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IDAHO PUBLIC
UTILITIES COMMISSION

DONOVAN E. WALKER
Lead Counsel
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July 8, 2011

VIA HAND DELIVERY

Jean D. Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
P.O. Box 83720
Boise, Idaho 83720-0074

Re: Case No. IPC-E-11-14
*IN THE MATTER OF IDAHO POWER COMPANY'S PETITION FOR
DECLARATORY ORDER REGARDING PURPA JURISDICTION*

Dear Ms. Jewell:

Enclosed for filing please find an original and seven (7) copies of Idaho Power Company's Petition for Declaratory Order in the above matter.

Very truly yours,

Donovan E. Walker

DEW:csb
Enclosures

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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Idaho Power Company

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)
COMPANY'S PETITION FOR) CASE NO. IPC-E-11-14
DECLARATORY ORDER REGARDING)
PURPA JURISDICTION.) PETITION FOR DECLARATORY
) ORDER
)

Idaho Power Company ("Idaho Power" or "Company"), pursuant to RP 101, hereby petitions the Idaho Public Utilities Commission ("IPUC" or "Commission") to issue an Order determining that the Commission will exercise its jurisdiction over the proposed Public Utility Regulatory Policies Act of 1978 ("PURPA") Qualifying Facility ("QF") transactions proposed by Western Desert Energy 1, LLC ("Western Desert") and Tumbleweed Energy II, LLC ("Tumbleweed").

In support of this request, Idaho Power states as follows:

I. BACKGROUND

A. Tumbleweed Energy II, LLC.

Tumbleweed is a proposed 10 megawatt ("MW") wind QF project located in Elmore County, Idaho. On June 24, 2011, Tumbleweed hand delivered to Idaho Power

three documents: (1) June 23, 2011, letter to Donovan Walker from Pete Richardson, attached hereto as Attachment No. 1; (2) June 24, 2011, letter to Idaho Power Company Cogeneration and Small Power Production from Richard Hansen, attached hereto as Attachment No. 2; and (3) June 24, 2011, letter to Manager Grid Operations Idaho Power Company from Richard Hansen, attached hereto as Attachment No. 3.

With Attachment No. 1, Tumbleweed simply forwarded to Idaho Power a copy of FERC Form 556, which is the Certification of QF Status for a Small Power Production or Cogeneration Facility. Attachment No. 2 is a request to Idaho Power for a PURPA QF contract in the state of Oregon, more specifically, for an Energy Sales Agreement pursuant to the Public Utility Commission of Oregon's rate Schedule 85-4. Attachment No. 3 is a request to Idaho Power for "Firm Point-to-Point Transmission Service" for 10 MW of capacity from its interconnection with Idaho Power in the state of Idaho for delivery to "Idaho Power's Oregon jurisdiction."

Idaho Power responded to both the request for an Oregon Energy Sales Agreement and the request for point-to-point transmission from the project's Idaho interconnection to Idaho Power's Oregon service territory with July 8, 2011, letters stating that both requests were received, but are invalid. See Attachment No. 4, July 8, 2011, letter from Donovan E. Walker regarding the request for an Oregon Energy Sales Agreement and July 8, 2011, letter from Beth Ryan regarding the request for point-to-point transmission.

B. Western Desert Energy 1, LLC.

Western Desert is a proposed 5 MW wind QF project located in Owyhee County, Idaho. It is the same proposed project as that which was the subject of Commission

Case No. IPC-E-11-01. In that case, Western Desert and Idaho Power executed a PURPA Firm Energy Sales Agreement containing published avoided cost rates for PURPA QFs up to 10 average megawatts ("aMW"). That contract was disapproved by the Commission as it exceeded the 100 kilowatt ("kW") published rate eligibility cap for QF wind projects. Order No. 32258 (June 8, 2011).

On June 27, 2011, Western Desert hand delivered to Idaho Power three documents: (1) June 27, 2011, letter to Donovan Walker from Pete Richardson, attached hereto as Attachment No. 5; (2) June 24, 2011, letter to Idaho Power Company Cogeneration and Small Power Production from Sandy Sanderson, attached hereto as Attachment No. 6; and (3) June 27, 2011, letter to Manager Grid Operations Idaho Power Company from Sandy Sanderson, attached hereto as Attachment No. 7.

With Attachment No. 5, Western Desert simply forwarded to Idaho Power a copy of FERC Form 556, which is the Certification of QF Status for a Small Power Production or Cogeneration Facility. Attachment No. 6 is a request to Idaho Power for a PURPA QF contract in the state of Oregon, more specifically, for an Energy Sales Agreement pursuant to the Public Utility Commission of Oregon's rate Schedule 85-4. Attachment No. 7 is a request to Idaho Power for "Firm Point-to-Point Transmission Service" for 10 MW of capacity from its interconnection with Idaho Power in the state of Idaho for delivery to "Idaho Power's Oregon jurisdiction."

Idaho Power responded to both the request for an Oregon Energy Sales Agreement and the request for point-to-point transmission from the project's Idaho interconnection to Idaho Power's Oregon service territory with July 8, 2011, letters stating that both requests were received, but are invalid. See Attachment No. 8, July 8,

2011, letter from Donovan E. Walker regarding the request for an Oregon Energy Sales Agreement and July 8, 2011, letter from Beth Ryan regarding the request for point-to-point transmission.

C. Avoided Cost Rates in Idaho and Oregon.

In Idaho, the avoided cost rate that a QF project receives in a PURPA power sales agreement is determined by the size of the QF generator. A QF is entitled to either the published avoided cost rate, which is based upon the Surrogate Avoidable Resource ("SAR") avoided cost methodology with the surrogate avoided resource being a natural gas-fired combined-cycle combustion turbine, or a negotiated rate which is based upon the Integrated Resource Plan ("IRP")-based avoided cost methodology using the AURORA power supply modeling program. The Commission has recently determined that the published rate eligibility cap for wind and solar QFs is 100 kW and 10 aMW for all other QFs. Order No. 32262, Order No. 32176, and Order No. 32212. Consequently, any wind and solar QFs over 100 kW are only eligible for avoided cost rates in their PURPA power sales agreements determined pursuant to the IRP methodology.

In Oregon, the avoided cost rate that a QF project receives in a PURPA power sales agreement is similarly determined by the size of the QF generator. Similar to Idaho, there are two avoided cost calculations: (1) the SAR methodology based upon the cost of a natural gas-fired combined-cycle combustion turbine or (2) the IRP methodology based upon AURORA modeling. However, the eligibility for published rates is determined differently. Currently, QFs with a nameplate capacity of 10 MW or

less are eligible for a standard contract with SAR-based published rates¹. All QFs with a nameplate capacity greater than 10 MW are eligible for a negotiated, non-standard contract with IRP-based avoided cost rates. See Attachment No. 9, Idaho Power's Oregon Tariff Schedule 85, Cogeneration and Small Power Production Standard Contract Rates (March 1, 2010).

II. DISCUSSION

The Commission has addressed the issue of QF projects proposing to wheel power across state lines, and has given clear direction as to which state's PURPA rules will apply to such transactions. *Earth Power Energy and Minerals, Inc. vs. Idaho Power Company*, Case No. IPC-E-92-29, Order Nos. 25174, 25249 (1993); *Island Power Company, Inc. vs. PacifiCorp, dba Utah Power & Light Company*, Case No. UPL-E-93-4, Order Nos. 25245 (1993), 25528 (1994); *Vaagen Bros. Lumber, Inc. vs. The Washington Water Power Company*, Case No. WWP-E-94-6, Order No. 25176 (1994).

The Commission has established that it has federally derived jurisdiction pursuant to PURPA over any utility that it has ratemaking authority over. Order No. 25245 p. 5; Order No. 25174 p. 6-7. Additionally, the Commission has stated that this federally derived jurisdiction over a multi-state utility may exist concurrently with other state regulatory authorities that also have ratemaking authority over the utility. Order No. 25249 p. 2. Through the cases cited above, the Commission has discussed certain circumstances where it determines whether it will elect to exercise that jurisdiction or not. What necessarily follows the Commission's exercise, or deferral, of its jurisdiction is whether the Idaho Commission's PURPA rules, regulations, and procedures –

¹ In Oregon Docket No. UM 1396, Idaho Power has asked that it be authorized to establish its avoided cost for PURPA QFs in Oregon using the IRP-based methodology, similar to its Idaho jurisdiction. This docket is still pending.

including which states avoided cost rates and contract – will apply to the proposed QF transaction.

The Earth Power case, IPC-E-92-29, Order Nos. 25174 and 25249, concerned a proposed QF project located in the state of Nevada, with a proposed interconnection to Idaho Power's system in the state of Nevada, attempting to enter into a PURPA contract with Idaho Power pursuant to the Idaho Commission's rules, regulations, and rates for PURPA QFs. Order No. 25174, p. 1. At that time, Idaho Power had retail electric service territory in both the state of Idaho and Nevada, and was under the regulatory jurisdiction of both the Idaho and Nevada Commissions. *Id.* The Idaho Commission stated that it had concurrent jurisdiction with the Nevada Commission. *Id.* The Commission discussed that its PURPA jurisdiction is derived from federal law, which is not bounded by geographic limits. *Id.* at pp. 6-7. The Commission also referenced the series of four different Idaho Supreme Court Afton Energy cases as support for its decision. *Id.* at p. 7, citing *Afton Energy, Inc., v. Idaho Power Co.*, 107 Idaho 781, 693 P.2d 427 (1984); 111 Idaho 925, 729 P.2d 400 (1986); 114 Idaho 852, 761 P.2d 1204 (1988); 122 Idaho 333, 834, P.2d 850 (1992). Noting Afton's location in the state of Wyoming, the Commission stated:

The circumstances were different in Afton as compared to Earth Power because Idaho Power Company did not have a service territory in Wyoming that was regulated by the Wyoming Public Service Commission. Therefore, the Wyoming Commission did not have the jurisdiction conferred by PURPA. This distinction does not relate to the question whether we have jurisdiction. However, it did mean that there could be no issue of whether we should exercise our jurisdiction in that case.

Both parties agree, and we concur, that the Nevada Public Service Commission has jurisdiction concurrent with ours to determine the rates for the Earth Power project and to resolve disputes between the parties. Our record shows that the Nevada PSC is actively asserting its jurisdiction. In this circumstance, when a project is located within another state and when the commission in that state is exercising the jurisdiction conferred upon it by PURPA, we find that we should decline to assert our jurisdiction. In circumstances such as these we will assert our jurisdiction only if the commission of the other state declined for some reason to exercise its jurisdiction. We also emphasize that we will not be a forum for relitigation of issues ultimately decided by the Nevada PSC. We will not entertain requests that we second-guess the decision of another commission.

Id. at pp. 7-8 (emphasis in original). Because the Nevada Commission was actively asserting its PURPA jurisdiction, the Idaho Commission initially declined to exercise such jurisdiction and deferred to the Nevada Commission. *Id.* Upon the Nevada Commission's subsequent dismissal of Earth Power's pending case before it and its deferral to the Idaho Commission, Idaho chose to then exercise its jurisdiction. Order No. 25249, pp. 4-5.

The Island Power case, UPL-E-93-4, Order Nos. 25245 and 25528, concerned a Montana QF proposing to sell its output to PacifiCorp ("UP&L") pursuant to the Idaho Commission's rules, regulations, and rates for PURPA QFs. Order No. 25245, p. 1. Similar to the facts in *Earth Power*, UP&L had retail electric service territory in both the state of Montana and Idaho, and was under the regulatory jurisdiction of both the Idaho and Montana Commissions. *Id.* However, unlike Earth Power, Island Power did not interconnect with UP&L in the state of Montana, but instead proposed to wheel its output from Montana to either the Jefferson or Goshen substations, and make delivery to UP&L's system inside the state of Idaho. *Id.* The Idaho Commission found that it

had jurisdiction, and under these facts, that it would exercise such jurisdiction to require UP&L to contract with the QF pursuant to Idaho rules, regulations, and rates. *Id.* at p. 5. The Commission stated that it found it reasonable to exercise its jurisdiction in this matter because, although the project is sited in Montana, the proposed point of delivery to UP&L is in Idaho where the Idaho Commission has established avoided cost rates for UP&L. *Id.*

The Vaagen Brothers case, WWP-E-94-6, concerned a QF project located in the state of Washington, with an interconnection to Washington Water Power (“WWP”) in the state of Washington. Order No. 25716, p. 1. Vaagen Brothers had a 1979 power sales agreement with WWP that had expired in 1994. *Id.* Vaagen Brothers filed a complaint with the Idaho Commission seeking a new contract with WWP pursuant to the Idaho avoided cost methodology and rates. *Id.* WWP had retail electric service territory in both the states of Washington and Idaho, and was under the regulatory jurisdiction of both the Idaho and Washington Commissions. *Id.* at pp. 6-7. Under the facts of this case, the Commission found that it had concurrent jurisdiction with Washington, but that it would decline to exercise such jurisdiction and defer to Washington, and thus the project must contract pursuant Washington’s PURPA rules, rates, and regulations. *Id.* The Commission distinguished this case from the Earth Power and Island Power cases stating, “Vaagen is an existing facility sited in the Washington service territory of the utility that it wishes to sell to, the Washington Water Power Company. The established point of delivery is in the state of Washington.” *Id.* at p. 6. The Commission further stated that the Washington Commission had established a regulatory framework for PURPA in Washington, and that although Idaho did have concurrent jurisdiction with the

Washington Commission, “common sense dictates that there are some instances when we should elect not to exercise our jurisdiction.” *Id.* at pp. 6-7.

Here, both Tumbleweed and Western Desert are PURPA QF projects located in the state of Idaho. Both proposed projects have interconnections with Idaho Power’s system in the state of Idaho. It naturally follows that a QF power sales agreement between the projects and Idaho Power would be governed and controlled and entered into pursuant to the Idaho Commission’s rules, regulations, and rates for Idaho. Although the cases in which the Commission has addressed similar factual scenarios all deal with QF projects located outside the state of Idaho, trying to obtain PURPA contracts pursuant to Idaho’s rules and rates, the principles and rules set forth by the Commission apply equally as strong to the factual situation here, where an Idaho QF is attempting to “cherry pick” a different jurisdiction’s rates for its QF project in Idaho.

The facts of this case are most closely related to those in *Vaagen Brothers*, Case No. WWP-E-94-6. Just as the Commission found that “common sense dictates” that the Vaagen Brothers project should be required to contract with Avista pursuant to Washington’s QF rates and rules, common sense dictates that an Idaho QF, with an Idaho interconnect, seeking a contract with an Idaho utility should be under Idaho’s rates and rules. More specifically, in *Vaagen Brothers*, the QF was located in Washington, it interconnected with Avista in Washington, and Avista provides retail electric service in Washington and is regulated by the Washington Commission. Moreover, the Washington Commission has a regulatory framework for PURPA QF projects for Avista in Washington. This was an obvious choice for the Idaho

Commission to decline to exercise its jurisdiction and to require the QF to contract with Avista, not pursuant to Idaho rates and regulations, but pursuant to Washington's.

Similarly, with both Tumbleweed and Western Desert, the QF is located in the state of Idaho, they interconnect with Idaho Power in the state of Idaho, and Idaho Power provides retail electric service in Idaho and is regulated by the Idaho Commission. Obviously, the Idaho Commission has a regulatory framework for PURPA QF projects for Idaho Power in Idaho. Just like the obvious choice in *Vaagen Brothers*, common sense dictates that Tumbleweed and Western Desert must contract with Idaho Power under the Idaho Commission's PURPA rates, rules, and regulations.

Additionally, both proposed projects exceed the Commission's 100 kW eligibility cap for receiving published avoided cost rates in the state of Idaho. Consequently, these proposed projects must negotiate a PURPA QF power sales contract pursuant to Idaho's approved IRP-based avoided cost methodology. Despite the fact that Western Desert and Idaho Power actually entered into an Idaho QF power sales agreement for this project, and although both projects have contacted Idaho Power and had discussions with Idaho Power about entering into an Idaho QF power sales agreement, neither project has requested IRP-based pricing from Idaho Power. As stated above, Western Desert's previously executed contract with Idaho Power contained published avoided cost rates for projects up to 10 aMW, which was disapproved by the Commission as containing the incorrect avoided cost rates. Rather than request IRP pricing based contracts with Idaho Power, these projects instead submit this veiled attempt to seek the same published rate SAR-based contracts that they are ineligible for in Idaho by concocting a scheme to attempt delivery to Idaho Power in its Oregon

service territory, from Idaho Power's Idaho service territory, entirely over Idaho Power's own system. This is a blatant attempt to manipulate and avoid the Idaho Commission's rates, rules, and regulations that are designed to implement PURPA and protect Idaho Power's customers. This is an example, just as argued by Idaho Power in Case No. GNR-E-10-04 and Case No. GNR-E-11-01, of how QF projects will seek to manipulate and game the system, and go to creative and great lengths to do so, when there is a perceived economic incentive driving them. The Commission recognized this incentive to manipulate and game the system when it ordered the continued application of the 100 kW published rate eligibility cap for wind and solar QFs:

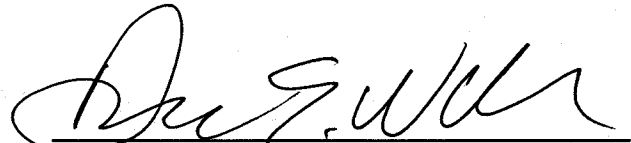
Based upon the record in this case and after careful consideration of the positions presented, the Commission finds it appropriate to maintain the 100 kW eligibility cap for published avoided cost rate for wind and solar QFs. We find that any attempt to implement criteria in an effort to prevent disaggregation would be met by attempts to circumvent such criteria. The economic incentive for the projects is obvious. QF developers are working within the current structure provided by this Commission. However, we emphasize that PURPA and our published rate structure were never intended to promote large scale wind and solar development to the detriment of utility customers. Avoided cost rates are to be just and reasonable to the utility's ratepayers. 18 C.F.R. § 292.304(a)(1). PURPA entitles QFs to a rate equivalent to the utility's avoided cost, a rate that holds utility customers harmless – not a rate at which a project may be viable. 18 C.F.R. § 292.304(a)(2). If we allow the current trend to continue, customers may be forced to pay for resources at an inflated rate and, potentially, before the energy is actually needed by the utility to serve its customers. This is clearly not in the public interest.

Case No. GNR-E-11-01, Order No. 32262, p. 8. The Commission in exercising its jurisdiction in these matters will preserve and protect the public interest that its recent Orders regarding the published rate eligibility cap are aimed at upholding.

III. CONCLUSION

Idaho Power respectfully requests that the Commission issue a Declaratory Order finding that under the facts of these two proposed PURA QF transactions, the Idaho Commission will exercise its jurisdiction in implementing PURPA regulations and require that such transactions be conducted pursuant to Idaho's PURPA rules, rates, and regulations. More specifically, Idaho Power requests findings by the Commission stating that a QF located in Idaho Power's service territory in the state of Idaho, interconnecting with Idaho Power's system in the state of Idaho, must contract with Idaho Power pursuant to the Idaho Commission's PURPA rules, rates, and regulations. Such a QF project cannot avoid the application of Idaho's rates, rules, and regulations by proposing to wheel its power across Idaho Power's system purportedly to make a delivery back to Idaho Power in Idaho Power's Oregon service territory, and demand different PURPA rates, rules, and regulations established by the Oregon Commission. To allow such a circumstance to take place would allow a gross manipulation and avoidance of the Idaho Commission's rules and regulations designed and implemented to protect the customers of Idaho Power and the public interest.

Respectfully submitted at Boise, Idaho, this 8th day of July 2011.



DONOVAN E. WALKER
Attorney for Idaho Power Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of July 2011 I served a true and correct copy of the within and foregoing PETITION FOR DECLARATORY ORDER upon the following named parties by the method indicated below, and addressed to the following:

Sandy Sanderson, Consultant
Western Desert Energy 1, LLC
1770 West State Street #317
Boise, Idaho 83702

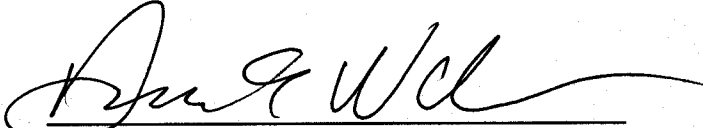
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Donovan E. Walker

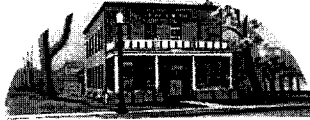
**BEFORE THE
IDAHO PUBLIC UTILITIES COMMISSION**

CASE NO. IPC-E-11-14

IDAHO POWER COMPANY

ATTACHMENT NO. 1

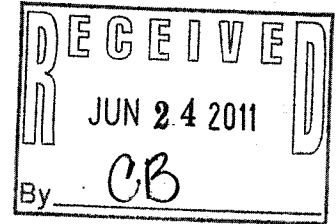
Via hand delivery



RICHARDSON & O'LEARY, PLLC
ATTORNEYS AT LAW

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P.O. Box 7218 Boise, ID 83707 - 515 N. 27th St. Boise, ID 83702



June 23, 2011

Donovan Walker
Idaho Power Company
1221 West Idaho Street
Boise, Idaho
Via hand delivery

Re: FERC Form 556 – Tumbleweed Energy

Dear Donovan:

Enclosed please find a completed FERC Form 556 for the Tumbleweed Wind Energy project located in Elmore County, Idaho.

This form is being provided to you pursuant to FERC's rules that require a copy be provided to all utilities with which the filing QF will interconnect and/or transact. Idaho Power will provide both services to Tumbleweed.

Please feel free to give me a call if you have any questions.

Sincerely:

A handwritten signature in cursive script that reads "Pete Richardson".

Pete Richardson
Attorney for Tumbleweed Energy

Form 556

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

General

Questions about completing this form should be sent to Form556@ferc.gov. Information about the Commission's QF program, answers to frequently asked questions about QF requirements or completing this form, and contact information for QF program staff are available at the Commission's QF website, www.ferc.gov/QF. The Commission's QF website also provides links to the Commission's QF regulations (18 C.F.R. § 131.80 and Part 292), as well as other statutes and orders pertaining to the Commission's QF program.

Who Must File

Any applicant seeking QF status or recertification of QF status for a generating facility with a net power production capacity (as determined in lines 7a through 7g below) greater than 1000 kW must file a self-certification or an application for Commission certification of QF status, which includes a properly completed Form 556. Any applicant seeking QF status for a generating facility with a net power production capacity 1000 kW or less is exempt from the certification requirement, and is therefore not required to complete or file a Form 556. See 18 C.F.R. § 292.203.

How to Complete the Form 556

This form is intended to be completed by responding to the items in the order they are presented, according to the instructions given. If you need to back-track, you may need to clear certain responses before you will be allowed to change other responses made previously in the form. If you experience problems, click on the nearest help button (?) for assistance, or contact Commission staff at Form556@ferc.gov.

Certain lines in this form will be automatically calculated based on responses to previous lines, with the relevant formulas shown. You must respond to all of the previous lines within a section before the results of an automatically calculated field will be displayed. If you disagree with the results of any automatic calculation on this form, contact Commission staff at Form556@ferc.gov to discuss the discrepancy before filing.

You must complete all lines in this form unless instructed otherwise. Do not alter this form or save this form in a different format. Incomplete or altered forms, or forms saved in formats other than PDF, will be rejected.

How to File a Completed Form 556

Applicants are required to file their Form 556 electronically through the Commission's eFiling website (see instructions on page 2). By filing electronically, you will reduce your filing burden, save paper resources, save postage or courier charges, help keep Commission expenses to a minimum, and receive a much faster confirmation (via an email containing the docket number assigned to your facility) that the Commission has received your filing.

If you are simultaneously filing both a waiver request and a Form 556 as part of an application for Commission certification, see the "Waiver Requests" section on page 3 for more information on how to file.

Paperwork Reduction Act Notice

This form is approved by the Office of Management and Budget (OMB Control No. 1902-0075, expiration 05/31/2013). Compliance with the information requirements established by the FERC Form No. 556 is required to obtain or maintain status as a QF. See 18 C.F.R. § 131.80 and Part 292. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The estimated burden for completing the FERC Form No. 556, including gathering and reporting information, is as follows: 3 hours for self-certification of a small power production facility, 8 hours for self-certifications of a cogeneration facility, 6 hours for an application for Commission certification of a small power production facility, and 50 hours for an application for Commission certification of a cogeneration facility. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden, to the following: Information Clearance Officer, Office of the Executive Director (ED-32), Federal Energy Regulatory Commission, 888 First Street N.E., Washington, DC 20426; and Desk Officer for FERC, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 (oir_submission@omb.eop.gov). Include the Control No. 1902-0075 in any correspondence.

Electronic Filing (eFiling)

To electronically file your Form 556, visit the Commission's QF website at www.ferc.gov/QF and click the eFiling link.

If you are eFiling your first document, you will need to register with your name, email address, mailing address, and phone number. If you are registering on behalf of an employer, then you will also need to provide the employer name, alternate contact name, alternate contact phone number and alternate contact email.

Once you are registered, log in to eFiling with your registered email address and the password that you created at registration. Follow the instructions. When prompted, select one of the following QF-related filing types, as appropriate, from the Electric or General filing category.

Filing category	Filing Type as listed in eFiling	Description
Electric	(Fee) Application for Commission Cert. as Cogeneration QF	Use to submit an application for Commission certification or Commission recertification of a cogeneration facility as a QF.
	(Fee) Application for Commission Cert. as Small Power QF	Use to submit an application for Commission certification or Commission recertification of a small power production facility as a QF.
	Self-Certification Notice (QF, EG, FC)	Use to submit a notice of self-certification of your facility (cogeneration or small power production) as a QF.
	Self-Recertification of Qualifying Facility (QF)	Use to submit a notice of self-recertification of your facility (cogeneration or small power production) as a QF.
	Supplemental Information or Request	Use to correct or supplement a Form 556 that was submitted with errors or omissions, or for which Commission staff has requested additional information. Do <i>not</i> use this filing type to report new changes to a facility or its ownership; rather, use a self-recertification or Commission recertification to report such changes.
General	(Fee) Petition for Declaratory Order (not under FPA Part 1)	Use to submit a petition for declaratory order granting a waiver of Commission QF regulations pursuant to 18 C.F.R. §§ 292.204(a) (3) and/or 292.205(c). A Form 556 is not required for a petition for declaratory order unless Commission recertification is being requested as part of the petition.

You will be prompted to submit your filing fee, if applicable, during the electronic submission process. Filing fees can be paid via electronic bank account debit or credit card.

During the eFiling process, you will be prompted to select your file(s) for upload from your computer.

