty day notice requirement to permit such an effective date.⁵ Good cause exists for such a waiver as the cancellation is being filed within 30 days of the termination date.

III. Service

SPP is serving a copy of this filing on representatives for Wheatbelt and Evergy KS.

IV. Communications

Any correspondence regarding this matter should be directed to:⁶

⁵ See 18 C.F.R. § 35.15.

⁶ Pursuant to Commission Rule 101(e), 18 C.F.R. § 385.101(e), SPP requests waiver of Rule 203(b)(3), 18 C.F.R. § 385.203(b)(3), in order to permit more than two persons to be included on the service list.

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V. Conclusion

For all the foregoing reasons, SPP respectfully requests that the Commission accept the cancellation of the First Revised Wheatbelt GIA effective October 7, 2023.

Respectfully submitted,

/s/ Britney Lloyd

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