



5982

Original y Copia.
2006 DEC 14 AM 10:55**FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V.**

COMISIÓN REGULADORA DE ENERGÍA
Horacio No. 1750
Colonia Polanco
11560, México, DF



México DF a 12 de diciembre de 2006



LIC. CARLOS HANS VALADEZ MARTÍNEZ
PRESENTE

REF: PERMISO PARA GENERAR ENERGÍA ELÉCTRICA DESTINADA
A LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE
PRODUCCIÓN INDEPENDIENTE NÚM. E/214/EXP/2002.

ASUNTO: SE SOLICITA MODIFICACIÓN A LAS CONDICIONES SEXTA Y
SÉPTIMA DEL PERMISO DE REFERENCIA.

CARLOS F. GOTTFRIED JOY, EN NOMBRE Y REPRESENTACIÓN DE
FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., señalando como
domicilio para oír y recibir toda clase de notificaciones en Avenida Año de Juárez
No. 205, Colonia Granjas San Antonio - Iztapalapa, C.P. 09070 y autorizando
para tales efectos a los señores Lic. Miguel Jáuregui Rojas y Lic. Pablo Gottfried
Blackmore, con el debido respeto comparezco y expongo lo siguiente:

- I.- Que las obras necesarias para llevar a realización de las actividades
amparadas por el PERMISO PARA GENERAR ENERGÍA DESTINADA A
LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE PRODUCCIÓN
INDEPENDIENTE NÚM. E/214/EXP/2002 no han sido detenidas por un
plazo mayor a 6 meses desde el otorgamiento del Permiso.
- II.- Se solicita y se autoriza a la Comisión Reguladora de Energía la utilización
de la información y documentación contenida en nuestro expediente para
el presente Procedimiento Administrativo y para subsanar lo solicitado en
el formato de Solicitud de Autorización para Modificar las Condiciones
Originales del Permiso de Generación de Energía Eléctrica.
- III.- Se anexan copias de documentos confidenciales y públicos relacionados
al desarrollo del proyecto amparado por el Permiso de referencia.

Un renglón
eliminado.
Fundamento:
Art.18 fracc.II
LFTAIPG.
Motivación:
Información
confidencial,
datos personales

SOLICITUD:

- 1) Se solicita la modificación de la Condición Sexta para quedar como sigue:

“SEXTA. Descripción de las instalaciones”. El proyecto tendrá por objeto la generación de energía eléctrica, utilizando una central eoloeléctrica que será construida en dos etapas, en la primera de ellas se instalarán 24 aerogeneradores de 2.5 MW cada uno, mientras que en la segunda se instalarán 96 aerogeneradores con capacidad de 2.5 MW cada uno. La central estará integrada por 120 aerogeneradores con capacidad total de 300 MW y una producción estimada anual de energía eléctrica de 850 GWh.

JUSTIFICACIÓN:

La razón principal por la que se solicita una modificación a la descripción de las instalaciones es el avance realizado por la empresa Clipper Windpower en el estado del arte en turbinas eoloeléctricas. El diseño de estas turbinas permite un desempeño más alto en términos generales al ofrecer una curva de potencia superior a turbinas similares, una disponibilidad de planta más alta por su diseño de generación distribuida dentro de cada turbina, costos de operación, mantenimiento y cambios de refacciones más bajos al contar con una grúa abordo y varias ventajas adicionales correspondientes a control de voltaje y frecuencia derivadas de su alta tecnología y patentado sistema de velocidad variable. También, el uso de este tipo de turbinas permitirá instalar menos equipos y por ende reducir sustancialmente la huella del proyecto sobre el medio ambiente en la región. El anexo 1 contiene información de dicha turbina.

- 2) Se solicita la modificación de la Condición Séptima para quedar como sigue:

“SEPTIMA. Programa, inicio y terminación de las obras. El programa de obras a desarrollarse por la permisionaria, para cada una de las etapas de construcción de la central a que hace referencia la Condición inmediata anterior, comprende la realización de los estudios meteorológicos, la selección de sitios, la ingeniería del proyecto, el financiamiento, la construcción y la puesta en marcha de la central”.

Las fechas de inicio y terminación de las obras serán las siguientes:

ETAPA	FECHA DE INICIO	FECHA DE TERMINACIÓN
PRIMERA	SEPTIEMBRE 2003	DICIEMBRE 2010
SEGUNDA	SEPTIEMBRE 2003	DICIEMBRE 2011

Asimismo deseamos exponer lo siguiente:

- I) Que las obras amparadas por el Permiso de Exportación otorgado a Fuerza Eolica de Baja California, S.A. de C.V. no han sido detenidas por un periodo mayor a 6 meses y que continúan avanzando sin interrupción.

Un renglón
eliminado.
Fundamento:
Art.18 fracc.II
LFTAIPG.
Motivación:
Información
confidencial,
datos personales

II) Que la capacidad total a instalar para el proyecto de exportación de energía eléctrica no ha sufrido cambio alguno.

III) Que se ha instalado una torre meteorológica adicional de 50m para correlacionar la información recolectada anteriormente y ampliar la zona de estudio y se ha invertido en equipos de recolección de datos de última generación para todas las torres en el sitio. En el Anexo 2 a la presente existe copia del reporte de instalación y facturas correspondientes.

IV) Que se han continuado los análisis internos necesarios para la interconexión con el SEN hacia el Estado de California. Asimismo, se han estado llevando a cabo los análisis correspondientes a la posible construcción de una línea dedicada trans-fronteriza para interconectar el proyecto directamente a la red del Estado de California.

V) Que se han elaborado propuestas para compradores finales potenciales de la energía generada por el proyecto en Baja California. En específico, San Diego Gas & Electric y Pacific Gas & Electric. En el Anexo 3 a la presente sírvase encontrar copias de comunicaciones internas y externas realizadas por nuestro socio Clipper Windpower. Tratar información como confidencial.

JUSTIFICACIÓN:

Las razones preponderantes para solicitar una modificación a la Condición Séptima del permiso de referencia incluyen la complejidad de interconectar la capacidad a desarrollarse con la red americana, la imposibilidad de suministrar el equipo necesario para su instalación en la fechas previamente programadas dada la alta demanda por turbinas eoloelectricas en los mercados americanos y europeos y su consecuente desabasto para mercados secundarios como lo es el mexicano.

En el caso de la interconexión del proyecto al sistema americano, se ha encontrado que los escenarios de congestión en las líneas y subestaciones existentes hacia Estados Unidos no permitían la inyección de capacidad adicional aportada por un proyecto eólico de la magnitud que se tiene planeado (ver anexo 4: "Rumorous Transmission Study"). Sin embargo, dada la necesidad del Estado de California de reducir sus emisiones de acuerdo con el plan establecido y firmado por el Gobierno de dicho estado y la aceptación por parte de la California Energy Commission de considerar proyectos de energía renovable al sur de la frontera que abastezcan la demanda californiana como parte del estándar de portafolio de energía renovable (Renewable Portfolio Standard, RPS) de dicho estado ha incrementado sustancialmente la visibilidad del proyecto ante los posibles importadores finales. Asimismo, se espera que la ejecución de los planes de expansión de redes de transmisión en el sur del Estado de California permita la interconexión del proyecto en las fechas solicitadas. Ver anexo 5 para información relacionada a la elegibilidad de proyectos fuera del Estado de California, objetivos de reducción de emisiones y planes de expansión de la red de transmisión en el sur de California.

Un renglón
eliminado.
Fundamento:
Art.18 fracc.II
LFTAIPG.
Motivación:
Información
confidencial,
datos personales

Finalmente, se anexa una carta dirigida por Clipper Windpower a Fuerza Eólica de Baja California en el Anexo 6 de la presente.

Por lo antes expuesto a esa H. Comisión Reguladora de Energía atentamente solicito:

PRIMERO. Tener a FUERZA EÓLICA DEL ISTMO, S.A. de C.V., presentada en los términos de la presente contestación y solicitud.

SEGUNDO. De conformidad con las disposiciones de la Ley del Servicio Público de Energía Eléctrica, su Reglamento, y de la Ley de la Comisión Reguladora de Energía, en su oportunidad, informar a FUERZA EÓLICA DEL ISTMO, S.A. de C.V. sobre la necesidad de cualquier aclaración o información.

TERCERO. Tener a mi representada como cumplida y que ha estado llevando a cabo las actividades necesarias para finalizar las obras a desarrollar al amparo del Permiso.

CUARTO. Previos los trámites reglamentarios, se solicita respetuosamente a esa Comisión Reguladora de Energía la modificación del Permiso y emisión de Resolución modificando las Condiciones Sexta y Séptima de acuerdo con lo estipulado en el presente para el Permiso de Exportación de Energía Eléctrica otorgado a Fuerza Eólica de Baja California S.A. de C.V.

ATENTAMENTE,

México DF, a 12 de diciembre de 2006.

Por Fuerza Eólica de Baja California, S.A. DE C.V.

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG, Motivación:

Información confidencial, datos personales

ING. CARLOS FEDERICO GOTTFRIED JOY
PRESIDENTE DEL CONSEJO DE ADMINISTRACIÓN



Solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica

PARA USO EXCLUSIVO DE LA CRE

Núm. de Expediente _____

Núm. de Turno _____

Antes de llenar lea las instrucciones generales de la página 3

I. DATOS DEL SOLICITANTE

I.1 Nombre, denominación o razón social

Fuerza Eólica de Baja California S.A. de C.V.

R.F.C. FEB010709914

I.2 Domicilio

Calle	Núm. exterior	Núm. interior
Avenida Año de Juárez	205	-----
Colonia	Código postal	
Granjas San Antonio	09070	
Población	Municipio o delegación	Entidad federativa
Ciudad de México	Iztapalapa	Distrito Federal
Teléfono con clave LADA	Fax con clave LADA	Correo electrónico
555 686 7303	555 686 7006	pgottfried@gmail.com

I.3 Datos de inscripción del acta constitutiva en el Registro Público de la Propiedad y del Comercio

Partida	Foja	Volumen	Libro	Sección	Fecha	o Folio mercantil
17768	-----	-----	-----	-----	31 de agosto 2001	280361

I.4 Nombre del representante legal

Ing. Carlos Federico Gottfried Joy

I.5 Domicilio para oír y recibir notificaciones

Calle	Núm. exterior	Núm. interior
Avenida Año de Juárez	205	-----
Colonia	Código postal	
Granjas San Antonio	09070	
Población	Municipio o delegación	Entidad federativa
Ciudad de México	Iztapalapa	Distrito Federal
Teléfono con clave LADA	Fax con clave LADA	Correo electrónico
555 686 7303	555 686 7006	pgottfried@gmail.com

I.6 ¿Autoriza a la CRE a notificar cualquier acto relacionado con esta solicitud vía fax o correo electrónico?

☒ Sí ☐ No

I.7 Clasificación de la información y documentación entregada

☐ Pública ☐ Reservada ☒ Confidencial

 CRE COMISION REGULADORA DE ENERGIA	Solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica
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II. DATOS DEL PERMISO

II.1 Número del permiso	E/214/EXP/2002
II.2 Fecha de otorgamiento del permiso	11 de julio de 2002
II.3 Objeto del permiso	EXPORTACIÓN

III. TIPO DE MODIFICACION

III.1 Indique el tipo de modificación que se pretende realizar

Modificación de la capacidad instalada	☐	Modificación del programa de obras	☒	Inclusión de nuevos socios en el aprovechamiento de la energía eléctrica	☐
Modificación en la distribución de cargas de los beneficiarios de la energía eléctrica generada	☐	Otros. (especificar en el punto III.2)	☐		

NOTA: De conformidad con lo establecido en el Acuerdo de la Comisión Reguladora de Energía de fecha 24 de junio de 2004, los supuestos que de manera enunciativa mas no limitativa se enlistan a continuación, no se consideran modificaciones a las condiciones de los permisos de generación e importación de energía eléctrica:

- El cambio de nombre, denominación o razón social del permisionario o socio autorizado en el permiso de que se trate, siempre que no derive de una transmisión de acciones o partes sociales que, directa o indirectamente, impliquen la asunción, por parte del adquirente, del control de la sociedad permisionaria;
- El cambio de representante legal o de apoderado general o especial;
- El cambio de domicilio para oír y recibir notificaciones, y
- Las demás que la Comisión determine y haga del conocimiento de los permisionarios mediante la publicación del Acuerdo respectivo en el Diario Oficial de la Federación.

No obstante lo anterior, deberá presentar este formato junto con los documentos que sustenten el cambio que se pretende realizar, con el fin de que esta Comisión Reguladora de Energía pueda tomar nota de lo que proceda.

III.2 Explique brevemente las modificaciones que se pretenden realizar a las condiciones originales del permiso

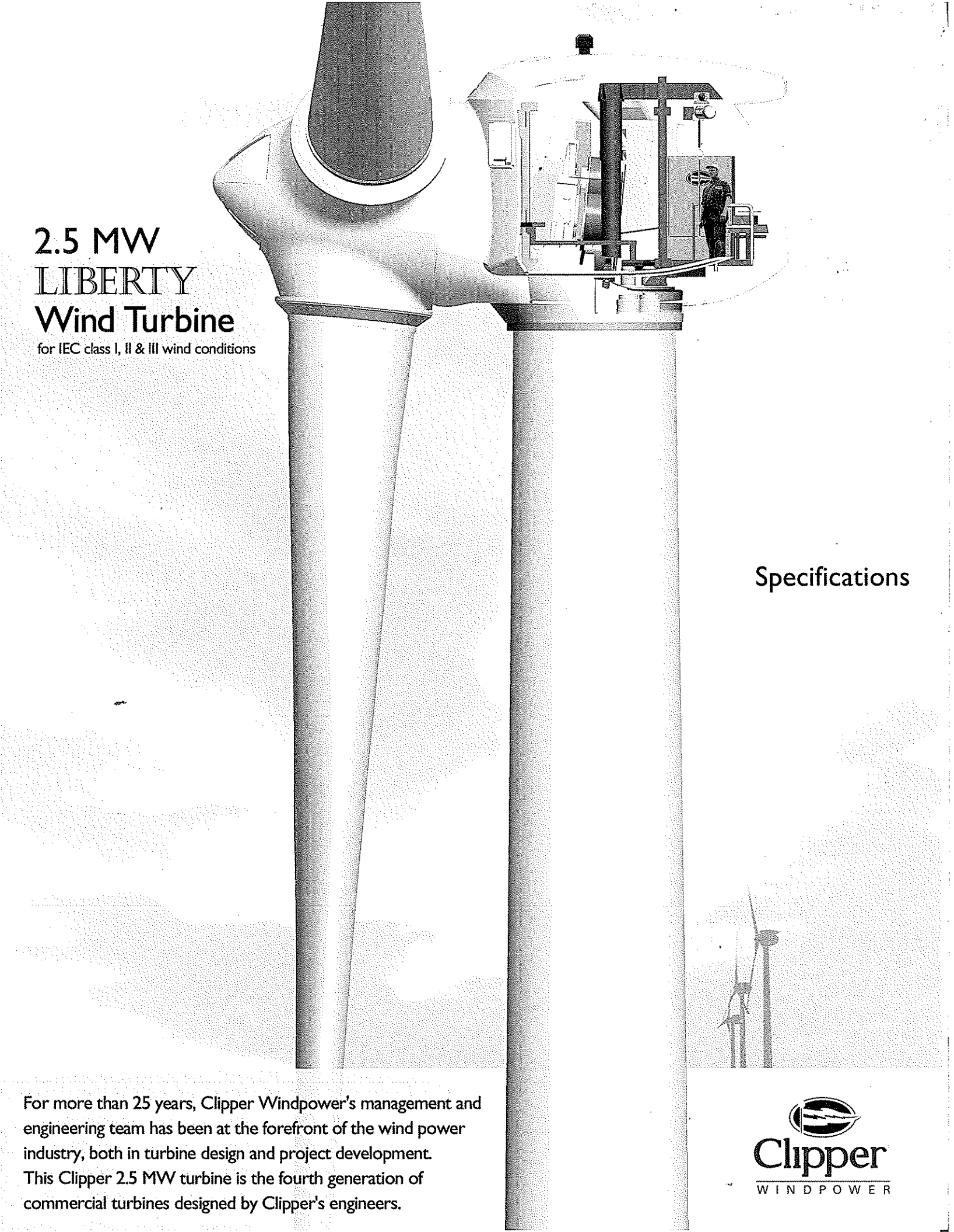
Se solicita modificación a las condiciones Sexta y Séptima del permiso de Exportación a nombre de Fuerza Eólica de Baja California S.A. de C.V.

Un renglón eliminado.

 Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
 Información confidencial, datos personales

Fecha: 12 de diciembre de 2006

Nombre y Firma del Representante legal: Ing. Carlos Federico Gottfried Joy



2.5 MW LIBERTY Wind Turbine

for IEC class I, II & III wind conditions

Specifications

For more than 25 years, Clipper Windpower's management and engineering team has been at the forefront of the wind power industry, both in turbine design and project development. This Clipper 2.5 MW turbine is the fourth generation of commercial turbines designed by Clipper's engineers.



Se eliminan 5 páginas

Fundamento: Art.18 LFTAIPG y Art. 82 Ley de Propiedad Industrial. Motivación: Información confidencial sujeta a secreto industrial



Clipper Windpower, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013

Fuerza Eólica S.A. de C.V.
Av. Año de Juárez 205, Iztapalapa
México DF, 09070, México
52 555 685 7030 FAX: 52 555 686 7006

December 12, 2006

Attn: Carlos Gottfried / President
Ref: Fuerza Eolica de Baja California, S.A. de C.V.

Dear Carlos,

As you know, Clipper is rapidly increasing its production capacity. This letter is to inform you about Clipper turbine supply in the coming years. Currently, Clipper has commitments for most production slots through 2009. These commitments are a combination of firm orders, options, and plans for strategic corporate projects. The global constraint on wind turbine supply as well as the rapid growth in the U.S. market will outpace the production capacity of Clipper. However, we will continue to expand our global supply chain.

We look forward to completing our joint venture wind projects in Fuerza Eólica, and the growing wind market in Mexico. Specifically, we appreciate the opportunity to supply wind turbines for Fuerza Eolica de Baja California (La Rumorosa Project), specifically, La Rumorosa Phase I for 60 MWs and Phase II for 240 MWs, for a total of 300 MWs. Plans to bring Phase I on line in 2010 and Phase II on line in 2011 for this project which we consider to be one of our corporate strategic projects, and which will be consistent with the time period in which Clipper will have available turbine supply.

Please do note that firm supply of Clipper turbines is always subject to prior sale and execution of a turbine supply agreement. Please let us know if there are any further questions you have or information that we can provide.

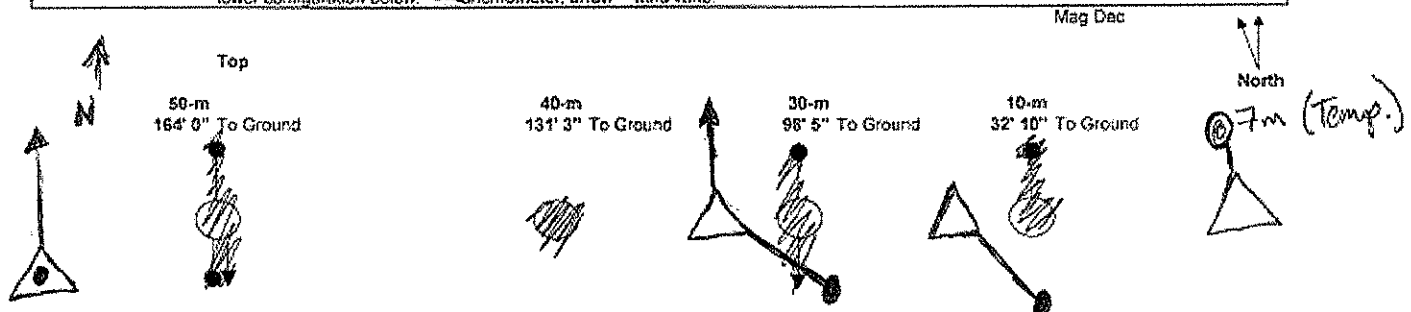
Sincerely,

Un renglón eliminado:

Fundamento: Art.18 fracc.II LFTAIPG. Motivación: Información confidencial, datos personales

Marc Fioravanti
Director, Commercial Operations

Property Owner: FELICITAS LOMEZ AGUAYO		Site Number: 3104	Logger Number: 30909178					
Nearest City: TECATE, LA RUMOROSA		Photos Taken: 7						
County: TECATE		Description:						
State: BAJA CALIFORNIA		Nearest Landmarks:						
Installation Date: 29/05/06		Exposure:						
Project Name: BC 2000								
Logger Type: Symphonic Logger S/N: 30909178 ESN: NA Phone Number: NA		System Preference: NA Yaggi Direction: NA IPack S/N: NA Sys ID #: NA Cellular Service Provider: NA						
Planned Location Township: NA Latitude: N32° 30.000' Range: NA Longitude: W116° 5.110' Section: NA Datum Type: WGS 84 Township name: NA		Actual Location Latitude: 32° 29' 44.9" 5m accuracy Longitude: 116° 05' 03.1" WGS84 Datum Type: NA Elevation: 1381m						
Primary ISP Phone Number: NA Secondary ISP Phone Number: NA Primary DNS: NA Secondary DNS: NA Authentication Method: NA User Name: NA User Password: NA Internet Time Server Name: NA		Mailbox Name: NA Mailbox Password: NA Pop 3 Server Name: NA SMTP Server Name: NA Patch Password: NA Recipients Email Address: NA Recipients Name: NA CC Email Address: NA Senders Email Address: NA Email Subject Line: NA						
Next Call Time: NA Call Interval: NA		Tower Type: NA - up Rohin type Tower Height: 50m 45cm face						
Cattle Protection: Utility Service Area: Anchors: concrete								
Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 7	Sensor 8	Sensor 9
Type	NRG 40	NRG 40	NRG 40					NRG 1105
Serail number	NA	NA	NA					NA
Monitoring height (m)	50m	30m	10m					10m
Boom Orientation (degrees true bearing)								
Deadband Orientation (magnetic)								
Slope (m/s / Hz)								
Offset (m/s)								
Functional Checks								
Logger Terminal # (channel)								
Notes:								
Date of Report: 29/05/06				Form Completed by: PABLO GOTTFRIED				
Land Owner Contact Info: TOMAS MONTERO				Phone #: NA Cell #: NA				
Local Person to Service Site: JUAN JESUS RIOS				Phone #: NA Cell #: NA				
NOTE: Keep a copy of this form with the site manual. Send copies to all appropriate parties. Draw a picture of tower configuration below. • = anemometer, arrow = wind vane.								



Property Owner: GJDD #180 Quiñhuas Site Number: 3103 Logger Number:

Nearest City: Ensenada - Mexicali - San Felipe Photos Taken:

County: BAJA CALIFORNIA Description:

State: BAJA CALIFORNIA Nearest Landmarks:

Installation Date: 30/05/2006 Exposure:

Project Name: FE 3M

Logger Type: Symphonic System Preference: NA

Logger S/N: 30409179 Yaggi Direction: NA

ESN: NA iPack S/N: NA

Phone Number: NA Sys ID #: NA

Cellular Service Provider: NA

Planned Location Latitude: N32° 30.000' **Actual Location** Latitude: N 31° 17' 53.16"

Range: Longitude: W116° 5.110' Longitude: W 115° 26' 34.8"

Section: Datum Type: WGS 84 Datum Type:

Township name: Elevation:

Primary ISP Phone Number: NA Mailbox Name: NA

Secondary ISP Phone Number: NA Mailbox Password: NA

Primary DNS: NA Pop 3 Server Name: NA

Secondary DNS: NA SMTP Server Name: NA

Authentication Method: NA Patch Password: NA

User Name: NA Recipients Email Address: NA

User Password: NA Recipients Name: NA

Internet Time Server Name: NA CC Email Address: NA

Next Call Time: NA Senders Email Address: NA

Call Interval: NA Email Subject Line: NA

Cattle Protection: Tower Type: NRC 10 up

Utility Service Area: Tower Height: 50m

Anchor:

Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 7	Sensor 8	Sensor 9
Type								
Serial number								
Monitoring height (m)								
Room Orientation (degrees true bearing)								
Deadband Orientation (magnetic)								
Slope (m/s 10m)								
Offset (m/s)								
Functional Checks								
Logger Terminal # (channel)								

Notes: NEW LOGGER INSTALLED

Date of Report: 30/05/2006 Form Completed by: Rafael Acosta Coy

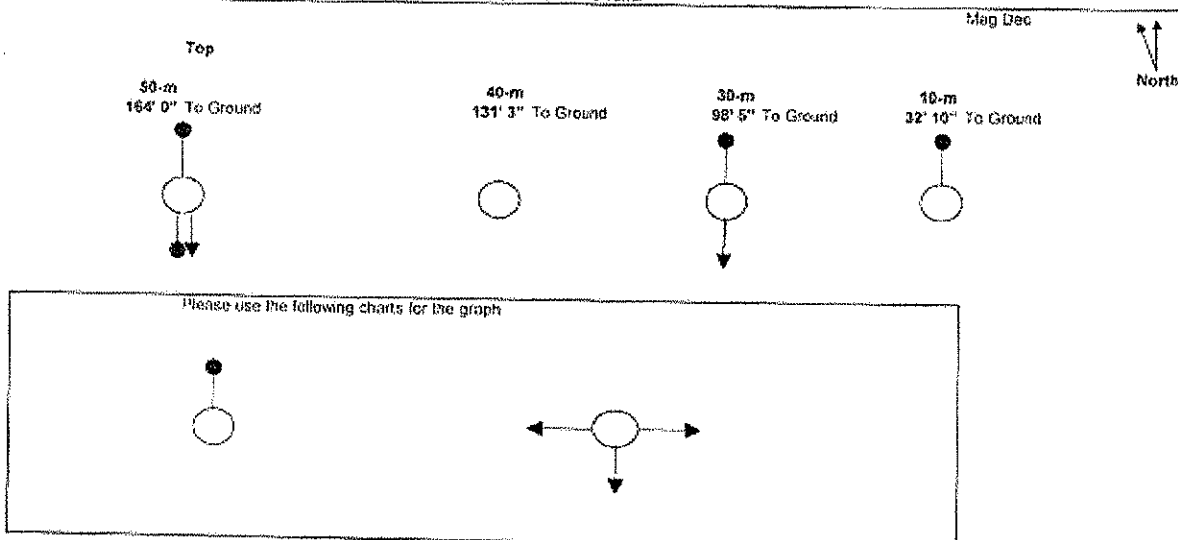
Land Owner Contact Info: ELIAS Phone #:

Local Person to Service Site: JUAN JESUS RIOS Cell #:

Phone #:

Cell #:

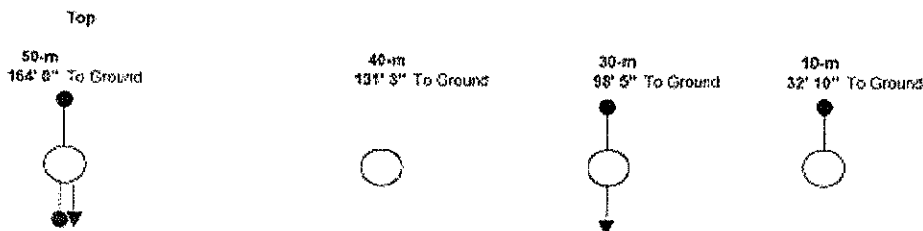
NOTE: Keep a copy of this form with the site manual. Send copies to all appropriate parties. Draw a picture of tower configuration below. ● = anemometer, arrow = wind vane.



3101

Property Owner: <u>Esido T. N. Quihans</u>		Site Number: <u>3101</u>	Logger Number: <u>3101</u>					
Nearest City: <u>Manila</u>		Photos Taken: <u>Yes</u>						
County: <u>Manila</u>		Description: <u>Manila</u>						
State: <u>Manila</u>		Nearest Landmarks: <u>Manila</u>						
Installation Date: <u>30/05/2006</u>		Exposure: <u>NA</u>						
Project Name: <u>KE SN</u>		System Preference: <u>NA</u>						
Logger Type: <u>Symphony</u>		Yaggi Direction: <u>NA</u>						
Logger SN: <u>30904181</u>		IPack SN: <u>NA</u>						
ESN: <u>NA</u>		Sys ID #: <u>NA</u>						
Phone Number: <u>NA</u>		Cellular Service Provider: <u>NA</u>						
Planned Location		Actual Location						
Township: <u>Manila</u>		Latitude: <u>31° 17' 52.4"</u>						
Range: <u>Manila</u>		Longitude: <u>115° 25' 22.3"</u>						
Section: <u>Manila</u>		Datum Type: <u>WGS 84</u>						
Township name: <u>Manila</u>		Elevation: <u>NA</u>						
Primary ISP Phone Number: <u>NA</u>		Mailbox Name: <u>NA</u>						
Secondary ISP Phone Number: <u>NA</u>		Mailbox Password: <u>NA</u>						
Primary DNS: <u>NA</u>		Pop 3 Server Name: <u>NA</u>						
Secondary DNS: <u>NA</u>		SMTP Server Name: <u>NA</u>						
Authentication Method: <u>NA</u>		Patch Password: <u>NA</u>						
User Name: <u>NA</u>		Recipients Email Address: <u>NA</u>						
User Password: <u>NA</u>		Recipients Name: <u>NA</u>						
Internet Time Server Name: <u>NA</u>		CC Email Address: <u>NA</u>						
Next Call Time: <u>NA</u>		Senders Email Address: <u>NA</u>						
Call Interval: <u>NA</u>		Email Subject Line: <u>NA</u>						
Cattle Protection: <u>NA</u>		Tower Type: <u>NRG tilt up</u>						
Utility Service Area: <u>NA</u>		Tower Height: <u>50m</u>						
Anchors: <u>NA</u>								
Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 7	Sensor 8	Sensor 9
Type								
Serial number								
Monitoring height (m)								
Boom Orientation (degrees true bearing)								
Deadband Orientation (magnetic)								
Slope (m/s)								
Offset (m/s)								
Functional Checks								
Logger Terminal # (channel)								
Notes:								
Date of Report: <u>30/05/2006</u>		Form Completed by: <u>Pablo Cortez</u>						
Land Owner Contact Info: <u>Elia</u>		Phone #: <u>NA</u>						
Local Person to Service Site: <u>Don Juan P. P. S.</u>		Cell #: <u>NA</u>						
		Phone #: <u>NA</u>						
		Cell #: <u>NA</u>						
NOTE: Keep a copy of this form with the site manual. Send copies to all appropriate parties. Draw a picture of tower configuration below. ● = anemometer, arrow = wind vane								

Mag Dec



Please use the following charts for the graph



3102

Property Owner: TECATE - LA ROMOROSA		Site Number: 3102		Logger Number: 	
Nearest City: TECATE		Photos Taken: 		Description: LA ROMOROSA	
County: TECATE		Nearest Landmarks: LA ROMOROSA		Exposure: 3000	
State: Baja California		Logger Type: Symphony		System Preference: NA	
Installation Date: 3/05/2006		Logger S/N: 30909182		Yaggi Direction: NA	
Project Name: CL 2000		ESN: NA		iPack S/N: NA	
Phone Number: NA		Sys ID #: NA		Cellular Service Provider: NA	
Planned Location Township: Latitude: 32° 30' 39.6" Range: Longitude: 116° 02' 09.8" Section: Datum Type: WGS 84 Elevation: 1311 m			Actual Location Latitude: 32° 30' 39.6" Longitude: 116° 02' 09.8" Datum Type: Elevation: 1311 m		
Primary ISP Phone Number: NA		Mailbox Name: NA		Mailbox Password: NA	
Secondary ISP Phone Number: NA		Pop 3 Server Name: NA		SMTP Server Name: NA	
Primary DNS: NA		Patch Password: NA		Recipients Email Address: NA	
Secondary DNS: NA		User Name: NA		Recipients Name: NA	
Authentication Method: NA		User Password: NA		CC Email Address: NA	
Internet Time Server Name: NA		Email Subject Line: NA		Senders Email Address: NA	
Next Call Time: NA		Tower Type: NRG hit up		Tower Height: 50m	
Call Interval: NA		Cattle Protection: 		Utility Service Area: 	
Anchors: 					

Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 7	Sensor 8	Sensor 9
Type								
Serial number								
Monitoring height (m)								
Boom Orientation (degrees true bearing)								
Deadband Orientation (magnetic)								
Slope (m/s / Hr)								
Offset (m/s)								
Functional Checks								
Logger Terminal # (channel)								

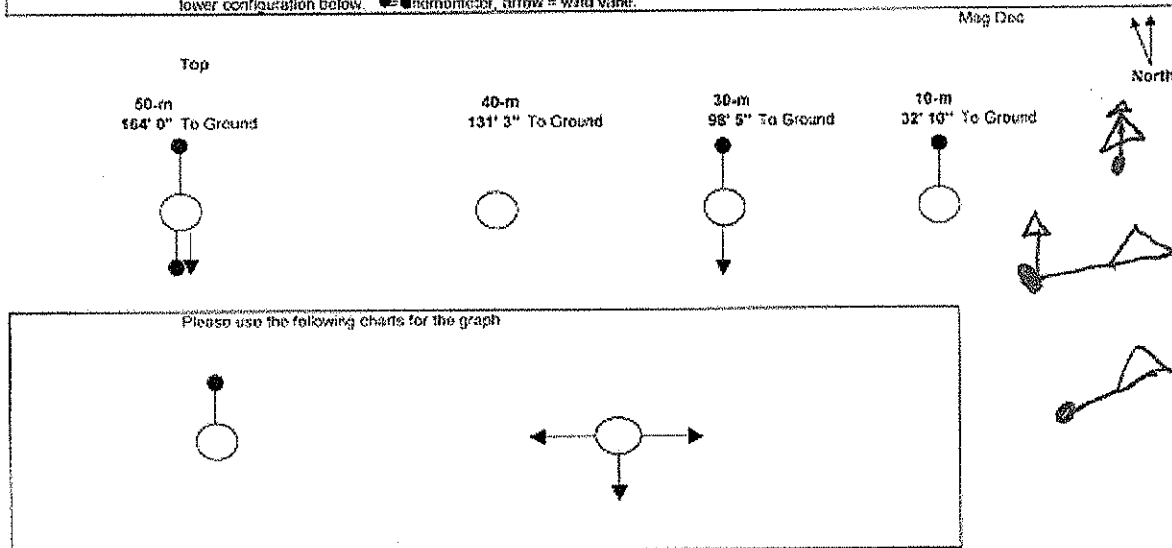
Notes: *Internet configuration as done by Amanda, might consider changing.*

Date of Report: **30/05/2006** Form Completed by: **TABLO COMPRESD**

Land Owner Contact Info: Phone #: Cell #:

Local Person to Service Site: **JUAN JESUS RODRIGUEZ** Phone #: Cell #:

NOTE: Keep a copy of this form with the site manual. Send copies to all appropriate parties. Draw a picture of tower configuration below. ● = anemometer, arrow = wind vane.





Print - Close Window

Date: Wed, 17 May 2006 12:04:13 -0400
From: "David Simkins" <davids@nrgsystems.com>
Subject: NRG - Order Confirmation
To: "Raul Santos Coy" <rsc@fuerzaeolica.com>

Hello Raul -

We received wire transfer payment - thank you!

Attached confirms your order - we will ship on or before 5/18; I will send UPS shipment information, when available.

Thank you for your business - please let me know if I can be of further assistance.

Best regards,
David Simkins
NRG Sales Representative - US Accounts
t: 802-482-2255; F: 802-482-2272

110 Riggs Road
Hinesburg, VT 05461

Attachments

Files:

 **M33131.pdf** (9k)
 **M33130.pdf** (6k)

NRG Systems, Inc.

110 Riggs Road
P.O. Box 509
Hinesburg, Vermont 05461 USA
Telephone: 802-482-2255
Fax: 802-482-2272
Website: www.nrgsystems.com

Order Number: ORD024569

Date: 5/17/2006
Customer ID: 3541
Purchase Order No.: 2472
Salesperson: David Simkins
Shipping Method: TRUCK-FRT PD
Payment Terms: Prepayment
Ship Date: 5/18/2006
Master No.: 33131
Page: 1

Bill To:

Clipper Windpower Development Co., Inc.
6305 Carpinteria Avenue
Suite 300
Carpinteria CA 93013
USA

Fax: 805-899-1115

Ship To:

Greitzer Brokers
9948 Via De La Amistad
San Diego CA 92154
USA

Contact: Damiam Serrano
Phone: 619-661-6010

Quantity	Item Number	Description	Unit Price	Extended Price
1	3147	Symphonie NRG Logger with (1) MMC and accessories	\$1,062.5000	\$1,062.50
1	3157	MultiMedia Card (MMC), 16MB	\$42.5000	\$42.50
1	3159	Symphonie Shelter Box with Hose Clamps	\$97.7500	\$97.75
4	1899	NRG #40 Anemometer	\$97.7500	\$391.00
1	3148	Symphonie SCM Card for #40 Anemometer	\$29.7500	\$29.75
2	1904	NRG #200P Wind Direction Vane, 10K	\$165.7500	\$331.50
1	1906	NRG #110S Temperature Sensor with Radiation Shield	\$165.7500	\$165.75
1	3153	Symphonie SCM Card for #110S	\$29.7500	\$29.75
2	1934	Sensor Cable, 2C, 20Ga, 52.5m(172'), for 50m level	\$63.7500	\$127.50
1	1933	Sensor Cable, 2C, 20Ga, 42m (138'), for 40m level	\$51.0000	\$51.00
1	1932	Sensor Cable, 2C, 20Ga, 32m (105'), for 30m level	\$39.1000	\$39.10
1	1939	Sensor Cable, 3C, 20Ga, 52.5m(172'), for 50m level	\$63.7500	\$63.75
1	1938	Sensor Cable, 3C, 20Ga, 42m (138'), for 40m level	\$51.0000	\$51.00
1	3390	Boom, Side, 1.53m(60.5"), Galv, with clamps	\$72.2500	\$72.25
1	3170	Freight, Handling, Special Labeling / Packaging	\$0.0000	\$0.00
		** NRG LOGISTICS SPECIAL - Delivery Notification		
		Requested, no charge courtesy NRG Systems.		
1	2000	Freight, Handling, Insurance-Domestic	\$0.0000	\$0.00
		FOB Hinesburg, VT		
		Truck Freight (CON-WAY) Door-to-Door courtesy of		
		NRG Systems.		

Authorized signature _____*****Please sign above and fax back to confirm order*****

Country of Origin: USA.

Certified true and correct.

Subtotal	\$2,555.10
Misc	\$0.00
Tax	\$0.00
Total	\$2,555.10
Payment Received	\$2,555.10
Total US Dollars Due	\$0.00

NRG Systems, Inc.

110 Riggs Road
P.O. Box 509
Hinesburg, Vermont 05461 USA
Telephone: 802-482-2255
Fax: 802-482-2272
Website: www.nrgsystems.com

Order Number: ORD024570

Date: 5/17/2006
Customer ID: 3541
Purchase Order No.: 2472
Salesperson: David Simkins
Shipping Method: UPS GROUND
Payment Terms: Prepayment
Ship Date: 5/18/2006
Master No.: 33130
Page: 1

Bill To:

Clipper Windpower Development Co., Inc.
6305 Carpinteria Avenue
Suite 300
Carpinteria CA 93013
USA

Fax: 805-899-1115

Ship To:

Greitzer Brokers
9948 Via De La Amistad
San Diego CA 92154
USA

Contact: Damiam Serrano
Phone: 619-661-6010

Quantity	Item Number	Description	Unit Price	Extended Price
4	3147	Symphonie NRG Logger with (1) MMC and accessories	\$1,062.5000	\$4,250.00
6	1899	NRG #40 Anemometer	\$97.7500	\$586.50
3	1904	NRG #200P Wind Direction Vane, 10K	\$165.7500	\$497.25
4	3157	MultiMedia Card (MMC), 16MB	\$42.5000	\$170.00
1	2000	Freight, Handling, Insurance-Domestic	\$0.0000	\$0.00
		FOB Hinesburg, VT		
		UPS Ground Door-to-Door courtesy of NRG Systems		

Authorized signature _____

Please sign above and fax back to confirm order

Country of Origin: USA.

Certified true and correct.

Subtotal	\$5,503.75
Misc	\$0.00
Tax	\$0.00
Total	\$5,503.75
Payment Received	\$5,503.75
Total US Dollars Due	\$0.00



Clipper Windpower Development Company, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013
Tel: +1 (805) 690 3275
Fax: +1 (805) 699 1115
Web: www.clipperwind.com

September 1, 2006

VIA ELECTRONIC MAIL

Mr. Jeff Gaby
San Diego Gas and Electric Company (SDG&E)
San Diego, California

Dear Mr. Gaby:

On behalf of Clipper Windpower Development Company, Inc., I am pleased to submit a project summary for the 300 MW La Rumerosa wind power project located in Baja California, Mexico.

La Rumerosa is a strategic project that can offer an immense undeveloped wind resource in close proximity to San Diego Gas and Electric's major load centers. Located less than 5 miles from the international border south of Jacumba, California, and covering a land area of over 85,000 acres, La Rumerosa has a high quality wind resource that can support a project of at least 300 MW if not more. The project already has an export permit for 300 MW of capacity and at this point in time lacks only an interconnection to the CAISO to be constructed. Given SDG&E's experience in cross border energy trade, it is our desire to work with your company to solve the interconnection issues that are keeping this major renewable resource from serving California's demand.

The attached project summary is not a formal offer to SDG&E and should not be considered a proposal under the current RFO. Given the informational nature of this summary, many of the forms associated with a formal proposal are not submitted at this time.

It is our hope that through the submission of this summary we can assist SDG&E in planning for renewable energy procurement and to define a project pipeline. By sharing this information, Clipper also hopes to give SDG&E more visibility on project development issues that affect SDG&E's and California's ability to meet the ambitious renewable portfolio standard goals.

I look forward to discussing this and other projects under development at Clipper at your convenience.

Sincerely,

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Michael Rucker
Western Development Leader
Tel: (805) 576-1795
mrucker@clipperwind.com



Clipper Windpower Development Company, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013
Tel: +1 (805) 890 3275
Fax: +1 (805) 899 1115
Web: www.clipperwind.com

September 8, 2006

RPS Solicitation
Energy Supply Department
245 Market Street, Room 1285A, Mail Code N12G
San Francisco, CA 94105

Dear Sirs:

On behalf of Clipper Windpower Development Company, Inc., I am pleased to submit a project summary for the 300 MW La Rumerosa wind power project located in Baja California, Mexico.

La Rumerosa is a strategic project that can offer an immense undeveloped wind resource in close proximity to Pacific Gas and Electric's major load centers. Located less than 5 miles from the international border south of Jacumba, California, and covering a land area of over 85,000 acres, La Rumerosa has a high quality wind resource that can support a project of at least 300 MW if not more. The project already has an export permit for 300 MW of capacity and at this point in time lacks only an interconnection to the CAISO to be constructed. Given PG&E's experience in transmission, it is our desire to work with your company to solve the interconnection issues that are keeping this major renewable resource from serving California's demand.

The attached project summary is not a formal offer to PG&E and should not be considered a proposal under the current RFO. Given the informational nature of this summary, many of the forms associated with a formal proposal are not submitted at this time.

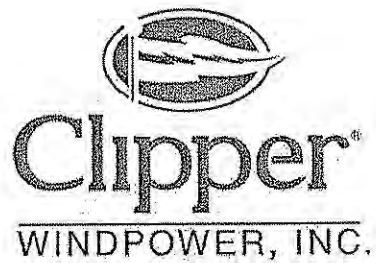
It is our hope that through the submission of this summary we can assist PG&E in planning for renewable energy procurement and to define a project pipeline. By sharing this information, Clipper also hopes to give PG&E more visibility on project development issues that affect PG&E's and California's ability to meet the ambitious renewable portfolio standard goals.

I look forward to discussing this and other projects under development at Clipper at your convenience.

Sincerely,

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG, Motivación:
Información confidencial, datos personales

Michael Rucker
Western Development Leader
Tel: (805) 576-1795
mrucker@clipperwind.com



Project Summary to

San Diego Gas and Electric

for

Rumorosa

300 MW

Wind Power Project

CONFIDENTIAL

September 1, 2006

Clipper Windpower Development Company, Inc.
6305 Carpinteria Ave., Suite 200
Carpinteria CA 93013

Se eliminan 12 páginas

Fundamento: Art.18 LFTAIPG y Art. 82 Ley de Propiedad Industrial. Motivación: Información confidencial sujeta a secreto industrial

Prepared for:
Rudy Rivas
Clipper Windpower, Inc.
25 August 2004

Rumorosa Transmission Study

Se eliminan 5 páginas

Fundamento: Art.18 LFTAIPG y Art. 82 Ley de Propiedad Industrial. Motivación: Información confidencial sujeta a secreto industrial



Office of the Governor

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Press Release

09/27/2006 GAAS:684:06 FOR IMMEDIATE RELEASE [Print Version](#)

Gov. Schwarzenegger Signs Landmark Legislation to Reduce Greenhouse Gas Emissions



PLAY VIDEO

Joined by national and international dignitaries who have been leaders in the fight against global climate change, Gov. Schwarzenegger signed AB 32 by Assembly Speaker Fabian Nunez (D-Los Angeles), California's landmark bill that establishes a first-in-the-world comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of greenhouse

gases.

"When I campaigned for governor three years ago, I said I wanted to make California No. 1 in the fight against global warming. This is something we owe our children and our grandchildren," said Gov. Schwarzenegger at signing ceremonies in San Francisco and Los Angeles.

"Some have challenged whether AB 32 is good for businesses. I say unquestionably it is good for businesses. Not only large, well-established businesses, but small businesses that will harness their entrepreneurial spirit to help us achieve our climate goals.

"Using market-based incentives, we will reduce carbon emissions to 1990 levels by the year 2020. That's a 25 percent reduction. And by 2050, we will reduce emissions to 80 percent below 1990 levels. We simply must do everything in our power to slow down global warming before it's too late."

REL



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that will ultimately reduce California's greenhouse gas emissions by 25 percent by 2020. Mandatory caps will begin in 2012 for significant sources and ratchet down to meet the 2020 goals.

In the interim, CARB will begin to measure the greenhouse gas emissions of the industries it determines as significant sources of greenhouse gas emissions. The bill also provides the Governor the ability to invoke a safety valve and suspend the emissions caps for up to one year in the case of an emergency or significant economic harm.

National and international luminaries joined the Governor to celebrate California's leadership in fighting climate change. At the San Francisco bill signing ceremony, British Prime Minister Tony Blair participated via satellite to congratulate California on its commitment to the environment.

In July, the Gov. Schwarzenegger signed a unique agreement with Prime Minister Blair to become partners and act aggressively to address climate change and promote energy diversity. The Governor was also joined at the San Francisco bill signing ceremony by New York Governor George Pataki, who has been extremely supportive of Gov. Schwarzenegger's environmental efforts at the state and national levels.

At the Los Angeles event, the Virgin Group's Sir Richard Branson joined Gov. Schwarzenegger via satellite to applaud the Governor for his leadership and discussed Branson's appeal to other airlines to take voluntary steps to reduce greenhouse gas.

Japanese Prime Minister Junichiro Koizumi, whom the Governor met with during his 2005 trade mission to Japan and who is a strong supporter of the Kyoto Protocol, sent a letter in support of the legislation.

"I would like to commend you, Gov. Schwarzenegger, and [the] people of California for taking a leadership role in protecting the earth's environment," wrote Prime Minister Koizumi. At the Prime Minister's request, the letter, attached, was read by the Japanese counsel general.

Specifically, AB 32, the California Global Warming Solutions Act of 2006, requires CARB to:

- Establish a statewide greenhouse gas emissions cap for 2020, based on 1990 emissions by January 1, 2008.

- Adopt mandatory reporting rules for significant sources of greenhouse gases by January 1, 2009.
- Adopt a plan by January 1, 2009 indicating how emission reductions will be achieved from significant greenhouse gas sources via regulations, market mechanisms and other actions.
- Adopt regulations by January 1, 2011 to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas, including provisions for using both market mechanisms and alternative compliance mechanisms.
- Convene an Environmental Justice Advisory Committee and an Economic and Technology Advancement Advisory Committee to advise CARB.
- Ensure public notice and opportunity for comment for all CARB actions.
- Prior to imposing any mandates or authorizing market mechanisms, CARB must evaluate several factors, including but not limited to impacts on California's economy, the environment and public health; equity between regulated entities; electricity reliability, conformance with other environmental laws and ensure that the rules do not disproportionately impact low-income communities.

Because of California's massive and growing economy, the state is the 12th largest emitter of carbon in the world despite leading the nation in energy efficiency standards and lead role in protecting its environment.

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Senate Bill No. 107

CHAPTER 464

An act to amend Sections 25620.1, 25740, 25741, 25742, 25743, 25746, and 25751 of, to add Sections 25470.5 and 25744.5 to, and to repeal Sections 25745 and 25749 of, the Public Resources Code, and to amend Sections 387, 399.11, 399.12, 399.13, 399.14, and 399.15 of, to add Article 9 (commencing with Section 635) to Chapter 3 of Part 1 of Division 1 of, to add and repeal Section 2854 of, and to repeal and add Section 399.16 of, the Public Utilities Code, relating to energy.

[Approved by Governor September 26, 2006. Filed with
Secretary of State September 26, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

SB 107, Simitian. Renewable energy: Public Interest Energy Research, Demonstration, and Development Program.

(1) Existing law expresses the intent of the Legislature, in establishing the Renewable Energy Resources Program, to increase the amount of renewable electricity generated per year, so that it equals at least 17% of the total electricity generated for consumption in California per year by 2006.

This bill would revise and recast that intent language so that the amount of electricity generated per year from eligible renewable energy resources is increased to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010. The bill would make conforming changes related to this provision.

(2) The Public Utilities Act imposes various duties and responsibilities on the California Public Utilities Commission (CPUC) with respect to the purchase of electricity and requires the CPUC to review and adopt a procurement plan and a renewable energy procurement plan for each electrical corporation pursuant to the California Renewables Portfolio Standard Program. The program requires that a retail seller of electricity, including electrical corporations, community choice aggregators, and electric service providers, but not including local publicly owned electric utilities, purchase a specified minimum percentage of electricity generated by eligible renewable energy resources, as defined, in any given year as a specified percentage of total kilowatthours sold to retail end-use customers each calendar year (renewables portfolio standard). The renewables portfolio standard requires each electrical corporation to increase its total procurement of eligible renewable energy resources by at least an additional 1% of retail sales per year so that 20% of its retail sales are procured from eligible renewable energy resources no later than December 31, 2017.

This bill would delete that provision within the act and would amend the definition of an "in-state renewable electricity generation facility" within related provisions prescribing duties of the Energy Commission to encompass certain facilities located outside the state.

(5) Under existing law, the governing board of a local publicly owned electric utility is responsible for implementing and enforcing a renewables portfolio standard that recognizes the intent of the Legislature to encourage renewable energy resources, while taking into consideration the effect of the standard on rates, reliability, and financial resources and the goal of environmental improvement. Existing law requires the governing board of a local publicly owned electric utility to annually report certain information relative to renewable energy resources to its customers.

This bill would additionally require that the governing board of a local publicly owned electric utility annually report the utility's status in implementing a renewables portfolio standard and progress toward attaining the standard to its customers and to report to the Energy Commission the information that the governing board is required to annually report to their customers. These additional reporting requirements would thereby impose a state-mandated local program.

(6) Under the Public Utilities Act, the CPUC requires electrical corporations to identify a separate rate component to fund programs that enhance system reliability and provide in-state benefits. This rate component is a nonbypassable element of local distribution and collected on the basis of usage. The funds are collected to support cost-effective energy efficiency and conservation activities, public interest research and development not adequately provided by competitive and regulated markets, and renewable energy resources (renewable energy public goods charge). Existing law requires the Energy Commission to transfer funds collected from the renewable energy public goods charge into the Renewable Resource Trust Fund and establishes certain accounts in the fund to carry out certain renewable energy purposes.

This bill would require the Energy Commission, in carrying out the renewable energy resources program, to optimize public investment and ensure that the most cost-effective and efficient investments in renewable energy resources are vigorously pursued with a long-term goal of achieving a fully competitive and self-sustaining supply of electricity generated from renewable sources. The bill would state that a near term objective of the program is to increase the quantity of electricity generated by in-state renewable electricity generation facilities, while protecting system reliability, fostering resource diversity, and obtaining the greatest environmental benefits for California residents with an additional objective to identify and support emerging renewable energy technologies that have the greatest near-term commercial promise and that merit targeted assistance. The bill would make legislative recommendations for allocations among specified renewable energy resources.

(7) Under existing law, 51.5% of the money collected as part of the renewable energy public goods charge is required to be used for programs

(10) Existing law establishes the Customer-Credit Renewable Resource Purchases Account in the Renewable Resource Trust Fund, requires that 10% of the money collected under the renewable energy public goods charge be deposited into the account and be used for credits to customers that entered into a direct transaction on or before September 20, 2001, for purchases of electricity produced by registered in-state renewable electricity generating facilities.

This bill would delete these provisions.

(11) Existing law requires the use of standard terms and conditions by all electrical corporations in contracting for eligible renewable energy resources.

This bill would require that those terms and conditions include the requirement that, no later than 6 months after the CPUC's approval of an electricity purchase agreement, the following information about the agreement be disclosed by the CPUC: party names, resource type, project location, and project capacity.

(12) This bill would require an electrical corporation or local publicly owned electric utility to adopt certain strategies in a long-term plan or a procurement plan, as applicable, to achieve efficiency in the use of fossil fuels and to address carbon emissions, as specified.

(13) This bill would delete certain obsolete and duplicative provisions and make technical and conforming changes.

(14) This bill would require the CPUC, in consultation with the Energy Commission, to review the impact of allowing supplemental energy payments to be applied toward contracts for the procurement of eligible renewable energy resources that are of a duration of less than 10 years, and, by June 30, 2007, to report to the Legislature with the results of the review, including certain matters. The bill would require the PUC to report to the Legislature, on or before January 1, 2008, on the feasibility, desirability, and design of performance-based incentives for solar energy systems of less than 30 kilowatts.

(15) Existing law establishes the Public Interest Research, Development, and Demonstration Fund in the State Treasury, and provides that the money collected by the public goods charge to support public interest research and development not adequately provided by competitive and regulated markets, be deposited in the fund for use by the Energy Commission to develop, implement, and administer the Public Interest Research, Development, and Demonstration Program to develop technologies which will improve environmental quality, enhance electrical system reliability, increase efficiency of energy-using technologies, lower electrical system costs, or provide other tangible benefits. The Energy Commission is required to adopt a portfolio approach for the program that accomplishes specified objectives.

This bill would state that the general goal of the program is to develop, and help bring to market, energy technologies that provide increased environmental benefits, greater system reliability, and lower system costs, and that provide tangible benefits to electrical utility customers through

(3) Advanced electricity generation technologies that exceed applicable standards to increase reductions in emissions of greenhouse gases from electricity generation, and that benefit electric utility customers.

(4) Advanced electricity technologies that reduce or eliminate consumption of water or other finite resources, increase use of renewable energy resources, or improve transmission or distribution of electricity generated from renewable energy resources.

(c) To achieve the goals established in subdivision (b), the commission shall adopt a portfolio approach for the program that does all of the following:

(1) Effectively balances the risks, benefits, and time horizons for various activities and investments that will provide tangible energy or environmental benefits for California electricity customers.

(2) Emphasizes innovative energy supply and end-use technologies, focusing on their reliability, affordability, and environmental attributes.

(3) Includes projects that have the potential to enhance transmission and distribution capabilities.

(4) Includes projects that have the potential to enhance the reliability, peaking power, and storage capabilities of renewable energy.

(5) Demonstrates a balance of benefits to all sectors that contribute to the funding under Section 399.8 of the Public Utilities Code.

(6) Addresses key technical and scientific barriers.

(7) Demonstrates a balance between short-term, mid-term, and long-term potential.

(8) Ensures that prior, current, and future research not be unnecessarily duplicated.

(9) Provides for the future market utilization of projects funded through the program.

(10) Ensures an open project selection process and encourages the awarding of research funding for a diverse type of research as well as a diverse award recipient base and equally considers research proposals from the public and private sectors.

(11) Coordinates with other related research programs.

(d) The term "award," as used in this chapter, may include, but is not limited to, contracts, grants, interagency agreements, loans, and other financial agreements designed to fund public interest research, demonstration, and development projects or programs.

SEC. 2. Section 25740 of the Public Resources Code is amended to read:

25740. It is the intent of the Legislature in establishing this program, to increase the amount of electricity generated from eligible renewable energy resources per year, so that it equals at least 20 percent of total retail sales of electricity in California per year by December 31, 2010.

SEC. 3. Section 25741 of the Public Resources Code is amended to read:

25741. As used in this chapter, the following terms have the following meaning:

paragraph (2) of subdivision (b) of Section 399.15 of the Public Utilities Code.

(3) For the purposes of this subdivision, “solid waste conversion” means a technology that uses a noncombustion thermal process to convert solid waste to a clean-burning fuel for the purpose of generating electricity, and that meets all of the following criteria:

(A) The technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control.

(B) The technology produces no discharges of air contaminants or emissions, including greenhouse gases as defined in Section 42801.1 of the Health and Safety Code.

(C) The technology produces no discharges to surface or groundwaters of the state.

(D) The technology produces no hazardous wastes.

(E) To the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream prior to the conversion process and the owner or operator of the facility certifies that those materials will be recycled or composted.

(F) The facility at which the technology is used is in compliance with all applicable laws, regulations, and ordinances.

(G) The technology meets any other conditions established by the commission.

(H) The facility certifies that any local agency sending solid waste to the facility diverted at least 30 percent of all solid waste it collects through solid waste reduction, recycling, and composting. For purposes of this paragraph, “local agency” means any city, county, or special district, or subdivision thereof, which is authorized to provide solid waste handling services.

(c) “Procurement entity” means any person or corporation that enters into an agreement with a retail seller to procure eligible renewable energy resources pursuant to subdivision (f) of Section 399.14 of the Public Utilities Code.

(d) “Renewable energy public goods charge” means that portion of the nonbypassable system benefits charge authorized to be collected and to be transferred to the Renewable Resource Trust Fund pursuant to the Reliable Electric Service Investments Act (Article 15 (commencing with Section 399) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code).

(e) “Report” means the report entitled “Investing in Renewable Electricity Generation in California” (June 2001, Publication Number P500-00-022) submitted to the Governor and the Legislature by the commission.

(f) “Retail seller” means a “retail seller” as defined in Section 399.12 of the Public Utilities Code.

SEC. 4. Section 25740.5 is added to the Public Resources Code, to read:

five-year average of the kilowatthours delivered for the corresponding time-of-delivery period and month, in the years 1994 to 1998, inclusive, and the ratio of installed capacity as of December 31 of the previous year, but not to exceed contract nameplate capacity, to the installed capacity as of December 31, 1998.

(iii) The production incentive is payable only with respect to the kilowatthours delivered in a particular month that exceeds the corresponding five-year average calculated pursuant to clause (ii).

(2) Rebates, buydowns, or equivalent incentives for emerging renewable technologies.

(3) Customer education.

(4) Incentives for reducing fuel costs, that are confirmed to the satisfaction of the commission, at solid fuel biomass energy facilities in order to provide demonstrable environmental and public benefits, including improved air quality.

(5) Solar thermal generating resources that enhance the environmental value or reliability of the electrical system and that require financial assistance to remain economically viable, as determined by the commission. The commission may require financial disclosure from applicants for purposes of this paragraph.

(6) Specified fuel cell technologies, if the commission makes all of the following findings:

(A) The specified technologies have similar or better air pollutant characteristics than renewable technologies in the report made pursuant to Section 25748.

(B) The specified technologies require financial assistance to become commercially viable by reference to wholesale generation prices.

(C) The specified technologies could contribute significantly to the infrastructure development or other innovation required to meet the long-term objective of a self-sustaining, competitive supply of electricity generated from renewable sources.

(7) Existing wind-generating resources, if the commission finds that the existing wind-generating resources are a cost-effective source of reliable energy and environmental benefits compared with other in-state renewable electricity generation facilities, and that the existing wind-generating resources require financial assistance to remain economically viable. The commission may require financial disclosure from applicants for the purposes of this paragraph.

(f) Notwithstanding any other provision of law, moneys collected for renewable energy pursuant to Article 15 (commencing with Section 399) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code shall be transferred to the Renewable Resource Trust Fund. Moneys collected between January 1, 2007, and January 1, 2012, shall be used for the purposes specified in this chapter.

SEC. 5. Section 25742 of the Public Resources Code is amended to read:

(4) The commission shall compile its findings and report them to the Legislature in the reports prepared pursuant to Section 25748.

SEC. 6. Section 25743 of the Public Resources Code is amended to read:

25743. (a) Fifty-one and one-half percent of the money collected pursuant to the renewable energy public goods charge shall be used for programs designed to foster the development of new in-state renewable electricity generation facilities, and to secure for the state the environmental, economic, and reliability benefits that operation of those facilities will provide.

(b) Any funds used for new in-state renewable electricity generation facilities pursuant to this section shall be expended in accordance with the report, subject to all of the following requirements:

(1) In order to cover the above market costs of eligible renewable energy resources as approved by the Public Utilities Commission and selected by retail sellers to fulfill their obligations under Article 16 (commencing with Section 399.11) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, the commission shall award funds in the form of supplemental energy payments, subject to the following criteria:

(A) The commission may establish caps on supplemental energy payments. The caps shall be designed to provide for a viable energy market capable of achieving the goals of Article 16 (commencing with Section 399.11) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code. The commission may waive application of the caps to accommodate a facility if it is demonstrated to the satisfaction of the commission that operation of the facility would provide substantial economic and environmental benefits to end-use customers subject to the renewable energy public goods charge.

(B) Supplemental energy payments shall be awarded only to facilities that are eligible for funding under this section.

(C) Supplemental energy payments awarded to facilities selected by a retail seller or procurement entity pursuant to Article 16 (commencing with Section 399.11) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code shall be paid for no longer than 10 years, but shall, subject to the payment caps in subparagraph (A), be equal to the cumulative above-market costs relative to the applicable market price referent at the time of initial contracting, over the duration of the contract with the retail seller or procurement entity.

(D) The commission shall reduce or terminate supplemental energy payments for projects that fail either to commence and maintain operations consistent with the contractual obligations to an electrical corporation, or that fail to meet eligibility requirements.

(E) Funds shall be managed in an equitable manner in order for retail sellers to meet their obligation under Article 16 (commencing with Section 399.11) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code.

(F) A project selected by an electrical corporation may receive supplemental energy payments only if it results from a competitive

facility is in compliance with Division 30 (commencing with Section 40000), has reduced, recycled, or composted solid waste to the maximum extent feasible, and shall have been found by the California Integrated Waste Management Board to have diverted at least 30 percent of all solid waste through source reduction, recycling, and composting.

(4) Eligibility to compete for funds or to receive funds shall be contingent upon having to sell the electricity generated by the renewable electricity generation facility to customers subject to the renewable energy public goods charge.

(5) The commission may require applicants competing for funding to post a forfeitable bid bond or other financial guaranty as an assurance of the applicant's intent to move forward expeditiously with the project proposed. The amount of any bid bond or financial guaranty may not exceed 10 percent of the total amount of the funding requested by the applicant.

(6) In awarding funding, the commission may provide preference to projects that provide tangible demonstrable benefits to communities with a plurality of minority or low-income populations.

(c) Repowered existing facilities shall be eligible for funding under this subdivision if the capital investment to repower the existing facility equals at least 80 percent of the value of the repowered facility.

(d) Facilities engaging in the direct combustion of municipal solid waste or tires are not eligible for funding under this subdivision.

(e) Production incentives awarded under this subdivision prior to January 1, 2002, shall commence on the date that a project begins electricity production, provided that the project was operational prior to January 1, 2002, unless the commission finds that the project will not be operational prior to January 1, 2002, due to circumstances beyond the control of the developer. Upon making a finding that the project will not be operational due to circumstances beyond the control of the developer, the commission shall pay production incentives over a five-year period, commencing on the date of operation, provided that the date that a project begins electricity production may not extend beyond January 1, 2007.

(f) Facilities generating electricity from biomass energy shall be considered an in-state renewable electricity generation facility to the extent that they report to the commission the types and quantities of biomass fuels used and certify to the satisfaction of the commission that fuel utilization is limited to the following:

(1) Agricultural crops and agricultural wastes and residues.

(2) Solid waste materials such as waste pallets, crates, dunnage, manufacturing, and construction wood wastes, landscape or right-of-way tree trimmings, mill residues that are directly the result of the milling of lumber, and rangeland maintenance residues.

(3) Wood and wood wastes that meet all of the following requirements:

(A) Have been harvested pursuant to an approved timber harvest plan prepared in accordance with the Z'berg-Nejedly Forest Practice Act of 1973 (Chapter 8 (commencing with Section 4511) of Part 2 of Division 4).

emerging renewable resource technologies, pursuant to Section 25740.5, shall be transmitted to the commission at least quarterly for deposit in the Renewable Resource Trust Fund pursuant to Section 399.6 of the Public Utilities Code. After setting aside in the fund money that may be needed for expenditures authorized by the annual Budget Act in accordance with subdivision (c), the Treasurer shall immediately deposit money received pursuant to this section into the accounts created pursuant to subdivision (b) in proportions designated by the commission for the current calendar year. Notwithstanding Section 13340 of the Government Code, the money in the fund and the accounts within the fund are hereby continuously appropriated to the commission without regard to fiscal year for the purposes enumerated in this chapter.

(e) Upon notification by the commission, the Controller shall pay all awards of the money in the accounts created pursuant to subdivision (b) for purposes enumerated in this chapter. The eligibility of each award shall be determined solely by the commission based on the procedures it adopts under this chapter. Based on the eligibility of each award, the commission shall also establish the need for a multiyear commitment to any particular award and so advise the Department of Finance. Eligible awards submitted by the commission to the Controller shall be accompanied by information specifying the account from which payment should be made and the amount of each payment; a summary description of how payment of the award furthers the purposes enumerated in this chapter; and an accounting of future costs associated with any award or group of awards known to the commission to represent a portion of a multiyear funding commitment.

(f) The commission may transfer funds between accounts for cashflow purposes, provided that the balance due each account is restored and the transfer does not adversely affect any of the accounts.

(g) The Department of Finance shall conduct an independent audit of the Renewable Resource Trust Fund and its related accounts annually, and provide an audit report to the Legislature not later than March 1 of each year for which this article is operative. The Department of Finance's report shall include information regarding revenues, payment of awards, reserves held for future commitments, unencumbered cash balances, and other matters that the Director of Finance determines may be of importance to the Legislature.

SEC. 12. Section 387 of the Public Utilities Code is amended to read:

387. (a) Each governing body of a local publicly owned electric utility, as defined in Section 9604, shall be responsible for implementing and enforcing a renewables portfolio standard that recognizes the intent of the Legislature to encourage renewable resources, while taking into consideration the effect of the standard on rates, reliability, and financial resources and the goal of environmental improvement.

(b) Each local publicly owned electric utility shall report, on an annual basis, to its customers and to the State Energy Resources Conservation and Development Commission, the following:

399.12. For purposes of this article, the following terms have the following meanings:

(a) “Delivered” and “delivery” have the same meaning as provided in subdivision (a) of Section 25741 of the Public Resources Code.

(b) “Eligible renewable energy resource” means an electric generating facility that meets the definition of “in-state renewable electricity generation facility” in Section 25741 of the Public Resources Code, subject to the following limitations:

(1) (A) An existing small hydroelectric generation facility of 30 megawatts or less shall be eligible only if a retail seller owned or procured the electricity from the facility as of December 31, 2005. A new hydroelectric facility is not an eligible renewable energy resource if it will require a new or increased appropriation or diversion of water from a watercourse.

(B) Notwithstanding subparagraph (A), an existing conduit hydroelectric facility, as defined by Section 823a of Title 16 of the United States Code, of 30 megawatts or less, shall be an eligible renewable energy resource. A new conduit hydroelectric facility, as defined by Section 823a of Title 16 of the United States Code, of 30 megawatts or less, shall be an eligible renewable energy resource so long as it does not require a new or increased appropriation or diversion of water from a watercourse.

(3) A facility engaged in the combustion of municipal solid waste shall not be considered an eligible renewable resource unless it is located in Stanislaus County and was operational prior to September 26, 1996.

(c) “Energy Commission” means the State Energy Resources Conservation and Development Commission.

(d) “Local publicly owned electric utility” has the same meaning as provided in subdivision (d) of Section 9604.

(e) “Procure” means that a retail seller receives delivered electricity generated by an eligible renewable energy resource that it owns or for which it has entered into an electricity purchase agreement. Nothing in this article is intended to imply that the purchase of electricity from third parties in a wholesale transaction is the preferred method of fulfilling a retail seller’s obligation to comply with this article.

(f) “Renewables portfolio standard” means the specified percentage of electricity generated by eligible renewable energy resources that a retail seller is required to procure pursuant to this article.

(g) (1) “Renewable energy credit” means a certificate of proof, issued through the accounting system established by the Energy Commission pursuant to Section 399.13, that one unit of electricity was generated and delivered by an eligible renewable energy resource.

(2) “Renewable energy credit” includes all renewable and environmental attributes associated with the production of electricity from the eligible renewable energy resource, except for an emissions reduction credit issued pursuant to Section 40709 of the Health and Safety Code and any credits or payments associated with the reduction of solid waste and treatment benefits created by the utilization of biomass or biogas fuels.

from the commission. The commission shall collect data from electrical corporations and remit the data to the Energy Commission within 90 days of the request.

(c) Establish a system for tracking and verifying renewable energy credits that, through the use of independently audited data, verifies the generation and delivery of electricity associated with each renewable energy credit and protects against multiple counting of the same renewable energy credit. The Energy Commission shall consult with other western states and with the Western Electricity Coordinating Council in the development of this system.

(d) Certify, for purposes of compliance with the renewable portfolio standard requirements by a retail seller, the eligibility of renewable energy credits associated with deliveries of electricity by an eligible renewable energy resource to a local publicly owned electric utility, if the Energy Commission determines that the following conditions have been satisfied:

(1) The local publicly owned electric utility that is procuring the electricity is in compliance with the requirements of Section 387.

(2) The local publicly owned electric utility has established an annual renewables portfolio standard target comparable to those applicable to an electrical corporation, is procuring sufficient eligible renewable energy resources to satisfy the targets, and will not fail to satisfy the targets in the event that the renewable energy credit is sold to another retail seller.

(e) Allocate and award supplemental energy payments pursuant to Chapter 8.6 (commencing with Section 25740) of Division 15 of the Public Resources Code, to eligible renewable energy resources to cover above-market costs of renewable energy. A project selected by an electrical corporation may receive supplemental energy payments only if it results from a competitive solicitation that is found by the commission to comply with the California Renewables Portfolio Standard Program under this article and the project has entered into an electricity purchase agreement resulting from that solicitation that is approved by the commission. A project selected for an electricity purchase agreement by another retail seller may receive supplemental energy payments only if the retail seller demonstrates to the commission that the selection of the project is consistent with the results of a least-cost and best-fit process, and that the supplemental energy payments are reasonable in comparison to those paid under similar contracts with other retail sellers.

SEC. 16. Section 399.14 of the Public Utilities Code is amended to read:

399.14. (a) (1) The commission shall direct each electrical corporation to prepare a renewable energy procurement plan that includes the matter in paragraph (3), to satisfy its obligations under the renewables portfolio standard. To the extent feasible, this procurement plan shall be proposed, reviewed, and adopted by the commission as part of, and pursuant to, a general procurement plan process. The commission shall require each electrical corporation to review and update its renewable energy procurement plan as it determines to be necessary.

resources with deliverability characteristics that may include peaking, dispatchable, baseload, firm, and as-available capacity.

(B) Provisions for employing available compliance flexibility mechanisms established by the commission.

(C) A bid solicitation setting forth the need for eligible renewable energy resources of each deliverability characteristic, required online dates, and locational preferences, if any.

(4) In soliciting and procuring eligible renewable energy resources, each electrical corporation shall offer contracts of no less than 10 years in duration, unless the commission approves of a contract of shorter duration.

(5) In soliciting and procuring eligible renewable energy resources, each electrical corporation may give preference to projects that provide tangible demonstrable benefits to communities with a plurality of minority or low-income populations.

(b) The commission may authorize a retail seller to enter into a contract of less than 10 years' duration with an eligible renewable energy resource, subject to the following conditions:

(1) No supplemental energy payments shall be awarded for a contract of less than 10 years' duration. The ineligibility of contracts of less than 10 years' duration for supplemental energy payments pursuant to this paragraph does not constitute an insufficiency in supplemental energy payments pursuant to paragraph (4) or (5) of subdivision (b) of Section 399.15.

(2) The commission has established, for each retail seller, minimum quantities of eligible renewable energy resources to be procured either through contracts of at least 10 years' duration or from new facilities commencing commercial operations on or after January 1, 2005.

(c) The commission shall review and accept, modify, or reject each electrical corporation's renewable energy procurement plan prior to the commencement of renewable procurement pursuant to this article by an electrical corporation.

(d) The commission shall review the results of an eligible renewable energy resources solicitation submitted for approval by an electrical corporation and accept or reject proposed contracts with eligible renewable energy resources based on consistency with the approved renewable energy procurement plan. If the commission determines that the bid prices are elevated due to a lack of effective competition amongst the bidders, the commission shall direct the electrical corporation to renegotiate the contracts or conduct a new solicitation.

(e) If an electrical corporation fails to comply with a commission order adopting a renewable energy procurement plan, the commission shall exercise its authority pursuant to Section 2113 to require compliance. The commission shall enforce comparable penalties on any other retail seller that fails to meet annual procurement targets established pursuant to Section 399.15.

(f) (1) The commission may authorize a procurement entity to enter into contracts on behalf of customers of a retail seller for deliveries of

to increase its procurement of renewable energy resources in the following year.

(2) For purposes of setting annual procurement targets, the commission shall establish an initial baseline for each retail seller based on the actual percentage of retail sales procured from eligible renewable energy resources in 2001, and to the extent applicable, adjusted going forward pursuant to Section 399.12.

(3) Only for purposes of establishing these targets, the commission shall include all electricity sold to retail customers by the Department of Water Resources pursuant to Section 80100 of the Water Code in the calculation of retail sales by an electrical corporation.

(4) In the event that a retail seller fails to procure sufficient eligible renewable energy resources in a given year to meet any annual target established pursuant to this subdivision, the retail seller shall procure additional eligible renewable energy resources in subsequent years to compensate for the shortfall if sufficient funds are made available pursuant to Section 399.6 and Chapter 8.6 (commencing with Section 25740) of Division 15 of the Public Resources Code, to cover any above-market costs of eligible renewable energy resources.

(5) If supplemental energy payments from the Energy Commission, in combination with the market prices approved by the commission, are insufficient to cover any above-market costs of electricity procured from eligible renewable energy resources through an electricity purchase agreement of at least 10 years' duration, the commission shall allow a retail seller to limit its annual procurement obligation to the quantity of eligible renewable energy resources that can be procured with available supplemental energy payments. A retail seller shall not be required to enter into long-term contracts with operators of eligible renewable energy resources that exceed the market prices established pursuant to subdivision (c).

(c) The commission shall establish a methodology to determine the market price of electricity for terms corresponding to the length of contracts with eligible renewable energy resources, in consideration of the following:

(1) The long-term market price of electricity for fixed price contracts, determined pursuant to an electrical corporation's general procurement activities as authorized by the commission.

(2) The long-term ownership, operating, and fixed-price fuel costs associated with fixed-price electricity from new generating facilities.

(3) The value of different products including baseload, peaking, and as-available electricity.

(d) The Energy Commission shall provide supplemental energy payments from funds in the New Renewable Resources Account of the Renewable Resource Trust Fund to eligible renewable energy resources pursuant to Chapter 8.6 (commencing with Section 25740) of Division 15 of the Public Resources Code, consistent with this article, for any above-market costs. Indirect costs associated with the purchase of eligible

2005, pursuant to the federal Public Utility Regulatory Policies Act of 1978 (16 U.S.C. Sec. 2601 et seq.). Deliveries under the electricity purchase contracts shall be tracked through the accounting system described in subdivision (b) of Section 399.12 and count towards the renewables portfolio standard obligations of the purchasing retail seller.

(7) The commission may limit the quantity of renewable energy credits that may be procured unbundled from electricity generation by any retail seller, to meet the requirements of this article.

(8) No retail seller shall be obligated to procure renewable energy credits to satisfy the requirements of this article in the event that supplemental energy payments, in combination with the market prices approved by the commission, are insufficient to cover the above-market costs of long-term contracts, of more than 10 years' duration, with eligible renewable energy resources.

(9) Any additional condition that the commission determines is reasonable.

(b) The commission shall allow an electrical corporation to recover the reasonable costs of purchasing renewable energy credits in rates.

SEC. 20. Article 9 (commencing with Section 635) is added to Chapter 3 of Part 1 of Division 1 of the Public Utilities Code, to read:

Article 9. Long-Term Plans and Procurement Plans

635. In a long-term plan adopted by an electrical corporation or in a procurement plan implemented by a local publicly owned electric utility, the electrical corporation or local publicly owned electric utility shall adopt a strategy applicable both to newly constructed or repowered generation owned and procured by the electrical corporation or local publicly owned electric utility to achieve efficiency in the use of fossil fuels and to address carbon emissions.

SEC. 21. Section 2854 is added to Chapter 9 of Part 2 of Division 1 of the Public Utilities Code, to read:

2854. (a) Notwithstanding Section 7550.5 of the Government Code, on or before January 1, 2008, the commission shall report to the Legislature on the feasibility, desirability, and design of performance-based incentives for solar energy systems of less than 30 kilowatt.

(b) This section shall remain in effect only until January 1, 2009, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2009, deletes or extends that date.

SEC. 22. By June 30, 2007, the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, shall review the impact of allowing supplemental energy payments to be applied toward contracts for the procurement of eligible renewable energy resources that are of a duration



*RENEWABLE
ENERGY
PROGRAM*

**CALIFORNIA
ENERGY
COMMISSION**

RENEWABLES PORTFOLIO STANDARD ELIGIBILITY GUIDEBOOK

APRIL 2006
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This guidebook was formally adopted by the Energy Commission on April 21, 2004, pursuant to Public Utilities Code Section (PUC) 383.5, Subdivision (h), and subsequently revised pursuant to this authority and Public Resources Code Section 25747, Subdivision (a), on May 19, 2004, August 11, 2004, May 21, 2005, and April 26, 2006 pursuant to PUC Section 383.5 Subdivision (h), paragraph (1) and Public Resources Code (PRC) Section 25747 Subdivision (a), which authorize the Energy Commission to adopt guidelines to govern its funding programs and portions of the Renewables Portfolio Standard under Senate Bill 1038 and Senate Bill 1078. These guidelines are exempt from the formal rulemaking requirements of the Administrative Procedures Act.

The requirements in this guidebook are based on applicable law, the *Renewables Portfolio Standard Decision on Phase 1 Implementation Issues* (publication number 500-03-023F), the *Renewables Portfolio Standard Decision on Phase 2 Implementation Issues* (publication number 500-03-049F), staff analysis, advice from the Energy Commission's technical support contractor, and public input.

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Introduction

On April 21, 2004, the California Energy Commission (Energy Commission) adopted this *Renewable Portfolio Standard Eligibility Guidebook (Guidebook)*, pursuant to Senate Bill 1038 (Sher) Chapter 515, Statutes of 2002, Senate Bill 1078 (Sher) Chapter 516, Statutes of 2002, Senate Bill 67 (Bowen), Chapter 731, Statutes of 2003, and Senate Bill 183 (Sher) Chapter 666, Statutes of 2003. The pertinent provisions of these laws are codified in Public Utilities Code Sections 381 and 399.11 through 399.16, and Public Resources Code (PRC) Sections 25740 through 25751.¹

This *Guidebook* describes the requirements and process for certifying eligible renewable energy resources for California's Renewables Portfolio Standard (RPS) and supplemental energy payments (SEP). This *Guidebook* also describes how the Energy Commission will track and verify compliance with the RPS using an interim generation tracking process.

This *Guidebook* establishes efficient and effective processes to encourage participation in California's RPS and assure program credibility to benefit stakeholders, regulators, and consumers. Although this *Guidebook* addresses the Energy Commission's role in implementing the RPS, the Energy Commission recognizes that the California Public Utilities Commission (CPUC) also has a key RPS implementation role.

SB 1078 establishes the RPS in California and sets a goal for California retail electric sellers to increase their sales of renewable electricity by at least 1 percent per year, until 20 percent of electricity retail sales will be served with renewable resources by 2017. Pursuant to the *Energy Action Plan*, *2003 Integrated Energy Policy Report*, the *2004 Integrated Energy Policy Report Update*, and the *2005 Integrated Energy Policy Report*, the state's energy agencies are working to accelerate the RPS to achieve the 20 percent target by 2010.

The law also establishes specific roles for the Energy Commission and the CPUC and directs the two agencies to work together to implement the RPS. Although the law assigns lead roles for specific implementation efforts to each agency, the roles of the two agencies are interrelated. The Energy Commission is responsible for certifying eligible renewable resources and tracking the procurement of such resources to ensure compliance with the RPS. The CPUC is responsible for establishing targets for the amount of eligible renewable resources the investor-owned utilities (IOUs) must procure to comply with the RPS and for verifying that the IOUs comply with the requirements.

In February 2003, the CPUC issued a ruling formalizing collaboration on RPS issues, and in March 2003 the Energy Commission adopted a reciprocal agreement. The Energy Commission subsequently developed this *Guidebook* collaboratively with the CPUC.

¹ The pertinent provisions of SB 1038 were formerly codified in Public Utilities Code sections 383.5 and 445, but are now codified in Public Resources Code sections 25740 through 25751 as a result of SB 183.

While this *Guidebook* reflects current requirements, the Energy Commission recognizes that it may need to periodically revise program guidelines to reflect market and regulatory developments as well as incorporate the lessons learned from experience implementing the RPS.

Related Reports

This *Guidebook* is one of several guidebooks the Energy Commission has adopted to implement and administer the various program elements of its Renewable Energy Program. The Energy Commission's *Overall Program Guidebook for the Renewable Energy Program (Overall Program Guidebook)* describes how the Renewable Energy Program will be administered and includes information on requirements that apply to all program elements. To qualify for certification as a renewable energy resource eligible for RPS and SEPs, an applicant must satisfy the requirements specified in this *Renewables Portfolio Standard Eligibility Guidebook* and the *Overall Program Guidebook*.

To receive SEPs, applicants must also satisfy the requirements specified in the Energy Commission's *New Renewable Facilities Program Guidebook*. Parties interested in receiving SEPs may refer to the *New Renewable Facilities Program Guidebook* for information on how to apply for and receive SEPs. Please note that the Energy Commission also provides production incentive payments to eligible existing renewable resources that are not eligible for SEPs but may be eligible for the RPS. For more information, refer to the *Existing Renewable Facilities Program Guidebook*.

For general information on the process of creating, appealing, and implementing RPS guidelines, please refer to the *Overall Program Guidebook*. Program guidebooks are available online at the Energy Commission's Web site at <www.energy.ca.gov>.

Outstanding Issues

This *Guidebook* addresses only RPS certification and verification requirements as they apply to Pacific Gas and Electric Company (PG&E), San Diego Gas and Electric Company (SDG&E), Southern California Edison Company (SCE), PacifiCorp and Sierra Pacific Power. It does not address these requirements as they apply to Electric Service Providers (ESPs) or Community Choice Aggregators (CCAs). The Energy Commission intends to collaborate with the CPUC to address RPS requirements for ESPs and CCAs.

There are several ongoing issues that could affect these guidelines. The Energy Commission will continue to address these issues collaboratively with the CPUC:

- Renewable Energy Credit/Certificate (REC) trading:

RECs generally represent the non-energy attributes associated with energy production. The CPUC adopted an initial definition for RECs as part of its decision outlining RPS standard contract terms and conditions. For more information, please refer to Decision 04-06-014, *Opinion Adopting Standard Contract Terms and Conditions*, dated June 9, 2004, Rulemaking 04-04-026. Consistent with CPUC Decision 03-06-071 (June 19, 2003), generation currently must be bundled with the associated RECs to qualify for the RPS. Any action by the Energy Commission and CPUC to allow RPS eligibility for RECs that are traded separately from energy would require further deliberations and public input.

RECs associated with electricity generation should be transferred to the utility when the utility procures the RECs and electricity. A REC procured by a utility and counted toward the utility's RPS obligation should be retired and not allowed to be resold.

- Determining how customer-side renewable distributed generation resources fit into the RPS:

The law includes solar energy as an eligible resource for the RPS, but several issues need to be clarified to determine how best to include distributed photovoltaic resources, as well as other forms of customer-side renewable distributed generation. This *Guidebook* describes these issues in the section on eligibility requirements.

- Defining fuel specific issues:

The Energy Commission anticipates that new issues may arise that will need to be addressed as implementation begins. The Energy Commission recognizes that some parties may be interested in using hydrogen fuel to generate electricity but recommends deferring the development of implementation guidelines for such facilities. The Energy Commission recommends, however, that only eligible RPS fuel stock may be used to produce hydrogen for use at an RPS-eligible facility.

- Hybrid technologies:

For new and repowered facilities not certified as Qualifying Small Power Production Facilities under the federal Public Utilities Regulatory Policies Act that operate on co-fired fuels or a mix of fuels that includes fossil fuel, the Energy Commission will allow the renewable portion of the electricity production to qualify for the RPS once an appropriate tracking system for such electricity production is developed. Facilities that were operational before 2002 or that were or will be developed and awarded power purchase contracts as result of an Interim RPS solicitation approved by the CPUC pursuant to Decision 02-08-071 and Decision 02-10-062 may use up to 25 percent fossil fuel annually (on a total energy input basis) and count all the electricity

generated as renewable. If a facility is a Qualifying Small Power Production Facility, then all of the electricity production can qualify for the RPS.

Guidebook Organization

This *Guidebook* is organized as follows:

1. Introduction
2. Eligibility Requirements
3. Certification Process
4. Generation Tracking System
5. Forms
6. List of Acronyms
7. Summary Table of Reporting Requirements

Section 2 covers eligibility requirements for generators interested in producing electricity that can be procured by retail sellers to comply with the RPS. For the purposes of this *Guidebook*, "retail sellers" refers to California's three largest IOUs, PG&E, SCE, and SDG&E, and to PacifiCorp and Sierra Pacific Power (electrical corporations with 60,000 or fewer customer accounts in California that also serve retail end-use customers outside California pursuant to Public Utilities Code 399.17). These particular retail sellers are also referred to as "electrical corporations" as defined in the glossary in the *Overall Program Guidebook*.

Section 2 also addresses eligibility requirements for generators interested in producing electricity that can be procured to comply with the RPS and that is eligible to receive SEPs.

Section 3 discusses the Energy Commission's certification process, including the following:

- Pre-certification application process for developers of renewable facilities that are not yet online but who are seeking a preliminary determination that their facility will be eligible for the RPS or SEPs.
- Certification application process for generators with renewable facilities that are online who are interested in serving energy to meet an RPS obligation or to serve energy that is eligible for SEPs.
- Registration application process for facilities whose owners are interested in registering with the Energy Commission that they are a renewable generator but are not eligible for the RPS or for SEPs.

Section 4 discusses the data submission requirements for a generation tracking system that will be used to verify retail sellers' compliance with the RPS and to verify that generation is counted only once in California or any other state.

Eligibility Requirements

This section describes eligibility requirements for the RPS, for SEPs, and for out-of-state facilities that seek RPS or SEP eligibility. In general, a facility is eligible if it uses an eligible renewable resource or fuel, satisfies resource-specific criteria, and is either located within the state or satisfies applicable requirements for out-of-state facilities. If a retail seller owns a renewable facility, the facility may be RPS-eligible, but is not eligible for SEPs.

RPS Targets

The CPUC sets annual procurement targets (APTs) for the amount of RPS-eligible energy each retail seller must procure. Public Utilities Code Section 399.15 (b)(1) requires the retail sellers to annually increase their renewable procurement by at least 1 percent of retail sales per year to serve 20 percent of their retail sales with RPS-eligible energy. The CPUC sets an "incremental procurement target" (IPT) for this 1 percent or greater annual increase and sets the APT for total annual RPS-eligible procurement needed to meet the 20 percent goal. Procurement eligible towards the APT includes "baseline" procurement and "incremental" procurement as defined by the CPUC.²

When a retail seller procures energy and the associated RECs from a facility that is eligible for the RPS (or eligible for the RPS and SEPs), then the procurement may count towards the retail seller's APT, assuming the transaction meets applicable delivery requirements and other eligibility criteria. The Energy Commission verifies RPS procurement, and the CPUC determines whether or not a retail seller is in compliance with its procurement targets, consistent with CPUC rules for flexible compliance.³

In accounting for RPS-eligible procurement, it is necessary to categorize specific purchases as incremental procurement or baseline procurement as discussed in the section on *Generation Tracking System*. To determine if procurement is baseline or may qualify towards the IPT depends on statutory restrictions and implementation of CPUC compliance rules.

1. Static information: The characteristics of the renewable energy facility determine if it may be accounted for as incremental procurement or if it is restricted to baseline and adjusting the baseline. The following resources are restricted by statute to count only towards baseline or adjusting the baseline; generation cannot count towards the incremental procurement target:
 - a) Geothermal facilities that began commercial operations before September 26, 1996.

² The CPUC is refining its definitions and compliance rules through Rulemaking 06-02-012 and 04-06-026 and its successor.

³ Public Utilities Code section 399.14 (a)(2)(C).

- b) Small hydroelectric facilities that began commercial operations before September 12, 2002 and were owned, or whose generation was procured, by a utility as of this date.
 - c) Eligible municipal solid waste combustion facilities located in Stanislaus County that began commercial operations before September 26, 1996.
2. Dynamic information: The amount of time the retail seller has been procuring energy from the RPS-eligible facility may be the determining factor in accounting for procurement as baseline or incremental, as defined by CPUC compliance rules.

The Energy Commission's RPS certification identifies if a facility is RPS-eligible, or RPS and SEP-eligible. In the event that the generation from a facility is statutorily restricted to baseline, the Energy Commission will note this on the facility's RPS-certification notice.

Eligibility for the Renewables Portfolio Standard

The Energy Commission has determined that it is appropriate to define eligible renewable energy resources by renewable resource or fuel rather than by the specific technology used. For certain eligible renewable energy resources, however, the law contains specific requirements, and the Energy Commission must consider both the resource or fuel and the technology to determine RPS eligibility.

To qualify as eligible for California's RPS, a generation facility must use one or more of the following renewable resources or fuels (see the *Overall Program Guidebook* for full definitions):

- Biomass
- Biodiesel
- Fuel cells using renewable fuels
- Digester gas
- Geothermal
- Landfill gas
- Municipal solid waste
- Ocean wave, ocean thermal, and tidal current
- Photovoltaic
- Small hydroelectric (30 megawatts or less)
- Solar thermal
- Wind

Table 1 on the following page summarizes the requirements for a facility to qualify for the RPS and be eligible for SEPs. The table does not reflect any additional requirements that may apply to facilities located out-of-state.

Table 1: Renewables Portfolio Standard Eligibility Requirements for Renewable Electricity Facilities

Resource Used		RPS Eligibility	RPS and SEP Eligibility
Biomass	Yes		Yes, if New or Repowered <u>AND IF</u> it meets fuel use specifications. See notes below. ^{1,2,3}
Biodiesel	Yes, subject to RESTRICTION ⁴		Yes, if New or Repowered
Digester Gas	Yes		Yes, if New or Repowered
Fuel Cells	Yes, if a renewable fuel is used.		Yes, if New or Repowered
Geothermal	Yes, RESTRICTED to adjusting the baseline if the facility was originally operating before September 26, 1996.		Yes, if New or Repowered
Incremental Geothermal	Yes, regardless of original operation date, if certified as Incremental Geothermal Generation. ⁵		Yes, if New or Repowered
Hydroelectric	Yes, RESTRICTED to facilities 30 MW or less. RESTRICTED if it was owned by an IOU as of September 12, 2002, or if the generation was procured by an IOU as of September 12, 2002, then the generation may be counted only towards adjusting an IOUs RPS baseline. Facilities originally operational AFTER September 12, 2002 must meet SEP requirements.		Yes, if 30 MW or less, New or Repowered <u>AND IF</u> it does NOT require a new or increased appropriation or diversion of water.
Landfill Gas	Yes		Yes, if New or Repowered
MSW Combustion	Yes, but generation from MSW combustion is RESTRICTED to adjusting the baseline AND is only eligible IF the electric generation facility is located wholly within Stanislaus County and began operating before September 26, 1996.		Combusted MSW is NOT SEP eligible.
MSW Conversion	Yes, if it meets SEP requirements.		Yes, if New or Repowered AND IF it meets the definition "solid waste conversion." ⁶
Photovoltaic	Yes ⁷		Yes, if New or Repowered
Solar Thermal	Yes		Yes, if New or Repowered
Tidal Current	Yes		Yes, if New or Repowered
Ocean Wave	Yes		Yes, if New or Repowered
Ocean Thermal	Yes		Yes, if New or Repowered
Wind	Yes		Yes, if New or Repowered

Notes to Table 1

- ¹ **New:** Resources that first begin commercial operation or are repowered on or after January 1, 2002, and meet the other eligibility requirements of Public Resources Code Section 25743, including Subdivision (f), are eligible for SEPs.
- ² **Repowered:** Repowered generators will be eligible for SEPs if they replace their prime generating equipment and use tax records, or an acceptable alternative, to demonstrate that they have made capital investments in the facility equal to "at least 80 percent of the value of the repowered facility," as required by Public Resources Code Section 25743, Subdivision (c). For generators with existing long-term contracts originally entered into before September 26, 1996, only generation above and beyond what is already under contract, as determined in accordance with Public Utilities Code Section 399.6, Subdivision (c), paragraph (1)(C), may compete to satisfy the RPS obligation of a retail seller and be eligible for SEPs.
- ³ **New or Repowered Biomass:** New or repowered biomass facilities seeking SEP eligibility must certify to the satisfaction of the Energy Commission that fuel utilization is limited to the following pursuant to Public Resources Code Section 25743, Subdivision (f):
 - (A) Agricultural crops and agricultural wastes and residues.
 - (B) Solid waste materials such as waste pallets, crates, dunnage, manufacturing, and construction wood wastes, landscape or right-of-way tree trimmings, mill residues that are directly the result of the milling of lumber, and rangeland maintenance residues.
 - (C) Wood and wood wastes that meet all of the following requirements:
 - (i) Have been harvested pursuant to an approved timber harvest plan prepared in accordance with the Z'berg-Nejedly Forest Practice Act of 1973, Chapter 8 (commencing with Section 4511 of Part 2 of Division 4 of the Public Resources Code).
 - (ii) Have been harvested for the purpose of forest fire fuel reduction or forest stand improvement.
 - (iii) Do not transport or cause the transportation of species known to harbor insect or disease nests outside zones of infestation or current quarantine zones, as identified by the Department of Food and Agriculture or the Department of Forestry and Fire Protection, unless approved by those agencies.
- ⁴ **Biodiesel:** Electricity produced from biodiesel is eligible for the RPS IF the biodiesel is derived either from 1) a biomass feedstock such as "agricultural crops and agricultural wastes and residues" or as a result of an eligible "solid waste conversion" process (see Municipal Solid Waste Conversion) and 2) if it meets the requirements for hybrid technologies, as appropriate. Electricity generated from biodiesel derived from biomass fuel or as a result of a solid waste conversion process may also qualify for SEPs if the SEP requirements for biomass or solid waste conversion are satisfied.
- ⁵ **Incremental Geothermal:** Incremental Geothermal Generation is defined as resulting from eligible capital expenditures that reflect:
 - 1) a substantial capital project, resulting in replacement of generating equipment or increase in steam converted to generation at a facility;
 - 2) a sustainable impact on the underlying reservoir use; that is, a project does not cause an increase in the decline rate of the reservoir; and
 - 3) a capital project completion date after September 26, 1996;
 - 4) AND IF the incremental output was not sold to a retail seller under contract entered into prior to September 26, 1996.
- ⁶ **Municipal Solid Waste Conversion:** A technology using a noncombustion thermal process to convert solid waste to a clean burning fuel for the purpose of generating electricity that meets all of the following criteria:
 - (i) The technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control.
 - (ii) The technology produces no discharges of air contaminants or emissions, including greenhouse gases as defined in Section 42801.1 of the Health and Safety Code.
 - (iii) The technology produces no discharges to surface or groundwaters of the state.
 - (iv) The technology produces no hazardous wastes.
 - (v) To the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream before the conversion process, and the owner or operator of the facility certifies that those materials will be recycled or composted.
 - (vi) The facility at which the technology is used complies with all applicable laws, regulations, and ordinances.
 - (vii) The technology meets any other conditions established by the Energy Commission.
 - (viii) The facility certifies that any local agency sending solid waste to the facility diverted at least 30 percent of all solid waste it collects through solid waste reduction, recycling and composting. To qualify for SEPs, the facility must certify that any local agency sending solid waste to the facility is in compliance with Division 30 of the Public Resources Code (commencing with Section 40000), and has reduced, recycled, or composted solid waste to the maximum extent feasible, and shall have been found by the California Integrated Waste Management Board to have diverted at least 30 percent of all solid waste through source reduction, recycling, and composting.
- ⁷ **Photovoltaic:** The CPUC is currently deliberating how to achieve the RPS eligibility of distributed generation, particularly solar.

Please note that, in some cases, the criteria for RPS-eligibility depends on the date that commercial operations commence. If a facility shuts down and later recommences operations, it is subject to the eligibility requirements that apply to the original operation date. If a facility is repowered as provided in this *Guidebook*, its commercial operation date corresponds to its repowering date, and the facility may then qualify for SEPs.

Facilities using biomass, municipal solid waste, geothermal, hydropower, or biodiesel are subject to the additional resource or fuel-specific requirements described below. Also addressed below are requirements for photovoltaic facilities, as well as those for hybrid facilities that use a mix of fuels, including those that operate in part by using fossil fuels.

Resource or Fuel-Specific Eligibility Requirements

The following requirements apply to generators seeking RPS certification or RPS and SEP certification for a facility that operates on biodiesel, biomass, geothermal or incremental geothermal, hydropower, municipal solid waste (MSW), photovoltaics, or a mix of fuels in a "hybrid technology."

Biodiesel: The electricity produced from combusting biodiesel is eligible for the RPS to the extent that the biodiesel is derived from the following:

1. A biomass feedstock such as "agricultural crops and agricultural wastes and residues," consistent with the requirements for hybrid technologies (refer to the guidelines for biomass eligibility and for hybrid technologies below), or
2. An eligible "solid waste conversion" process using MSW (refer to the MSW eligibility guidelines below), consistent with applicable requirements for hybrid technologies.

In addition, the facility must be located in California or satisfy the out-of-state eligibility requirements discussed later in this *Guidebook*.

Biomass: The eligibility requirements for biomass facilities vary depending on the date the facility first commences "commercial operation" as defined in the *Overall Program Guidebook*.

Pre-January 1, 2002: The generation from a biomass facility that commenced commercial operations prior to January 1, 2002, is eligible for the California RPS if the facility is located in-state or satisfies the out-of-state eligibility requirements.

Post-January 1, 2002: The generation from a biomass facility that commences commercial operations or is repowered on or after January 1, 2002, is eligible for the RPS to the extent that the facility is located in-state or satisfies the out-of-state eligibility requirements. The generation is eligible for SEPs if the facility operator certifies to the satisfaction of the Energy Commission that the fuel used is limited to the following:

1. Agricultural crops and agricultural wastes and residues.
2. Solid waste materials such as waste pallets, crates, dunnage, manufacturing, and construction wood wastes, landscape or right-of-way tree trimmings, mill residues that are directly the result of the milling of lumber, and rangeland maintenance residues.
3. Wood and wood wastes that meet all of the following requirements:
 - a. Have been harvested pursuant to an approved timber harvest plan prepared in accordance with the Z'berg-Nejedly Forest Practice Act of 1973 (Chapter 8 (commencing with Section 4511) of Part 2 of Division 4 of the Public Resources Code).
 - b. Have been harvested for the purpose of forest fire fuel reduction or forest stand improvement.
 - c. Do not transport or cause the transportation of species known to harbor insect or disease nests outside zones of infestation or current quarantine zones, as identified by the Department of Food and Agriculture or the Department of Forestry and Fire Protection, unless approved by these agencies.

When applying for pre-certification or certification, biomass facility operators that are repowering or commencing commercial operations on or after January 1, 2002, and are seeking SEP eligibility must state their intent in writing to (1) procure biomass fuel supplies that meet the applicable statutory requirements noted above, and (2) comply with annual reporting requirements. After receiving certification and commencing commercial operations, facility operators must submit an annual written attestation from the facility's fuel supplier(s) stating that the biomass fuel delivered to the facility meets the applicable statutory requirements.

This annual attestation must be submitted regardless of whether the facility operator intends to compete for SEPs. The attestation is due to the Energy Commission on February 15th of each year and should apply to fuel use for the previous calendar year. Biomass facility operators must also provide documentation upon request by the Energy Commission to verify ongoing compliance with these requirements between reporting dates.

Additional information is required annually for biomass facility operators receiving SEPs; that information is discussed in the *New Renewable Facilities Program Guidebook*.

Geothermal: The RPS eligibility of geothermal facilities varies depending on the date the facility first commences commercial operations.

- Pre-September 26, 1996: Generation from geothermal facilities that began commercial operations before September 26, 1996, is eligible for the RPS only to

establish or adjust a retail seller's baseline of eligible renewable energy resources. The facility must also be located in-state or satisfy the out-of-state requirements. Generation from these facilities is not eligible for SEPs.

- September 26, 1996, to January 1, 2002: Generation from geothermal facilities that began commercial operations on or after September 26, 1996, and before January 1, 2002, is eligible for the RPS. The facility must also be located in-state or satisfy the out-of-state requirements. Generation from these facilities is not eligible for SEPs.
- Post-January 1, 2002: Generation from geothermal facilities that commence commercial operations or are repowered on or after January 1, 2002, is eligible for the RPS provided the facility is located in-state or satisfies the out-of-state requirements. Generation from these facilities is also eligible for SEPs provided it meets the eligibility requirements described in the *New Renewable Facilities Guidebook*.

Incremental Geothermal: Incremental generation from geothermal facilities is eligible for the RPS but is limited to generation resulting from eligible capital expenditures as described below. Incremental geothermal generation is eligible for SEPs to the extent that the generation meets the criteria for "new" or "repowered" in-state renewable electricity generation technology facilities described in SB 1038.

To be considered an "eligible capital expenditure," the expenditure must meet the following criteria:

1. is a substantial capital project that results in replaced generating equipment or increased steam converted to generation.
2. does not cause an increase in the decline rate of the reservoir.
3. is a capital project completed after September 26, 1996.

Examples of eligible capital expenditures at a facility are repowering or refurbishing generation equipment, or using the geothermal energy more effectively to increase generation, such as adding a binary bottoming cycle. An example of an eligible capital expenditure at a steamfield is increasing production from the steamfield through increased water injection.

Small Hydroelectric: The RPS eligibility of small hydroelectric facilities varies depending on the date the facility first commences commercial operations and whether the facility is owned, or its generation is procured by, an IOU.

- Pre-September 12, 2002: Except as noted, generation from a small hydroelectric facility that commenced commercial operations before September 12, 2002, is eligible for the RPS if the facility meets all of the following criteria:

1. The facility is 30 MW or less.
 2. The facility is located in-state or satisfies the out-of-state requirements.
 3. The facility was not owned by an IOU as of September 12, 2002, and its generation was not procured by an IOU as of September 12, 2002.
 4. If the facility was owned by an IOU as of September 12, 2002, or its generation procured by an IOU as of September 12, 2002, its generation is eligible only for purposes of establishing or adjusting an IOU's RPS baseline. The facility's generation may not be used for meeting an IOU's incremental procurement target.
- Post-September 12, 2002: Generation from a small hydroelectric facility that commences commercial operations or is repowered on or after September 12, 2002, and is 30 MW or less is eligible for the California RPS and SEPs if the facility meets all of the following criteria:
 1. The facility is 30 MW or less.
 2. The facility is located in-state or satisfies the out-of-state requirements.
 3. The facility does not require a new or increased appropriation or diversion of water. For purposes of this limitation, the terms "appropriation" and "diversion" shall be defined as follows:

"Appropriation" shall be defined in a manner consistent with Water Code Section 1201 to mean the right to use a specified quantity of water from any surface streams or other surface bodies of water or from any subterranean streams flowing through known and definite channels.

"Diversion" shall be defined in a manner consistent with Water Code Section 5100(b) to mean the taking of water by gravity or pumping from a surface stream or subterranean stream flowing through a known and definite channel, or other body of surface water, into a canal, pipeline, or other conduit, and includes impoundment of water in a reservoir.

Hydroelectric Facilities Located within California

A new or repowered small hydroelectric facility located within California is NOT eligible for the RPS or RPS and SEPs if it requires any of the following:

1. A new or revised permit from the State Water Resources Control Board (SWRCB) for a new appropriation of water.

2. A new permit or license from the SWRCB for a new diversion of water.
3. An increase in the volume or rate of water diverted if the increase would require a new permit or license from the SWRCB.
4. An increase in the volume or rate of water diverted under an existing right, even if such an increase would not require a water right permit or license from the SWRCB.

If a new or repowered small hydroelectric project can demonstrate that it could operate without a new or increased appropriation or diversion of water, it may be eligible for the RPS and SEPs. For example, a small hydro facility that can operate by simply adding hydroelectric power generation as an authorized purpose of use to its existing SWRCB permit or license may be eligible for the RPS and SEPs if this change in use does not require a new appropriation or does not increase the volume or rate of water diverted beyond that which is allowed under that permit or license. Similarly, a water development project that has been granted a permit by the SWRCB but has not been built out and issued a license by the SWRCB may be able to use additional water as authorized under the permit to create electric energy so long as there is no change in water use relative to what the permittee would have used under the approved project.

A new or repowered small hydroelectric project located in California can qualify for the RPS and SEPs if it meets the following criteria:

1. The applicant has a permit or license to appropriate water from the SWRCB, which was issued on or before September 12, 2002.
2. The applicant can operate its proposed project under its existing SWRCB permit or license.

Hydroelectric Facilities Located Outside California

A new or repowered small hydroelectric facility located outside California is NOT eligible for the RPS or RPS and SEPs if it requires any of the following:

1. A new permit or license from any government body for a new appropriation of water.
2. A new permit or license from any government body for a new diversion of water.
3. An increase in the volume or rate of water diverted under an existing right, even if such an increase would not require a new permit or license from any government body.

If a new or repowered small hydroelectric project located outside California can demonstrate that it could operate without a new or increased appropriation or diversion of water, it may be eligible for the RPS and SEPs. For example, a small hydro facility that can operate by simply adding hydroelectric power generation as an authorized

purpose of use to its existing government permit or license may be eligible for the RPS and SEPs if this change in use does not require a new appropriation or increased diversion and does not change the volume or rate of water withdrawn or released under that permit or license. A project located outside California would likely qualify for the RPS and SEPs if it meets the following criteria, as well as the out-of-state eligibility criteria specified earlier in this guidebook:

1. The applicant has a permit or license to appropriate water from the applicable governing body, which was issued on or before September 12, 2002.
2. The applicant can operate its proposed project under its existing government-issued permit or license.

The applicant is responsible for showing that its project qualifies for the RPS. Information required for small hydropower applicants is discussed in the section on certification.

The Energy Commission interprets the 30-MW size limit to apply to the total hydro project. Consequently, the facility must not exceed 30MW, including any incremental increases to the efficiency or size of the facility. For example, a 5-MW incremental addition to a 50-MW facility would not qualify for the RPS because the facility exceeds the 30-MW size limit.

Municipal Solid Waste: Applicants representing facilities using MSW fall into two categories:

1. **Combustion Facilities:** A facility that directly combusts MSW to produce electricity is only eligible for the RPS if it is located in Stanislaus County and was operational before September 26, 1996. Applicants for combustion facilities must submit documentation to the Energy Commission demonstrating that the facilities meet these requirements. The generation from such facilities is eligible for the RPS only to establish or adjust an IOU's baseline quantity of eligible renewable energy resources. Generation from these facilities does not qualify for SEPs.
2. **Solid Waste Conversion Facilities:** A facility that uses a non-combustion thermal process to convert MSW to a clean burning fuel that is then used to generate electricity is eligible for the RPS and may qualify for SEPs if it qualifies as new or repowered and is located in-state or satisfies the out-of-state requirements. Such facilities must meet all of the following criteria in accordance with Public Resources Code Section 25741(a)(3):
 - a. The technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control.

- b. The technology produces no discharges of air contaminants or emissions, including greenhouse gases as defined in Section 42801.1 of the Health and Safety Code.
- c. The technology produces no discharges to surface or groundwaters of the state.
- d. The technology produces no hazardous wastes.
- e. To the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream before the conversion process, and the owner or operator of the facility certifies that those materials will be recycled or composted.
- f. The facility at which the technology is used complies with all applicable laws, regulations, and ordinances.
- g. The technology meets any other conditions established by the State Energy Resources Conservation and Development Commission (formal name of the Energy Commission).
- h. The facility certifies that any local agency sending solid waste to the facility diverted at least 30 percent of all solid waste it collects through solid waste reduction, recycling, and composting. To qualify for SEPs, the facility must certify that any local agency sending solid waste to the facility is in compliance with Division 30 of the Public Resources Code (commencing with Section 40000), has reduced, recycled, or composted solid waste to the maximum extent feasible, and shall have been found by the California Integrated Waste Management Board to have diverted at least 30 percent of all solid waste through source reduction, recycling, and composting.

Solar Energy and Distributed Generation: Generation from facilities using solar energy is eligible for the RPS. Both central station and distributed generation facilities are eligible, but the Energy Commission has not yet determined how to include distributed generation into RPS compliance or guidelines.

Solar thermal electric central station facilities delivering electricity to the grid are relatively straightforward to integrate into RPS implementation because the generation can be readily measured and procured towards meeting RPS requirements. It is possible that a photovoltaic (PV) central station facility could also produce electricity that is eligible for the RPS with standard metering employed for central station facilities.

Distributed generation PV facilities and other distributed renewable energy technologies, however, have qualities that make them more difficult than central station facilities to integrate into RPS implementation. For example, distributed PV facilities are typically small-scale applications designed to meet on-site energy demands. In addition, generation from distributed generation PV may be metered differently than central

station facilities or not metered at all. Also, as described in the *New Renewable Facilities Program Guidebook*, on-site generation is not eligible for SEPs.

Both the Energy Commission and the CPUC have roles in determining RPS implementation for distributed generation. However, the Energy Commission is deferring any decisions on how to integrate distributed generation PV and other forms of customer-sited renewable energy into the RPS until the CPUC has further addressed RPS implementation issues for distributed generation.

In May 2005, the CPUC issued the *Opinion Clarifying Participation of Renewable Distributed Generation in the Renewable Portfolio Standards Program* to clarify participation of renewable distributed generation in the RPS (Decision 05-05-011, Rulemaking 04-04-026). Among other things, the CPUC ruled that RECs from eligible renewable distributed generation facilities installed after October 24, 2002, may qualify for the RPS. However, the CPUC stated that renewable distributed generation facilities cannot be counted for the RPS until issues surrounding measurement, metering, and how to account for subsidies distributed generation may receive elsewhere (such as rebates from the Energy Commission's Emerging Renewables Program) are resolved. The CPUC referred the outstanding issues to its distributed generation Rulemaking (R. 04-03-017).

Hybrid Systems: In the past, the Energy Commission's Renewable Energy Program (REP) provided that renewable facilities using fossil fuels were eligible for funding as long as the percentage of fossil fuel used did not exceed 25 percent of the total energy input of the facility during a given calendar year. As long as a facility did not use more than 25 percent fossil fuel for its total generation, including the portion produced with fossil fuels then it was considered eligible for funding by the Energy Commission. The Energy Commission will provide the same treatment under the RPS for existing facilities that originally commenced commercial operations prior to January 1, 2002, and have not been repowered.

Further, any facility that is developed and awarded a power purchase contract as a result of an Interim RPS procurement solicitation approved by the CPUC pursuant to Decision 02-08-071 and Decision 02-10-062 may use up to 25 percent fossil fuel in its facility and count 100 percent of the electricity generated as RPS-eligible (assuming the electricity meets all other eligibility requirements).

The Energy Commission will allow two alternatives for eligibility of new and repowered facilities that operate on co-fired fuels or a mix of fuels that includes fossil fuel:

1. If the facility is certified as a Qualifying Small Power Production Facility (QF) under the federal Public Utilities Regulatory Policies Act (PURPA), then 100 percent of the electricity production from the facility may count as renewable provided the facility satisfies the fossil fuel use limitations specified in PURPA and the facility otherwise satisfies the applicable California RPS standards.

2. If the facility is NOT certified as a QF, then only the renewable portion of the electricity production can qualify for the RPS, and then only once an appropriate tracking system for such electricity production is developed.

Before new or repowered non-QF hybrid facilities can be certified as RPS eligible, the Energy Commission will need to develop a methodology as part of the tracking system to measure the renewable fraction of generation. This methodology could be based on the total heat input of the fuel, for example. As part of their application for certification from the Energy Commission, parties interested in certifying such facilities are invited to propose an appropriate tracking methodology for their facility.

Pumped storage hydro may qualify for the RPS to the extent that: 1) the facility meets the eligibility requirements for small hydro, and 2) the electricity used to pump the water qualifies as RPS-eligible. The amount of energy that may qualify for the RPS is the amount of electricity dispatched from the system.

The Energy Commission clarifies that pumped storage facilities qualify for the RPS on the basis of the renewable electricity used for pumping, and that electricity storage facilities will not be certified for the RPS as distinct or separate renewable facilities. A facility certified as RPS eligible may include an electricity storage device if it does not conflict with other RPS eligibility criteria, but the storage unit itself will not be separately certified.

Eligibility for Supplemental Energy Payments

A facility that is eligible for the RPS may also be eligible for SEPs. To qualify as eligible for SEPs, a facility must meet the RPS eligibility requirements above, as well as the additional requirements below.

1. The facility is either:
 - a. "new," meaning the facility first commences commercial operations on or after January 1, 2002, with the commercial operation date used to designate a facility as "new" to be periodically updated by the Energy Commission, or
 - b. "repowered," such that the prime generating equipment of the facility is replaced and the applicant demonstrates that the capital investments equal "at least 80 percent of the value of the repowered facility," as required by Public Resources Code Section 25743 (c). A facility qualifies as "repowered" only if it re-enters commercial operations on or after the commercial operations date that distinguishes "new" facilities. Only investments made in the two years prior to re-entering commercial operations qualify toward the 80 percent investment threshold. More information about the requirements to qualify as a repowered facility is provided in the section on certification.

2. A small hydroelectric facility may qualify for SEPs if it commences commercial operations or is repowered on or after September 12, 2002.
3. If a facility has an existing long-term contract with a retail seller originally entered into before September 24, 1996, then only incremental new or repowered generation that is above and beyond what is already under contract, as determined in accordance with Public Utilities Code Section 399.6 (c)(1)(C), may qualify for SEPs.

For information about applying for and receiving SEPs, please refer to the *New Renewables Facilities Program Guidebook*.

Eligibility of Out-of-State Facilities

This section applies to renewable facilities that are located out-of-state and have their first point of interconnection to the Western Electricity Coordinating Council (WECC) transmission system outside the state, as defined in the *Overall Program Guidebook*. Facilities that have their first point of interconnection to the WECC transmission system within the state are considered to be in-state facilities and are not subject to the requirements of this section for purposes of RPS or SEP eligibility. Out-of-state facilities that are not or will not be interconnected to the WECC transmission system are not eligible for the RPS.

Generation from renewable facilities located out-of-state is potentially eligible for both the RPS and SEPs. To qualify only for the RPS, generation from an out-of-state facility must meet the RPS eligibility requirements described above and must satisfy all of the following criteria. Note that the criteria below do not apply to electric corporations that serve retail end-use customers outside California and have 60,000 or fewer customer accounts in California pursuant to Public Utilities Code Section 399.17, as enacted by Assembly Bill 200 (Leslie) AB 200, Chapter 50, Statutes of 2005. AB 200 modified the definition of eligible renewable resources to include out-of-state facilities for certain electric corporations, such as PacifiCorp and Sierra Pacific Power, which serve customers both in and outside California.

For PG&E, SCE and SDG&E, electricity procured from a facility located out-of-state must meet the following criteria to be eligible for the RPS.

1. The generation must be from a facility that:
 - a) Is located so that it is or will be connected to the WECC transmission system.
 - b) Has a guaranteed contract to sell its generation to a retail seller or the California Independent System Operator (CA ISO).
 - c) Demonstrates delivery of its generation to an in-state market hub or in-state substation located within the CA ISO control area of the WECC transmission

system (or located anywhere in California if applicable CPUC rules allow delivery outside CA ISO).

- d) Satisfies the "Delivery Requirements" set forth below.
- e) Participates in an RPS tracking and verification system approved by the Energy Commission.

To qualify for both the RPS and SEPs, generation from an out-of-state facility must meet the RPS eligibility requirements described above and must satisfy all of the following criteria:

2. The generation must be from a facility that:

- a) Is located so that it is or will be connected to the WECC transmission system.
- b) Is developed with guaranteed contracts to sell its power to end-users subject to the funding requirements of Public Utilities Code Section 381 (end-use customers of PG&E, SCE, and SDG&E) during the period in which it receives SEPs.
- c) Demonstrates delivery of its generation to an in-state market hub or in-state substation located within the CA ISO control area of the WECC transmission system (or located anywhere in California if applicable CPUC rules allow delivery outside CA ISO).
- d) Does not cause or contribute to any violation of a California environmental quality standard or requirement.
- e) If located outside the United States, is developed and operated in a manner that is as protective of the environment as a similar facility located in California.
- f) Participates in an RPS tracking and verification system approved by the Energy Commission.
- g) Satisfies the "Delivery Requirements" set forth below.

For retail sellers that serve end-use customers outside California and have 60,000 or fewer customer accounts in California pursuant to Public Utilities Code Section 399.17, such as PacifiCorp and Sierra Pacific Power, electricity procured from a facility located out-of-state must meet the following criteria to be eligible for the RPS.

- a) The generation must be procured by the retail seller on behalf of its California customers and is not used to fulfill its renewable energy procurement requirements in other states.

- b) The facility and retail seller must participate in an RPS tracking and verification system approved by the Energy Commission.

Generation procured by retail sellers pursuant to Public Utilities Code Section 399.17 is not eligible for SEPs.

Delivery Requirements

To count generation from out-of-state facilities for purposes of RPS compliance, it must be delivered to an in-state market hub (also referred to as "zone") or in-state substation (also referred to as "node") located within the CA ISO control area of the WECC transmission system (or located anywhere in California if applicable CPUC rules allow delivery outside CA ISO). The retail seller and Seller may negotiate which party is responsible for securing transmission at any point along the delivery path as long as the energy is delivered into the CA ISO (or delivered into California if applicable CPUC rules allow delivery outside CA ISO). The delivery must be made consistent with North American Electricity Reliability Council (NERC) rules and documented with a NERC tag as described below.

The following deliverability requirements were developed in consultation with the CA ISO. These requirements must be satisfied for an out-of-state facility to qualify for the RPS or SEPs (with the exception noted above for retail sellers pursuant to Public Utilities Code Section 399.17). The delivery requirements do not apply to facilities located outside of California whose first point of interconnection to the WECC transmission system is located in California.

1. The facility must either (a) engage in an interchange transaction with the CA ISO to deliver the facility's generation to the market hub or substation in the CA ISO control area or (b) engage in an interchange transaction with another control area operator to deliver the facility's generation to an in-state location that satisfies applicable CPUC rules for delivery location. In accordance with the policies of the NERC, the interchange transaction must be tagged as what is commonly referred to as a "NERC tag," which requires, among other things, that information be provided identifying the Generation Providing Entity, the "Source" or the "Point of Receipt", the physical transmission path for delivery showing intermediary "Points of Delivery", the contract or market path, the final Point of Delivery or load center, known as the "sink", and the Load Serving Entity responsible for the consumption of electricity delivered.
2. The owner of the eligible facility shall register the facility as a unique Source with NERC. This Source shall be used on NERC transaction tags for all eligible energy deliveries.

3. The facility must provide the Energy Commission with its NERC identification (Source point name)⁴ when it applies for RPS certification.
4. The facility must submit for and receive acceptance of a NERC tag between the CA ISO and the operator of the control area in which the facility is located.
5. The applicable parties (the Generation Providing Entity and Load Service Entities) must agree to make available upon request documentation of the NERC tag to the Energy Commission. On May 1 of each year, the retail seller must submit an annual report documenting compliance with this NERC tag requirement for the previous calendar year to the Energy Commission.
6. The facility, or the retail seller on the facility's behalf, must submit verification of its generation to the Energy Commission annually until the long-term tracking system is in place. Please refer to the section on the generation tracking system. The Energy Commission will use these data to verify the actual generation of power that was scheduled for delivery via NERC tags.

Certification Process

This section covers pre-certification and certification of renewable facilities eligible only for the RPS, eligible for both the RPS and SEPs, and for registration as renewable only (not RPS eligible). This section also describes required supplemental information for renewable facilities using technologies that must meet special eligibility requirements.

Electricity generation from a facility cannot be counted towards meeting a retail seller's RPS procurement requirement until the Energy Commission certifies the facility as a Renewable Supplier Eligible for the RPS or as a Renewable Supplier Eligible for the RPS and SEPs. Any facility operator interested in entering into a contract through an RPS solicitation to generate electricity that will count toward a retail seller's RPS obligation must certify the facility with the Energy Commission.

Procurement in 2001 and 2002 may count toward a retail seller's RPS obligation even though facilities were not RPS certified at the time of procurement. The electricity will not be considered eligible, however, and will not be counted toward meeting an RPS obligation until the facility is certified by the Energy Commission as being eligible for the RPS. This applies to all facilities regardless of whether they previously registered with the Energy Commission's Renewable Energy Program.

In applying for certification, the facility operator, or the IOU on the operator's behalf, agrees to participate in the Energy Commission's generation tracking system. For more

⁴ The NERC identification is the Source point name, an alpha-numeric code the generator uses to identify itself when it registers with the Transmission Services Information Network (TSIN). Registration with TSIN is mandatory for participation in the NERC tagging system.

information about the tracking system, please refer to the section of this guidebook titled "Generation Tracking System."

The generation from facilities certified as eligible for the RPS may be claimed by the procuring retail seller for purposes of establishing the retail seller's baseline, adjusting its baseline, or meeting its annual procurement requirements, depending on the eligibility requirements established in this *Guidebook*. The generation from facilities certified as eligible for the RPS and SEPs may qualify for SEP funding under the Energy Commission's New Renewable Facilities Program. To receive SEPs, eligible facilities must satisfy the requirements specified in the Energy Commission's *New Renewable Facilities Program Guidebook*.

Applying for Certification and Pre-Certification

Facilities seeking certification as eligible for the RPS or RPS and SEPs consistent with the eligibility requirements noted above must submit a completed application, along with any necessary supporting documentation, to the Energy Commission at the address shown on the form. An application may be submitted for a facility by the facility operator (CEC-RPS-1A) or by the procuring retail seller on the operator's behalf (CEC-RPS-2) for facilities under contract with the retail seller prior to April 21, 2004, the initial adoption date of this *Guidebook*.

Except for CPUC-ordered extensions to existing QF power purchase contracts, retail seller certification on the operator's behalf becomes void in the event that the facility's contract with the retail seller expires, or is voluntarily extended, or is otherwise renegotiated by the retail seller and the facility operator. Once the contract expires or is voluntarily renegotiated, the facility operator must apply for certification from the Energy Commission on its own behalf, and the retail seller may not recertify the facility on the operator's behalf. For CPUC-ordered extensions, retail seller certification may continue until the extension expires.

The Energy Commission will review the application to determine eligibility as a Renewable Supplier Eligible for the RPS or as a Renewable Supplier Eligible for the RPS and SEPs and will notify applicants once a determination of eligibility is made. Facilities that are certified by a retail seller will only be granted certification for the generation procured under contract by that retail seller. The facility operator must separately certify any facility capacity that is not subject to the retail seller's procurement contract but is procured to satisfy the RPS targets of another retail seller.

Provisional or "pre" certification as an eligible renewable resource is available for applicants whose facilities are not yet online or do not have a contract in place to sell their generation to a retail seller at the time of application. Applicants seeking pre-certification must complete CEC-RPS-1B. The information submitted by these applicants will be subject to further verification once the pre-certified facility comes online or secures a contract with a retail seller. Applicants must indicate their desire to be pre-certified on their completed CEC-RPS-1B form and must submit all required

supplemental information, as described below, to the extent available. If the required supplemental information is not available at the time of pre-certification application because of the facility's stage of development or contract negotiations, the applicant must explain this in its application and identify the missing information and the dates when this information is expected to be available. Facilities that are pre-certified must submit a complete and updated certification application (CEC-RPS-1A) with all required supplemental information and be certified as RPS or RPS and SEP eligible before any of its generation may be counted toward satisfying a retail seller's RPS procurement requirements.

The Energy Commission will make every effort to notify applicants of their facility's eligibility status as soon as possible. For facilities that are not required to submit supplemental information as described below, the Energy Commission expects to review and process applications for certification and pre-certification within ten business days of their receipt, unless questions or concerns arise regarding the applications. If questions arise, the applicant will be contacted and may be asked to submit additional information. The Energy Commission recognizes that it may receive a large volume of applications at the onset of this program and that the 10-day goal may not be met.

The Energy Commission will notify applicants in writing of its determination on the application for certification. If the application for certification or pre-certification is approved, the Energy Commission will issue a certificate stating that the facility is certified or pre-certified as eligible for the RPS, or eligible for the RPS and SEPs, as appropriate. The certificate will list the Energy Commission-issued certification number for the facility as well as the size, fuel type and percentage of annual fossil fuel usage (if any), name, location, and owner/operator of the facility. The certificate will also indicate whether the facility was certified by the facility owner/operator or a retail seller on the owner/operator's behalf.

In addition, the certificate will identify any limits on certification or pre-certification. For example, a certificate issued for a facility that has been certified by a retail seller will indicate certification by the retail seller, rather than the facility operator, and will limit certification to the generation procured under contract by the retail seller. A certificate issued for a facility that produces (or will produce) electricity that is eligible only for RPS baseline or baseline adjustment will indicate certification for this purpose only. A certificate issued for a facility that has certified a portion of its capacity as incremental geothermal, and the remainder as geothermal, will identify the amount of capacity that falls into each category.

The Energy Commission encourages local publicly owned electric utilities to meet their RPS obligations through procurement from RPS-certified facilities. However, to become RPS-certified an out-of-state facility must have a guaranteed contract to sell its generation to a retail seller or the CA ISO. By statute, the definition of a "retailer seller" excludes local publicly owned electric utilities. Consequently, an out-of-state facility selling its generation exclusively to a local publicly owned electric utility is not RPS-eligible and may not apply for RPS certification, but may apply for pre-certification. If the

Energy Commission determines that an out-of-state facility is eligible for pre-certification and is otherwise eligible for certification except that it does not have a guaranteed contract with a retail seller or the CA ISO, then it will note this determination in the pre-certification notification upon request by the applicant.

For applicants that must submit supplemental information, such as small hydroelectric, incremental geothermal, MSW/solid waste conversion, out-of-state, or repowered facilities, the Energy Commission must conduct an extensive review of the supplemental data. Review of these applications will require a minimum of 30 days from when the Energy Commission receives a complete application. The 30-day clock starts on the date a complete application is date-stamped by the Energy Commission as received. After completing its review, the Energy Commission will either notify the applicant of its proposed determination, or will request additional information from the applicant.

Applicants that disagree with the Energy Commission's determination on certification or pre-certification applications may petition the Renewables Committee and the Energy Commission for reconsideration as described in the *Overall Program Guidebook*. As described in the *Overall Program Guidebook*, the Energy Commission expects to issue decisions on petitions for reconsideration within 45 days of receipt of a complete petition. The 45-day clock starts on the date a complete petition is date-stamped by the Energy Commission as received.

Certification and pre-certification must be renewed every two years to confirm that all certified renewable energy resources remain eligible for the RPS. This provision also applies to facilities certified by a retail seller. All facilities certified in year 2004 will be subject to recertification in January 2007, with facilities certified in year 2005 recertifying in January 2008, and so on. In addition, if a certified or pre-certified facility does not respond to the Energy Commission's request for an information update in a timely manner, it will risk losing its certification status.

The Energy Commission will post information on its Web site listing those facilities that are certified or pre-certified as eligible for the RPS or for the SEPs. Any changes in a facility's certification status will also be posted on the Energy Commission's Web site.

Consistent with the *Overall Program Guidebook*, the Energy Commission may conduct periodic or random reviews to verify records submitted for certification or pre-certification as a Renewable Supplier eligible for the RPS or for the RPS and SEPs. Further, the Energy Commission may conduct on-site audits and facility inspections to verify compliance with the requirements for certification or pre-certification. The Energy Commission may request additional information it deems necessary to monitor compliance with the certification requirements specified in this *Guidebook*.

To the extent that a retail seller applies for certification on a facility's behalf, the retail seller must secure and have available for inspection records to verify the application for certification or pre-certification. In addition, the retail seller must possess documents to

verify a facility's compliance with the requirements of certification and pre-certification. These documents must be available to the Energy Commission upon request for auditing purposes.

Amending Certification and Pre-Certification

Representatives of certified and pre-certified facilities must notify the Energy Commission promptly of any changes in information previously submitted in an application for certification or pre-certification. A facility failing to do so risks losing its certification status. Any changes to a certification or pre-certification application should be reported on an amended CEC-RPS-1 form (CEC-RPS-1A to amend certification and CEC-RPS-1B to amend pre-certification). For example, if a facility's annual fossil fuel use changes from the percentage identified in its previous application for certification, the facility must submit an amended application. The Energy Commission will review the amended application and notify the applicant of any modifications to their certification status.

Also, any changes to the status of a facility's certification will be posted on the Energy Commission's Web site and any affected retail seller contracting with that facility will be promptly notified.

Supplemental Information

The following supplemental instructions apply to applications for biomass, small hydroelectric, incremental geothermal, and MSW/solid waste conversion facilities. Supplemental instructions are also included for applicants seeking certification or pre-certification of repowered facilities and facilities located outside California. The information described below must be submitted as an attachment to the applicant's completed CEC-RPS-1A or CEC-RPS-1B form.

Supplemental Instructions for Biomass Facilities

Applicants for certification or pre-certification of biomass facilities that commenced commercial operations on or after January 1, 2002, must submit an attestation attached to the applicant's completed CEC-RPS-1A or CEC-RPS-1B that they comply or will comply, in the case of pre-certification, with the biomass fuel requirements described above.

Additionally, Public Resources Code 25748 requires the Energy Commission to "...identify the types and quantities of biomass fuels used by facilities receiving funds pursuant to [Public Resources Code] Section 25743 and their impacts on improving air quality." To meet this requirement, biomass facility operators receiving SEPs must submit an annual report to the Energy Commission describing fuel use as follows: tons of biomass by type of biomass, the air district from which the biomass originated if the fuel may have been open-field burned had it not been used for electricity production, and an attestation from the fuel supplier(s) that the biomass fuel continues to meet the

RPS eligibility standards. The report is due to the Energy Commission on February 15th of each year to report on the biomass supply consumed in the previous calendar year.

Supplemental Instructions for Small Hydropower Facilities

To demonstrate that a hydropower facility built or repowered on or after September 12, 2002, is eligible for the RPS and SEPs, the applicant must provide the following water-use data and documentation attached to its completed CEC-RPS-1A (for certification) or CEC-RPS-1B (for pre-certification) form to substantiate its self-certification. These requirements apply to facilities located within California as well as those located out-of-state. Applicants possessing a permit or license from the State Water Resources Control Board (SWRCB) – or from another governing body, if located out-of-state – must submit a copy of the permit or license as well as the application for the permit or license.

1. Name of the Facility
2. Ownership of the Facility
3. Source Water Description

The application must identify the source of the water for the small hydro project. The source must be characterized as surface, groundwater, or other (for example, recycled water). For surface water sources, a map at a scale of 1:24,000 must be provided. The map should also identify the location of the diversion point and all other facilities. In addition, a written description of the location of the diversion should be provided (county and nearest city) as well as the name of the body of water at the point of diversion. For groundwater, the location of the well(s) and conveyance facilities shall be identified on a map of 1:24,000 scale. The applicant must also specify how much water is used for each of the identified beneficial uses.

4. Water Rights

Both in-state and out-of-state applicants must clearly establish their right to divert water by submitting all necessary information as well as all appropriate licenses or permits. Within California, this information must establish the applicant's legal right to appropriate or divert water and identify the permitted volume and rate of water diversions, the place of diversion, and beneficial uses. This may be achieved through submittal of the appropriate SWRCB appropriation permit or license. Out-of-state facilities must provide similar documentation of an existing water right for the water diversion of the project.

5. Hydrologic Data

The applicant must submit appropriation and/or diversion data for the last five years, or for the period of operation if the project has been operating less than five years.

Information contained in any legally required reports may be used to meet this requirement if sufficient information is included in the report. For other projects, the hydrologic data submitted must be accompanied by a description of how the data is collected. Flow data shall be provided at the frequency set forth in the applicable water appropriation permit; for example, if the permit specifies minimum and maximum flows on a monthly basis that is the level of information necessary to be submitted.

6. Other Permits

The applicant must submit all other applicable permits, including those permits and exemptions issued by the Federal Energy Regulatory Commission.

7. Environmental Documentation

The applicant must submit copies of any permits, agreements, contracts, or other requirements affecting the operation of the facility, especially those that affect the volume and rate of flows.

8. Capacity

The applicant must demonstrate how the project will comply with the size limitations under the RPS. For repowering projects, the applicant must describe how capacity will be increased without an increase in the appropriation and/or diversion of water or in the change in the volume or rate of flows.

Supplemental Instructions for Incremental Geothermal Facilities

Applicants must provide the following information attached to the completed CEC-RPS-1A or CEC-RPS-1B form when applying for certification or pre-certification as an incremental geothermal facility. The following information must be presented for individual facilities and may not be aggregated for the entire steam field.

1. Evidence that the incremental generation from the facility resulted or will result from an eligible capital expenditure in a project completed after September 26, 1996. The capital investment must be in new or replaced capacity or steam production and must exclude monies that would have been spent on operation and maintenance in the normal course of doing business.
2. The expected production increase for each year in megawatt hours resulting from each capital improvement for as long as the increased production is expected to last.
3. All of the capital investments that pertain to each facility along with a brief description of each investment. The brief description must include the relationship

between the capital investment and the production increase from the facility, including a discussion of the nature of the capital investments and how they resulted in the incremental generation.

4. A graph and table for each facility that shows the historical generation for each facility in megawatt hours. The graph and table should include a forecast of future generation from each facility based on the capital investments along with a forecast of generation without the capital investments. This information should provide the Energy Commission with an estimate of future increased production based on the capital improvements.
5. A discussion of how and why capital improvements are assigned to a particular generating facility.
6. A discussion of the sustainability of increased production from the facility. The discussion should show how the capital investment is consistent with, and protective of, the long-term preservation of the geothermal resource and also demonstrate that increased production from the facility in the short-term is not overdrawing the resource and leading to overall diminished production in the long-term.
7. A discussion of the methodology used by the applicant to estimate, forecast, and measure increased generation from each capital improvement.

In substantiating a claim of incremental geothermal production, the burden of proof will be on the applicant for the geothermal facility to submit compelling evidence demonstrating the effect that capital expenditures have had on production. As applicable, applicants also have the responsibility of properly allocating any increase among different generating facilities in the same steamfield.

In addition, all data submitted to substantiate a claim are expected to be public, although the Energy Commission is interested only in data with a direct bearing on the claim. For example, although information on capital investments and the resulting production increases is expected to be submitted publicly, the Energy Commission has no interest in any proprietary underlying economic analyses that may have led to the decision to make such investment.

Supplemental Instructions for Municipal Solid Waste Conversion Facilities

Applicants for certification or pre-certification of solid waste conversion facilities must provide copies of permits issued by the California Integrated Waste Management Board (CIWMB) attached to the completed CEC-RPS-1A or CEC-RPS-1B form to verify compliance with the requirements specified above. The Energy Commission will verify compliance in consultation with the CIWMB and based on CIWMB's proposed regulations for solid waste conversion technologies as set forth in Title 14, California Code of Regulations, Division 7, Chapter 3, Article 6.0, commencing with Section 17400. These regulations are being adopted pursuant to Assembly Bill 2770 (Mathews,

Chapter 704, Statutes of 2002), which establishes requirements for solid waste conversion technologies that mirror the requirements for these technologies found in Public Resources Code Section 25741(a)(3). The proposed regulations are part of CIWMB's Transfer/Processing Operations and Facilities Regulatory Requirements and will require facilities using solid waste conversion technologies to obtain a Conversion Technology Facility Permit. Pending the adoption of the proposed regulations, the CIWMB may permit facilities using solid waste conversion technologies on a case-by-case basis pursuant to its existing regulations for the Transfer/Processing Operations and Facilities Regulatory Requirements.

To become certified as a renewable energy resource eligible for RPS (and SEPs), an applicant for a solid waste conversion facility must submit to the Energy Commission a copy of its Conversion Technology Facility Permit approved by the CIWMB. In the event that CIWMB's regulations for solid waste conversion technologies are not adopted at the time the facility seeks RPS certification, the facility must request and obtain from CIWMB a Solid Waste Facility Permit under CIWMB's existing regulations for the Transfer/Processing Operations and Facilities Regulatory Requirements. The Energy Commission will confirm that the permit is approved, active, and applicable to the facility seeking RPS certification. These permits must demonstrate the following:

1. The facility is using only a "gasification" conversion technology, as defined in Public Resources Code Section 40117.
2. The facility accepts and processes "solid waste" as defined in Public Resources Code Section 40191 and is not limited to receiving and processing "source separated" waste as defined in Title 14, California Code of Regulations, Section 17402.5(b)(4).
3. The facility processes solid waste from which, to the maximum extent feasible, all recyclable materials and marketable green waste compostable materials have been removed prior to the solid waste conversion process.

In addition, an applicant must certify to the Energy Commission the following:

1. All recyclable materials and marketable green waste compostable materials that have been removed from solid waste delivered to the facility are recycled or composted.
2. Any local agency sending solid waste to the facility diverted at least 30 percent of all solid waste it collects through solid waste reduction, recycling, and composting. For purposes of this certification, "local agency" means any city, county, or special district, or subdivision thereof, that is authorized to provide solid waste handling services.

To become pre-certified as RPS and SEP eligible, the applicant must submit to the Energy Commission the information required to receive a Conversion Technology

Facility Permit from CIWMB. In the event CIWMB's regulations for solid waste conversion technologies have not been adopted at that time, then the applicant must submit to the Energy Commission the information required to receive a Solid Waste Facility Permit. This information is identified in Title 14, California Code of Regulations, Sections 18221.5 and 18221.6. The Energy Commission will review this information in consultation with the CIWMB to determine if the information is complete and satisfies the requirements specified in Public Resources Code Section 25741(a)(3).

If a pre-certified applicant does not obtain a Conversion Technology Facility Permit from CIWMB by the time the project commences commercial operation, or if it is denied approval for a permit, the Energy Commission will revoke the applicant's pre-certification.

Supplemental Instructions for Out-of-State Facilities

Out-of-state facilities seeking certification as RPS-eligible must provide their NERC identification (the Source point name) and the control area to which the facility is connected in a completed CEC-RPS-1 form. The NERC identification and control area is required to receive certification that a facility located outside California is eligible for California's RPS. This requirement does not apply, however, to a facility that is: 1) exclusively serving retail sellers subject to Public Utilities Code Section 399.17, or 2) seeking pre-certification and is not yet on-line.

Out-of-state facilities seeking certification as eligible for RPS and SEPs must submit the following additional information with a completed CEC-RPS-1 form.

1. Impact on California Environmental Quality Standards: The applicant must provide
 - a) a comprehensive list and description of all California environmental quality laws, ordinances, regulations, and standards (collectively referred to as "LORS") that may be directly or indirectly impacted by the facility's development or operation, and b) an assessment as to whether the facility's development or operation will cause or contribute to a violation of any of these LORS.

At a minimum, the LORS described shall address the following environmental areas consistent with Appendix B, Section (g), of the Energy Commission's regulations for power plant certification, Title 20, California Code of Regulations, Sections 1701, et seq:

- Cultural Resources
- Land Use
- Traffic and Transportation
- Visual Resources
- Socioeconomics
- Air Quality
- Public Health
- Hazardous Materials Handling

- Workers' Safety
- Waste Management
- Biological Resources
- Water Resources
- Agriculture and Soil
- Paleontologic Resources
- Geological Hazards and Resources
- Transmission System Safety and Nuisance

The applicable LORS for a given facility will vary depending on the facility's location, since the LORS across California vary. For example, the air quality standards in Southern California may differ from the air quality standards in Northern California.

2. Out-of-Country Facilities: In addition to the above information, an applicant for a facility located outside the United States must provide all of the following:
 - a. A comprehensive list and description of all California environmental quality LORS that would apply to the facility if the facility were located within California.
 - b. An assessment as to whether the facility's development or operation will cause or contribute to a violation of any of these LORS.
 - c. An explanation as to how the facility's developer and/or operator will meet these LORS in developing or operating the facility, including whether the developer and/or operator will secure and put in place mitigation measures to ensure that these LORS are complied with.

Supplemental Instructions for Repowered Facilities

To apply for certification or pre-certification as a repowered facility, an applicant must submit a completed CEC-RPS-1A or CEC-RPS-1B form, along with documentation confirming the replacement of the facility's prime generating equipment and the capital investments made to repower the facility as well as the value of those investments.

1. Prime Generating Equipment: The applicant must document that the facility's prime generating equipment is new and that the repowered facility re-entered commercial operations on or after January 1, 2002.
 - The "prime generating equipment" for each renewable resource is defined as follows:
 - Wind: the entire wind turbine, including the generator, gearbox (if any), nacelle, and blades.
 - Biomass: the entire boiler. Stoker boilers may be replaced with boilers using improved stoker technology or fluidized bed technology.

- Geothermal: the entire steam generator, including the turbine rotors, shaft, stationary blades, and any gear assemblies.
 - Small hydroelectric: the entire turbine and structures supporting the turbine.
 - Solid waste conversion: the entire gasifier (gasifying equipment) and combustion turbine.
 - Landfill gas: the entire internal combustion engine or combustion turbine as applicable.
 - Digester gas: the entire digester unit and internal combustion engine or combustion turbine as applicable.
 - Solar thermal: the entire steam turbine.
- All prime generating equipment at the facility must be replaced with new equipment for the facility to qualify as a repowered facility. For example, a 25-MW wind facility consisting of 50 separate wind turbines must at a minimum replace each of the 50 wind turbines with new turbines of like or greater capacity for the entire 25-MW facility to qualify as a repowered facility. The Energy Commission recognizes that a wind facility owner may want or need to repower only a portion of the turbines owned at a site and does not exclude that option. In the event that a generator is interested in repowering a portion of a site, then it will need to re-certify or re-register the remaining portion of the site that is not being repowered.
2. Capital Investments: The applicant must document that capital investments were made not more than two years prior to the date that the facility re-entered commercial operations. Expenses are only applicable on that portion of the facility that contributes directly to the production of electricity.
- Electrical Generators and/or Fuel Processing and Delivery Equipment: It is generally not necessary for a facility to replace its existing electrical generators or fuel processing and delivery equipment because replacing this equipment will produce little or no improvement to the facility's efficiency and, therefore, does not warrant the additional expense. Exceptions are cases in which the electrical generator is an integral part of the prime generating equipment, such as for wind facilities, or where the fuel processing and delivery equipment is an integral part of the prime generating equipment via the fuel conversion process, such as for solid waste conversion facilities and digester gas facilities. The facility's environmental control equipment, such as air pollution control equipment, would not be considered because such equipment does not contribute directly to the production of electricity.

- Any associated process control equipment and structures used for structural support of the prime generating equipment, electrical generators, fuel processing and delivery equipment, and associated process control equipment, as appropriate, would also fall into this category and are generally not necessary to replace.

The applicant must provide documentation, such as invoice receipts, verifying the replacement of the old equipment, as well as other components of the technology relevant to the repowering application. The Energy Commission will confirm that the equipment listed is appropriate for certification as a repowered facility.

The applicant must document the value of the capital investments made to the facility and the total value of the repowered facility. The value of the capital investments must equal at least 80 percent of the total value of the repowered facility.

The “repowered facility” is defined as all of the new and/or existing prime generating equipment, electrical generators, fuel processing and delivery equipment, and any associated process control equipment and structures at the facility. The land on which the facility sits will not be considered part of the repowered facility for purposes of determining the 80 percent threshold. Similarly, intangibles such as the value of a facility’s power purchase contract or its goodwill will not be considered part of the repowered facility.

The applicant may show that it has met the 80 percent threshold by submitting either tax records or an assessment of the “replacement value” of the facility along with documentation of the cost of the new equipment. The applicant must notify the Energy Commission which method it is using and provide the appropriate information as described below.

a. Tax Records Methodology:

The applicant must submit to the Energy Commission all relevant tax records needed to demonstrate that the capital investments made to repower the facility are equal to at least 80 percent of the value of the repowered facility.

- 1) The applicant must document the value of the capital investments and the year the investments were made. In this case, the value of capital investments is the original tax “basis” declared to the Internal Revenue Service to calculate depreciation. The tax basis should reflect the value of the equipment the applicant has attested to purchasing. The tax basis is generally what a business pays for an item to be depreciated.
- 2) The applicant must document the value of the repowered facility. In this case, the value of the repowered facility is based on the sum of the tax basis declared for all of the equipment and structures in the repowered facility as of

the year the facility is repowered. For new equipment and structures, the value of the repowered facility is the original tax basis; for existing equipment and structures, the value of the repowered facility is the tax basis as adjusted for depreciation. For facilities financed using a sale/lease-back or similar structure, the original tax basis of the equipment and structures for both the lessor and lessee will be considered.

- 3) The applicant must divide the total value of capital investments by the total value of the repowered facility. This calculation must show that the investment is equal to or greater than 80 percent of the total value of the facility for it to qualify as repowered.

b. Replacement Value Methodology:

This alternative approach may make it more difficult for a facility to meet the 80 percent repowering threshold but is a reasonable alternative for parties who are unable or unwilling to secure the necessary tax records to use the adjusted tax basis approach.

- 1) The applicant must document the value of the equipment replaced in the facility. The replacement cost of new equipment is based on the equipment's purchase price and, consequently, is the same value when compared to the adjusted tax basis approach.
- 2) The applicant must submit an independent evaluation of the replacement cost of existing, unreplaced equipment ("retained equipment"). The evaluation should be an estimate of the capital costs that would have to be incurred to replace the retained equipment. This estimate must be provided by an accountant in good standing with the American Institute of Certified Public Accountants or a member in good standing and certified as an Internal Auditor with the Institute of Internal Audits.
- 3) The applicant must divide the total value of capital investments by the sum of the replacement cost of the new equipment and the independent estimate of the replacement cost of the retained equipment. This calculation must show that the investment is equal to or greater than 80 percent of the total value of the facility for it to qualify as repowered.

Registration as Renewable Only (not RPS eligible)

Applicants representing facilities that do not meet the RPS or SEP eligibility requirements may apply to the Energy Commission for "registration" as a Renewable Supplier. To qualify for registration as a Renewable Supplier, a facility must satisfy the following requirements:

1. The facility must use one or more of the following energy sources, as defined in the *Overall Program Guidebook*, to generate electricity: biomass, biodiesel, fuel cells using renewable fuels, digester gas, geothermal, landfill gas, municipal solid waste, ocean wave, ocean thermal, tidal current, photovoltaic, small hydroelectric (30 megawatts or less), solar thermal, or wind.
2. The facility must specify the type and percentage of any fossil fuel used in the facility.

Applicants must submit a completed form CEC-1038E-1, Registration Form for Renewable Suppliers, to the Energy Commission.

The Energy Commission expects to review and process complete applications for registration within 15 business days of their receipt, unless questions or concerns arise regarding the applications. If questions arise, the Energy Commission will contact the applicant for additional information. Otherwise, the Energy Commission will notify applicants in writing once it determines registration eligibility.

Once the Energy Commission approves an application for registration, the Energy Commission will issue a certificate stating that the facility is a registered Renewable Supplier, along with a supplier number to be used in all subsequent transactions. The certificate will also specify the amount of fossil fuel, if any, used by the facility.

Registration as a Renewable Supplier does **NOT** imply Energy Commission endorsement or verification of renewable status. Registration as a Renewable Supplier merely indicates that the applicant has certified under penalty of perjury that its facility meets the registration requirements of a Renewable Supplier and has obtained an identification number from the Energy Commission.

Generation Tracking System

The Energy Commission is responsible for developing a tracking system to verify compliance with the RPS. Pursuant to SB 1078, the Energy Commission is required to:

Design and implement an accounting system to verify compliance with the renewables portfolio standard by retail sellers, to ensure that renewable energy output is counted only once for the purpose of meeting the renewables portfolio standard of this state or any other state, and for verifying retail product claims in this state or any other state. In establishing the guidelines governing this system, the Energy Commission shall collect data from electricity market participants that it deems necessary to verify compliance of retail sellers, in accordance with the requirements of this article and the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of

the Government Code). In seeking data from electrical corporations, the Energy Commission shall request data from the CPUC.

The Energy Commission is developing an electronic tracking system to meet this requirement and will use an interim generation tracking system until the electronic system is operational. Once the long-term, electronic tracking system referred to as the "Western Renewable Energy Generation Information System" (WREGIS) is in place, the Energy Commission will require renewable suppliers and retail sellers to participate in the WREGIS as part of RPS compliance.

Reports to the Energy Commission

Retail sellers must report annually to the Energy Commission on the amount of RPS-eligible electricity they procure per facility, called a "specific purchase." Using the CEC-RPS-Track form, retail sellers must report the amount of energy they procured per month from each RPS-eligible facility, various identification numbers for each facility, and how the retail seller intends to count the procurement (i.e. whether to count it as incremental or baseline procurement). The CEC-RPS-Track form must be executed by an authorized agent of the retail seller who can attest that the specific purchases reported on the form were sold once and only once to retail consumers. This information is due to the Energy Commission on May 1 (or the next business day) of each year until WREGIS is operational. Once WREGIS is operational, this reporting requirement is expected to be satisfied with reports generated through WREGIS. The CEC-RPS-Track form and instructions are provided in Appendix A.

A facility that certifies as RPS or RPS and SEP eligible with the Energy Commission must annually submit data on its monthly generation, including any generation sold to an entity that does not qualify as a retail seller pursuant to Public Utilities Code Section 399.12, Subdivision (c). These data must be reported on the CEC-RPS-GEN by May 1 (or the next business day) of each year and indicate if the generation is restricted to counting towards the baseline/adjusting the baseline. To verify generation, the facility must submit monthly payment statements from the retail seller as an attachment to the form showing the amount of energy procured from the facility. If the facility is serving an entity that does not qualify as a retail seller pursuant to Public Utilities Code Section 399.12, Subdivision (c), and is participating in the Energy Commission's RPS-tracking system, then the verification may be from that entity. The Energy Commission intends to simplify program implementation by using the retail seller's payment statement to serve as the verification rather than allowing alternate sources of data. The facility should strike out any price or other data on the statement that it does not want to make publicly available. Once WREGIS is operational, this reporting requirement is expected to be satisfied with reports generated through WREGIS system. The CEC-RPS-Gen form and instructions are provided in Appendix A.

For cases in which the retail seller certifies a facility on the facility's behalf, the retail seller is responsible for reporting the generation data for the facilities it certifies. This

reporting requirement will be satisfied through the CEC-RPS-Track form until WREGIS is operational, and retail sellers do not need to file separate CEC-RPS-GEN forms for the facilities they certify. Also, since the retail seller is providing the data, the retail seller does not need to separately provide third party verification of the generation.

In addition, a facility, or a retail seller on the facility's behalf, must submit documentation verifying compliance with the NERC tag requirements (described under "Delivery Requirements" in the "Eligibility of Out-of-State Facilities" section). This documentation is required annually beginning in 2005, and is due to the Energy Commission by May 1 (or the next business day) each year. The Energy Commission intends to work with industry to establish a standardized, annual summary report and a standardized format for supporting documentation.

If necessary, the Energy Commission will request that the CPUC direct the retail sellers to submit the CEC-RPS-Track form data and documentation showing compliance with the NERC tag requirement if the Energy Commission does not receive these data promptly.

Accounting for Incremental Geothermal Generation

In some cases, part of the capacity of a geothermal facility is certified as incremental geothermal, with the remainder certified as geothermal that is restricted to the baseline or adjusting the baseline. To determine the amount of energy from a facility that qualifies as incremental geothermal, the Energy Commission will calculate the percent of incremental capacity relative to operational capacity and apply it to the facility's total energy generation. For example, if 12 MW is certified as incremental geothermal from a facility with 100 MW of operational capacity, then 12 percent of the monthly and annual generation will qualify as incremental geothermal energy.

Energy Commission RPS Verification Report

The Energy Commission intends to prepare an annual RPS Verification Report specifying the quantity of RPS-eligible energy each retail seller procured in the previous calendar year. This report will be transmitted to the CPUC and is intended to help the CPUC determine RPS procurement targets and evaluating retail sellers' RPS compliance. The Energy Commission will account for procurement disaggregated by baseline and incremental procurement consistent with the requirements of this *Guidebook* and applicable CPUC decisions.

Although the first RPS Verification Report (February 2006) stated that the Energy Commission anticipated adopting subsequent Verification Reports by the end of each calendar year, the Energy Commission intends to accelerate the schedule by bifurcating the report.⁵ By September of each year, the Energy Commission intends to adopt the

⁵ California Energy Commission, February 2006, *Renewables Portfolio Standard Procurement Verification Report*, Commission Report, CEC-300-2006-002-CMF.

following findings: verification that delivery requirements were met, verification of RPS eligibility, verification that the procurement was counted only once, allocation of procurement as eligible for the APT and IPT, and calculation of incremental geothermal energy generated. By the end of each calendar year, the Energy Commission anticipates separately reporting its findings on reconciling procurement and generation to verify that procurement does not exceed generation. This bifurcation and schedule will be readdressed once WREGIS is operational.

Verification of Delivery

As part of the RPS Verification Report, the Energy Commission will also verify compliance with delivery requirements for out-of-state facilities. The Energy Commission will annually verify that the delivery requirements were satisfied on a monthly (not daily or hourly) basis. This level of verification is consistent with the interim accounting system for generation and the CA ISO Participating Intermittent Renewable Projects program.

To verify deliveries from out-of-state facilities, the Energy Commission intends to compare the monthly generation procured from an RPS-eligible facility with the monthly NERC tag data for that facility, with the lesser of the two considered to be eligible RPS procurement. For example, if the monthly energy delivery shown on the NERC tags for a facility exceeds the monthly amount of energy procured, then the Energy Commission will count the amount procured as RPS-eligible procurement. Conversely, if the amount procured exceeds the monthly amount that was delivered as demonstrated by the NERC tags, the Energy Commission will assume some of the generation was delivered elsewhere and will only count as RPS-eligible the amount of procurement supported by the NERC tag data.

Verification Methodology using the Interim Tracking System

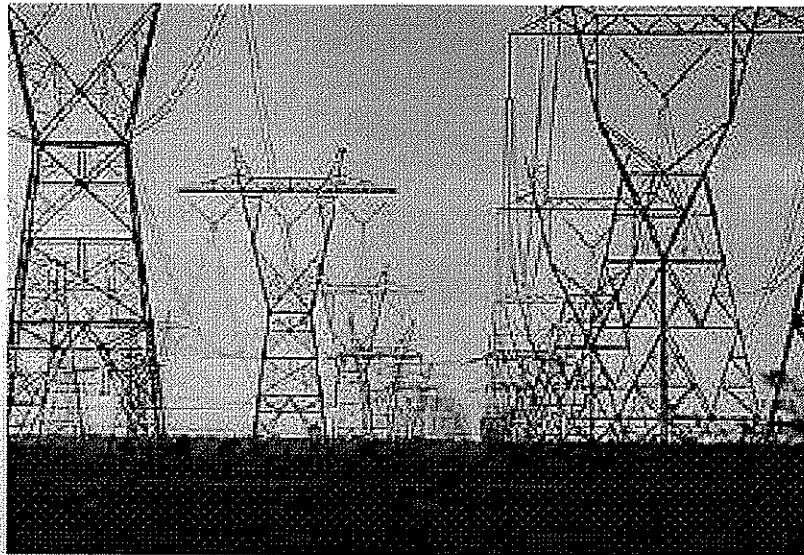
As discussed above, the Energy Commission has developed an interim accounting system for use until WREGIS is operational. The Energy Commission will verify that the RPS procurement reported in the CEC-RPS-Track form is certified as RPS-eligible. Also, to the extent possible the Energy Commission will ensure that RPS-eligible energy procured by retail sellers is counted only once in California or any other state. In the interim until WREGIS is operational, the Energy Commission will conduct this verification by cross-checking RPS procurement with retail claims reported under the Energy Commission's Power Source Disclosure Program and other similar data.

The Energy Commission will apply statutory provisions and CPUC rules to report on the amount of procurement that is eligible toward the IPT and the APT. For incremental geothermal, the Energy Commission does not intend to allocate the amount of generation that is sold to separate parties if more than one retail seller procures from a facility (assuming the facility is part incremental and part baseline geothermal). The allocation of incremental geothermal and baseline geothermal procurement should be contractually determined and reported on the CEC-RPS-Track form. The Energy

Commission intends to verify that the specific purchases of incremental geothermal procurement do not exceed the eligible amount generated.

The Energy Commission will verify the energy generation to the extent possible, and will verify that the amount of RPS-eligible procurement did not exceed the facility's total generation. As part of the interim tracking system, the Energy Commission will check that if two or more retail sellers procured energy from the same facility, the cumulative amount of energy procured does not exceed the facility's total generation. If procurement exceeds generation, the Energy Commission will report the discrepancies.

CAISO South Regional Transmission Plan for 2006 (CSRTP-2006)



Presentation to the STEP Meeting – May 5, 2006

Dariush Shirmohammadi
Director, Regional Transmission – South
California ISO



Objective

Develop an optimum regional transmission plan for the southern portion of the CAISO grid with participation from project sponsors and impacted PTOs by Q3, 2006: CAISO South Regional Transmission Plan (CSRTP-2006)



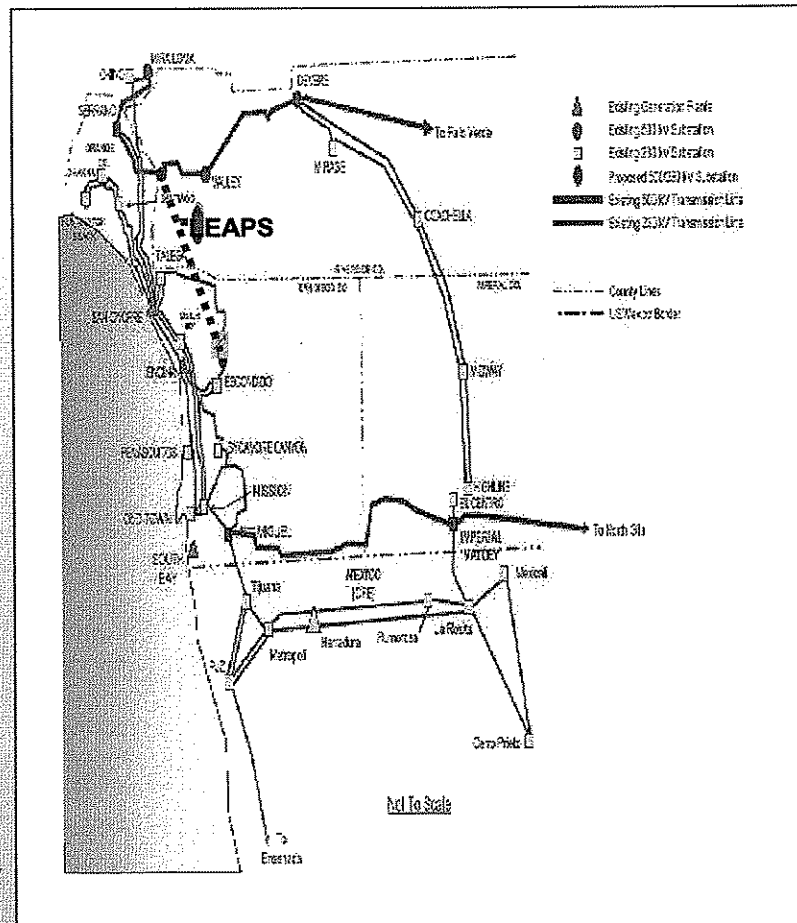
Background

- CAISO has been charged with Planning transmission expansion for its footprint
 - CAISO has been working on an implementation plan with PTOs and regulators
- CAISO has been requested to review and approve, based on need assessment, several major transmission expansion projects in the South on an expedited basis:
 - Tehachapi area transmission infrastructure project
 - Lake Elsinore Advanced Pumped Storage (LEAPS) project
 - Sunrise Powerlink/Green Path (Sun Path) project
- The proposed projects interconnecting to the CAISO Controlled Grid are in various stages of planning/design by their sponsors
 - There are correlations among these projects (some very strong) that preclude us from considering them in isolation
- CAISO intends to develop the CAISO South Regional Transmission Plan for 2006 (CS RTP-2006) based on current needs of the transmission system in the South and with consideration for all proposed projects
 - CAISO may consider new projects or alternatives for the proposed projects based on needs identification
- CAISO intends to present CS RTP-2006 to its Board for approval in Q3 2006



Major Transmission Proposals: LEAPS

- Development of the Lake Elsinore Advanced Pump Storage (LEAPS) plant (in Southern California) and the associated transmission infrastructure that would connect this pumped storage facility to the SCE and SDG&E transmission systems
 - The line is proposed to be built in 2007 followed by the pumped storage plant (500 MW Gen/600 MW Pump) in 2009
 - Project sponsors have already filed the project at FERC based on an EPACT2005 provision which allows pumped storage power plants to be treated as “Advanced Transmission Asset”
- Purpose:
 - Meet SDG&E's reliability needs (RMR/LRR)
 - Help CAISO electrical system reliability with operational flexibility, storage capability, etc.
 - Help provide benefits (water quality and firefighting services) to Elsinore Valley and surrounding communities
- Project Sponsors: The Nevada Hydro Company (TNHC) and Lake Elsinore Valley Municipal Water District (EVMWD)





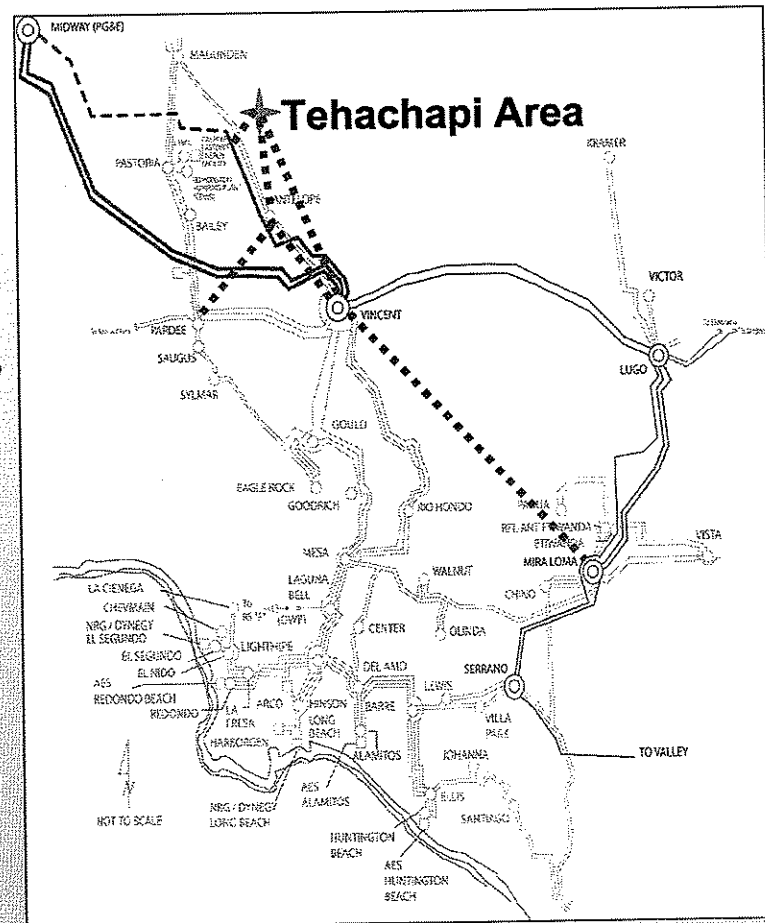
- Development of a 500 kV transmission link between the existing Imperial Valley (IV) sub and a proposed substation in Central San Diego County ("Central") supplemented by 230 kV transmission upgrades from Central to substations in the San Diego area
 - This project is proposed by SDG&E, who would build the portion of the line and all substations in SDG&E service territory, and a consortium of Citizen Energy and IID who would build the line & substations in IID part
 - Partial CPCN has been filed with the CPUC
- Purpose:
 - Meet SDG&E reliability need (RMR/LRR)
 - Allow ~3000 MW of renewable resources (Solar & Geothermal) to reach energy customers in CAISO South area
 - Allow CPUC jurisdictional utilities (IOUs) to meet their RPS obligations for year 2010 and beyond
- Project Sponsors: SDG&E and Citizen's Energy/Imperial Irrigation District





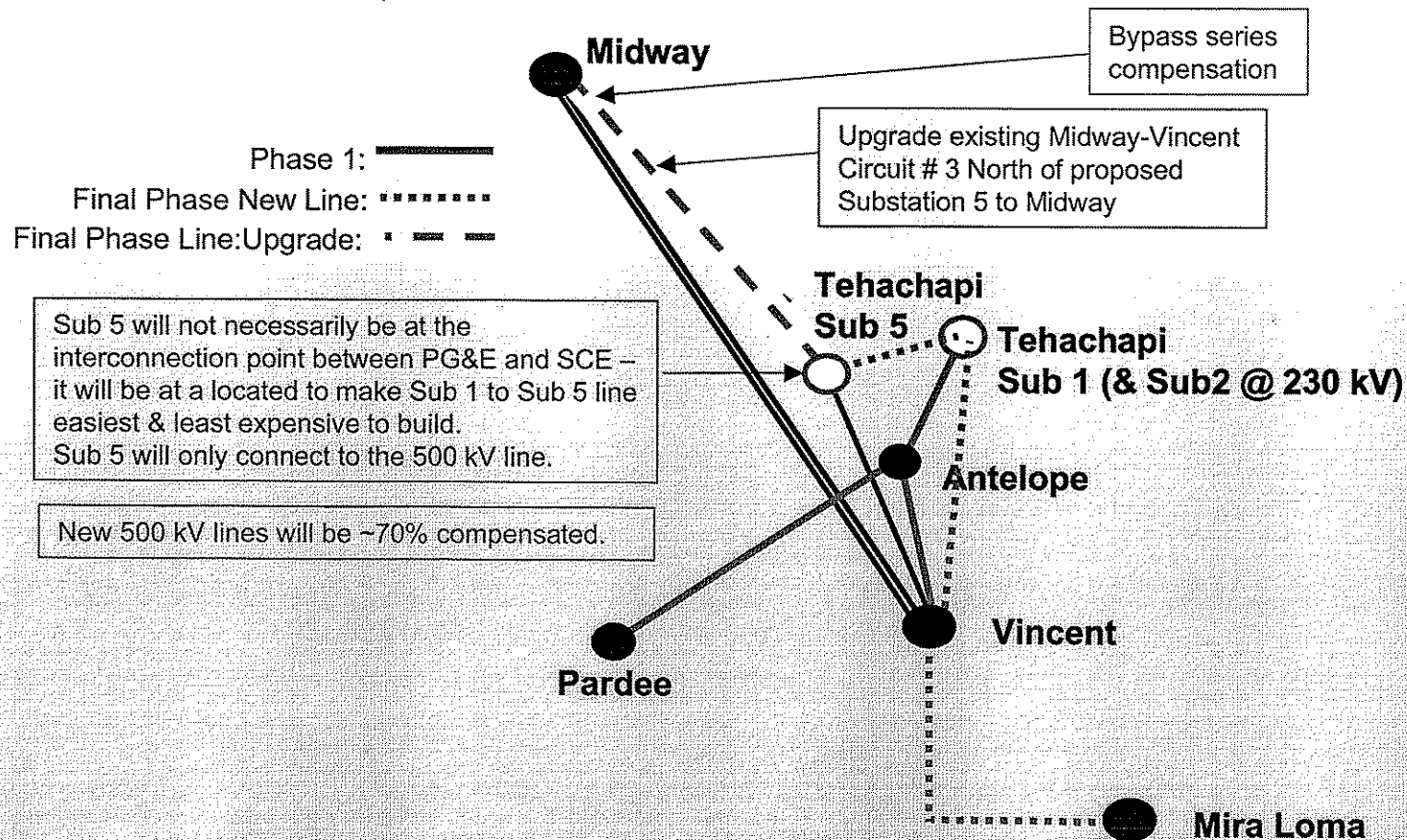
Major Transmission Proposals: Tehachapi Area Transmission Infrastructure

- Development of 500 kV transmission infrastructure in the Tehachapi area (between Midway and Vincent substations) with the goal of interconnecting wind generation currently developing in that area to SCE and PG&E transmission systems
 - The transmission infrastructure is to develop in advance of the wind generating plants
- Purpose:
 - Allow 4000+ MW of renewable resources (almost all wind) to reach energy customers in Northern and Southern parts of the CAISO footprint
 - Allow CPUC jurisdictional utilities (IOUs) to reach their RPS goals for year 2010 and beyond
 - Address reliability needs of CAISO South caused by congestion on Path 26
- Project Sponsors: SCE and PG&E, Wind Generation Developers





Proposed 500 kV Tehachapi Transmission Infrastructure In the Tehachapi Wind Resource Area





Major Transmission Proposals: Perceived Broad Correlations

Project	LEAPS	Sun Path
Tehachapi	• LEAPS pumped hydro plant could help with predicted serious operational issues associated with the large volume of Tehachapi wind generation connecting to CAISO Controlled Grid	• Tehachapi transmission infrastructure, when combined with LEAPS transmission line, partially competes with Sun Path project in meeting the economics and RPS needs of SDG&E (and to a lesser extent, reliability needs)
LEAPS		• LEAPS transmission line can compete with Sun Path Project, as it can, in conjunction with Tehachapi and PVD2 projects, help meet some of the reliability, economics and RPS needs of SDG&E • LEAPS transmission line, in conjunction Sun Path Project, can help meet some of SCE's RPS goals using renewable resources in Salton Sea area



CAISO Planning Process Steps (1)

- Step 0: Form of study teams:
 - Form three (3) “Technical Project Teams (TPT)”, each led by the CAISO and staffed by the project sponsors and impacted PTOs for the three proposed expansion projects
 - Form a central “CAISO Coordination Team (CCT)” staffed by CAISO
- Step 1: Identify Needs Areas:
 - Reliability (including RMR and LRR)
 - Economics (cost/benefit)
 - RPS goals (meet the needs of both customers & renewable resources)
- Step 2: Develop Standards/Assumption:
 - Develop a single basecase for economic need/value evaluation as well as for reliability screening:
 - Uniform set of assumptions, loads/resources, system configurations, etc.
 - Develop appropriate basecases for local reliability considerations
 - Develop study approaches and scenarios based on system needs and individual projects

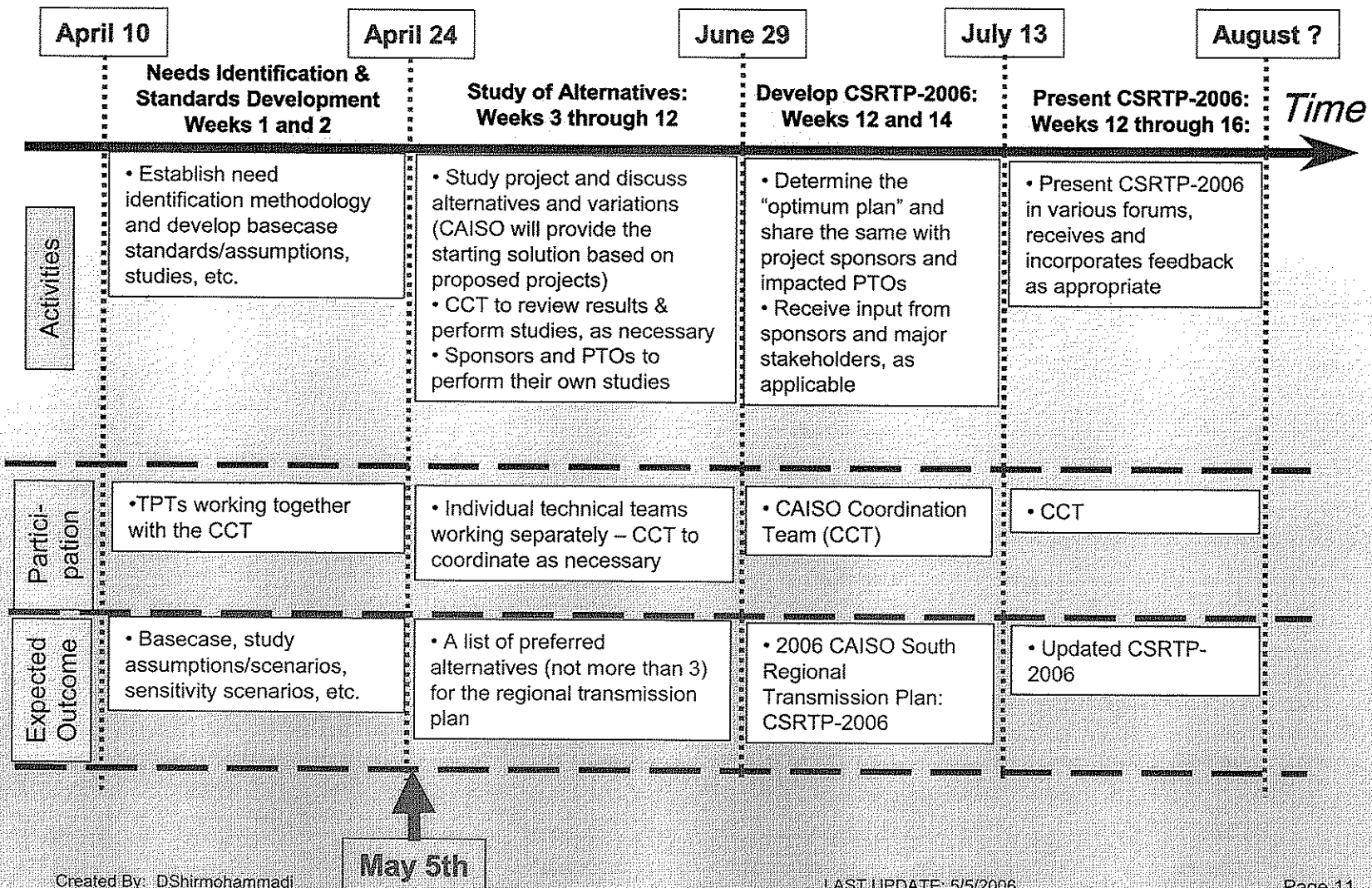


CAISO Planning Process Steps (2)

- Step 3: Perform Studies:
 - Study proposed projects and determine what combination provides the most value based on the identified benefits
 - Identify and quantitatively analyze the benefit of transmission variations and alternatives to the proposed projects
 - Strongly rely on available data and knowledge from proposed projects and judgment of planning engineers to pare down alternatives
 - Modify standards and assumptions across all projects, or for a specific project, as necessary, to help with the studies
- Step 4: Selection of Optimum Plan for 2006 (CS RTP-2006):
 - Focus on a number of highly valuable alternatives and select the best solution
- Step 5: Present CS RTP-2006 in various forums and incorporate feedback, as necessary and applicable
- Step 6: Present CS RTP-2006 to the CAISO board for approval



Development of CS RTP-2006: Original Timeline, Activities and Outcomes





Guiding Principles for CSRTP-2006 Process

- Perform studies based on data that can be shared on WECC level
- Keep all issues with the CAISO
- Focus on transmission studies and solution – will NOT
 - Study generation interconnections
 - Study path ratings
 - Identify generation or demand side alternatives
 - Identify alternative metering infrastructure
- Will not identify/study routing
- Provide opportunities to CSRTP-2006 participants to review and provide input to CAISO report
 - Allow “minority report” in the Board report
- Inform participants if a decision or a recommendation is based on privileged information



Concluding Remarks

- CAISO is implementing a new process to develop its regional plan for Southern California
 - This process is intended to place the focus on regional needs and benefits rather than individual project motivations
 - Stop conflicting interests from damaging the chances of developing a regional plan for Southern California and the needed transmission infrastructure
 - Make the planning process “manageable” and allow meeting the timelines necessary to approve and develop the necessary projects
- The proposed planning process is CAISO’s internal process to develop the CSRTP-2006 with technical input from project sponsors and impacted PTOs
 - This process will interface with the relevant stakeholder processes for wide reporting of its findings and conclusions and incorporating input
- This process is unprecedented at the CAISO and has a very aggressive timeline
 - Adjustments, slippages, and missteps should be expected
 - Places severe strain on human and facility resources of the CAISO and those of sponsors and impacted PTOs



COMISION
REGULADORA
DE ENERGIA

ACTUS E

DIRECCIÓN GENERAL DE ELECTRICIDAD

DGE/ 0102/2007

México, D.F., a 19 de enero de 2007

Ing. Carlos Federico Gottfried Joy
Representante de
Fuerza Eólica de Baja California, S. A. de C. V.

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745

En relación con la solicitud mencionada al rubro, presentada ante la Comisión Reguladora de Energía con fecha 14 de diciembre de 2006 se le notifica que a fin de estar en posibilidad de resolver al respecto, es necesario que presente en un término de cinco días hábiles contado a partir del día hábil siguiente a aquél en que surta efectos la notificación del presente oficio, la información y documentación que se menciona a continuación:

1. El formato de solicitud de autorización para modificar las condiciones originales de generación de energía eléctrica CRE-DGE-008, debidamente requisitado en el punto III.1 Indique el tipo de modificación que se pretende realizar;
2. La información y documentación que acredite que:
 - Las obras no se han interrumpido por un periodo de 6 meses o equivalente, y
 - Las obras se iniciaron de acuerdo con el programa de obras autorizado por la Comisión Reguladora de Energía en el Permiso.
3. La información que aclare la disponibilidad y firmeza de los excedentes de capacidad y energía del proyecto, y
4. La información y documentación correspondiente a los requerimientos de servicios de transmisión de energía solicitados a la Comisión Federal de Electricidad y los relativos a la construcción de una línea de acuerdo con la condición Sexta del Permiso otorgado a su representada.

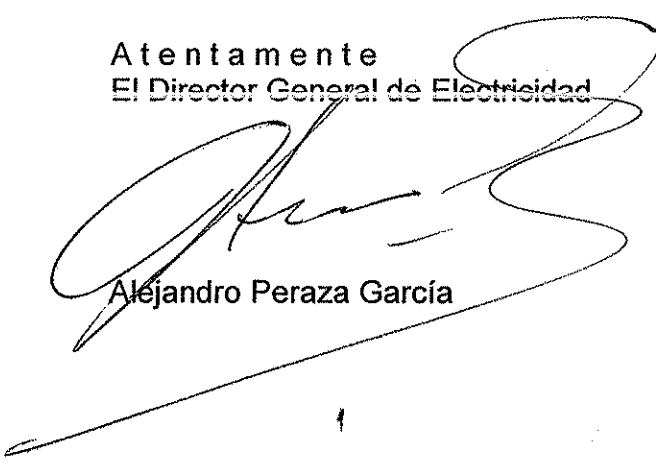
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Fundamento: Art.18 fracc.II LFTAIPG.
Motivación: Información confidencial,
datos personales



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Fundamento: Art.18 fracc.II LFTAIPG.
Motivación: Información confidencial,
datos personales

Lo anterior, con fundamento en los artículos 3, fracción I y 36, fracción V, de la Ley del Servicio Público de Energía Eléctrica; 12, 16, fracción VII, 17-A, 39 y 49 de la Ley Federal de Procedimiento Administrativo; 1, 2, fracción II, y 3, fracciones XII y XXII de la Ley de la Comisión Reguladora de Energía; 72, fracción I, inciso d), 77, 82, 83 y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica.

Atentamente
El Director General de Electricidad



Alejandro Peraza García

cc.p. Carlos Hans Valadez Martínez.- Secretario Ejecutivo
cc.p. Dr. Francisco de Rosenzweig Mendialdua.- Director General de Asuntos Jurídicos
cc.p. Expediente Núm. F26/E/745
Turno Núm. 5982





FUERZA EÓLICA DE BAJA CALIFORNIA S.A. DE C.V.

México DF a 6 de febrero de 2007

Dr. Alejandro Peraza
Director General de Electricidad
Comisión Reguladora de Energía
PRESENTE

REF: Oficio CRE DGE/0102/2007

ASUNTO: Se solicita ampliación de plazo para contestar oficio de referencia.

CARLOS F. GOTTFRIED JOY, EN NOMBRE Y REPRESENTACIÓN DE FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., señalando como domicilio para oír y recibir toda clase de notificaciones en Avenida Año de Juárez No. 205, Colonia Granjas San Antonio - Iztapalapa, C.P. 09070 y autorizando para tales efectos a los señores Lic. Miguel Jáuregui Rojas y al Lic. Pablo F. Gottfried Blackmore, con el debido respeto comparezco y solicito lo siguiente:

Se solicita una ampliación del plazo para contestar el Oficio de referencia de acuerdo con las disposiciones aplicables en la Ley.

Se solicita esta ampliación debido al tiempo necesario para la procuración de la documentación solicitada en el Oficio de Referencia por parte de nuestro socio comercial Clipper Windpower, Inc.

Muy atentamente,

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Fuerza Eólica de Baja California S.A. de C.V.



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COMISION
REGULADORA
DE ENERGIA

SECRETARIA EJECUTIVA

SE/ 0385 /2007

México, D.F., a 21 de febrero de 2007

Ing. Carlos Federico Gottfried Joy
Representante de
Fuerza Eólica de Baja California, S. A. de C. V.

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745

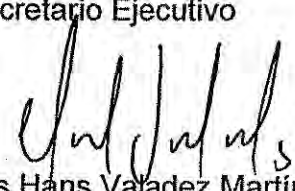
En relación con su escrito recibido en la Comisión Reguladora de Energía el 1 de febrero de 2007, mediante el cual solicita un plazo adicional para entregar la información requerida en el oficio de la Dirección General de Electricidad número DGE/0102/2007, con fecha 19 de enero de 2007, le comunico lo siguiente:

Toda vez que no se perjudican los derechos de los interesados o de terceros, de conformidad con el artículo 31 de la Ley del procedimiento Administrativo se otorga a Fuerza Eólica de Baja California, S. A. de C. V., un plazo adicional de 2 días, contados a partir del día siguiente a aquel en que surta efecto la notificación del presente oficio, para entregar la información requerida en el oficio a que se refiere el párrafo anterior.

Lo anterior, con fundamento en los artículos 3, fracción III y 36, fracción V de la Ley del Servicio Público de Energía Eléctrica; 1, 3, 12, 14, 31, 32, 35 y 39 de la Ley Federal de Procedimiento Administrativo; 1, 2, fracción II y 3, fracciones XII y XXII de la Ley de la Comisión Reguladora de Energía; 72 fracción I, inciso d), 77, 82, 83 y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, 36, fracción III, del Reglamento Interior de la Secretaría de Energía.

Atentamente

El Secretario Ejecutivo


Carlos Hans Valadez Martínez



c.c.p. Dr. Alejandro Peraza García.- Director General de Electricidad
c.c.p. Dr. Francisco de Rosenzweig Mendialdua.- Director General de Asuntos Jurídicos
c.c.p. Expediente Núm. F26/E/745
Turno Núm. 0627

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Fundamento: Art.18 fracc.II LFTAIPG.

Motivación: Información confidencial,
datos personales



LIC CARLOS HANS MARTÍNEZ
SECRETARIO EJECUTIVO
COMISIÓN REGULADORA DE ENERGÍA

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745. Se contesta oficio de la Dirección General de Electricidad número DGE/0102/2007, bajo amparo del oficio SE/0385/2007 otorgando un plazo adicional.

En relación con su oficio DGE/0102/2007 recibido en las oficinas de Fuerza Eólica de Baja California S.A. de C.V. requiriendo información adicional se contesta lo siguiente para cada punto requisitado en dicho oficio:

"1. El formato de solicitud de autorización para modificar las condiciones originales de generación de energía eléctrica CRE-DGE-008, debidamente requisitado en el punto III.1 Indique el tipo de modificación que se pretende realizar;"

Se anexa a la presente el formato de solicitud de autorización para modificar las condiciones originales de generación de energía eléctrica CRE-DGE-008, debidamente requisitado en su punto III.1 indicando el tipo de modificación que se pretende realizar.

"2. La información y documentación que acredite que:

- Las obras no se han interrumpido por un periodo de 6 meses o equivalente,
- y
- Las obras se iniciaron de acuerdo con el programa de obras autorizado por la Comisión Reguladora de Energía en el Permiso."

Se anexa a la presente información relacionada con los estudios meteorológicos que se han estado llevando a cabo en sitio desde el otorgamiento del Permiso. Fuerza Eólica de Baja California S.A. de C.V. no ha interrumpido los trabajos conducentes a la realización de su proyecto de Exportación de Energía Eléctrica en un periodo de 6 meses o equivalente."



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Motivación:
Información
confidencial,
datos
personales

sigue llevando a cabo las tareas necesarias para su puesta en marcha de acuerdo con las obras autorizadas en el Permiso.

“3. La información que aclare la disponibilidad y firmeza de los excedentes de capacidad y energía del proyecto, y”

El proyecto de Fuerza Eólica de Baja California S.A. de C.V. no generará excedentes de capacidad y energía aprovechables por la Comisión Federal de Electricidad. Esto se debe principalmente a nuestro entendimiento de las condiciones restrictivas de transmisión en la zona de La Rumorosa en la infraestructura de la CFE. Esto nos ha obligado a perseguir las opciones delineadas en el punto 4 siguiente.

“4. La información y documentación correspondiente a los requerimientos de servicios de transmisión de energía solicitados a la Comisión Federal de Electricidad y los relativos a la construcción de una línea de acuerdo con la condición Sexta del Permiso otorgado a su representada.”

Fuerza Eólica de Baja California S.A. de C.V. está en negociaciones avanzadas para unirse con otro productor independiente de energía para la realización de soluciones de transmisión en la región. Estas negociaciones son confidenciales y comercialmente delicadas. Sus detalles no pueden ser revelados en documentos públicamente disponibles.

La primera propuesta es la construcción de una línea de 230 kV de nuestro sitio en la zona de La Rumorosa a la subestación de La Rosita. En la subestación de La Rosita, la transmisión se interconectará con las líneas privadas existentes que se conectan con la red CAISO en la subestación de Imperial Valley en California. Este proyecto de transmisión dará servicio a múltiples proyectos eólicos bajo desarrollo en la región de La Rumorosa y se espera se construya en el 2009 para entrar en servicio para la primera fase de nuestro proyecto de exportación en el 2010. La transmisión no se interconectará con la infraestructura de la CFE y se propone la operación y mantenimiento independiente. La transmisión trans-fronteriza ya existe en La Rosita y tiene suficiente capacidad sobrante para acomodar los 300 MW autorizados y bajo desarrollo. Los Permisos Presidenciales han sido otorgados para esta línea y se encuentra en operación. Se ha realizado una solicitud de interconexión con CAISO para este proyecto de 300 MW. Las negociaciones para la compra-venta de energía de exportación se estarán llevando a cabo en paralelo con la elaboración de la ingeniería para la solución de transmisión de La Rumorosa a La Rosita. Los estimados de costos ya existen y forman parte de la base de evaluación económica para el costo proyecto de energía.

Por lo antes expuesto a esa H. Comisión Reguladora de Energía atentamente solicito:

PRIMERO. Tener a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de presentada en los términos de la presente solicitud y documentos que acompañan.

Un renglón eliminado.
Fundamento: Art.18
fracc.II LFTAIPG.
Motivación: Información
confidencial, datos
personales

SEGUNDO. De conformidad con las disposiciones de la Ley del Servicio Público de Energía Eléctrica, su Reglamento, y de la Ley de la Comisión Reguladora de Energía, en su oportunidad, informar a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V. sobre la necesidad de cualquier aclaración o información adicional que esa Comisión llegará a requerir respecto de la presente solicitud.

TERCERO. Tener a mi representada como cumplida y que ha estado llevando a cabo las actividades necesarias para iniciar las obras a desarrollar al amparo del Permiso de conformidad con lo dispuesto en la Condición Sexta del mismo.

CUARTO. Previos los trámites reglamentarios otorgar, a la brevedad que permita el trámite, a mi representada la modificación solicitada respecto de la Condición y Sexta "Programa, inicio y terminación de las obras" al amparo del Permiso de Exportación de Energía Eléctrica Núm. E/214/EXP/2002.

MUY ATENTAMENTE,
México DF, a 8 de marzo de 2007
Por Fuerza Eólica de Baja California, S.A. DE C.V.

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

ING. CARLOS FEDÉRICO GOTTFRIED JOY
PRESIDENTE DEL CONSEJO DE ADMINISTRACIÓN

CC Oficio: Lic. Francisco Xavier Salazar Díez de Sollano, Presidente, CRE
Dr. Francisco Barnés de Castro, Comisionado, CRE
Dr. Alejandro Peraza, Director General de Electricidad, CRE
Ing. Francisco Granados, Director de Permisos, CRE
Lic. Jordi Herrera, Subsecretario, SENER
Ing. Rubén Flores, Subsecretario, SENER
Dr. Florencio Aboytes, Subdirector, CFE



Solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica

PARA USO EXCLUSIVO DE LA CRE

Núm. de Expediente _____

Núm. de Turno _____

Antes de llenar lea las instrucciones generales de la página 3

I. DATOS DEL SOLICITANTE

I.1 Nombre, denominación o razón social

FUERZA EÓLICA DE BAJA CALIFORNIA S.A. DE C.V.

R.F.C.

FEB010709914

I.2 Domicilio

Calle	Núm. exterior	Núm. interior
AVENIDA AÑO DE JUÁREZ	205	
Colonia	Código postal	
GRANJAS SAN ANTONIO	09070	
Población	Municipio o delegación	Entidad federativa
CIUDAD DE MÉXICO	IZTAPALAPA	DISTRITO FEDERAL
Teléfono con clave LADA	Fax con clave LADA	Correo electrónico
55 56857030	55 56867006	PGOTTFRIED@GMAIL.COM, PG@FUERZAEOLICA.COM

I.3 Datos de inscripción del acta constitutiva en el Registro Público de la Propiedad y del Comercio

Partida	Foja	Volumen	Libro	Sección	Fecha	o Folio mercantil
17768					31 de agosto 2001	280361

I.4 Nombre del representante legal

CARLOS FEDERICO GOTTFRIED JOY

I.5 Domicilio para oír y recibir notificaciones

Calle	Núm. exterior	Núm. interior
AVENIDA AÑO DE JUÁREZ	205	
Colonia	Código postal	
GRANJAS SAN ANTONIO	09070	
Población	Municipio o delegación	Entidad federativa
CIUDAD DE MÉXICO	IZTAPALAPA	DISTRITO FEDERAL
Teléfono con clave LADA	Fax con clave LADA	Correo electrónico
55 56857030	55 56867006	PGOTTFRIED@GMAIL.COM, PG@FUERZAEOLICA.COM

Un renglón
eliminado.
Fundamento: Art.18
fracc.II LFTAIPG.
Motivación:
Información
confidencial, datos
personales

I.6 ¿Autoriza a la CRE a notificar cualquier acto relacionado con esta solicitud vía fax o correo electrónico?

☒ X

Sí

☐

No

I.7 Clasificación de la información y documentación entregada

☐

Pública

☐

Reservada

☒ X

Confidencial



Solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica

II. DATOS DEL PERMISO

II.1 Número del permiso

E/214/EXP/2002

II.2 Fecha de otorgamiento del permiso

11 de julio de 2002

II.3 Objeto del permiso

EXPORTACIÓN

III. TIPO DE MODIFICACION

III.1 Indique el tipo de modificación que se pretende realizar

Modificación de la capacidad instalada

☐

Modificación del programa de obras

☒

Inclusión de nuevos socios en el aprovechamiento de la energía eléctrica

☐

Modificación en la distribución de cargas de los beneficiarios de la energía eléctrica generada

☐

Otros. (especificar en el punto III.2)

☐

NOTA: De conformidad con lo establecido en el Acuerdo de la Comisión Reguladora de Energía de fecha 24 de junio de 2004, los supuestos que de manera enunciativa mas no limitativa se enlistan a continuación, no se consideran modificaciones a las condiciones de los permisos de generación e importación de energía eléctrica:

- El cambio de nombre, denominación o razón social del permisionario o socio autorizado en el permiso de que se trate, siempre que no derive de una transmisión de acciones o partes sociales que, directa o indirectamente, impliquen la asunción, por parte del adquirente, del control de la sociedad permisionaria;
- El cambio de representante legal o de apoderado general o especial;
- El cambio de domicilio para oír y recibir notificaciones, y
- Las demás que la Comisión determine y haga del conocimiento de los permisionarios mediante la publicación del Acuerdo respectivo en el Diario Oficial de la Federación.

No obstante lo anterior, deberá presentar este formato junto con los documentos que sustenten el cambio que se pretende realizar, con el fin de que esta Comisión Reguladora de Energía pueda tomar nota de lo que proceda.

III.2 Explique brevemente las modificaciones que se pretenden realizar a las condiciones originales del permiso

Se solicita modificación a las condiciones Sexta y Séptima del permiso de Exportación a nombre de Fuerza Eólica de Baja California S.A. de C.V.

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación: Información confidencial, datos personales

Fecha: 8 DE MARZO DE 2007

Nombre y Firma del
Representante legal:

CARLOS F. GOTTFRIED JOY

The California ISO Controlled Grid Generation Queue
as of: February 23, 2007

Queue Position	Interconnection Request Receive Date	Queue Date	Application Status	Generating Facility		Maximum MWs		Location		Point of Interconnection		Proposed On-line Date (as filed with IJ)	Current On-line Date	Feasibility Study (f/s)	Study Availability			Interconnection Agreement Status
				Type	Fuel	Summer	Winter	County	State	Utility	Station or Transmission Line				System Impact (s/s)	Facility Study (f/s)	Optional Study (o/s)	
1	5/24/1998	5/24/1998	Active	WT	W	15.5	550	Butte	CA	SCS	Power-Genet 15 MW line (199)	5/17/2007	3/21/2007	NA	Complete	Complete		GSFA Extended
2	11/11/1999	11/11/1999	Active	CC	CC	550	550	San Diego	CA	SDGE	San Diego	5/17/2007	3/21/2007	NA	Complete	Complete		GSFA Extended
3	4/10/1999	2/25/2000	Active	CC	CC	550	550	Contra Costa	CA	PGE	Contra Costa Power Plant 250 MW line	11/25/2007	11/12/2006	NA	Complete	Complete		GSFA Extended
4	4/10/1999	6/14/2000	Active	CC	CC	550	550	Riverside	CA	SCS	Contra Costa Power Plant 250 MW line	11/25/2007	11/12/2006	NA	Complete	Complete		GSFA Extended
5	8/22/2000	8/22/2000	Complete	CC	CC	521	545	San Diego	CA	SDGE	Phonix 231 MW	6/23/2007	5/15/2005	NA	Complete	Complete		GSFA Extended
6	8/22/2000	8/22/2000	Complete	CC	CC	521	545	San Diego	CA	SDGE	Phonix 231 MW	6/23/2007	5/15/2005	NA	Complete	Complete		GSFA Extended
7	8/22/2000	8/22/2000	Complete	CC	CC	521	545	San Diego	CA	SDGE	Phonix 231 MW	6/23/2007	5/15/2005	NA	Complete	Complete		GSFA Extended
8	8/22/2000	8/22/2000	Complete	CC	CC	521	545	San Diego	CA	SDGE	Phonix 231 MW	6/23/2007	5/15/2005	NA	Complete	Complete		GSFA Extended
9	8/22/2000	8/22/2000	Complete	CC	CC	521	545	San Diego	CA	SDGE	Phonix 231 MW	6/23/2007	5/15/2005	NA	Complete	Complete		GSFA Extended
10	12/1/2000	12/1/2000	Active	CC	CC	1200	1200	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
11	12/1/2000	12/1/2000	Active	CC	CC	1200	1200	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
12	12/1/2000	12/1/2000	Active	CC	CC	1200	1200	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
13	12/1/2000	12/1/2000	Active	CC	CC	1200	1200	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
14	12/1/2000	12/1/2000	Active	CC	CC	1200	1200	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
15	12/1/2000	12/1/2000	Active	CC	CC	1200	1200	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
16	3/11/2003	3/11/2003	Active	WT	W	120	120	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
17	3/11/2003	3/11/2003	Active	WT	W	120	120	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
18	4/25/2003	4/25/2003	Active	WT	W	220	220	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
19	4/25/2003	4/25/2003	Active	WT	W	220	220	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
20	4/25/2003	4/25/2003	Active	WT	W	220	220	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
21	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
22	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
23	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
24	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
25	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
26	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
27	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
28	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
29	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
30	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
31	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
32	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
33	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
34	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
35	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
36	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
37	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
38	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
39	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
40	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
41	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
42	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
43	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
44	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
45	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
46	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
47	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
48	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
49	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
50	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
51	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
52	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
53	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
54	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended
55	10/16/2003	10/16/2003	Active	WT	W	375	375	San Luis Obispo	CA	PG&E	San Luis Obispo	11/12/2006	11/12/2006	NA	Complete	Complete		GSFA Extended

Notes:

This Queue posting reflects the requirements of the FERC Order 2003 for Large Generator Interconnection Procedures (LGIP).

Generated interconnection requests or applications completed or withdrawn prior to this posting are not shown.

The queue position is based on the application status as withdrawn and their Queue position will be filled.

Week posting is anticipated.

Legend:

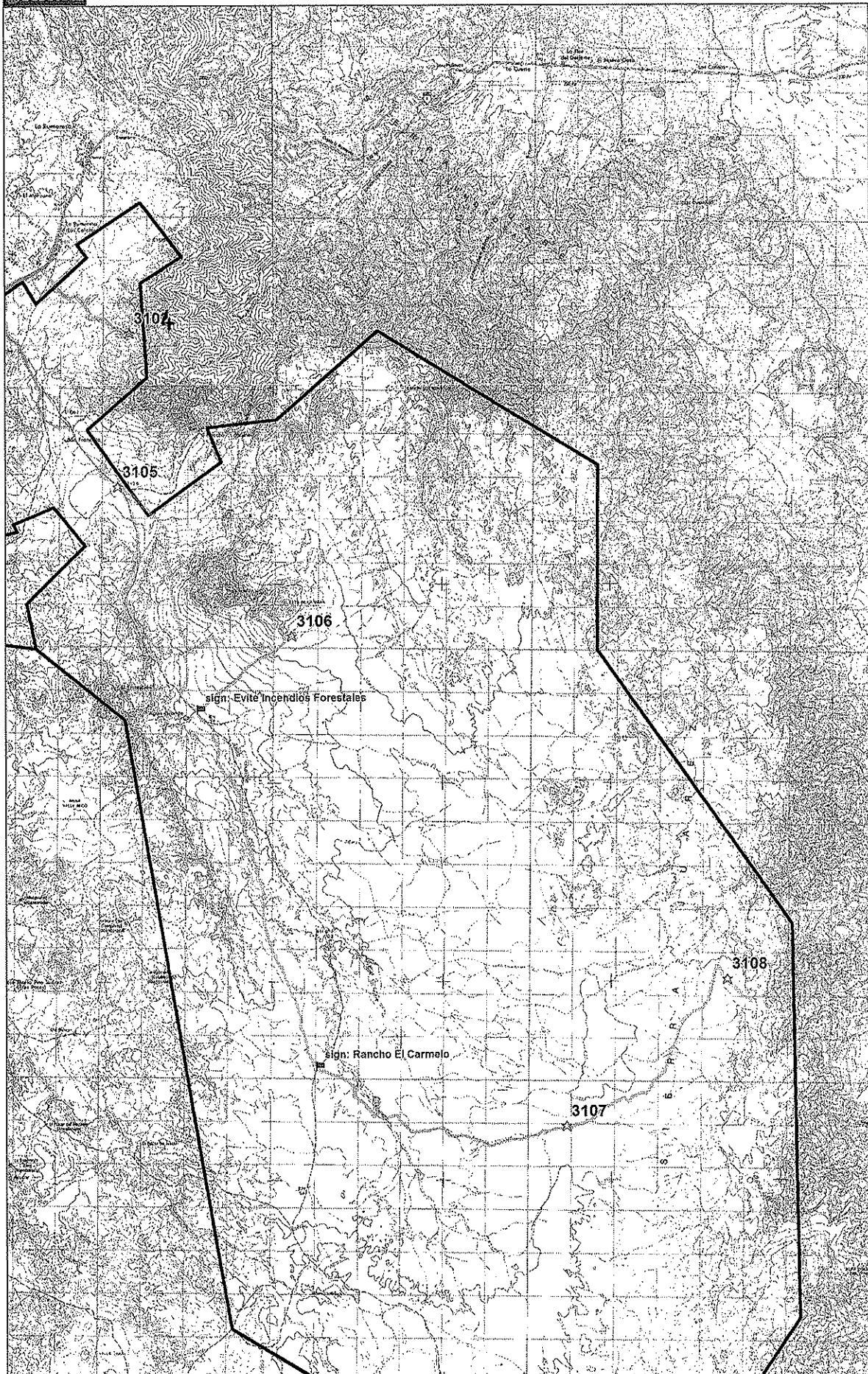
• Fuel Type Key: Wind, Natural Gas, Oil, Coal, Biomass, Solar, Lignite, Landfill Gas, WTR-Water, Geothermal, Hydroelectric

• Generator Type Key: Combined Cycle, Steam Turbine, Gas Turbine, WTR-Water, Hydroelectric, Photovoltaic

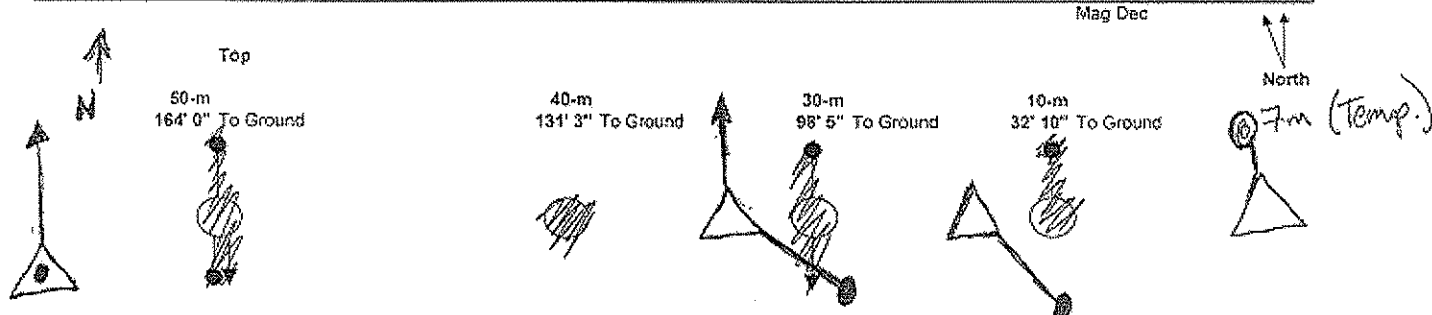
Queue Position	Interconnection Request Receive Date	Queue Date	Application Status	Generating Facility		Maximum MWs		Location		Point of Interconnection		Proposed On-line Date (as filed with R)	Current On-line Date	Feasibility Study (FFS)	System Impact Study (SIS)	Facility Study (FAS)	Optional Study (OS)	Interconnection Agreement Status
				Type	Fuel	Summer	Winter	County	State	Utility	Station or Transmission Line							
118	8/27/2006	9/4/2006	Active	CC	NG	550		Monroe	LA	SCF	SCF Morgan Substation	1/8/2009	1/8/2009	In Progress				
119	8/8/2006	8/8/2006	Active	WT	W	300		Kern	CA	SCF	Trabuco Canyon Substation #1	12/31/2010	12/31/2010	In Progress				
120	8/16/2006	8/16/2006	Active	WT	S	100		San Bernardino	CA	SCF	Mountain View 500 KV Substation	3/1/2011	3/1/2011	In Progress				
121	8/16/2006	8/16/2006	Active	WT	S	100		San Diego	CA	SCF	San Diego 500 KV Substation	3/1/2011	3/1/2011	In Progress				
122	8/16/2006	8/16/2006	Active	WT	S	100		San Diego	CA	SCF	San Diego 500 KV Substation	3/1/2011	3/1/2011	In Progress				
123	8/16/2006	8/16/2006	Active	WT	S	100		San Diego	CA	SCF	San Diego 500 KV Substation	3/1/2011	3/1/2011	In Progress				
124	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
125	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
126	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
127	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
128	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
129	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
130	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
131	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
132	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
133	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
134	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
135	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
136	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
137	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
138	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
139	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
140	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
141	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
142	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
143	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
144	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
145	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
146	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
147	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
148	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
149	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
150	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
151	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
152	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
153	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
154	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
155	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
156	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
157	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
158	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
159	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
160	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
161	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
162	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
163	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
164	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
165	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
166	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
167	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
168	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
169	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
170	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
171	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				
172	8/22/2006	8/22/2006	Active	Other	S	600		Imperial	CA	SCF	Imperial Valley Substation	8/1/2010	8/1/2010	In Progress				

This Queue posting reflects the requirements of the FERC Order 2003 for Large Generator Interconnection Procedures (LGIP).
 Generator Interconnection Requests or applications completed or withdrawn prior to this posting are not shown.
 Queue position will be indicated in the Application Status as Withdrawn and their Queue position will be reflected.
 Weekly posting is anticipated.

- Legend:
- Generator Type Key: IC-Internal Combustion, ST-Steam Turbine, CC-Combined Cycle, HH-Hydro, WT-Wind Turbine, PV-Photovoltaic
 - Fuel Type Key: W-Water, NG-Natural Gas, O-Oil, C-Coal, B-Biomass, S-Solar, LG-Landfill Gas, WTR-Water, G-Geothermal, HR-High Recovery



Property Owner: FELICITAS LOMEZ AGUAYO		Site Number: 3104		Logger Number: 30909178																																																																																											
Nearest City: TEPIC, LA ZARAGOZA		Photos Taken: 7																																																																																													
County: TEPIC		Description:																																																																																													
State: BAJA CALIFORNIA		Nearest Landmarks:																																																																																													
Installation Date: 29/05/06		Exposure:																																																																																													
Project Name: BQ 2000																																																																																															
Logger Type: Symphonic Logger S/N: 30909178 ESN: NA Phone Number: NA		System Preference: NA Yaggi Direction: NA IPack S/N: NA Sys ID #: NA Cellular Service Provider: NA																																																																																													
Planned Location Township: Latitude: N32° 30.000' Range: Longitude: W116° 5.110' Section: Datum Type: WGS 84 Township name:		Actual Location Latitude: 32° 29' 44.9" Longitude: 116° 05' 03.1" Datum Type: WGS 84 Elevation: 1381 m		5m accuracy WGS84																																																																																											
Primary ISP Phone Number: NA Secondary ISP Phone Number: NA Primary DNS: NA Secondary DNS: NA Authentication Method: NA User Name: NA User Password: NA Internet Time Server Name: NA		Mailbox Name: NA Mailbox Password: NA Pop 3 Server Name: NA SMTP Server Name: NA Patch Password: NA																																																																																													
Next Call Time: NA Call Interval: NA		Recipients Email Address: NA Recipients Name: NA CC Email Address: NA Senders Email Address: NA Email Subject Line: NA																																																																																													
Cattle Protection: Utility Service Area: Anchors: Concrete		Tower Type: NRE-400 Robin type Tower Height: 50m 45cm face																																																																																													
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Instruments</th> <th>Sensor 1</th> <th>Sensor 2</th> <th>Sensor 3</th> <th>Sensor 4</th> <th>Sensor 5</th> <th>Sensor 7</th> <th>Sensor 8</th> <th>Sensor 9</th> </tr> </thead> <tbody> <tr> <td>Type</td> <td>NRE 40</td> <td>NRE 40</td> <td>NRE 40</td> <td></td> <td></td> <td></td> <td></td> <td>NRE 1105</td> </tr> <tr> <td>Serial number</td> <td>NA</td> <td>NA</td> <td>NA</td> <td></td> <td></td> <td></td> <td></td> <td>NA</td> </tr> <tr> <td>Monitoring height (m)</td> <td>30mts</td> <td>30mts</td> <td>10mts</td> <td></td> <td></td> <td></td> <td></td> <td>10mts</td> </tr> <tr> <td>Room Orientation (degrees true bearing)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Deadband Orientation (magnetic)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Slope (m/s / Hz)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Offset (m/s)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Functional Checks</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Logger Terminal # (channel)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 7	Sensor 8	Sensor 9	Type	NRE 40	NRE 40	NRE 40					NRE 1105	Serial number	NA	NA	NA					NA	Monitoring height (m)	30mts	30mts	10mts					10mts	Room Orientation (degrees true bearing)									Deadband Orientation (magnetic)									Slope (m/s / Hz)									Offset (m/s)									Functional Checks									Logger Terminal # (channel)												
Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 7	Sensor 8	Sensor 9																																																																																							
Type	NRE 40	NRE 40	NRE 40					NRE 1105																																																																																							
Serial number	NA	NA	NA					NA																																																																																							
Monitoring height (m)	30mts	30mts	10mts					10mts																																																																																							
Room Orientation (degrees true bearing)																																																																																															
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Logger Terminal # (channel)																																																																																															
Notes:																																																																																															
Date of Report: 29/05/06		Form Completed by: PABLO GOTTFRIED																																																																																													
Land Owner Contact Info: TOMAS MONTERO		Phone #: Cell #:																																																																																													
Local Person to Service Site: JUAN JESUS RIOS		Phone #: Cell #:																																																																																													
NOTE: Keep a copy of this form with the site manual. Send copies to all appropriate parties. Draw a picture of tower configuration below. • = anemometer, arrow = wind vane.																																																																																															





Clipper Windpower Met Mast Installation Log

Project Name: Concepcion		Site Number: 3105						
Nearest City: La Rumorosa		Property Owner: Ejido Aubanel Vallejo						
County: Tecate		Contact Person:						
State: Baja California		Phone #:						
Utility Service Area: CFE, Sempra		Cell #:						
Tower Location								
Planned Location		Actual Location						
Township: NA	Latitude: N32° 28' 43.860"	Latitude:						
Range: NA	Longitude: W116° 02' 20.760"	Longitude:						
Section: NA	Datum Type: WGS 84	Datum Type:						
Township name: NA		Elevation:	(meters)					
Installation Details								
Installation Date:		Form Completed By:						
Date of Report:		Exposure:						
Photos Taken:		(tree height & proximity, terrain description, etc)						
Description:								
Nearest Landmarks:								
Equipment Information								
Tower Type: Rohn-type lattice		Cattle Protection:						
Tower Height: 50m		Anchors:						
Diameter/Face: (inches)		Time Zone: (standard - not daylight)						
Logger Type: Symphonie		Aircraft Deterrent: (paint / marker balls - if used)						
Logger S/N:		Lock Combo:						
Sensor Information								
Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 6	Sensor 7	Sensor 8
Logger Terminal # (channel)								
Type (#40 anem, #200 vane, etc)								
Monitoring height (m)								
Boom Orientation (degrees true bearing)								
Deadband Orientation (magnetic)								
Boom Length (inches)								
Serial number								
-Slope (m/s / Hz)								
-Offset (m/s)								
Functional Checks								
				Mag Dec:				
Tower View From Above				 North				
Sensor Height	50-m	40-m	30-m	10-m				
					anemometer —●			
					vane —→			
ipack Information								
ipack Type: NA	(CDMA/AMPS/SAT)		Yaggi Direction: NA					
ESN: NA			iPack S/N: NA					
Phone Number: NA			Sys ID #: NA					
Cellular Provider: NA			System Preference: NA					
ipack Programming								
Primary ISP Phone Number:	NA	Mailbox Name:		NA				
Secondary ISP Phone Number:	NA	Mailbox Password:		NA				
Primary DNS:	NA	Pop 3 Server Name:		NA				
Secondary DNS:	NA	SMTP Server Name:		NA				
Authentication Method:	NA	Patch Password:		NA				
User Name:	NA			NA				
User Password:	NA	Recipients Email Address:		NA				
Internet Time Server Name:	NA	Recipients Name:		NA				
		CC Email Address:		NA				
Next Call Time:	NA	Senders Email Address:		NA				
Call Interval:	NA	Email Subject Line:		NA				
Notes:								



Clipper Windpower Met Mast Installation Log

Project Name: Concepcion		Site Number: 3106						
Nearest City: La Rumorosa		Property Owner: Ejido Aubanel Vallejo						
County: Tecate		Contact Person:						
State: Baja California		Phone #:						
Utility Service Area: CFE, Semptra		Cell #:						
Tower Location								
Planned Location		Actual Location						
Township: NA	Latitude: N32° 26' 50.880"	Latitude:						
Range: NA	Longitude: W115° 59' 46.800"	Longitude:						
Section: NA	Datum Type: WGS 84	Datum Type:						
Township name: NA		Elevation:	(meters)					
Installation Details								
Installation Date:		Form Completed By:						
Date of Report:		Exposure:						
Photos Taken:		(tree height & proximity, terrain description, etc)						
Description:								
Nearest Landmarks:								
Equipment Information								
Tower Type: Rohn-type lattice		Cattle Protection:						
Tower Height: 50m		Anchor:						
Diameter/Face:	(inches)	Time Zone:	(standard - not daylight)					
Logger Type: Symphonie		Aircraft Deterrent:	(paint / marker balls - if used)					
Logger S/N:		Lock Combo:						
Sensor Information								
Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 6	Sensor 7	Sensor 8
Logger Terminal # (channel)								
Type (#40 ano, #200 vane, etc)								
Monitoring height (m)								
Boom Orientation (degrees true bearing)								
Deadband Orientation (magnetic)								
Boom Length (inches)								
Serial number								
-Slope (m/s / Hz)								
-Offset (m/s)								
Functional Checks								
				Mag Dec:				
Tower View From Above				 North				
Sensor Height	50-m	40-m	30-m	10-m				
					anemometer —●— vane —▶—			
ipack Information								
ipack Type: NA	(CDMA/AMPS/SAT)		Yaggi Direction: NA					
ESN: NA			iPack S/N: NA					
Phone Number: NA			Sys ID #: NA					
Cellular Provider: NA			System Preference: NA					
ipack Programming								
Primary ISP Phone Number: NA			Mailbox Name: NA					
Secondary ISP Phone Number: NA			Mailbox Password: NA					
Primary DNS: NA			Pop 3 Server Name: NA					
Secondary DNS: NA			SMTP Server Name: NA					
Authentication Method: NA			Patch Password: NA					
User Name: NA								
User Password: NA			Recipients Email Address: NA					
Internet Time Server Name: NA			Recipients Name: NA					
			CC Email Address: NA					
Next Call Time: NA			Senders Email Address: NA					
Call Interval: NA			Email Subject Line: NA					
Notes:								



Clipper Windpower Met Mast Installation Log

Project Name: Concepcion		Site Number: 3107						
Nearest City: La Rumorosa		Property Owner: Ejido Aubanel Vallejo						
County: Tecate		Contact Person:						
State: Baja California		Phone #:						
Utility Service Area: CFE, Semptra		Cell #:						
Tower Location								
Planned Location		Actual Location						
Township: NA	Latitude: N32° 20' 41.100"	Latitude:						
Range: NA	Longitude: W115° 55' 41.760"	Longitude:						
Section: NA	Datum Type: WGS 84	Datum Type:						
Township name: NA		Elevation:	(meters)					
Installation Details								
Installation Date:		Form Completed By:						
Date of Report:		Exposure:						
Photos Taken:		(tree height & proximity, terrain description, etc)						
Description:								
Nearest Landmarks:								
Equipment Information								
Tower Type: Rohn-type lattice		Cattle Protection:						
Tower Height: 50m		Anchor:						
Diameter/Face: (inches)		Time Zone: (standard - not daylight)						
Logger Type: Symphonie		Aircraft Deterrent: (paint / marker balls - if used)						
Logger S/N:		Lock Combo:						
Sensor Information								
Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 6	Sensor 7	Sensor 8
Logger Terminal # (channel)								
Type (#40 ano, #200 vane, etc)								
Monitoring height (m)								
Boom Orientation (degrees true bearing)								
Deadband Orientation (magnetic)								
Boom Length (inches)								
Serial number								
Slope (m/s / Hz)								
Offset (m/s)								
Functional Checks								
				Mag Dec:				
Tower View From Above				 North				
Sensor Height	50-m	40-m	30-m	10-m				
					anemometer —●— vane —→—			
ipack Information								
ipack Type: NA	(CDMA/AMPS/SAT)			Yaggi Direction: NA				
ESN: NA				iPack S/N: NA				
Phone Number: NA				Sys ID #: NA				
Cellular Provider: NA				System Preference: NA				
ipack Programming								
Primary ISP Phone Number:	NA	Mailbox Name:		NA				
Secondary ISP Phone Number:	NA	Mailbox Password:		NA				
Primary DNS:	NA	Pop 3 Server Name:		NA				
Secondary DNS:	NA	SMTP Server Name:		NA				
Authentication Method:	NA	Patch Password:		NA				
User Name:	NA			NA				
User Password:	NA	Recipients Email Address:		NA				
Internet Time Server Name:	NA	Recipients Name:		NA				
		CC Email Address:		NA				
Next Call Time:	NA	Senders Email Address:		NA				
Call Interval:	NA	Email Subject Line:		NA				
Notes:								



Clipper Windpower Met Mast Installation Log

Project Name: Concepcion		Site Number: 3108						
Nearest City: La Rumorosa		Property Owner: Ejido Pino Suarez						
County: Tecate		Contact Person:						
State: Baja California		Phone #:						
Utility Service Area: CFE, Sempra		Cell #:						
Tower Location								
Planned Location		Actual Location						
Township: NA	Latitude: N32° 22' 31.920"	Latitude:						
Range: NA	Longitude: W115° 53' 19.920"	Longitude:						
Section: NA	Datum Type: WGS 84	Datum Type:						
Township name: NA		Elevation:	(meters)					
Installation Details								
Installation Date:		Form Completed By:						
Date of Report:		Exposure:						
Photos Taken:		(tree height & proximity, terrain description, etc)						
Description:								
Nearest Landmarks:								
Equipment Information								
Tower Type: Rohn-type lattice		Cattle Protection:						
Tower Height: 50m		Anchors:						
Diameter/Face: (inches)		Time Zone: (standard - not daylight)						
Logger Type: Symphonie		Aircraft Deterrant: (paint / marker balls - if used)						
Logger S/N:		Lock Combo:						
Sensor Information								
Instruments	Sensor 1	Sensor 2	Sensor 3	Sensor 4	Sensor 5	Sensor 6	Sensor 7	Sensor 8
Logger Terminal # (channel)								
Type (#40 ano, #200 vane, etc)								
Monitoring height (m)								
Boom Orientation (degrees true bearing)								
Deadband Orientation (magnetic)								
Boom Length (inches)								
Serial number								
-Slope (m/s / Hz)								
-Offset (m/s)								
Functional Checks								
				Mag Dec:				
Tower View From Above								
Sensor Height	50-m	40-m	30-m	10-m				
					anemometer ●			
					vane ➔			
ipack Information								
ipack Type: NA (CDMA/AMPS/SAT)		Yaggi Direction: NA						
ESN: NA		iPack S/N: NA						
Phone Number: NA		Sys ID #: NA						
Cellular Provider: NA		System Preference: NA						
ipack Programming								
Primary ISP Phone Number: NA		Mailbox Name: NA						
Secondary ISP Phone Number: NA		Mailbox Password: NA						
Primary DNS: NA		Pop 3 Server Name: NA						
Secondary DNS: NA		SMTP Server Name: NA						
Authentication Method: NA		Patch Password: NA						
User Name: NA		Recipients Email Address: NA						
User Password: NA		Recipients Name: NA						
Internet Time Server Name: NA		CC Email Address: NA						
Next Call Time: NA		Senders Email Address: NA						
Call Interval: NA		Email Subject Line: NA						
Notes:								

NRG Systems, Inc.

110 Riggs Road
P.O. Box 509
Hinesburg, Vermont 05461 USA
Telephone: 802-482-2255
Fax: 802-482-2272
Website: www.nrgsystems.com

Quote Number: DES006026

Date: 4/24/2006
Customer ID: 3541
Purchase Order No.: RFQ - PARTS
Salesperson: David Simkins
Shipping Method: UPS GROUND
Payment Terms: Net 30 days
Expiration Date: 6/23/2006
Master No.: 33130
Page: 1

Bill To:

Clipper Windpower Development Co., Inc.
6305 Carpinteria Avenue
Suite 300
Carpinteria CA 93013
USA

Fax: 805-899-1115

Ship To:

Greitzer Brokers
9948 Via De La Amistad
San Diego CA 92154
USA

Contact: Damiam Serrano
Phone: 619-661-6010

Quantity	Item Number	Description	Unit Price	Extended Price
4	3147	Symphonie NRG Logger with (1) MMC and accessories	\$1,062.50	\$4,250.00
6	1899	NRG #40 Anemometer	\$97.75	\$586.50
3	1904	NRG #200P Wind Direction Vane, 10K	\$165.75	\$497.25
4	3157	MultiMedia Card (MMC), 16MB	\$42.50	\$170.00
1	2000	Freight, Handling, Insurance-Domestic	\$0.00	\$0.00
		FOB Hinesburg, VT		
		UPS Ground Door-to-Door courtesy of NRG Systems		

Country of Origin: USA.

Subtotal	\$5,503.75
Misc	\$0.00
Tax	\$0.00

Certified true and correct.

Total US Dollars	\$5,503.75
------------------	------------

NRG Systems, Inc.

110 Riggs Road
P.O. Box 509
Hinesburg, Vermont 05461 USA
Telephone: 802-482-2255
Fax: 802-482-2272
Website: www.nrgsystems.com

Quote Number: DES006027

Date: 4/24/2006
Customer ID: 3541
Purchase Order No.: (1) 50M SYS - NO TWR
Salesperson: David Simkins
Shipping Method: TRUCK-FRT PD
Payment Terms: Net 30 days
Expiration Date: 6/23/2006
Master No.: 33131
Page: 1

Bill To:

Clipper Windpower Development Co., Inc.
6305 Carpinteria Avenue
Suite 300
Carpinteria CA 93013
USA

Fax: 805-899-1115

Ship To:

Greitzer Brokers
9948 Via De La Amistad
San Diego CA 92154
USA

Contact: Damiam Serrano
Phone: 619-661-6010

Quantity	Item Number	Description	Unit Price	Extended Price
1	3147	Symphonie NRG Logger with (1) MMC and accessories	\$1,062.50	\$1,062.50
1	3157	MultiMedia Card (MMC), 16MB	\$42.50	\$42.50
1	3159	Symphonie Shelter Box with Hose Clamps	\$97.75	\$97.75
4	1899	NRG #40 Anemometer	\$97.75	\$391.00
1	3148	Symphonie SCM Card for #40 Anemometer	\$29.75	\$29.75
2	1904	NRG #200P Wind Direction Vane, 10K	\$165.75	\$331.50
1	1906	NRG #110S Temperature Sensor with Radiation Shield	\$165.75	\$165.75
1	3153	Symphonie SCM Card for #110S	\$29.75	\$29.75
2	1934	Sensor Cable, 2C, 20Ga, 52.5m(172'), for 50m level	\$63.75	\$127.50
1	1933	Sensor Cable, 2C, 20Ga, 42m (138'), for 40m level	\$51.00	\$51.00
1	1932	Sensor Cable, 2C, 20Ga, 32m (105'), for 30m level	\$39.10	\$39.10
1	1939	Sensor Cable, 3C, 20Ga, 52.5m(172'), for 50m level	\$63.75	\$63.75
1	1938	Sensor Cable, 3C, 20Ga, 42m (138'), for 40m level	\$51.00	\$51.00
1	3390	Boom, Side, 1.53m(60.5"), Galv, with clamps	\$72.25	\$72.25
1	3170	Freight, Handling, Special Labeling / Packaging	\$0.00	\$0.00
		** NRG LOGISTICS SPECIAL- Delivery Notification Requested, no charge courtesy NRG Systems.		
1	2000	Freight, Handling, Insurance-Domestic FOB Hinesburg, VT Truck Freight (CON-WAY) Door-to-Door courtesy of NRG Systems.	\$0.00	\$0.00

Country of Origin: USA.

Subtotal \$2,555.10
Misc \$0.00
Tax \$0.00

Certified true and correct.

Total US Dollars \$2,555.10

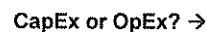
Date: 03/09/07

(choose the correct entity from the dropdown menu below ↓)

DC-009683-01 Rev C

CWD California

FAX: (805) 899-1115



OpEx

printed 09/03/2007; 11:17 a.m.
C:\Documents and Settings\Propietario\Escritorio\PR_JSJK_0702-06 Ingenieria Rumorosa installs; FORM (non-inv. Purch Reg)

NON-INVENTORY - PURCHASE REQUISITION -

Date: **03/09/07**

Reference Number [optional] ↓

BILL TO: ↓

(choose the correct entity from the dropdown menu below ↓)

Clipper Windpower Development Company, Inc.

6305 Carpinteria Ave., Suite 300

Carpinteria, CA 93013

TEL: (805) 899-9199

FAX: (805) 899-1115

DC-009683-01 Rev C



Requisitioner's Dept. ↓

CWD California

JSK_0702-07

CapEx or OpEx? →

CapEx

Vendor: NRG Systems, Inc. Address: 110 Riggs Rd Address: P.O. Box 509 City: Hinesburg State: VT Zip: 5461 Country: USA Phone: 802-482-2255 Fax: _____ Contact: David Simkins E-Mail: david@nrssystem.com	Ship to: Fuerza Eolica, c/o Geitzer Brokers Address: 9948 Via de la Amistad Address: _____ City: San Diego State: CA Zip: 92154 Country: USA Phone: 52-555-685-7030 Fax: _____ Contact: Raul Santos Co E-Mail: raulsantoscoy@gmail.com
---	---

Line #	Vendor P/N	Rev	Qty	Delivery Date	General Ledger Account Number			Description	Unit Price	Amount
					5 char. Natural	4 char. Dept.	5 char. Project			
1	3147		4	02/28/07	16090	0000	00000	Symphonie NRG Logger with (1) MMC & access.	\$ 1,062.50	\$ 4,250.00
2	3157		4	02/28/07	16090	0000	00000	MultiMedia Card (MMC), 16MB	\$ 42.50	\$ 170.00
3	3159		4	02/28/07	16090	0000	00000	Symphonie Shelter Box with Hose Clamps	\$ 97.75	\$ 391.00
4	1899		16	02/28/07	16090	0000	00000	NRG #40 Anemometer	\$ 97.75	\$ 1,564.00
5	3148		4	02/28/07	16090	0000	00000	Symphonie SCM Card for #40 Anemometer	\$ 29.75	\$ 119.00
6	1904		8	02/28/07	16090	0000	00000	NRG #200P Wind Direction Vane, 10K	\$ 165.75	\$ 1,326.00
7	1906		4	02/28/07	16090	0000	00000	NRG #110S Temperature Sensor w/Rad. Shield	\$ 165.75	\$ 663.00
8	3153		4	02/28/07	16090	0000	00000	Symphonie SCM Card for #110S	\$ 29.75	\$ 119.00
9	1934		8	02/28/07	16090	0000	00000	Sensor Cable, 2C, 20Ga, 52.5m, for 50m level	\$ 63.75	\$ 510.00
10	1933		4	02/28/07	16090	0000	00000	Sensor Cable, 2C, 20Ga, 42m, for 40m level	\$ 51.00	\$ 204.00
11	1932		4	02/28/07	16090	0000	00000	Sensor Cable, 2C, 20Ga, 32m, for 30m level	\$ 39.10	\$ 156.40
12	1939		4	02/28/07	16090	0000	00000	Sensor Cable, 3C, 20Ga, 52.5m, for 50m level	\$ 63.75	\$ 255.00
13	1938		4	02/28/07	16090	0000	00000	Sensor Cable, 3C, 20Ga, 42m, for 40m level	\$ 51.00	\$ 204.00
14	3390		4	02/28/07	16090	0000	00000	Boom, Side, 1.53m (60.5"), Galv, with clamps	\$ 72.25	\$ 289.00
									\$	\$ -
									\$	\$ -
									\$	\$ -
									\$	\$ -
									\$	\$ -

Approvers' comments:	<table> <tr> <td style="width: 50%;">Shipping (Estimate)</td> <td style="width: 50%; text-align: right;">\$</td> </tr> <tr> <td>Duties/Taxes(Estimate)</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Currency (select →)</td> <td> <table> <tr> <td>\$ TOTAL</td> <td style="text-align: right;">\$ 10,220.40</td> </tr> </table> </td> </tr> </table>	Shipping (Estimate)	\$	Duties/Taxes(Estimate)	\$	Currency (select →)	<table> <tr> <td>\$ TOTAL</td> <td style="text-align: right;">\$ 10,220.40</td> </tr> </table>	\$ TOTAL	\$ 10,220.40
Shipping (Estimate)	\$								
Duties/Taxes(Estimate)	\$								
Currency (select →)	<table> <tr> <td>\$ TOTAL</td> <td style="text-align: right;">\$ 10,220.40</td> </tr> </table>	\$ TOTAL	\$ 10,220.40						
\$ TOTAL	\$ 10,220.40								

Reason for Purchase: (50 characters max.)	Sensor equipment for anemometer towers at La Rumorosa (MX003)
Additional comments: (these will print at bottom of P.O.)	

to be completed by Dept Mgr or Div. Head

In the Budget? (Y or N) ☐

Month/Year Budgeted

M	Year

PLEASE TYPE REQUESTOR'S NAME HERE →		Jonathan Koehn & Raul Santos Coy	
QUALITY ASSURANCE DEPT SIGNATURE HERE, if necessary →			
		type name here ↓	signatures here ↓
1st Approval:	Dept. Mgr.	Aparana Narang	
2nd Approval:	Division Head	Peter Stricker	
3rd Approval:	CFO/Controller		
4th Approval:	COO		
5th Approval:			



Usted realizó el Alta de un Traspaso para el Servicio de Traspasos a Otros Bancos el día 11/05/2006 a las 11:26:13 hrs.

Beneficiario titular:	ISEI SA DE CV
Cuenta cargo:	4025513979
Cuenta abono:	012517004493234350
Banco:	012 - BBVA Bancomer
Importe:	\$ 36,136.04
Fecha cargo:	11/05/2006
Fecha aplicación:	12/05/2006
Fecha alta:	11/05/2006
Hora:	11:26:13
Folio:	08681

La información es sólo de carácter informativo.

Llámanos las 24 horas del día, los 7 días de la semana
57213380 ó 01 (800) 7 12 45 25 opción 1,3,2
ó si lo prefiere nos ponemos a tus órdenes en contacto@hsbc.com.mx

Seleccione la opción Print (Imprimir) de su Navegador si desea imprimir esta pantalla.

50% del anticipo para la compra e instalación de
una torre anemométrica de 50 M. en La Rumorosa
para Baja California, 2000 S.A. de C.V.

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:

Información confidencial. datos personales

PD se adjunta cotización

1409- 112-002- —

36,136.04

1120 102 005 ISEI SA

36,136.04

BE-4



**INGENIERIA EN SISTEMAS
ELECTRONICOS
DEL ISTMO S.A. DE C.V.**

PARTIDA (1 TORRE 50mts)	IMPORTE
01] ESTRUCTURA DE TORRE Y ACCESORIOS	\$ 41,022.09
02] SISTEMA DE PARARRAYOS	\$ 5,000.00
03] SISTEMA DE TIERRAS	\$ 2,250.00
04] INSTALACIÓN Y PUESTA EN SERVICIO DE EQUIPOS DE MEDICION	\$ 10,000.00
05] EMBARQUE	\$ 8,000.00
06] OBRA CIVIL E INSTALACION DE LA TORRE	\$ 10,000.00
SUB-TOTAL:	\$ 76,272.09

NOTA: VIATICOS POR CUENTA DE FUERZA EOLICA

SIN MAS POR EL MOMENTO Y EN ESPERA DE PODER CONTRIBUIR CON USTEDES EN LA REALIZACION DE SUS PROYECTOS, ESTOY A SUS ORDENES PARA CUALQUIER DUDA O ACLARACION AL RESPECTO.

ATTE. SOCRATES CASTILLO FUENTES

5 DE SEPTIEMBRE No 16 COL. CENTRO C.P. 70000 JUCHITAN, OAXACA.

TEL. Y FAX: 971-7110242/971-71112011

E-MAIL: socrates@prodigy.net.mx



**INGENIERIA EN SISTEMAS
ELECTRONICOS
DEL ISTMO S.A. DE C.V.**

JUCHITAN, OAXACA A 19 DE ABRIL DE 2006

AT'N. LIC. PABLO GOTTFRIED
FUERZA BOLICA DEL ISTMO
PRESENTE

EN ATENCION A SU SOLICITUD DE COTIZACION PARA EL SUMINISTRO DE TORRE
ARRIOSTRADA T-45 DE 50 m DE ALTURA INSTALADO EN BAJA CALIFORNIA (LA
RUMOROSA) PRESENTAMOS A SU CONSIDERACION NUESTRA OFERTA PARA LA
REALIZACION DE DICHO PROYECTO.

IMPORTANTE:

- 1.- EL IMPORTE PRESENTADO ES PESOS MEXICANOS Y NO INCLUYE EL IMPUESTO AL VALOR AGREGADO I.V.A.
- 2.- LA VIGENCIA DE NUESTRA OFERTA ES POR 30 DIAS CALENDARIO A PARTIR DE LA SOLICITUD
3. EL ALCANCE DE LA OFERTA ES EL INDICADO EN PRESUPUESTO ANEXO, SIENDO POR EL SUMINISTRO Y MONTAJE.

EL DISEÑO DE LA TORRE ES COMO SIGUE Y APLICA PARA LOS SIGUIENTES PARAMETROS DE DISEÑO: VELOCIDAD REGIONAL=160 KM/HR, FACTOR TOPOGRAFICO=1 Y CATEGORIA DEL TERREÑO=3.

- 4.- TIEMPO DE ENTREGA: 15 DIAS A PARTIR DE SU SOLICITUD
- 5.- EQUIPOS DE MEDICION SUMINISTRADO POR USTEDES AL IGUAL QUE LOS SOPRTE
- 6.- CONDICIONES COMERCIALES:
50% DE ANTICIPO INMEDIATO.
50% AL TERMINO DEL MONTAJE.

S DE SEPTIEMBRE No 16 COL. CENTRO C.P. 70000 JUCHITAN, OAXACA.

TEL. Y FAX. 971-7110242/971-7112011

E-MAIL: socasf@prodigy.net.mx

1166

CHADBOURNE & PARKE LLP

1200 New Hampshire Avenue NW, Washington, DC 20036
tel 202-974-5600 fax 202-974-5602

Statement No. 8165-628634 C

December 19, 2006

Client No. 15600.005

Clipper Windpower Development Company, Inc.
6305 Carpinteria Avenue, Suite 300
Carpinteria, CA 93013

Attn: Accounts Payable
Rudy Rivas
Stu Webster

*****REVISED*****

Re: PO Number 0000050247 check request

Client/Matter: Clipper Windpower, Inc./MISO Interconnection Agreement

FOR PROFESSIONAL SERVICES RENDERED
through October 31, 2006 in connection with the
matters described on the following pages:

FEES	\$62,991.50	
DISBURSEMENTS	3,083.82	
<u>SUBTOTAL FEES & DISBURSEMENTS</u>		<u>\$66,075.32</u>
DEDUCTION (as discussed)	(\$12,000.00)	
<u>TOTAL FEES & DISBURSEMENTS</u>		<u>\$54,075.32</u>

REMITTANCE COPY--PLEASE RETURN WITH PAYMENT

WIRE TRANSFER INSTRUCTIONS:

JP Morgan Private Bank

1111 Fannin Street

14th Floor

Houston, TX 77002

Attn: Joel Diaz, Dean Tran or Nicole Zigerlig

For: Chadbourne & Parke LLP

A/C # 001-006843

ABA # 021 000 021

SWIFT: CHASUS33

Statement # 8165-628634

MGR SIGN	DATE	VENDOR NO
ACCOUNT NO		AMOUNT
73550-0500-14003		
B: 883	V: 5598	
PST DATE: 12-21-06		
INTL: C-S-I	TOTAL	35,870.12

C-S-

Please indicate Statement No. on payment.

Federal and New York State tax identification number: 13-4990295

Normal Payment Terms: 30 Days

CHADBOURNE
& PARKE LLP

Clipper Windpower

-2-

December 19, 2006

CLIPPER PO:	ENDEAVOR (0000050247)	MISO (UNKNOWN)	BAJA (UNKNOWN)
FEES:	50,442.00	3,152.00	9,397.50
DISBURSEMENTS:	1,928.12	0.00	1,155.70
<u>SUBTOTAL:</u>	<u>52,370.12</u>	<u>3,152.00</u>	<u>10,553.20</u>
DEDUCTION:	(12,000.00)	(0.00)	(0.00)
<u>TOTAL:</u>	<u>\$40,370.12</u>	<u>\$3,152.00</u>	<u>\$10,553.20</u>



RECEIVED

DEC 07 2006

30 November 2006

Ms. Cathy Stanley
Accounts Payable Dept.
Clipper Windpower Development, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013

via e-mail: accountspayable@clipperwind.com

INVOICE FOR METEOROLOGICAL SERVICES

P.O. #50230
NOVEMBER 2006

Dear Cathy:

This is for Northern Light (Sep-Oct 2006 reports), La Rumorosa (array plan), Eclipse (Oct 2006 report, preliminary resource assessment), Rolling Thunder (Oct 2006 report, follow-up on 5000 MW array planning), Great Republic (Oct 2006 report), Snowy Ridge (Oct 2006 report), Argonaut (Oct 2006 report, C-99 array), Indiana (Oct 2006 report), Colorado (Jul-Oct 2006 report), Paragon (permanent anemometer, Oct 2006 report), Celestial (Oct 2006 report), Victory (Oct 2006 report), Dehlsen Ranch (Oct 2006 report), Cottonwood Pass (Oct 2006 report), Noble Well (Oct 2006 report), Maryland (Oct 2006 report, array review), Oklahoma (2006 data processing), Ontario (Sep-Oct 2006 report), Pennsylvania (Oct 2006 report), Paragonah (Oct 2006 report), Chugwater (Oct 2006 report), Flattop (data processing), Kansas (Sep-Oct 2006 data processing), and Aurora (Oct 2006 report).

R. L. Simon, 18 hours @ \$140/hour	\$2,520.00
R. L. Simon, 82 hours @ \$70/hour	560.00
D. F. Matson, 38 hours @ \$125/hour	4,750.00
A. J. Becker, 4 hours @ \$125/hour	500.00
J. L. Mitguard, 42 hours @ \$110/hour	4,620.00
J. M. Gawrych, 18 hours @ \$110/hour	1,980.00
Telephone, fax, copies, postage	100.00

AMOUNT DUE: \$15,030.00

Allocate \$1400 to ND001, \$450 to MX003, \$1100 to IA005, \$880 to SD002, \$500 to SD003, \$850 to TX002, \$250 to UT002, \$640 to CA001, \$380 to IN001, \$1400 to CO001, \$450 to CO002, \$270 to CO003, \$380 to NY002, \$360 to SD001, \$1180 to IA004, \$340 to CA007, \$360 to CA002, \$240 to CA012, \$830 to MD001, \$120 to OK001, \$470 to CN001, \$240 to PA002, \$360 to UT001, \$230 to WY001, \$350 to NV001, \$660 to KS001, and \$340 to MN001.

Thank you,

Richard L. Simon

268 Woodward Avenue

Sausalito, CA 94965 USA

Tel: +1-415-332-1861

Approval	Name	Date	Initial
Requestor	Don	11/6	
DPM	Moat	11/6	NVE
Director	Simon	11/6	BJO
Finance	Aparna	11/7	AJ
Ops Ldr	Mike Al.		
VP of Dev	P. Stricker	11/6	



RECEIVED.

JAN 03 2007

31 December 2006

Ms. Cathy Stanley
Accounts Payable Dept.
Clipper Windpower Development, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013

via e-mail: accountspayable@clipperwind.com

INVOICE FOR METEOROLOGICAL SERVICES

P.O. #50230

DECEMBER 2006

Dear Cathy:

This is for Paragon (Nov 2006 report), Flattop, NV (Nov 2006 report), Michigan (Nov 2006 reports for Polaris and White Pine, 150-MW array for Polaris), Indiana (200-MW array), Aurora (Nov 2006 report), Great Republic (Nov 2006 report), South Dakota (Nov 2006 reports), Arizona (data processing and report for Saint Johns area), Argonaut (Nov 2006 data processing), Iowa (Endeavor, Eclipse and Victory Nov 2006 reports), Kansas (Nov 2006 data processing), Maryland (Nov 2006 report), North Dakota (Nov 2006 report), Pennsylvania (Nov 2006 report), Silver Star (put data in bins, review array options), Wyoming (Chugwater and Bison data processing), Honduras (Oct-Nov 2006 report), La Rumorosa (data processing), San Matias Pass (report update) and Cottonwood Pass (Nov 2006 data processing).

R. L. Simon, 10 hours @ \$140/hour	\$1,400.00
R. L. Simon, 3 hours @ \$70/hour	210.00
D. F. Matson, 30 hours @ \$125/hour	3,750.00
A. J. Becker, 11 hours @ \$125/hour	1,375.00
J. L. Mitguard, 20 hours @ \$110/hour	2,200.00
J. M. Gawrych, 19 hours @ \$110/hour	2,090.00
Telephone, fax, copies, postage	100.00

AMOUNT DUE: \$11,125.00

Allocate \$500 to NY002, \$860 to NV001, \$1150 to MI001, \$280 to IN001, \$620 to MN001, \$320 to TX003, \$250 to SD001, \$300 to SD002, \$180 to SD003, \$600 to AZ000 leads, \$240 to CA001, \$540 to IA005, \$610 to IA003, \$360 to IA004, \$350 to KS001, \$710 to MD001, \$580 to ND001, \$240 to PA002, \$470 to TX001, \$580 to WY001, \$600 to HN001, \$310 to MX003, \$360 to MX004, and \$115 to CA002.

Thank you,

Richard L. Simon

Note 2007 rates will increase \$10 per hour.

268 Woodward Avenue Sausalito, CA 94965 USA

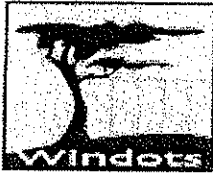
Tel: +1-415-332-1861

Fax:

Approval	Name	Date	Initial
Requestor	den	1/16	ML
DPM	Woot	1/16	ML
TRM	OLSON	1/16	OLSON
TRM	APRIL	1/17	APR
TRM	Mike R.	1/17	ML
Ops Ldr			
VP of Dev	R. Stricker	1/17	1/17/07

RECEIVED

NOV 02 2006



31 October 2006

Ms. Cathy Stanley
Accounts Payable Dept.
Clipper Windpower Development, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013

via e-mail: accountspayable@clipperwind.com

INVOICE FOR METEOROLOGICAL SERVICES

P.O. #50230
OCTOBER 2006

Dear Cathy:

This is for Eclipse (Sep 2006 report, 200-MW array), Noble Well (array), Silver Star I (miscellaneous), Paragonah (12x24 matrix, temperature-wind correlations), Rolling Thunder (5000-MW array, Sep 2006 report), New York (Andover and Paragon Sep 2006 reports), Victory (Sep 2006 report), Dehlsen Ranch (Sep 2006 report), La Rumorosa (Sep 2006 report), Argonaut (Sep 2006 report), Indiana (Prairie Sep 2006 report), Endeavor (Sep 2006 report), Kansas (Sep 2006 data processing), Maryland (Sep 2006 report), Aurora (data processing), Nevada (Flattop wind resource estimates), Northern Light (data processing, 75-MW array), Keystone (data processing), Celestial (Sep 2006 report), Great Republic (Sep 2006 report), Honduras (Jul-Sep 2006 report), and Invincible (turbine suitability, 12x24).

R. L. Simon, 22 hours @ \$140/hour	\$3,080.00
R. L. Simon, 2 hours @ \$70/hour	140.00
D. F. Matson, 40 hours @ \$125/hour	5,000.00
A. J. Becker, 7 hours @ \$125/hour	875.00
J. L. Mitguard, 35 hours @ \$110/hour	3,850.00
J. M. Gawrych, 16 hours @ \$110/hour	1,760.00
Telephone, fax, copies, postage	150.00

AMOUNT DUE: \$14,855.00

Allocate \$610 to IA006, \$280 to CA012, \$580 to TX001, \$1110 to UT001, \$2740 to SD003, \$380 to NY001, \$1300 to IA004, \$490 to CA007, \$490 to MX003, \$130 to CA001, \$240 to IN001, \$600 to IA003, \$130 to KS001, \$910 to MD001, \$470 to MN001, \$380 to NV001, \$240 to NY002, \$1670 to ND001, \$240 to PA002, \$240 to SD001, \$350 to TX002, \$1025 to HN001, and \$250 to MX001.

Thank you,

Richard L. Simon

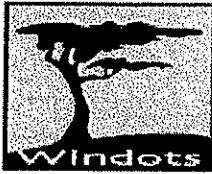
268 Woodward Avenue

Sausalito, CA 94965 USA

Tel: +1-415-332-1861

Fax: +1-415-332-6840

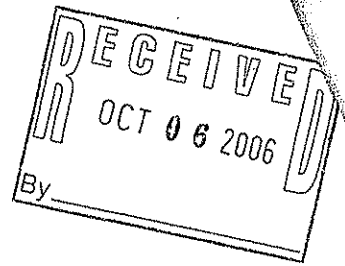
OK MWJ
OK AS
11/27/06
IFC



Ms. Cathy Stanley
Accounts Payable Dept.
Clipper Windpower Development, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013

30 September 2006

also via e-mail: accountspayable@clipperwind.com



**INVOICE FOR METEOROLOGICAL SERVICES
SEPTEMBER 2006**

Dear Cathy:

This is for Delaware (update report to May 2005), Northern Light (Aug 2006 report), Victory (Jul-Aug 2006 reports), Colorado (Jul 2006 reports), Aurora (Aug 2006 report), Eclipse (Aug 2006 report), Rolling Thunder (Aug 2006 report), Endeavor (Jul 2006 report), Kansas (Aug 2006 report, site suitability), Dehlsen Ranch (Aug 2006 report), New York (Andover and Paragon Aug 2006 reports), Silver Star I (Aug 2006 report, confidence limits, due diligence support for Ron Nierenberg), Silver Star II (Aug 2006 report), Maryland (Aug 2006 report), Panoche Pass (Aug 2006 report), Utah (Aug 2006 reports), Pennsylvania (Aug 2006 report), Indiana (Aug 2006 report), San Matias Pass (update report), Michigan (Aug 2006 report), Celestial (Aug 2006 report, prospective array plan), Nevada (Flattop 100-MW array), Wyoming (array, correct site location in report), Missouri (new prospects with J. Koehn), La Rumorosa (updated report), Argonaut (Aug 2006 report), Great Republic (Aug 2006 report), Invencible (initial work on site suitability), Ontario (initial Aug 2006), and Cottonwood Pass (initial Aug 2006).

R. L. Simon, 29 hours @ \$140/hour	\$4,060.00
R. L. Simon, 14 hours @ \$70/hour	980.00
D. F. Matson, 62 hours @ \$125/hour	7,750.00
A. J. Becker, 1 hour @ \$125/hour	125.00
J. L. Mitguard, 26 hours @ \$110/hour	2,860.00
J. M. Gawrych, 24 hours @ \$110/hour	2,640.00
Telephone, fax, copies, postage	125.00

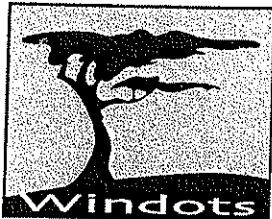
AMOUNT DUE: \$18,540.00

Allocate \$1050 to DE001, \$620 to ND001, \$750 to IA004, \$300 to CO001, \$500 to MN001, \$500 to IA006, \$720 to SD002, \$850 to IA003, \$1250 to KS001, \$850 to CA007, \$360 to NY001, \$1000 to NY002, \$1000 to TX001, \$650 to TX003, \$490 to MD001, \$200 to CA005, \$500 to UT001, \$380 to UT002, \$500 to PA002, \$500 to IN001, \$610 to MX004, \$610 to MI001, \$1160 to SD001, \$140 to NV001, \$260 to WY001, \$140 to Missouri leads MO000, \$1400 to MX003, \$400 to CA001, \$400 to TX002, \$230 to MX001, \$110 to CN001, and \$110 to CA002.

Thank you,

Richard L. Simon

268 Woodward Avenue Sausalito, CA 94965 USA Tel: +1-415-332-1861 Fax: +1-415-332-8840



Consultants to the Wind Industry

RECEIVED

31 August 2006

SEP 11 2006

Ms. Cathy Stanley
Accounts Payable Dept.
Clipper Windpower Development, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013

INVOICE FOR METEOROLOGICAL SERVICES
AUGUST 2006

Dear Cathy:

This is for Nevada (Flattop data processing, report), Argonaut (Jun/Jul 2006 reports), Panoche Pass (Jul 2006 report), Cottonwood Pass (June 2006 report), Eclipse (Jul 2006 report, array plan), Dehlsen Ranch (Jul 2006 report), Great Republic (data processing), Arkansas (Jun 2006 report), Keystone (Jul 2006 report), Utah (Paragonah Jul 2006 report), Northern Light (Jul 2006 report, new met tower ideas, resource projections), Oklahoma (new array plan), Utah (Snowy Ridge Jul 2006 report), Paragon (Jul 2006 report, resource update), Silver Star I (Jul 2006 report, weather summary for construction), Silver Star II (array plan, Jul 2006 report), Kansas (Jul 2006 report, turbulence analysis), Noble Well (Jul 2006 report), Rolling Thunder I (Jul 2006 report), Rolling Thunder II (layout ideas and resource projection), strategic planning session with Ilan Caplan 18 August, Aurora (Jul 2006 report), Celestial (new met tower recommendations), Ontario (Palmyra Jul 2006 report), Wyoming (Chugwater Jul 2006 report), Maryland (Jul 2006 report, anemometer recommendations), Colorado (Jul 2006 data processing), Honduras (Jun 2006 report), Baja (2006 data processing), Indiana (Jul 2006 data processing), and Victory (Jul 2006 data processing).

R. L. Simon, 51 hours @ \$140/hour	\$7,140.00
R. L. Simon, 5 hours @ \$70/hour	350.00
D. F. Matson, 78 hours @ \$125/hour	9,750.00
A. J. Becker, 16 hours @ \$125/hour	2,000.00
J. L. Mitguard, 34 hours @ \$110/hour	3,740.00
J. M. Gawrych, 30 hours @ \$110/hour	3,300.00
Telephone, fax, copies, postage	120.00

Trip expenses (Simon to Denver, 18 August: airfare 253.60, cabs 120.00, miscellaneous 20.00)

393.60

AMOUNT DUE: \$26,793.60

Allocate \$750 to NV001, \$900 to CA001, \$430 to CA005, \$630 to CA002, \$1250 to IA005, \$900 to CA007, \$360 to TX002, \$550 to AR001, \$1330 to PA002, \$610 to UT001, \$670 to ND001, \$305 to OK001, \$750 to UT002, \$1235 to NY002, \$1455 to TX001, \$1060 to TX003, \$705 to KS001, \$500 to CA012, \$2320 to SD002, \$140 to SD003, \$1763.60 to meeting with Ilan and general priority list discussions, \$1345 to MN001, \$530 to SD001, \$500 to ON001, \$735 to WY001, \$625 to MD001, \$1400 to CO001, \$400 to CO002, \$345 to CO003, \$375 to HN001, \$735 to MX003, \$470 to IN001, and \$720 to IA004.



COMISION
REGULADORA
DE ENERGIA

ACTS

DIRECCION GENERAL DE ELECTRICIDAD

DGE/ 0716 /2007

México, D.F., a 30 de marzo de 2007

Ing. Carlos Federico Gottfried Joy
Representante de
Fuerza Eólica de Baja California, S. A. de C. V.

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745

En relación con la solicitud mencionada al rubro, presentada ante la Comisión Reguladora de Energía con fecha 14 de diciembre de 2006, se le comunica que, toda vez que habiendo transcurrido el término de dos días hábiles que le fue concedido por oficio número SE/0385/2007, de fecha 21 de febrero de 2007, sin que se haya entregado la información y documentación requerida en el mismo, se desecha su escrito inicial de solicitud de permiso para modificar las condiciones originales de generación de energía bajo la modalidad de exportación, dejándose a salvo sus derechos para iniciar nuevamente el procedimiento administrativo solicitado, en caso de así convenir a sus intereses.

Lo anterior, con fundamento en los artículos 3, fracción I, 36, fracción V y 44 de la Ley del Servicio Público de Energía Eléctrica; 12, 13, 16, fracción VII, 17-A y 39 de la Ley Federal de Procedimiento Administrativo; 2, fracción II, 3, fracciones XII, XXII y 7 de la Ley de la Comisión Reguladora de Energía; 72 fracción I, inciso b), 77, 78, 82, 83 y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica y en el oficio de la Presidencia de la Comisión Reguladora de Energía número P/1263/2005, de fecha 1 de junio de 2005.

Atentamente
El Director General de Electricidad

Alejandro Peraza García



c.c.p. Carlos Hans Valades Martínez.- Secretario Ejecutivo.
c.c.p. Dr. Francisco de Rosenzweig Mendialdua.- Director General de Asuntos Jurídicos
c.c.p. Expediente Núm. F26/E/745
Turno Núm. 1166

Un renglón eliminado:

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:

Información confidencial, datos personales



FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V.

México DF, a 16 de abril de 2007

COMISIÓN REGULADORA DE ENERGÍA

Horacio No. 1750

Colonia Polanco

11560, México, DF

**LIC. CARLOS HANS VALADEZ MARTINEZ
PRESENTE**

REF: PERMISO PARA GENERAR ENERGÍA ELÉCTRICA DESTINADA A LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE PRODUCCIÓN INDEPENDIENTE NÚM. E/214/EXP/2002.

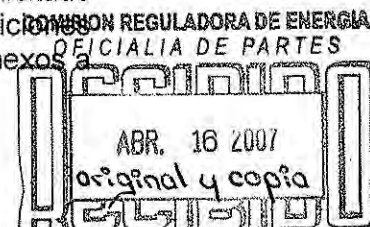
ASUNTO: SE SOLICITA MODIFICACIÓN A LAS CONDICIONES SEXTA Y SÉPTIMA DEL PERMISO DE REFERENCIA.

CARLOS F. GOTTFRIED JOY, EN NOMBRE Y REPRESENTACIÓN DE FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., señalando como domicilio para oír y recibir toda clase de notificaciones en Avenida Año de Juárez No. 205, Colonia Granjas San Antonio - Iztapalapa, C.P. 09070 y autorizando para tales efectos a los señores Lic. Miguel Jáuregui Rojas, el Sr. Raúl Santos Coy y Lic. Pablo Gottfried Blackmore, con el debido respeto comparezco y expongo lo siguiente:

I.- Que las obras necesarias para llevar a realización de las actividades amparadas por el PERMISO PARA GENERAR ENERGÍA DESTINADA A LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE PRODUCCIÓN INDEPENDIENTE NÚM. E/214/EXP/2002 no han sido detenidas por un plazo mayor a 6 meses desde el otorgamiento del Permiso.

II.- Se solicita y se autoriza a la Comisión Reguladora de Energía la utilización de la información y documentación contenida en nuestro expediente, en particular la solicitud de modificación entregada el 14 de diciembre de 2006 y actualizada el 9 de marzo de 2007 a la Comisión Reguladora de Energía, para el presente Procedimiento Administrativo y para subsanar lo solicitado en el formato de Solicitud de Autorización para Modificar las Condiciones Originales del Permiso de Generación de Energía Eléctrica. Los anexos a

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los que hace referencia este escrito ya han sido entregados a la CRE, por lo cuál solicitamos y autorizamos se haga uso de ellos para complementar esta solicitud. Únicamente el anexo 2 de la presente modificación ha sufrido cambios sustanciales, y se anexa documentación que comprueba los cambios discutidos con más detalle en su apartado correspondiente.

- III.- Se anexan copias de documentos confidenciales y públicos relacionados al desarrollo del proyecto amparado por el Permiso de referencia.

SOLICITUD:

- 1) Se solicita la modificación de la Condición Sexta para quedar como sigue:

"SEXTA. Descripción de las instalaciones". El proyecto tendrá por objeto la generación de energía eléctrica, utilizando una central eoloeléctrica que será construida en dos etapas, en la primera de ellas se instalarán 24 aerogeneradores de 2.5 MW cada uno, mientras que en la segunda se instalarán 96 aerogeneradores con capacidad de 2.5 MW cada uno. La central estará integrada por 120 aerogeneradores con capacidad total de 300 MW y una producción estimada anual de energía eléctrica de 850 GWh.

JUSTIFICACIÓN:

La razón principal por la que se solicita una modificación a la descripción de las instalaciones es el avance realizado por la empresa Clipper Windpower en el estado del arte en turbinas eoloeléctricas. El diseño de estas turbinas permite un desempeño más alto en términos generales al ofrecer una curva de potencia superior a turbinas similares, una disponibilidad de planta más alta por su diseño de generación distribuida dentro de cada turbina, costos de operación, mantenimiento y cambios de refacciones más bajos al contar con una grúa abordo y varias ventajas adicionales correspondientes a control de voltaje y frecuencia derivadas de su alta tecnología y patentado sistema de velocidad variable. También, el uso de este tipo de turbinas permitirá instalar menos equipos y por ende reducir sustancialmente la huella del proyecto sobre el medio ambiente en la región. El anexo 1 contiene información de dicha turbina.

Además deseamos exponer lo siguiente:

- I) El Proyecto no se interconectará con la infraestructura de transmisión de la Comisión Federal de Electricidad y se construirá una línea de 230 kV independiente. (La condición sexta de la resolución original si menciona el uso de la infraestructura del proyecto en la primera etapa del proyecto). Por lo tanto, Fuerza Eólica de Baja California no generará excedentes de capacidad y energía aprovechables por la Comisión Federal de Electricidad. Se solicita a esa Comisión Reguladora de Energía la modificación del permiso para reflejar este cambio.

En cuanto ha la decisión de no utilizar la infraestructura de la Comisión Federal

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de Electricidad se debe a nuestro entendimiento de las condiciones restrictivas de transmisión en la zona de La Rumorosa y el potencial de expansión del proyecto. Fuerza Eólica de Baja California está en negociaciones avanzadas para unirse con otro productor independiente de energía para la realización de la solución de transmisión para el proyecto eoloelectrico en la región. Estas negociaciones son confidenciales y comercialmente delicadas. Sus detalles no pueden ser revelados en documentos públicamente disponibles por el momento.

La primera propuesta es la construcción de una línea de 230 kV de nuestro sitio en la zona de La Rumorosa a la subestación de La Rosita. En la subestación de La Rosita, la transmisión se interconectará con las líneas privadas existentes que se conectan con la red CAISO en la subestación de Imperial Valley en California. Este proyecto de transmisión dará servicio a múltiples proyectos eólicos bajo desarrollo en la región de La Rumorosa y se espera se construya en el 2009 para entrar en servicio para la primera fase de nuestro proyecto de exportación en el 2010. La transmisión no se interconectará con la infraestructura de la CFE y la operación y mantenimiento será independiente. La transmisión trans-fronteriza ya existe en La Rosita y tiene suficiente capacidad sobrante para acomodar los 300 MW autorizados y bajo desarrollo. Los Permisos Presidenciales han sido otorgados para esta línea y se encuentra en operación. Se ha realizado una solicitud de interconexión con CAISO para este proyecto de 300 MW. Las negociaciones para la compra-venta de energía de exportación se estarán llevando a cabo en paralelo con la elaboración de la ingeniería para la solución de transmisión de La Rumorosa a La Rosita. Los estimados de costos ya existen y forman parte de la base de evaluación económica para el costo de energía del proyecto.

- 2) Se solicita la modificación de la Condición Séptima para quedar como sigue:

"SEPTIMA. Programa, inicio y terminación de las obras. El programa de obras a desarrollarse por la permissionaria, para cada una de las etapas de construcción de la central a que hace referencia la Condición inmediata anterior, comprende la realización de los estudios meteorológicos, la selección de sitios, la ingeniería del proyecto, el financiamiento, la construcción y la puesta en marcha de la central".

Las fechas de inicio y terminación de las obras serán las siguientes:

ETAPA	FECHA DE INICIO	FECHA DE TERMINACIÓN
PRIMERA	SEPTIEMBRE 2003	DICIEMBRE 2011
SEGUNDA	SEPTIEMBRE 2003	DICIEMBRE 2012

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Asimismo deseamos exponer lo siguiente:

- I) Que las obras amparadas por el Permiso de Exportación otorgado a Fuerza Eolica de Baja California, S.A. de C.V. no han sido detenidas por un periodo mayor a 6 meses y que continúan avanzando sin interrupción.
- II) Que la capacidad total a instalar para el proyecto de exportación de energía

eléctrica no ha sufrido cambio alguno.

III) Que se ha instalado 5 torres meteorológicas adicionales de 50m para correlacionar la información recolectada anteriormente y ampliar la zona de estudio y se ha invertido en equipos de recolección de datos de última generación para todas las torres en el sitio. En el Anexo 2 a la presente existe copia del reporte de instalación y facturas correspondientes, así como un mapa de ubicación. Este anexo, que ha sufrido modificaciones desde la última solicitud de modificación entregada el 14 de diciembre de 2006 y actualizada el 9 de marzo de 2007, se actualiza, y se anexa copia de documentos que confirman la instalación de 4 nuevas torres anemométricas, designadas internamente 3105, 3106, 3107 y 3108.

IV) Que se han continuado los análisis internos necesarios para la interconexión con el SEN hacia el Estado de California. Asimismo, se han estado llevando a cabo los análisis correspondientes a la posible construcción de una línea dedicada trans-fronteriza para interconectar el proyecto directamente a la red del Estado de California.

V) Que se han elaborado propuestas para compradores finales potenciales de la energía generada por el proyecto en Baja California. En específico, San Diego Gas & Electric y Pacific Gas & Electric. En el Anexo 3 a la presente sírvase encontrar copias de comunicaciones internas y externas realizadas por nuestro socio Clipper Windpower. Tratar información como confidencial.

JUSTIFICACIÓN:

Las razones preponderantes para solicitar una modificación a la Condición Séptima del permiso de referencia incluyen la complejidad de interconectar la capacidad a desarrollarse con la red americana, la imposibilidad de suministrar el equipo necesario para su instalación en la fechas previamente programadas dada la alta demanda por turbinas eoloelectricas en los mercados americanos y europeos y su consecuente desabasto para mercados secundarios como lo es el mexicano.

En el caso de la interconexión del proyecto al sistema americano, se ha encontrado que los escenarios de congestión en las líneas y subestaciones existentes hacia Estados Unidos no permitían la inyección de capacidad adicional aportada por un proyecto eólico de la magnitud que se tiene planeado (ver anexo 4: "Rumorosa Transmission Study"). Sin embargo, dada la necesidad del Estado de California de reducir sus emisiones de acuerdo con el plan establecido y firmado por el Gobierno de dicho estado y la aceptación por parte de la California Energy Commission de considerar proyectos de energía renovable al sur de la frontera que abastezcan la demanda californiana como parte del estándar de portafolio de energía renovable (Renewable Portfolio Standard, RPS) de dicho estado ha incrementado sustancialmente la visibilidad del proyecto ante los posibles importadores finales. Asimismo, se espera que la ejecución de los planes de expansión de redes de transmisión en el sur del Estado de California permita la interconexión del proyecto en las fechas solicitadas. Ver anexo 5 para información relacionada a la elegibilidad de proyectos fuera del Estado de

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California, objetivos de reducción de emisiones y planes de expansión de la red de transmisión en el sur de California.

Finalmente, se anexa una carta dirigida por Clipper Windpower a Fuerza Eólica de Baja California en el Anexo 6 de la presente.

Por lo antes expuesto a esa H. Comisión Reguladora de Energía atentamente solicito:

PRIMERO. Tener a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., presentada en los términos de la presente contestación y solicitud.

SEGUNDO. De conformidad con las disposiciones de la Ley del Servicio Público de Energía Eléctrica, su Reglamento, y de la Ley de la Comisión Reguladora de Energía, en su oportunidad, informar a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V. sobre la necesidad de cualquier aclaración o información.

TERCERO. Tener a mi representada como cumplida y que ha estado llevando a cabo las actividades necesarias para finalizar las obras a desarrollar al amparo del Permiso.

CUARTO. Previos los trámites reglamentarios, se solicita respetuosamente a esa Comisión Reguladora de Energía la modificación del Permiso y emisión de Resolución modificando las Condiciones Sexta y Séptima de acuerdo con lo estipulado en el presente para el Permiso de Exportación de Energía Eléctrica otorgado a Fuerza Eólica de Baja California S.A. de C.V.

ATENTAMENTE,

México DF, a 16 de abril de 2007.

Por Fuerza Eólica de Baja California, S.A. DE C.V.

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Fundamento: Art.18 fracc.II LFTAIPG. Motivación:

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ING. CARLOS FEDERICO GOTTFRIED JOY
PRESIDENTE DEL CONSEJO DE ADMINISTRACIÓN



**Solicitud de autorización para modificar
las condiciones originales
de generación o importación de energía
eléctrica**

PARA USO EXCLUSIVO DE LA CRE

Núm. de Expediente _____

Núm. de Turno

1791

Antes de llenar lea las instrucciones generales de la página 3

I. DATOS DEL SOLICITANTE

I.1 Nombre, denominación o razón social

FUERZA EÓLICA DE BAJA CALIFORNIA S.A. DE C.V.

R.F.C.

FEB010709914

I.2 Domicilio

Calle	Núm. exterior	Núm. interior
AVENIDA AÑO DE JUÁREZ	205	
Colonia	Código postal	
GRANJAS SAN ANTONIO	09070	
Población	Municipio o delegación	Entidad federativa
CIUDAD DE MÉXICO	IZTAPALAPA	DISTRITO FEDERAL
Teléfono con clave LADA	Fax con clave LADA	Correo electrónico
55 56857030	55 56867006	PGOTTFRIED@GMAIL.COM, PG@FUERZAEOLICA.COM

I.3 Datos de inscripción del acta constitutiva en el Registro Público de la Propiedad y del Comercio

Partida	Foja	Volumen	Libro	Sección	Fecha	o Folio mercantil
17768					31 de agosto 2001	280361

I.4 Nombre del representante legal

CARLOS FEDERICO GOTTFRIED JOY

I.5 Domicilio para oír y recibir notificaciones

Calle	Núm. exterior	Núm. interior
AVENIDA AÑO DE JUÁREZ	205	
Colonia	Código postal	
GRANJAS SAN ANTONIO	09070	
Población	Municipio o delegación	Entidad federativa
CIUDAD DE MÉXICO	IZTAPALAPA	DISTRITO FEDERAL
Teléfono con clave LADA	Fax con clave LADA	Correo electrónico
55 56857030	55 56867006	PGOTTFRIED@GMAIL.COM, PG@FUERZAEOLICA.COM

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I.6 ¿Autoriza a la CRE a notificar cualquier acto relacionado con esta solicitud vía fax o correo electrónico?

☒ X

Sí

☐

No

I.7 Clasificación de la información y documentación entregada

☐ Pública

☐ Reservada

☒ X

Confidencial



Solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica

II. DATOS DEL PERMISO

II.1 Número del permiso

E/214/EXP/2002

II.2 Fecha de otorgamiento del permiso

11 de julio de 2002

II.3 Objeto del permiso

EXPORTACIÓN

III. TIPO DE MODIFICACION

III.1 Indique el tipo de modificación que se pretende realizar

Modificación de la capacidad instalada

☐

Modificación del programa de obras

☒

Inclusión de nuevos socios en el aprovechamiento de la energía eléctrica

☐

Modificación en la distribución de cargas de los beneficiarios de la energía eléctrica generada

☐

Otros. (especificar en el punto III.2)

☐

NOTA: De conformidad con lo establecido en el Acuerdo de la Comisión Reguladora de Energía de fecha 24 de junio de 2004, los supuestos que de manera enunciativa mas no limitativa se enlistan a continuación, no se consideran modificaciones a las condiciones de los permisos de generación e importación de energía eléctrica:

- El cambio de nombre, denominación o razón social del permisionario o socio autorizado en el permiso de que se trate, siempre que no derive de una transmisión de acciones o partes sociales que, directa o indirectamente, impliquen la asunción, por parte del adquirente, del control de la sociedad permisionaria;
- El cambio de representante legal o de apoderado general o especial;
- El cambio de domicilio para oír y recibir notificaciones, y
- Las demás que la Comisión determine y haga del conocimiento de los permisionarios mediante la publicación del Acuerdo respectivo en el Diario Oficial de la Federación.

No obstante lo anterior, deberá presentar este formato junto con los documentos que sustenten el cambio que se pretende realizar, con el fin de que esta Comisión Reguladora de Energía pueda tomar nota de lo que proceda.

III.2 Explique brevemente las modificaciones que se pretenden realizar a las condiciones originales del permiso

Se solicita modificación a las condiciones Sexta y Séptima del permiso de Exportación a nombre de Fuerza Eólica de Baja California S.A. de C.V. para reflejar nueva tecnología de turbinas eólicas, nuevas fechas de entrada en operación comercial y opción de transmisión de energía para exportación.

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Fundamento: Art.18 fracc.II LFTAIPG. Motivación: Información confidencial, datos personales

Fecha: 16 DE ABRIL DE 2007

Nombre y Firma del Representante legal:

CARLOS F. GOTTFRIED JOY



Solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica

INSTRUCCIONES GENERALES

- Para la correcta presentación de este formato de solicitud e integración de los documentos anexos, deberá atender lo siguiente:
 - Presentar el formato llenado en su totalidad, mismo que deberá contener firma autógrafa del representante de la empresa solicitante, junto con los documentos anexos, en original y una copia.
 - En el caso de que alguna información requerida en el formato no concierna al proyecto, escribir "NC".
- Se deberá fundamentar la clasificación de la información y documentación entregada a la CRE.
- Al momento de entregar este formato de solicitud, no es necesario entregar esta hoja de información general.

DOCUMENTOS ANEXOS

De acuerdo con lo establecido por la Ley del Servicio Público de Energía Eléctrica y su Reglamento, el solicitante deberá presentar junto con el formato de solicitud los documentos anexos que se indican:

- Acta constitutiva de la sociedad o de los copropietarios, en su caso;
- Testimonio del poder notarial del representante, en su caso;
- R.F.C. de la solicitante;
- Copia del permiso original;
- Descripción, en términos generales de la modificación, y
- Comprobante del pago de derechos, en su caso.

FUNDAMENTO JURIDICO

Artículos 3, 36, 37 y 38 de la Ley del Servicio Público de Energía Eléctrica; 1, 3, 16, fracción X, y 57, fracción I de la Ley Federal de Procedimiento Administrativo; 2, fracción II y 3, fracciones XII y XXII de la Ley de la Comisión Reguladora de Energía y 72, 77, 78, 81, 82, 83, 84, 86, 87, 88 y 90 del Reglamento de la Ley del Servicio Público de Energía Eléctrica.

PLAZO DE RESOLUCION DEL TRAMITE

De conformidad con lo establecido en el Acuerdo por el que se dan a conocer los trámites inscritos en el Registro Federal de Trámites Empresariales que aplican la Secretaría de Energía y su sector coordinado, publicado el día 19 de mayo de 1999 en el Diario Oficial de la Federación, el tiempo total para que la CRE resuelva sobre la solicitud de permiso es de 50 días hábiles.

ATENCION DE ACLARACIONES, QUEJAS Y DENUNCIAS

Para cualquier aclaración, duda y/o comentario con respecto a este trámite, sírvase llamar al Sistema de Atención Telefónica a la Ciudadanía (SACTEL) a los teléfonos 30-03-20-00 en el D.F. y área metropolitana, del interior de la República sin costo para el usuario al 01-800-112-05-84, o al 1-888-475-23-93 desde Estados Unidos y Canadá.

El Órgano Interno de Control en la Comisión Reguladora de Energía pone a disposición de la ciudadanía en general para la captación de quejas, denuncias, sugerencias, reconocimientos, así como inconformidades los siguientes medios:

- Teléfono en el D.F. y área metropolitana: 52-83-15-80.
- Vía Internet: <http://www.cre.gob.mx/formacre.html>.

Si necesita comunicarse con el responsable del trámite llame al teléfono:

- D.F. y área metropolitana: 52-83-15-20.

UNIDAD ADMINISTRATIVA ANTE LA QUE SE PRESENTA Y RESUELVE EL TRAMITE

- La unidad administrativa ante la que se presenta este formato y sus documentos anexos es la Comisión Reguladora de Energía, ventanilla de Oficialía de Partes, ubicada en Horacio 1750, Colonia Los Morales Polanco, C.P. 11510, México, D.F.
- La unidad administrativa que resuelve sobre la solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica es la Comisión Reguladora de Energía.

IDENTIFICACION DEL TRAMITE

- Trámite al que corresponde el formato de solicitud: Autorización para modificar las condiciones originales de generación o el destino de la energía eléctrica.
- Homoclave en el Registro Federal de Trámites y Servicios: CRE-00-002.
- Fecha de autorización del formato de solicitud por parte de la COFEMER: 9 de junio de 2005.

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personales

NRG Systems, Inc.

110 Riggs Road
P.O. Box 509
Hinesburg, Vermont 05461 USA
Telephone: 802-482-2255
Fax: 802-482-2272
Website: www.nrgsystems.com

Order Number: ORD028710

Date: 2/15/2007
Customer ID: 3541
Purchase Order No.: 50424
Salesperson: Evan Osler
Shipping Method: UPS GROUND
Payment Terms: Net 30 days
Ship Date: 2/19/2007
Master No.: 38872
Page: 1

Bill To:

Clipper Windpower Development Co., Inc.
6305 Carpinteria Avenue
Suite 300
Carpinteria CA 93013
USA

Fax: 805-899-1115

Ship To:

Fuerza Eolica
c/o Geitzer Brothers
9543 Heinrich Hertz Dr
Suite7
San Diego CA 92154
USA
Contact: Logistics Manager
Phone: 319-861-7449

Quantity	Item Number	Description	Unit Price	Extended Price
4	3147	Symphonie NRG Logger with (1) MMC and accessories	\$1,062.5000	\$4,250.00
4	3157	MultiMedia Card (MMC), 16MB	\$42.5000	\$170.00
4	3159	Symphonie Shelter Box with Hose Clamps	\$97.7500	\$391.00
16	1899	NRG #40 Anemometer	\$97.7500	\$1,564.00
4	3148	Symphonie SCM Card for #40 Anemometer	\$29.7500	\$119.00
8	1904	NRG #200P Wind Direction Vane, 10K	\$165.7500	\$1,326.00
4	1906	NRG #110S Temperature Sensor with Radiation Shield	\$165.7500	\$663.00
4	3153	Symphonie SCM Card for #110S	\$29.7500	\$119.00
8	1934	Sensor Cable, 2C, 20Ga, 52.5m(172'), for 50m level	\$85.0000	\$680.00
4	1933	Sensor Cable, 2C, 20Ga, 42m (138'), for 40m level	\$68.0000	\$272.00
4	1932	Sensor Cable, 2C, 20Ga, 32m (105'), for 30m level	\$51.8500	\$207.40
4	1939	Sensor Cable, 3C, 20Ga, 52.5m(172'), for 50m level	\$85.0000	\$340.00
4	1938	Sensor Cable, 3C, 20Ga, 42m (138'), for 40m level	\$68.0000	\$272.00
16	3390	Boom, Side, 1.53m(60.5"), Galv, with clamps	\$72.2500	\$1,156.00
1	2000	Freight, Handling, Insurance-Domestic	\$0.0000	\$0.00
		FOB Hinesburg, VT		
		UPS Ground Door-to-Door courtesy of NRG Systems		

Authorized signature _____

Please sign above and fax back to confirm order

Country of Origin: USA.

Certified true and correct.

Subtotal	\$11,529.40
Misc	\$0.00
Tax	\$0.00
Total	\$11,529.40
Payment Received	\$0.00
Total US Dollars Due	\$11,529.40

Ingeniería en Sistemas Electrónicos del Istmo S.A. de C.V.

MATRIZ
Av. 5 de Septiembre No. 16
C.P. 70000 Juchitán, Oax.
Tel. (01 971) 711-02-42 FAX 711-20-11

SUCURSAL
5 de Septiembre No. 87
Centro C.P. 70000
Juchitán, Oax.

R.F.C. ISE 970510 3L7

SUCURSAL
5 de Mayo No. 36
Centro C.P. 70000
Juchitán, Oax.

SUCURSAL
Av. Juárez No. 15 A
Centro C.P. 70000
Juchitán, Oax.

SUCURSAL
Calle Joaquín Amaro No. 04
Col. Moderna C.P. 70110
Cd. Ixtapac, Oax.
Tel. (01 971) 713-15-10

SUCURSAL
Hombres Justos No. 409
Col. Centro C.P. 70300
Mellinas Romero, Oax.
Tel. (01 972) 727-80-70

IMPORTE AUTORIZADO



CLIPPER WINDPOWER, INC		R.F.C.
Un renglón eliminado.	Colonia	
Fundamento: Art.18 fracc.II LFTAIPG.	Fecha	26-MARZO-2007
Motivación: Información confidencial.		

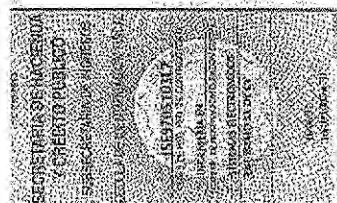
FACTURA

No. 08044 A

CANTIDAD	DESCRIPCION	UNITARIO	IMPORTE
	VIÁTICOS POR INSTALACIÓN DE 4 TORRES ARRIOSTRADAS DE 50 M. DE ALTURA EN BAJA CALIFORNIA NORTE		30,191.49

Importe con Letra (TREINTA Y CUATRO MIL SETECIENTOS VEINTE PESOS 21/100 M.N.)

Observaciones	Subtotal \$30,191.49
PAGO EN UNA SOLA EXHIBICIÓN	I.V.A. 4,528.72
	Total \$34,720.21



Tipo de contribuyente: Pasajero
Emisión: 15 de Febrero del 2007
Vigencia hasta: 15 de Febrero del 2009
Folio fiscal: 8001
Folio fiscal: 8000
Serie: 741
Autorización: 10003761
Sistema de Control de Impuestos vía Internet SAT

Impuesto por Ingresos DPX Guiltiaz Ordaz Alma Rosa
GUOA-761020-SPA GUOA761020NOCOTRLOS
16 de Septiembre No. 115 Altos la. Secc. C.P. 70000 Juchitán, Oax.
Fecha de Emisión: 20 Junio 2015. Tel. (01971) 711-30-41

EFFECTOS FISCALES AL PAGO FORMA DE PAGO, UNA SOLA EXHIBICIÓN

ORIGINAL

LA REPRODUCCIÓN NO AUTORIZADA DE ESTE COMPROBANTE CONSTITUYE UN DELITO EN LOS TÉRMINOS DE LAS DISPOSICIONES FISCALES

Ingeniería en Sistemas Electrónicos del Istmo S.A. de C.V.

MATRIZ
Av. 5 de Septiembre No. 16
C.P. 70000 Juchitán, Oax.
Tel. (01 971) 711-02-42 FAX 711-20-11

SUCURSAL
5 de Septiembre No. 87
Centro C.P. 70000
Juchitán, Oax.

R.F.C. ISE 970510 3L7

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SUCURSAL
Hombres Justos No. 409
Col. Centro C.P. 70300
Mellinas Romero, Oax.
Tel. (01 972) 727-80-70

IMPORTE AUTORIZADO

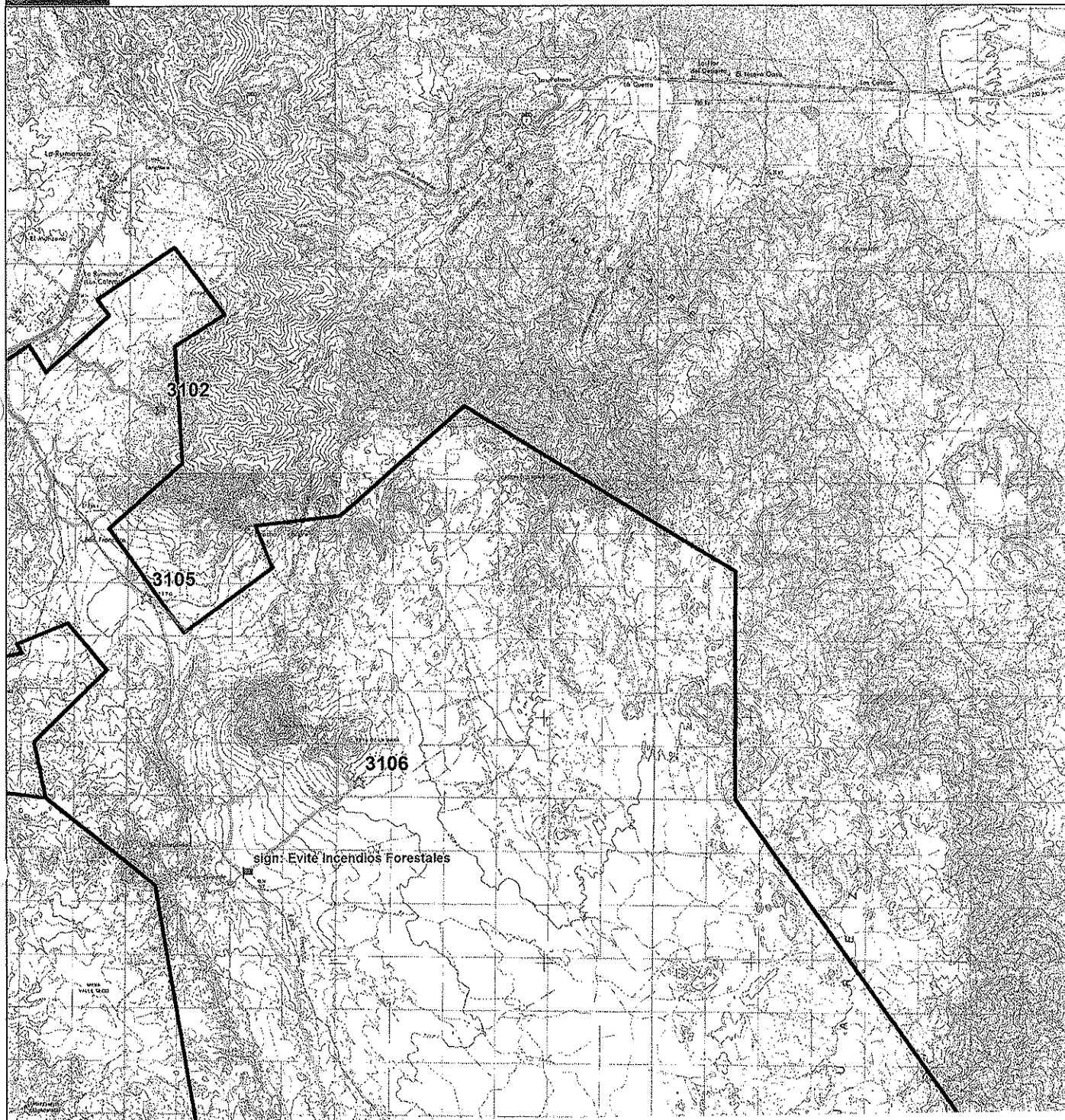


CLIPPER WINDPOWER, INC		R.F.C.
Un renglón eliminado.	Colonia	
Fundamento: Art.18 fracc.II LFTAIPG.	Fecha	26-MARZO-2007
Motivación: Información confidencial.		

FACTURA

No. 08043 A

CANTIDAD	DESCRIPCION	UNITARIO	IMPORTE
	SUMINISTRO E INSTALACIÓN DE 4 TORRES ARRIOSTRADAS DE 50 M. DE ALTURA E INSTALACIÓN DE INSTRUMENTOS DE MEDICIÓN EN BAJA CALIFORNIA NORTE		\$305,088.00





COMISION
REGULADORA
DE ENERGIA



DIRECCION GENERAL DE ELECTRICIDAD
DGE/ 0993 /2007

México, D.F., a 7 de mayo de 2007

Ing. Carlos Federico Gottfried Joy
Representante de
Fuerza Eólica de Baja California, S. A. de C. V.

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745

En relación con la solicitud mencionada al rubro, presentada ante la Comisión Reguladora de Energía con fecha 16 de abril de 2007 se le notifica que a fin de estar en posibilidad de resolver al respecto, es necesario que presente en un término de cinco días hábiles contado a partir del día hábil siguiente a aquél en que surta efectos la notificación del presente oficio, la información y documentación que se menciona a continuación:

1. La información y documentación relativa a los aspectos técnicos del proyecto de construcción de la línea de transmisión de energía eléctrica, y
2. La información y documentación que acredite el derecho de la Permissionaria para utilizar la línea de transmisión mencionada en el punto anterior.

Lo anterior, con fundamento en los artículos 3, fracción I y 36, fracción V, de la Ley del Servicio Público de Energía Eléctrica; 12, 16, fracción VII, 17-A, 39 y 49 de la Ley Federal de Procedimiento Administrativo; 1, 2, fracción II, y 3, fracciones XII y XXII de la Ley de la Comisión Reguladora de Energía; 72, fracción I, inciso b), 77, 82, 83 y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica y en el oficio de la Presidencia de la Comisión Reguladora de Energía número P/2359/98, de fecha 9 de octubre de 1998.

Atentamente
El Director General de Electricidad

Alejandro Peraza García



Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG.
Motivación: Información confidencial,
datos personales

c.c.p. Carlos Hans Valadez Martínez.- Secretario Ejecutivo
c.c.p. Dr. Francisco de Rosenzweig Mendialdua.- Director General de Asuntos Jurídicos
c.c.p. Expediente Núm. F26/E/745
Turno Núm. 1791



México DF a 28 de mayo de 2007

COMISIÓN REGULADORA DE ENERGÍA
DR. ALEJANDRO PERAZA
DIRECTOR DE ELECTRICIDAD

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745. Se contesta oficio de la Dirección General de Electricidad número DGE/0993/2007.

"1. La información y documentación relativa a los aspectos técnicos del proyecto de construcción de la línea de transmisión de energía eléctrica, y"

Se anexa a la presente información para contestar los puntos de información arriba citados

"2. La información y documentación que acredite el derecho de la Permisionaria para utilizar la línea de transmisión mencionada en el punto anterior."



Derechos de Interconexión

El reglamento que establece los derechos de interconexión y servicio de transmisión en el Área de Control del Operador Independiente del Sistema del estado de California, EEUU (siglas en ingles "CAISO") se encuentra en la sección de la Tarifa Eléctrica promulgada por la Comisión Federal de Reglamento Eléctrico (siglas en ingles "FERC") denominada Procedimientos Estándar de Interconexión de Generadores Grandes (siglas en ingles "LGIP").

El proyecto eólico Fuerza Eólica de Baja California S.A. de C.V. (Concepción II) entró en el proceso oficial de interconexión con el CAISO siguiendo los lineamientos del LGIP el 2 de mayo de 2007 por medio de la entrega de un plan de interconexión que a continuación se presenta un resumen:

- El proyecto Eólico Concepción II (el "Proyecto") propone instalar 160 (ciento sesenta) turbinas eoloelectricas de fabricación Clipper C-93 de 2.5 MW para una capacidad instalada de 400 MW (ver plano geográfico del Proyecto, Anexo 1)

La energía de cada turbina eoloelectrica será recolectada a través de un sistema de distribución de 34.5 kV usando cables subterráneos que convergen en la



Un renglón
eliminado.
Fundamento:
Art.18 fracc.II
LFTAIPIG.
Motivación:
Información
confidencial,
datos personales

Subestación del Proyecto que a su vez elevara el voltaje de 34.5 kV a 500 kV (ver unifilar del sistema de distribución de 34.5 kV, Anexo 2 y de Subestación del Proyecto, Anexo 3)

- Se propone construir una línea de transmisión de aproximadamente 13.7 km (8.5 millas) de la Subestación del Proyecto a una nueva Subestación de Interconexión de 500 kV (Punto de interconexión) que abrirá la línea de San Diego Gas & Electric (SDG&E) de Imperial Valley a Miguel 500 kV. El derecho de vía ha sido trazado de manera preliminar y se detalla en el Anexo 1. Los unifilares de las Subestaciones del Proyecto y de Interconexión se muestran en el Anexo 3.

El derecho legal de interconectar e inyectar 400 MW al sistema de transmisión de CAISO a través de la línea de transmisión Imperial Valley a Miguel de 500 kV lo otorga CAISO una vez entrado al procedimiento de interconexión antes mencionado. Dicho procedimiento concluye con la firma de un contrato de interconexión después de haber completado los estudios de interconexión correspondientes. El Proyecto habiendo entrado al procedimiento de interconexión, podrá asegurar de manera formal el derecho de interconexión sobre la línea de Imperial Valley a Miguel 500 kV en un lapso de aproximadamente 6-8 meses, tiempo necesario para concluir los estudios de factibilidad (corto circuito), impacto al sistema (flujo de carga y estabilidad) y el estudio de instalaciones nuevas y de refuerzo requeridas para la interconexión (especificaciones, costo y programa de realización).

Cabe mencionar que por decreto federal, el CAISO y las empresas de servicio eléctrico regionales están obligadas a prestar el servicio de interconexión y uso de líneas de transmisión existentes a un desarrollador que entra en el procedimiento LGIP de CAISO siempre y cuando se concluyan de manera satisfactoria los estudios de interconexión antes mencionados y las partes (desarrollador, CAISO y SDG&E) finalicen el contrato de interconexión. Mas aun, en el caso de que el CAISO y/o SDG&E se rehúsen a firmar el contrato de interconexión por cualquier motivo, este se somete a FERC para aprobación y en un lapso de aproximadamente 60 días el contrato entra en fuerza y vigor legal.

Se anexa a la presente información para ampliar la información anteriormente expuesta.

Por lo antes expuesto a esa H. Comisión Reguladora de Energía atentamente solicito:

PRIMERO. Tener a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., presentada en los términos de la presente solicitud y documentos que se acompañan.

SEGUNDO. De conformidad con las disposiciones de la Ley del Servicio Público de Energía Eléctrica, su Reglamento, y de la Ley de la Comisión Reguladora de Energía, en su oportunidad, informar a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V. sobre la necesidad de cualquier aclaración o

Un renglón
eliminado.
Fundamento:
Art.18 fracc.II
LFTAIPG.
Motivación:
Información
confidencial,
datos personales

información adicional que esa Comisión llegará a requerir respecto de la presente solicitud.

TERCERO. Tener a mi representada como cumplida y que ha estado llevando a cabo las actividades necesarias para iniciar las obras a desarrollar al amparo del Permiso de conformidad con lo dispuesto en la Condición Sexta del mismo.

CUARTO. Previos los trámites reglamentarios otorgar, a la brevedad que permita el trámite, a mi representada la modificación solicitada respecto de la Condición y Sexta "Programa, inicio y terminación de las obras" al amparo del Permiso de Exportación de Energía Eléctrica Núm. E/214/EXP/2002.

M U Y A T E N T A M E N T E,
México DF, a 28 de mayo de 2007
Por Fuerza Eólica de Baja California, S.A. DE C.V.

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

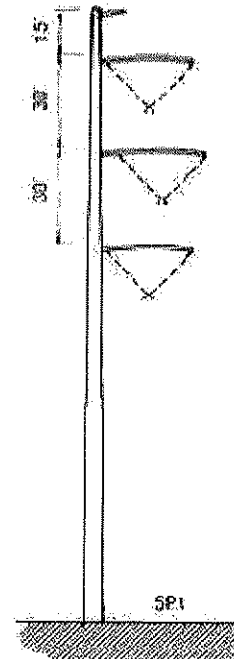
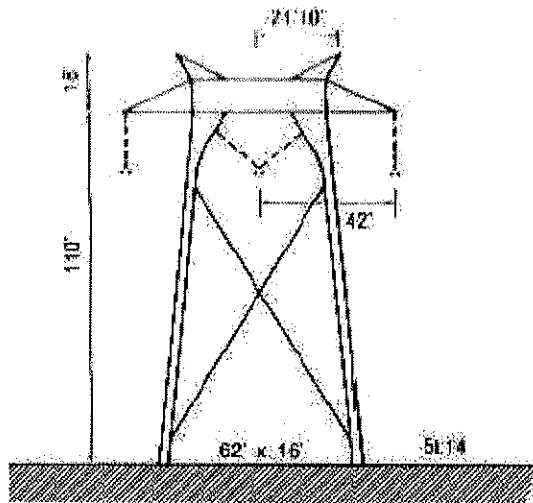
ING. CARLOS FEDERICO GOTTFRIED JOY
PRESIDENTE DEL CONSEJO DE ADMINISTRACIÓN

CC Oficio: Lic. Francisco Xavier Salazar Diez de Sollano, Presidente, CRE
Dr. Francisco Barnés de Castro, Comisionado, CRE

Proyecto de Construcción de la Línea de Transmisión

El proyecto eólico Fuerza Eólica de Baja California S.A. de C.V. (Concepción II (el "Proyecto")) propone construir una línea de transmisión de la Subestación del Proyecto al Punto de interconexión ubicado aproximadamente 13.7 km (8.5 millas) a través de una Subestación de interconexión que abrirá la línea de San Diego Gas & Electric (SDG&E) de Imperial Valley a Miguel 500 kV. El derecho de vía ha sido trazado de manera preliminar y se detalla en el Anexo 1. Los unifilares de las Subestaciones del Proyecto y de Interconexión se muestran en el Anexo 3.

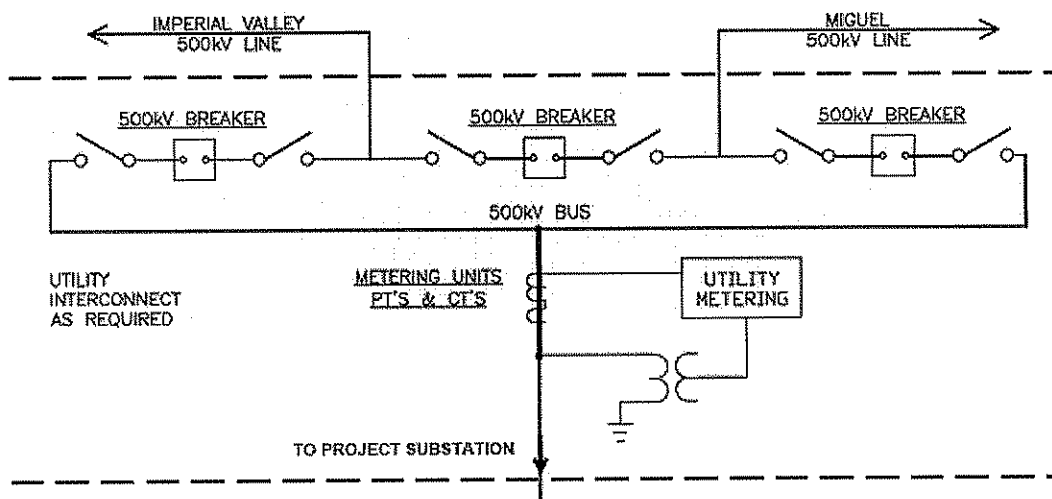
El diseño preliminar de la línea de transmisión de 500 kV utilizara dos tipos de estructuras dependiendo de las características geográficas del terreno del derecho de vía final. Las dos estructuras a utilizar serian las siguientes:



Para transmitir 300 MW, capacidad del Proyecto, se propone que el conductor sea de calibre 795 KCMIL tipo aluminio con refuerzo de acero (ACSR). La impedancia de la línea de la Subestación del Proyecto a la Subestación de Interconexión tiene como valores aproximados los siguientes:

$R1 = 1.014 \text{ Ohms}$
 $X1 = 6.964 \text{ Ohms}$
 $R0 = 3.244 \text{ Ohms}$
 $X0 = 21.056 \text{ Ohms}$

La línea de transmisión se propone a ser conectada en la Subestación de Interconexión a través de un anillo de tres (3) interruptores como a continuación se muestra:



El programa de construcción se estima de 18 meses que incluye ingeniería, entrega de equipo y construcción.

Tres planos eliminados.

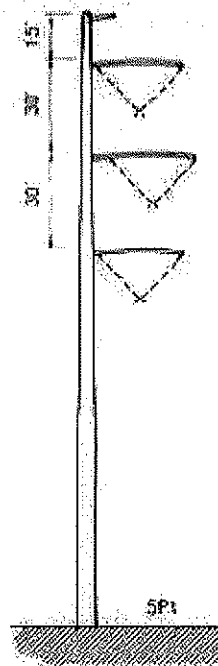
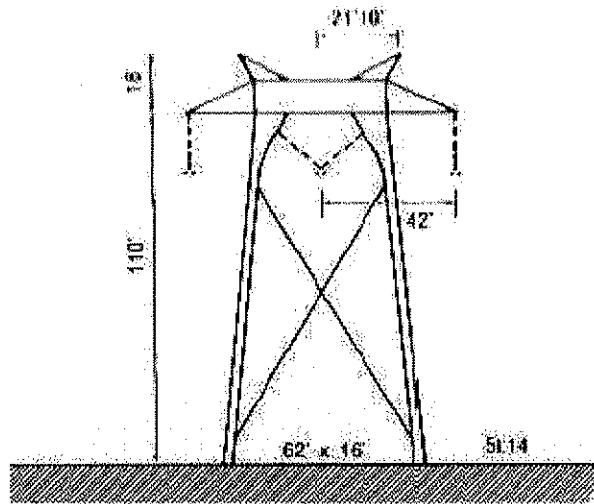
Fundamento: Art.18 LFTAIPG y Art. 82 Ley de Propiedad Industrial. Motivación: Información confidencial sujeta a secreto industrial

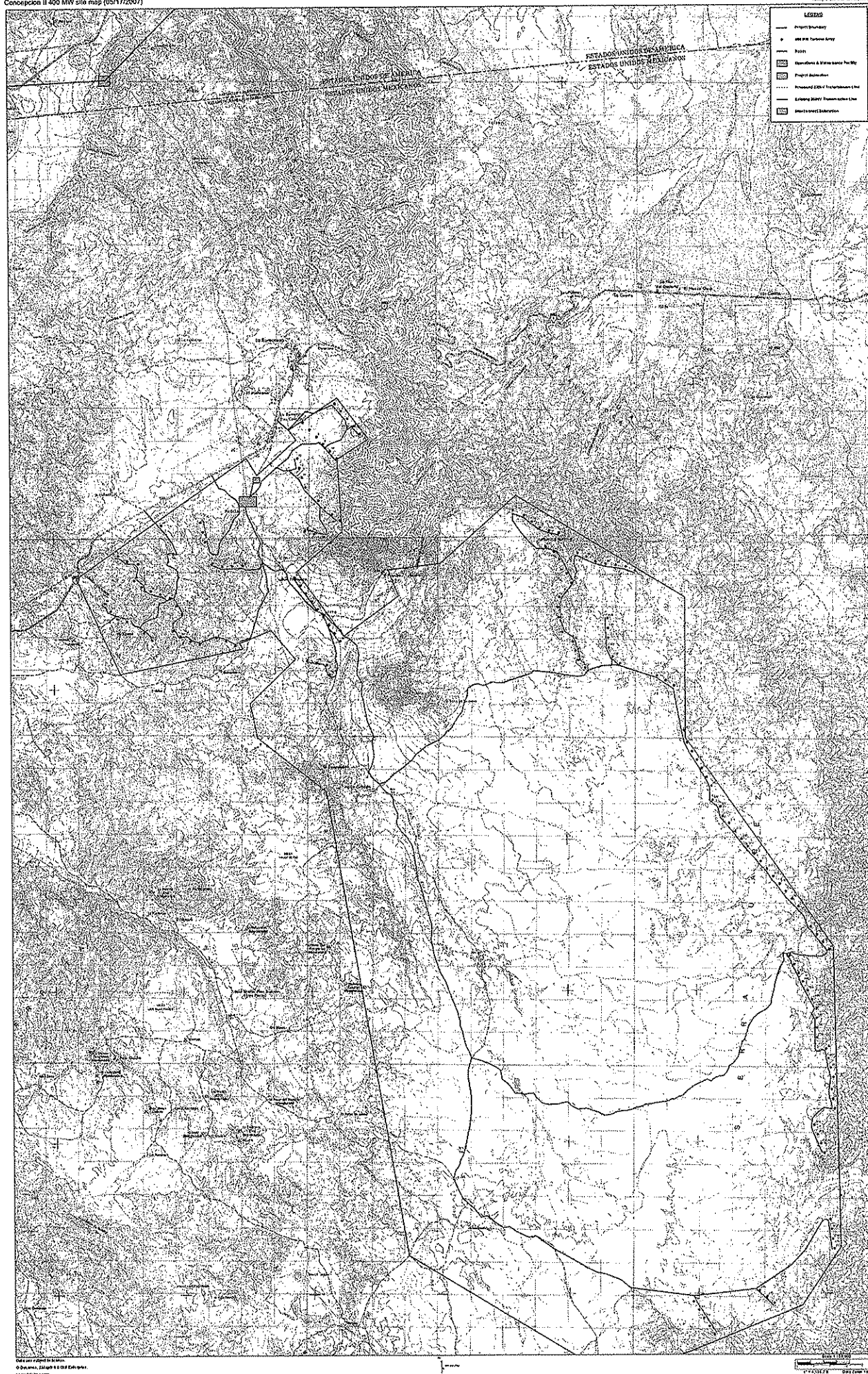
Tres planos eliminados.

Fundamento: Art.18 LFTAIPG y Art. 82 Ley de Propiedad Industrial. Motivación: Información confidencial sujeta a secreto industrial

ANEXO 4

Torres para Líneas de Transmisión de 500 kV





RECEIVED

**APPENDIX 1 to LGIP
INTERCONNECTION REQUEST**

Provide **three copies** of this completed form pursuant to Section 6 below.

CALIFORNIA ISO

NEW RESOURCE INTERCONNECTION

1. The undersigned Interconnection Customer submits this request to interconnect a new Large Generating Facility with the ISO Controlled Grid pursuant to the ISO Tariff.

2. This Interconnection Request is for (check one):

- ☒ A proposed new Large Generating Facility.
☐ An increase in the generating capacity or a Material Modification of an existing Generating Facility.

3. The Interconnection Customer provides the following information:

- a. Address or location, including the county, of the proposed new Large Generating Facility site or, in the case of an existing Generating Facility, the name and specific location, including the county, of the existing Generating Facility.

Project Name: **Concepcion II Wind Generation Project**

Project Location:

Street Address:

City, State: **La Rumorosa, Baja California, Mexico**

County:

Zip Code:

- b. Maximum megawatt electrical output of the proposed new Large Generating Facility or the amount of megawatt increase in the generating capacity of an existing Generating Facility:

Maximum megawatt electrical output (MW): **400**

or

Megawatt increase (MW):

- c. Type of project (i.e., gas turbine, hydro, wind, etc.) and general description of the equipment configuration:

- | | |
|---|---|
| ☐ Cogeneration | ☐ Reciprocating Engine |
| ☐ Biomass | ☐ Steam Turbine |
| ☐ Gas Turbine | ☒ Wind |
| ☐ Hydro | ☐ Photovoltaic |
| ☐ Combined Cycle | |

Other (please describe):

General description of the equipment configuration:

The Project will consist of 160 – 2.5 MW Clipper C-96 & C-99 platform turbines for a name plate capacity of 400 MW. The C-96 & C-99 are an upwind, three bladed, horizontal axis turbines with a 96 meter & 99 meter rotor diameter (respectively) and 80 meter hub height. There will be a 34.5

CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION
FERC ELECTRIC TARIFF
FIRST REPLACEMENT VOLUME NO. I

kV distribution system that will collect the energy from the turbines and converge in the Project Substation where the voltage will be elevated to 230 kV via a step up transformer. The Project will build a 230 KV transmission line from the Project Substation to a 230/500 kV Interconnection Substation which will open and interconnect along the Imperial Valley - Miguel 500 kV transmission line owned and operated by SDG&E.

CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION
FERC ELECTRIC TARIFF
FIRST REPLACEMENT VOLUME NO. I

- d. Proposed In-Service Date, Trial Operation date and Commercial Operation Date by month, day, and year and term of service.

Proposed In-Service date: 7 / 01 / 2010
Proposed Trial Operation date: 8 / 01 / 2010
Proposed Commercial Operation date: 12 / 31 / 2010
Proposed Term of Service: 20 years

- e. Name, address, telephone number, and e-mail address of the Interconnection Customer's contact person.

Name: Rudy Rivas
Title: Grid Access Leader
Company Name: Clipper Windpower Development Company, Inc.
Street Address: 6305 Carpinteria Avenue, Suite 300
City, State: Carpinteria, CA
Zip Code: 93013
Phone Number: (214) 883 7153
Fax Number: (805) 899 1115
Email Address: rrivas@clipperwind.com

- f. Approximate location of the proposed Point of Interconnection (i.e., specify interconnection point(s) and the location of interconnection);

At a new 230/500kV substation at a point near the 500kV IV-ML transmission line where it crosses the Imperial Valley/San Diego county line.

- g. Interconnection Customer Data (set forth in Attachment A).

On, or before, the return of the executed Interconnection Feasibility Study Agreement to the ISO, the Interconnection Customer shall provide to the ISO the technical data called for in LGIP Appendix 1, Attachment A. Three (3) copies are required.

4. Applicable deposit amount as specified in the LGIP.
5. Evidence of Site Control as specified in the LGIP and name(s), address(es) and contact information of site owner(s) (check one):

- ☒ Is attached to this Interconnection Request
☐ Will be provided at a later date in accordance with this LGIP

6. This Interconnection Request shall be submitted to the representative indicated below:

Judy Nickel
New Resource Interconnection
California ISO
P.O. Box 639014
Folsom, CA 95763-9014

Overnight address: 151 Blue Ravine Road, Folsom, CA 95630

CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION
FERC ELECTRIC TARIFF
FIRST REPLACEMENT VOLUME NO. I

7. Representative of the Interconnection Customer to contact [To be completed by the Interconnection Customer].

Name: **Rudy Rivas**
Title: **Grid Access Leader**
Company Name: **Clipper Windpower Development Company, Inc.**
Street Address: **6305 Carpinteria Ave., Suite 300**
City, State: **Carpinteria, CA**
Zip Code: **93013**
Phone Number: **(214) 883 7153**
Fax Number: **(805) 899 1115**
Email Address: **rrivas@clipperwind.com**

9. This Interconnection Request is submitted by: **Rudy Rivas**

Name of the Interconnection Customer: **Clipper Windpower Development Company, Inc.**

By (signature):

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Name (type or print): **Rudy Rivas**

Title: **Grid Access Leader**

Date: **May 1, 2007**

Tres planos eliminados.

Fundamento: Art.18 LFTAIPG y Art. 82 Ley de Propiedad Industrial. Motivación: Información confidencial sujeta a secreto industrial

My Commission expires 11-01-08

CONFIDENTIAL INFORMATION

LEASE AGREEMENT SUBJECT TO SUSPENSIVE CONDITION ON DATE JULY 3RD, 1994, CARRIED OUT BY THE FIRST PARTY FUERZA EOLICA, S.A. DE C.V. ("FUERZA EOLICA"), REPRESENTED BY ITS PRESIDENT, CARLOS F. GOTTFRIED JOY AND THE SECOND PARTY "EJIDO GUSTAVO AUBANEL VALLEJO" REPRESENTED BY ITS PRESIDENT, SECRETARY AND TREASURER OF THE EJIDAL COMMISSION: Mr. OCTAVIO QUINTERO LOZANO, Mr. RUBEN MONTERO GOMEZ, Mr. SANTOS BUENROSTRO RUELAS (HEREINAFTER THE "LESSOR") ACCORDING TO THE FOLLOWING DECLARATIONS AND CLAUSES:

DECLARATIONS

FUERZA
EOLICA
INK SEAL

I. The representative of FUERZA EOLICA declares:

1. That its represented by a Mexican commercial partnership in operation, constituted in terms of Public Deed 34,070 dated June 16, 1992, granted before the Notary Public 147th of the Federal District, Attorney F. Javier Gutierrez Silva, which was duly subscribed in the Commercial Section of the Property Public Registration of the Federal District, under Mercantile Registrar number 163620, whose copy is attached to the contract herein as an annex marked with letter "A" as to become a constituting part of it.
2. That FUERZA EOLICA has granted the power and faculties necessary and sufficient to celebrate the Contract herein, in the terms of the Public Deed number 90,684 dated February 11th, 1994 granted before the Notary Public 59th of the Federal District, Attorney Jorge H. Falomir, powers and faculties which have not been revoked, restricted or modified in any manner.
3. That the celebration of the Contract herein is comprised as a partnership objective of FUERZA EOLICA.
4. That FUERZA EOLICA counts on the material, economical, human and technical resources as necessary and sufficient to accomplish the obligations hereby contracted in the terms agreed in the Clauses of this contract.
5. That FUERZA EOLICA is devoted mainly to the generation of electric power by conversion of the wind force (hereinafter Wind-electrical Power), to manufacturing and trading Wind Turbines (hereinafter Wind Turbines), and contracting and operation of Wind-electrical Plants, (hereinafter "Wind-electrical Plants"), among other activities.
6. That FUERZA EOLICA is willing to rent exclusively from the LESSOR certain surfaces, specifically its surfaces that can be useful for a wind-electrical development (hereinafter "Rented Surfaces") shown in the plan that will be attached to this Contract as the annex marked with letter "B" as a result of the Technical Proclaim (hereinafter "Technical Proclaim"), so that it becomes a constituting part of it, located in the realty (hereinafter "Realty") located in the region of the village la Rumorosa, Jurisdiction of the Municipality of Tecate, in the State of Baja California, United States of Mexico. The contract herein will have attached a plan of the realty, and a certified copy of the title deed corresponding to the realty as annexes marked with the letters "C" and "D", respectively, so that they become a constituting part of it.

7. That FUERZA EOLICA is willing to celebrate the Contract herein in the terms and conditions as the Clauses of this contract.

COMISARIADO
EJIDAL
INK SEAL

II. The representative of the LESSOR declares:

1. That its represented is an Ejido legally constituted by Resolution Decreed by the President of the Republic on December 5th, 1969, and published in the Official Daily of the Federation on February 13th, 1970 by means of which land was given as property in the region of Rumorosa Village, Jurisdiction of the Municipality of Tecate, in the State of Baja California, United States of Mexico, and subscribed in the National Agrarian Registrar on October 13th, 1975 under the registry number 57935, whose copy will be attached to the Contract herein as an Annex marked with letter "E" so that it becomes a constituting part of it.
2. That in the terms according to Fraction I of the article 33 of the Agrarian Law, the representation of the representation of the Population Core corresponds, in a collegiate form, to the members of the Ejidal Commission, who are bestowed with faculties of general proxy for administration acts, lawsuits, and payment collection, therefore, they credit their personality to subscribe the current contract based on the Ejidal Assembly held on June 11th, 1993, whose copy will be attached to the Contract herein as an Annex marked with letter "F" so that it becomes a constituting part of it, and expressing that such personality has not been modified or restricted in any way, hence they are able to subscribe contracts and agreements in terms of article 23, fraction V, in relation to article 45, both within the Agrarian Law.
3. That they are legally able to celebrate this contract since the General Assembly of Ejidataries carried out on January 2, 1994, additionally they hold the legal representation of the Ejido in terms of articles 22, 23 fraction V, 32 and 33 fraction of the Agrarian Law on Effectiveness.
4. That article 4 of the Agrarian Law on Effectiveness entitles them to celebrate this contract, since the common use land surfaces referred to herein are their property and additionally they hold the material and juridical possession of the land abide by articles 9, 43, and 73 of Agrarian Law on Effectiveness.
5. That their represented is the Realty's landlord.

6. That the Rented surfaces and the Realty are enunciated and not limited, free of any encumbrances or any kind of obligations, occupation or dominion limitation.
 7. That it is willing to grant to FUERZA EOLICA the exclusive use Realty's Leasehold Surfaces, as required on the common use lands so that they can install the Wind Turbines, operate them and generate Electric Power. FUERZA EOLICA is entitled to build and install, as enunciated and not limited, constructions and equipment necessary or convenient on the surface, or underground, and even the use of the land in question for the transmission of electric power will be exclusively for FUERZA EOLICA.
 8. That all the surfaces of the Ejido useful for wind-electrical matter of the lease agreement herein can be used exclusively by FUERZA EOLICA in accordance to what is stipulated in this contract.
 9. That the LESSOR is willing to celebrate the Contract herein with FUERZA EOLICA, and rent exclusively to them and entitle them to use the Realty's Rented Surfaces, in accordance with the terms of the Ejidal Assembly of January 2nd 1994, and ratified in the Ejidal Assembly of February 6th, 1994, whose copies shall be annexed to this contract with letters "G" and "H" so that they become a constitutive part of it, where it was approved and ratified the subscription of this agreement contract in the requirements established in articles 24 and 25 paragraphs first and third; 27 paragraph first, and 31 paragraphs first and second of the Agrarian Law.
 10. That the legal representation of the LESSOR corresponds to the Ejidal Commission in accordance with article 23 fraction I, and 33 fraction I of the Agrarian Law, officiating as such Mr. Octavio Quintero Lozano, Mr. Ruben Montero Gomez, y Santos Mr. Buenrostro Ruelas in their respective appointments as President, Secretary and Treasurer.
 11. That the LESSOR is willing to celebrate the Contract herein in the terms and conditions as per the Clauses of this contract.
- III. The representative of FUERZA EOLICA and the representative of the LESSOR declare jointly:
1. That they celebrate the Contract herein based on the articles 27 of the Political Constitution of the United States of Mexico; 2, 9, 23, 24 to 28, 30 to 33; 43 to 45, and 73 of the Agrarian Law; 10, 148, 150 of the Mercantile Societies General Law; 1938, 1939, 2243, 2245 to 2247 of the Federal Civil Code; 3 and 36 of the Electrical Power Public Service Law, 1, 71 to 73; 77 to 90 and 103 to 120 of the Regulations for the Electrical Power Public Service Law and 55 of the Internal Regulations of the National Agrarian Registrar.

By virtue of the aforementioned Declarations, FUERZA EOLICA and the LESSOR agree on the following:

FIRST. OBJECTIVE OF THE AGREEMENT CONTRACT OF LEASE SUBJECT TO SUSPENSIVE CONDITION

SECOND. LEASE VALIDITY PERIOD

1. The contract here in will be on effectiveness from its signature date and for a period of 25 (twenty-five) years counted upon the startup of the wind-electrical plant.
2. The contract herein will be automatically extended in equal successive periods if the set of wind turbines is operating with an availability over 90% (ninety percent) of the average generation of the last five years, or if the set of wind turbines is produced over 50% (fifty percent) of the average generation of the last 5 (five) years.

THIRD. MONTHLY RENT PAYMENT

1. FUERZA EOLICA will pay a rent as a quantity equivalent to \$ 1,909,00 USD (one thousand nine hundred and nine American dollars) plus the monthly VAT during the first six months after the contract signature, and 4,000,00 USD (four thousand American dollars) plus the monthly VAT upon the seventh month until the startup of the wind-electrical plant. The rents will be paid in National Currency at the free exchange rate at the moment of payment.
2. Once the facilities construction is completed, FUERZA EOLICA will pay as a unique rent to the LESSOR the 4% of the monthly invoicing corresponding to the kilowatts-hour generated.
3. FUERZA EOLICA is obliged to pay the monthly rent, the latest, on the first 10 (ten) workdays after every month end, against delivery by the LESSOR of the corresponding receipt with any necessary fiscal requirement. For the case of delay of the monthly payment due to causes imputable to FUERZA EOLICA, after the deadline aforesaid, this will pay to the LESSOR the interest rate of 2% (two percent) monthly.
4. The LESSOR and FUERZA EOLICA agree that the rent mentioned in paragraphs 1 and 2 of this Third Clause, may be modified only by mutual agreement.

FORTH. POSSESSION OF THE RENTED SURFACES: USE

1. The LESSOR concedes exclusively to FUERZA EOLICA, upon the date signaled initially in the Contract herein, the possession of the Rented Surfaces previous to localization and marking of boundaries.
2. FUERZA EOLICA is compelled to use the Realty's Rented Surfaces enunciatively and not limited, for building the constructions and installing of the equipment, especially the Wind Turbines as per its necessity or convenience for the generation, transmission, and sale of Electrical Power.

FIFTH. CONDITIONS FOR DEVOLUTION

1. At the termination of the present contract, FUERZA EOLICA, will be compelled to return to the LESSOR the Rented Surfaces in good state, understanding that certain surfaces might have changes in their original structure due to the usage of the underground by FUERZA EOLICA in order to accomplish their social objective consists of the installation of machinery, piping, wire setting, and other activities related to the construction and operation of wind-electrical plants.

SIXTH. MAINTANANCE OF THE RENTED SURFACES

1. FUERZA EOLICA is compelled to maintain the Rented Surfaces and the Realty, as required and used, clean and under surveillance. It is implied than any improvements or maintenance of the Realty, different to those stated above, will be an exclusive responsibility of the LESSOR. On this regard, FUERZA EOLICA will allow to the LESSOR, by means of a previous written notice given to FUERZA EOLICA 15 (fifteen) calendar days in advance, carry out an inspection, and in that case authorize the improvements or maintenance as needed. If the LESSOR does not make the improvements agreed on, FUERZA EOLICA will be on their right to bill for any expenses incurred for such purpose from the monthly rent agreed on herein.

SEVENTH. FURTHER OBLIGATIONS OF THE LESSOR

1. The LESSOR likely accepts and is expressly compelled, during the effectiveness of this Contract to: (i) allow and guarantee to FUERZA EOLICA the exclusive use, freely, unrestricted, continuous and pacific of the Rented Surfaces, as required, (ii) to allow to FUERZA EOLICA the easement of access as necessary so that FUERZA EOLICA have unrestricted access to the Rented Surfaces, as required, (iii) to watch and take care as far as possible the anemometric equipment during the period of study and until the startup of the plant, (iv) to protect FUERZA EOLICA from any future hindrance that may stop the wind flow of from any physical or legal action that may diminish the turbines operation, (v) to cover the expenses, losses, damage, and detriment held by FUERZA EOLICA due to the LESSOR'S non-compliance of the terms and condition of the Contract herein and of the consequences of LESSOR'S non-compliance of their fiscal, labor related or further obligations of any other nature, (vi) to subscribe, for documental control and security, this contract with the National Agrarian Registrar, and (vii) procure to FUERZA EOLICA a certified copy of the inscription mentioned in subsection (vi) of this clause.
2. The LESSOR does not have any financial obligation for the paperwork processing, study, technical proclaim, and development of the project carried out by FUERZA EOLICA.

EIGHTH. DOMAIN HANDOFF

1. In case the LESSOR agrees to transfer a part or all the surface matter of the present contract in compelled to grant to FUERZA EOLICA the right of preference, having the obligation of notifying by written the transfer conditions, cost, terms, etc., and to grant a time limit no longer than 90 (ninety) calendar days to respond to the offer. In case that, after the indicated time limit comes to an end and FUERZA EOLICA would not respond it will be understood that the offer has been rejected and the LESSOR will be entitled to offer the transmission of the realty to whomever they consider convenient, in the understanding that the transmission of the realty will not affect the terms of the present contract, in accordance with article 2283 of the Civil Code of Baja California and its correlative of the Federal District.
2. In case that FUERZA EOLICA is interested in the realty's transmission offer but there is discrepancy in the offered cost, each part will promote separately banking appraisal, and if they are in discrepancy, the parts in mutual agreement will designate a third appraisal expert in dispute.
3. In case the LESSOR does not comply with the right of preference agreed on this clause in favor of FUERZA EOLICA, will pay to the latter a conventional penalty equivalent to the amount of the rents and payments made until the date of non-compliance and the value of the constructions, facilities and wind turbines installed on the surface matter of this purchase and sale.
4. The eventual rights transmission mentioned in the current clause and its formality will be adjusted and subject to the terms of article 75 of the Agrarian Law and other dispositions applicable to this matter.
5. In the eventuality of a change in the Agrarian Law, its regulations or other applicable disposition, the LESSOR grants the right of preference to FUERZA EOLICA, in the terms within this clause.

NINTH. TERMINATION

1. In case from the Technical Proclaim is discover that the Realty's Rented Surfaces, as required, were not appropriate for the objectives mentioned in the First Clause, and in Paragraph 2 in the Third Clause, the Contract herein will end according to the Law, without any responsibility for any of the parties involved upon the date of procurement of the Technical Proclaim to the LESSOR in the terms before mentioned in the Contract herein. In which case, FUERZA EOLICA is obliged to the terms agreed on in the fifth clause.
2. The non-compliance of any of the clauses in the present contract will give place to the recession of it, or to force its compliance, as the affected part considers, on the condition that, for both cases, firstly the party involved has notified the non-compliance of the contract, and the non-complying part had counted on a time limit of 180 (one hundred eighty) calendar days to mend the non-compliance without having mended it.
3. In case, FUERZA EOLICA is the affected party by the LESSOR'S non-compliance of the clauses of this contract, this will have expedited the legal actions mentioned in paragraph 2 of this clause, being the LESSOR obliged to the payment of a conventional penalty equal to the one agreed on in eighth clause, numeral 3 of this contract.
4. In case the LESSOR is the party affected by the non-compliance from FUERZA EOLICA of the clauses of the contract herein, it will have expedited the legal actions mentioned in paragraph 2 of this clause, being FUERZA EOLICA obliged to the payment of the rent until the date of non-compliance and to the terms agreed on in the fifth clause.

TENTH. CASUS FORTUITUS: ACT OF NATURE

1. The non-compliance of what is agreed in the contract herein by any of its parties derived from casus fortuitus or act of nature, excuses from its compliance to the party involved, in the understanding that the Contract herein will continue in effectiveness and the party involved is compelled to mend such non-compliance in 360 (three hundred and sixty) days after the casus fortuitus or act or nature had finished.

ELEVENTH. NOTIFICATIONS AND NOTICES

1. For all the effects of this contract, specially to what refers to notifications and notices FUERZA EOLICA and the LESSOR accept as their residences and in its case fax numbers, the following:

"FUERZA EOLICA"	"LESSOR"
Fuerza Eolica, S.A. de C.V.	Ejido "Gustavo Eubanel Vallejo"
Holanda No. 3	Known Residence
Colonia Coyoacán	Km. 71,5 of the road Mexicali-Tijuana
New Mexico, DF 04210	Poblado La Rumorosa, Baja California C.P.20510
Fax: 91-5-604-09-75	Telf: 91-66-20-82-60
Attention: Legal Representative	Attention: Ejidal Commission
c/o President	
2. In order for the notifications and notices take effect, they must be sent to the addressee by telegram or fax and receipt acknowledgement by written, sent by certified mail, receipt acknowledgement and prepaid shipment, o deliver it by hand to the addressee, who will sign as receipt acknowledgement. The notifications or notices signaled and made as previously stated in this Clause, will take effect on the date in which the addressee party receives them in the terms aforementioned. The contracting parties will be able to change their residence and if necessary their fax numbers at any time by means of a notification to the party with 15 (fifteen) calendar days in advance to the date in which the party changing their residence or fax number wants the change to take effect.

TWELFH. MODIFICATION, ACCORDS OR AGREEMENTS

1. The contract herein contains modifications to the lease contract subject to condition of date February 6th, 1994, and ratified on February 9th, 1994, before the Notary Public 1st of Tecate, BajaCalifornia, Attorney Ruben Armendariz Rodriguez.
2. The parties, by mutual agreement declare that the modifications stated in numeral 1. of this twelfth clause, derives from the consultation made to the Agrarian Law Office through the General Direction of Organization and Social Support, in their letter DGOASA/33/94 dated February 22nd, 1994 and from the consultation to several National and Foreign Banks interested in financing the matter of the contract herein; for this reason the parties grant their conformity for including this modifications in the contract herein.
3. FUERZA EOLICA and the LESSOR agree on that any modification to this contract as well as any accords or agreements between the parties regarding its matter, will have to be stated by written, signed by FUERZA EOLICA and the LESSOR. Such modifications, accords and agreements, once subscribed by written and signed as stated above will become a constituting part of the contract herein.

THIRTEENTH. SUPERVENIENT CONTRACT

1. The Contract herein and its Annexes substitute and cancel any previous contracts, accords and agreements existing between the parties with regards to its matter. The parties, likewise, agree on that this Contract and Annexes will constitute the Accord and Agreement as a whole given between the parties in relation to its matter.

FORTEENTH. RENOUNCES

1. In case any of the parties involved in the contract herein renounces, delays or make a decision for not exercising their right to perform any disposition herein stated will not constitute a party's renounce or limitation to try to perform such disposition in the future or to perform any other dispositions in this contract.

FITTEENTH. ENDOWMENT

1. None of the contracting parts will be able to endow, transmit, or by any other title to transfer, as a whole or in parts their rights and obligation derived from the contract herein to any other person, physical or moral, without written consent from the other party; the endowment, transference or transmission occurring without express and written consent of the other party is subject to the condition that the endower or acquirer of the rights and obligations stated is obliged in the same terms and conditions agreed in the set of clauses in the Contract herein.

SIXTEENTH. COSTS AND EXPENSES

1. Each of the parties contracting will cover their own costs and expenses incurred with relation to the negotiation, signature and compliance of the contract herein, and all the accords and agreements between the parts as related to the contract herein, except for the expressly agreed on in the contrary direction and by written by the contracting parties.

SEVENTEENTH. TITLES

1. The titles of the Clauses of the contract herein are included only with the purpose of easing the location of the reference topics; such titles will not limit or affect the terms and conditions agreed on the set of clauses in the contract herein.

EIGHTEENTH. LABOR FORCE

2. In case it is necessary and under the same conditions of cost and qualification of the labor force from the region, FUERZA EOLICA will preferably use the labor force from the LESSOR'S community and will use training criteria as it will be agreed with the Ejidal Commission, whenever the labor force is effective.

NINETEENTH. CONFIDENCIALITY

1. The Contract herein, its Annexes and any additional information generated, as well as all that is related to this project belongs to a confidential nature, and this information will be treated as "confidential information". The term "confidential information" as it is used in the contract herein will signify and include all the data and information involved, either directly or indirectly, from FUERZA EOLICA to the LESSOR, and that the latter recognizes that the "confidential information" is property of FUERZA EOLICA.
2. The LESSOR, likewise, accepts and is expressly compelled during the validity of this contract that: (i) they agree that any confidential information received from FUERZA EOLICA will be recognized as "confidential information", and the LESSOR will use this confidential information in the same way they treat their own confidential information, (ii) they will not disclose nor will allow any of their agents, representatives or members disclose any data or information regarded to this contract, its annexes, and further information generated, (iii) they will be responsible for the unobserved use of publication or spreading of the confidential information, not authorized by FUERZA EOLICA, (iv) they will not reveal any confidential information to other people, including people who have relationship or links with competitor companies, nor will use or allow any other people using the confidential information, except if FUERZA EOLICA authorizes them by written, (v) they will conserve all the confidential information in a strictly secret and confidential way, (vi) they will not allow to make copies or excerpts of any part of the confidential information, (vii) they are obliged to neither disclose nor use in their own benefit or benefit third parties with any confidential information related to the activities and operations of the contract herein, they will not convey to third parties, directly or indirectly oral or written confidential information.

3. If the LESSOR, their agents, representatives or members, would intend to use or get confidential information, or would duplicate it in a way contrary to the terms of the contract herein, FUERZA EOLICA will have expedited all the legal action that may derive from paragraphs 1. and 2. of this clause, being the LESSOR obliged to the payment of a conventional penalty equivalent to the amount agreed on in the First Clause, numeral 3, of the contract herein.

TWENTIETH. TRIBUNALS: APPLICABLE LAWS

1. For all related to the interpretation, execution and compliance of the Contract herein, the parties become subjected expressly to the laws of the United States of Mexico and to the jurisdiction of the Agrarian qualified tribunals of Mexicali, Baja California, United States of Mexico, renouncing from now on to any other law that may correspond to them by virtue of their residences, present or future, or due to any other cause.

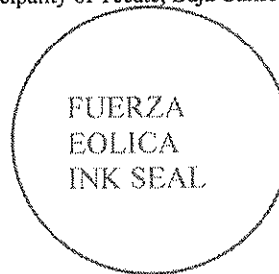
Being the parties in knowledge about the contents and legal consequences of the Contract herein, they sign it to be effective upon the date signaled at the beginning of it, in the village La Rumorosa, Municipality of Tecate, Baja California.

"FUERZA EOLICA"

Fuerza Eolica, S.A. de C.V.

(signature)

Name: Engineer Carlos F. Gottfried Joy.
Position: President.



"LESSOR"

The Ejidal Commission

(signature)

Name: Mr. Octavio Quintero Lozano
Position: President of the Ejidal Commission



(signature)

Name: Mr. Ruben Montero Gomez
Position: Secretary of the Ejidal Commission

(signature)

Name: Mr. Santos Buenrostro Ruelas
Position: Treasurer of the Ejidal Commission

(signature) EJIDO GANADERO
SURVEILLANCE COUNCIL
INK SEAL

Name: Mr. Jesus Jimenez Montes
Position: President of the Surveillance Council

(signature)

Name: Mr. Jose Javier Ceja Ortiz
Position: Secretary of the Surveillance Council

(signature)

Name: Mr. Arturo Quintero Lozano
Position: Secretary of the Surveillance Council

ACCORD FOR MODIFICATION DATED MAY 7, 1995 TO THE LEASE CONTRACT DATED JULY 3RD, 1994, CARRIED OUT BY THE FIRST PARTY FUERZA EOLICA, S.A. DE C.V. ("FUERZA EOLICA"), REPRESENTED BY ITS PRESIDENT, CARLOS F. GOTTFRIED JOY AND THE SECOND PARTY "GUSTAVO AUBANEL VALLEJO" ("EJIDO") REPRESENTED BY THE PRESIDENT, SECRETARY AND TREASURER OF THE EJIDAL COMMISSION: Mr. ANDRES CRISTOBAL URIAS GAMEZ, Mr. RUBEN MONTERO GOMEZ, Mr. SANTOS BUENROSTRO RUELAS ACCORDING TO THE FOLLOWING DECLARATIONS AND CLAUSES:

DECLARATIONS

I. The representative of FUERZA EOLICA declares:

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1. That their represented has signed a lease contract with the Ejido Aubanel Vallejo, dated July 3rd, 1994.
 2. That FUERZA EOLICA has granted the power and faculties necessary and sufficient to celebrate the Contract herein, in the terms of the Public Deed number 90,684 dated February 11th, 1994 granted before the Notary Public 59th of the Federal District, Attorney Jorge H. Falomir, powers and faculties which have not been revoked, restricted or modified in any manner.
 3. That the celebration of the Accord herein is comprised as a partnership objective of FUERZA EOLICA.
 4. That FUERZA EOLICA counts on the material, economical, human and technical resources as necessary and sufficient to accomplish the obligations hereby contracted in the terms agreed in the Clauses of this Accord.
 5. That FUERZA EOLICA is devoted mainly to the generation of electric power by conversion of the wind force (hereinafter Wind-electrical Power), to manufacturing and trading Wind Turbines (hereinafter Wind Turbines), and contracting and operation of Wind-electrical Plants (hereinafter "Wind-electrical Plants"), among other activities.
 6. That FUERZA EOLICA is willing to celebrate the Accord herein in the terms and conditions that will be agreed on in the Clauses Set of it.

II. The representatives of the Ejido declare:

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1. That their represented has signed and approved a Lease Contract dated July 3rd, 1994 and that this contract was ratified before the Assembly of Ejidataries dated January 30th, 1994, and that it is subscribed in the National Agrarian Registrar dated September 3rd, 1994 and number 2394.
 2. That its represented is an Ejido legally constituted by Resolution Decreed by the President of the Republic on December 5th, 1969, and published in the Official Daily of the Federation on February 13th, 1970 by means of which land was given as property in the region of Rumorosa Village, Jurisdiction of the Municipality of Tecate, in the State of Baja California, United States of Mexico, and subscribed in the National Agrarian Registrar on October 13th, 1975 under the registry number 57935.
 3. That in the terms according to Fraction I of the article 33 of the Agrarian Law, the representation of the representation of the Population Core corresponds, in a collegiate form, to the members of the Ejidal Commission, who are bestowed with faculties of general proxy for administration acts, lawsuits, and payment collection, therefore, they credit their personality to subscribe the current accord by means of General Assembly of Ejidataries held on March 1st, 1995, whose copies of the Assembly's minute will be attached to the Accord herein so that it becomes a constituting part of it, and expressing that such personality has not been modified or restricted in any way, hence they are able to subscribe contracts and agreements in terms of article 23, fraction V, in relation to article 45, both within the Agrarian Law.
 4. That they are legally able to celebrate this accord since the General Assembly of Ejidataries carried out on May 7, 1995, whose copies of the Assembly's minute will be attached to the accord herein to become a constituting part of it, and additionally due to they hold the legal representation of the Ejido in terms of articles 22, 23 fraction V, 32 and 33 fraction of the Agrarian Law on Effectiveness.
 5. That the legal representation of the Ejido corresponds to the Ejidal Commission in accordance with article 23, fraction I, and 33 fraction 1 of the Agrarian Law, taking the role of such, Mr. Andres Cristobal Urias Gamez, Mr. Ruben Montero Gomez and Mr. Santos Buenrostro Ruelas in their respective appointments as President, Secretary, and Treasurer.
 6. That the Ejido is willing to celebrate the accord herein in the terms and conditions to be agreed on the Clauses Set of it.

III. The representative of FUERZA EOLICA and the representative of the LESSOR declare jointly:

1. That they celebrate the Contract herein based on the articles 27 of the Political Constitution of the United States of Mexico; 2, 9, 23, 24 to 28, 30 to 33; 43 to 45, and 73 of the Agrarian Law; 10, 148, 150 of the Mercantile Societies General Law; 1938, 1939, 2243, 2245 to 2247 of the Federal Civil Code; 3 and 36 of the Electrical Power Public Service Law, 1, 71 to 73; 77 to 90 and 103 to 120 of the Regulations for the Electrical Power Public Service Law and 55 of the Internal Regulations of the National Agrarian Registrar.

By virtue of the aforementioned Declarations, FUERZA EOLICA and the EJIDO agree on the following:
CLAUSES

FIRST: OBJECTIVE OF THE ACCORD

The parties in mutual agreement accord that due to delay in the Wind-electric Project, Baja California 2000, not liable to el Ejido and to Fuerza Eolica, and due to the economical conditions of the Country, and due to the policies to be defined by the Federal Government in matter of generation of Wind-electrical power, Fuerza Eolica will be granted an indefinite prorogue with payment condonation on the rents of the Third Clause, numeral 1 and 3 of the Lease Contract dated July 3rd, 1994, from the date therein stated until the startup of the works and operation startup of the Wind-electrical plant in lands belonging to the Ejido.

SECOND: INSCRIPTION

The LESSOR likewise accepts to certify before a public notary and to subscribe for the control and security of the documents, the present contract in the National Agrarian Registrar in terms of article 55 of the internal regulations of the National Agrarian Registrar and procure to FUERZA EOLICA a certified copy of the before mentioned subscription.

THIRD: INTEGRATION TO THE LEASE CONTRACT DATED JULY 3RD, 1994

According to Twelfth Clause, Numeral 3, of the Lease Contract, dated July 3rd, 1994, this Modification Accord will become a constituting part of the Lease Contract.

Being the parties in knowledge about the contents and legal consequences of the Contract herein, they sign it to be effective upon the date signaled at the beginning of it, in the village La Rumorosa, Municipality of Tecate, Baja California.

"FUERZA EOLICA"

Fuerza Eolica, S.A. de C.V.

(signature)

Name: Eng Carlos F. Gottfried Joy.
Position: President.



"EJIDO AUBANEL VALLEJO"

(signature)

Name: Mr. Andres Cristobal Urias Gamez
Position: President of the Ejidal Commission

(signature)

Name: Mr. Ruben Montero Gomez
Position: Secretary of the Ejidal Commission

(signature)

Name: Mr. Santos Buenrostro Ruelas
Position: Treasurer of the Ejidal Commission



---I, ATTORNEY RUBEN ARMENDARIZ RODRIGUEZ. NOTARY PUBLIC 1ST. OF THIS JURISDICTION, ON DUTY, CERTIFY: That before me appeared Mr. ANDRES CRISTOBAL URIAS GAMEZ, Mr. RUBEN MONTERO GOMEZ and Mr. SANTOS BUENROSTRO RUELAS, in their positions of PRESIDENT, SECRETARY, AND TREASURER, respectively of the Ejidal Commission of the "EJIDO DOCTOR GUSTAVO AUBANEL VALLEJO" and Eng. CARLOS FEDERICO GOTTFRIED JOY, in his position of Proxy of the firm named FUERZA EOLICA SOCIEDAD ANONIMA DE CAPITAL VARIABLE, to whom I duly identified and I manifest: THAT THEY RATIFY in all and each of its parts the contents of the present document, recognizing as theirs the firms they use regularly since they are the ones they use in every act, private or public. The aforementioned was included and was settled in the minute (14956) FOURTEEN THOUSAND NINE HUNDRED FIFTY SIX, BOOK NO. (146) ONE HUNDRED FORTY SIX of that date of protocol in my charge. I ATTEST.....

Tecate, B. Cta. June 09, 1997.

NOTARY PUBLIC 1ST

(signature)

Licentiate Ruben Armendariz R.

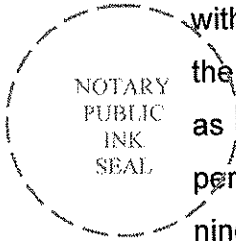
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LIC. RUBEN ARMENDARIZ R.
 NOTARY PUBLIC 1ST
 TECATE B.C.

--I, ATTORNEY RUBEN ARMENDARIZ RODRIGUEZ. NOTARY PUBLIC 1ST. OF THIS
 JURISDICTION, ON DUTY, ----- CERTIFY:-----
 ----- Mr. ANDRES CRISTOBAL URIAS GAMEZ, RUBEN MONTERO GOMEZ,
 AND SANTOS BUENROSTRO RUELAS, accredited me both their



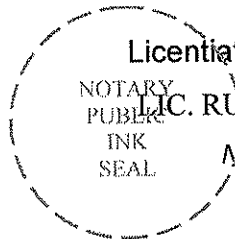
 personality as the legal existence of their represented, the EJIDO AUBANEL VALLEJO,
 with the following: A) The Presidential Resolution of Recognition of the Ejido, publish in
 the Official Daily of the Federation on the thirteenth of February nineteen seventy, as well
 as the Act of Execution of the Presidential Resolution aforementioned. --B) Their
 personality was accredited to me by Assembly Minute celebrated on the eleven of June
 nineteen ninety, set as protocol before Attorney Gerardo M. Sosa Olachea, Notary Public
 Second of this city, with public deed number (2,991) two thousand nine hundred ninety
 one, book (41) forty one, on the twenty sixth of July nineteen ninety three -----
 ----- WHICH I
 CERTIFY AND STATE IN ORDER TO COMPLEMENT THE DIVERSE PUBLIC DEED
 NUMBER (14,956) FOURTEEN THOUSAND NINE HUNDRED FIFTY SIX, BOOK
 NUMBER (146) ONE HUNDRED FORTY SIX, GRANTED ON THIS DATE, BEFORE ME;
 AND WHICH THIS DOCUMENT IS PART OF.- I ATTEST.....

Tecate, B. Cfa. June 09, 1997.

NOTARY PUBLIC 1ST

(signature)

Licentiate Ruben Armendariz R.



LIC. RUBEN ARMENDARIZ R.
 NOTARY PUBLIC 1ST
 TECATE B.C.



LIC. RUBEN ARMENDARIZ R.
 NOTARY PUBLIC 1ST

- - -I, ATTORNEY RUBEN ARMENDARIZ RODRIGUEZ. NOTARY PUBLIC 1ST. OF THIS JURISDICTION, ON DUTY, ----- C E R T I F Y: -----

- That Mr. CARLOS FEDERICO GOTTFRIED and GUSTAVO ENRIQUE GOTTFRIED ALI, accredited me both personality as the legal existence of their represented, the firm named "FUERZA EOLICA" SOCIEDAD ANONIMA DE CAPITAL VARIABLE, with testimony of public deed number (34,070) THIRTY FOUR THOUSAND SEVENTY, book number (360) THREE HUNDRED SIXTY, granted on the sixteenth of June nineteen ninety two, before Licentiate F.

JAVIER GUTIERREZ SILVA, Notary of the Public Notary One hundred forty seven of the Federal District; from which it is derived that the Secretary of Foreign Affairs granted permission number (09024525) file number (9209023579), page (39594), with the purpose of constituting

this firm, with the aforementioned denomination, domiciled in the city of Mexico, Federal District, with a duration of ninety nine years with the following objective: 1) The fabrication, manufacture, acquisition, property transference, importation, exportation, distribution and commerce in general, by itself or by others, of all kind of machinery and equipment, particularly, air turbines, their parts and components, including all kinds of generators and electrical motors, and any other acts that involve the importation, exportation, generation, and distribution in general of wind-electrical power.- 2) The manufacture, fabrication, elaboration, formulation, production, exportation, importation, purchase, sale, distribution and, in general, the trade of all kinds of goods and products, whether in natural state, semi-finished, or finished, for commercial, industrial and domestic uses.- 3) The acquisition by any title, exploitation, development, operation,

management, whether industrial, commercial, from factories, plants, stores, facilities and trade; design, manufacture, fabrication, exportation, importation of all kind of materials, components, machinery, equipment, utensils, and other goods and implements.- 4) The representation of third parties in the United States of Mexico or in any other country, as an agent, factor, commissioners, representative, or in any form, play the role of dealer or mediator of any class of goods and products.- 5) Acquisition, by any title, exploitation, development, operation, management, in any form, industrial and commercial of all kind of factories, plants, warehouses, facilities, firms and trade.- 6) The acquisition, by any title, of patent rights, inventions, utility models, collective trademarks, advertisements and commercial names, designs, secrets, and industrial models and author rights, and requests in process related to the aforesaid items; authorization for use of them; as well as give and receive all kinds of assistance and technical service, administrative, of surveillance and like, related to the aforementioned ones.- 7) The constitution of mercantile or civil societies or associations, and the acquisition, by any title, of shares and its participations.- 8) In general, the celebration of any contracts and all acts of any nature, with physical or moral persons and economical units, public or private, both inside or outside the United States of Mexico, that directly or indirectly are related to its objective; as well as the emission, acceptance, negotiation, acquisition, endorsement, subscription, and financial guarantee, credit titles and commercial effects, including serial obligations, with or without a real guarantee, in terms of the Law; guarantee third party obligations and the lease and acquisition

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of assets in any extension required in order to accomplish its social objective. With clause of exclusion of foreigners, capital of 50'000,000,00 (FIVE MILLION PESOS AND CERO CENTS, National Currency), minimum set amount, being its maximum unlimited; agreeing that the Society will be represented by an MANAGEMENT COUNCIL, who will have faculties of a general proxy for lawsuits and collection of money, acts of administration and dominion with all the general and special faculties that require special clause according to the Law in terms of the first three paragraphs of the article (2,428) two thousand four hundred twenty eight, Civil Code for the State of Baja California, or its correlatives of any other entity of the Republic of Mexico, in which this power is exercised in order to present denounces and penal quarrels, desist from the proceeding for relief, absolve positions that may appear to the constituents, it will have faculties to bestow or revoke powers, always reserving for itself, the exercise of mandate, subscribe credit titles in terms of the ninth article of the General Law of Titles and Credit Operations, as well as the representation of the company in all the cases of labor lawsuit and before any labor authority in agreement with the article six hundred ninety two of the Labor Federal Law.-

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gathered in First Assembly, the shareholders established , among others, the following AGREEMENTS: a) the Society will be administered and represented by a MANAGEMENT COUNCIL, formed by five Counselor Proprietors and Substitutes, appointed by the shareholders of Series "A", and by the shareholders of Series "B"; namely: SERIES "A" COMPRISES COUNSELOR PROPRIETORS: CARLOS FEDERICO GOTTFRIED JOY, GENARO MAZA FERNANDEZ AND GUSTAVO ENRIQUE GOTTFRIED ALI, SURROGATE COUNSELORS: MARIO H. GOTTFRIED GITIERREZ, HILARIO GONZALEZ VAZQUEZ AND MIGUEL ROSILLO SANCHEZ; SERIES "B"

COMPRISES COUNSELOR PROPRIETORS: JAMES G. P. DEHLSSEN AND ROBERTO H. GATES; SURROGATE COUNSELORS: KENNET KARAS Y DARRELL ORBAN.- any of the surrogate counselor in Series "A" will be able to substitute indistinctively to any of the counselor-proprietors of Series "A"; any of the surrogate counselor in Series "B" will be able to substitute indistinctively to any of the counselor-proprietors of Series "B".- b) CARLOS FEDERICO GOTTFRIED JOY, is appointed PRESIDENT; JAMES G. P. DEHLSSEN, VICE-PRESIDENT; GUSTAVO ENRIQUE GOTTFRIED ALI, SECRETARY, and ROBERT H. GATES, SECRETARY ASSISTANT.- c) GUSTAVO ENRIQUE GOTTFRIED ALI, and PATRICIA HERNANDEZ ESPARZA are granted GENERAL POWER FOR LAWSUITS AND COLLECTION OF MONEY, with all the general faculties and those especial that require especial clause according to the Law, as well as POWER FOR ACTS OF ADMINISTRATION, in the terms of the two first paragraphs of the article (2,428) two thousand twenty-eight of the Civil Code for the State of Baja California or their correlatives of any other entity of the Republic of Mexico, with the limitation that the proxies are not permitted to get credits.- The proxies are hereby entitled to present quarrels and penal denounces, desist of the proceeding for relief, absolve positions that may articulate to the constituent, they will have in an enunciative, but not limited of the faculties referred to in Articles eleven, six hundred and ninety, two fraction II; six hundred eighty six and eight hundred seventy six, as well as to cancel contracts in terms of articles forty six and forty seven, all from Labor Federal Law; they are entitled to grant general and especial powers, reserving its exercise, with the limitation that the power granted will not contain faculties of substitution, they are entitled to grant and subscribe Credit Titles, in the Terms of the Ninth Article of the General Law of Titles and Credit

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LIC. RUBEN ARMENDARIZ R.

NOTARY PUBLIC 1ST

TECATE B.C.

Operations, with the limitation that it can only be exercised jointly by both proxies. By means of public deed number (90,684) ninety thousand six hundred eighty four, granted before Licentiate JORGE H. FALOMIR, Notary Public number fifty nine of Mexico, D.F., was granted to Eng. CARLOS FEDERICO GOTTFRIED JOY and Mr. JAMES GEORGE PURNELL DEHLSSEN general power for lawsuits and collection of money, acts of administration and dominion, in terms of the articles (2,554) two thousand five hundred fifty four and (2,587) two thousand five hundred eighty seven of

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the Civil Code for the Federal District . - - - - -

WHICH I CERTIFY AND STATE IN ORDER TO COMPLEMENT THE DIVERSE PUBLIC DEED NUMBER (14,956) FOURTEEN THOUSAND NINE HUNDRED FIFTY SIX, BOOK NUMBER (146) ONE HUNDRED FORTY SIX, GRANTED ON THIS DATE, BEFORE ME; AND WHICH THIS DOCUMENT IS PART OF.- I ATTEST - - - -

Tecate, B. Cfa. June 09, 1997.

NOTARY PUBLIC 1ST

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(signature)

Attorney Ruben Armendariz R.



COMISION REGULADORA DE ENERGIA

TÍTULO DE PERMISO

PARA GENERAR ENERGÍA ELÉCTRICA
DESTINADA A LA EXPORTACIÓN A TRAVÉS DE
UN PROYECTO DE PRODUCCIÓN
INDEPENDIENTE

NUM. E/214/EXP/2002

OTORGADO A

FUERZA EÓLICA DE BAJA CALIFORNIA,
S.A. DE C.V.

11 de julio, 2002

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COMISION REGULADORA DE ENERGIA

PERMISO PARA GENERAR ENERGÍA ELÉCTRICA DESTINADA A LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE PRODUCCIÓN INDEPENDIENTE

Núm. E/214/EXP/2002

Este permiso autoriza a **Fuerza Eólica de Baja California, S.A. de C.V.**, en lo sucesivo y para los efectos del permiso denominada como la permisionaria, con domicilio social en la Ciudad de México, Distrito Federal y con domicilio para oír y recibir documentos y notificaciones el ubicado en Av. Año de Juárez número 205, colonia Granjas San Antonio, C.P. 09070, Delegación Iztapalapa, México, D.F., a generar energía eléctrica destinada a la exportación a través de un proyecto de producción independiente, de acuerdo con los derechos y las obligaciones que se derivan de las siguientes:

CONDICIONES

PRIMERA. Actividad autorizada. El presente permiso se otorga con el objeto de que la permisionaria genere energía eléctrica destinada a la exportación, a través de un proyecto de producción independiente con una capacidad a instalar de hasta 300 MW. El ejercicio de la actividad autorizada podrá incluir la conducción, transformación y entrega de la energía eléctrica generada.

Dentro del territorio nacional, la permisionaria solo podrá enajenar la energía eléctrica generada a la Comisión Federal de Electricidad en los siguientes casos:

- a) Cuando por caso fortuito o fuerza mayor, el servicio público se vea interrumpido o restringido, y únicamente por el lapso que comprenda la interrupción o restricción, y
- b) Si resultare adjudicatario de un Contrato de Compromiso de Capacidad y Compraventa de Energía Eléctrica Asociada derivado de una licitación convocada por la Comisión Federal de Electricidad, en términos de lo establecido en la Ley del Servicio Público de Energía Eléctrica y su Reglamento, previo permiso otorgado por la Comisión Reguladora de Energía de acuerdo con el artículo 36, fracción III de la Ley antes mencionada.



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SEGUNDA. Disposiciones jurídicas aplicables. La actividad autorizada se sujetará a lo previsto en la Ley del Servicio Público de Energía Eléctrica y su Reglamento, en las normas oficiales mexicanas, en las disposiciones administrativas de carácter general que dicte la Comisión Reguladora de Energía, en las condiciones de este permiso y en las demás disposiciones jurídicas aplicables.

TERCERA. Plazo del permiso. El presente permiso tendrá una duración de 30 años, pudiendo ser renovado con antelación al vencimiento del mismo, oyendo la opinión de la Comisión Federal de Electricidad, siempre y cuando se acredite que la permissionaria cumplió con las obligaciones a su cargo y que prevalecen las condiciones que dieron lugar al otorgamiento del permiso.

CUARTA. Modificación de las condiciones para generar energía eléctrica destinada a la exportación a través de un proyecto de producción independiente o cambio de destino de la energía eléctrica generada. Las condiciones de generación de este permiso sólo podrán modificarse con la previa autorización de la Comisión Reguladora de Energía. Sin embargo, para cambiar el destino de la energía eléctrica generada por la permissionaria será necesario obtener un nuevo permiso.

QUINTA. Ubicación de las instalaciones. La generación de la energía eléctrica a que se refiere la Condición Primera anterior se llevará a cabo utilizando una central eoloeléctrica que estará ubicada en el Ejido Jacume, Población de la Rumorosa, Municipio de Tecate, Baja California.

SEXTA. Descripción de las instalaciones. El proyecto tendrá por objeto la generación de energía eléctrica, utilizando una central eoloeléctrica que será construida en dos etapas, en la primera de ellas se instalarán 40 aerogeneradores de 1.5 MW cada uno, mientras que en la segunda se instalarán 160 aerogeneradores con capacidad de 1.5 MW cada uno. La central estará integrada por 200 aerogeneradores con capacidad total de 300 MW y una producción estimada anual de energía eléctrica de 830 GWh. Para la primera etapa de la central la permissionaria utilizará el servicio de transmisión de energía a ser contratado con la Comisión Federal de Electricidad y para la



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segunda construirá sus líneas propias para transmitir la energía eléctrica a los Estados Unidos de América.

La central que se describe en el párrafo anterior, será utilizada para la exportación de energía eléctrica a la empresa Clipper Windpower Inc.

SÉPTIMA. Programa, inicio y terminación de las obras. El programa de obras a desarrollarse por la permitonaria, para cada una de las etapas de construcción de la central a que hace referencia la Condición inmediata anterior, comprende la realización de los estudios meteorológicos, la selección de sitios, la ingeniería de proyecto, el financiamiento, la construcción y la puesta en marcha de la central.

Las fechas de inicio y terminación de obras serán las siguientes:

Etapas	Fecha de inicio	Fecha de terminación
Primera	septiembre de 2002	diciembre de 2002
Segunda	enero de 2003	diciembre de 2003

OCTAVA. Obligaciones de la permitonaria. La permitonaria deberá cumplir las obligaciones que a continuación se mencionan, además de las que se derivan de la legislación aplicable y de los términos y condiciones del presente permiso:

- I. Notificar a la Comisión Reguladora de Energía, la conclusión de las obras dentro de los quince días hábiles siguientes a la terminación de las mismas;
- II. Operar y mantener sus instalaciones y equipos en forma tal que no constituyan peligro alguno para la propia permitonaria o para terceros, y
- III. Una vez que inicie la operación de las instalaciones y exclusivamente para fines estadísticos, informar trimestralmente a la Comisión Reguladora de Energía, en los formatos autorizados para tal efecto, el tipo y volumen de combustible utilizado y la cantidad de energía eléctrica generada.



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NOVENA. Cumplimiento de Normas. La permisionaria queda obligada a cumplir y adoptar las medidas conducentes para el cumplimiento de las normas oficiales mexicanas y demás especificaciones obligatorias que resulten, directa o indirectamente, aplicables a las obras e instalaciones necesarias para la realización de la actividad autorizada.

DÉCIMA. Disponibilidad en caso fortuito o fuerza mayor. La permisionaria estará obligada a proporcionar, en la medida de sus posibilidades y mediante la retribución correspondiente, la energía eléctrica requerida para el servicio público, cuando por caso fortuito o fuerza mayor dicho servicio se vea interrumpido o restringido, y únicamente por el lapso que comprenda la interrupción o restricción.

DÉCIMO PRIMERA. Restricciones a la exportación de la energía eléctrica generada. La exportación de la energía eléctrica generada al amparo de este permiso podrá ser regulada, restringida o prohibida en términos de lo dispuesto por la Ley de Comercio Exterior.

DÉCIMO SEGUNDA. Cumplimiento de las reglas de despacho y operación. La entrega de energía eléctrica a la red del servicio público por parte de la permisionaria se sujetará a las reglas de despacho y operación del Sistema Eléctrico Nacional que establezca la Comisión Federal de Electricidad a través del Centro Nacional de Control de Energía, de conformidad con lo establecido por la Ley del Servicio Público de Energía Eléctrica, su Reglamento y demás disposiciones jurídicas que resulten aplicables.

DÉCIMO TERCERA. Cooperación con autoridades. La permisionaria proporcionará la cooperación que requieran las autoridades municipales, estatales o federales, con relación a la actividad autorizada y conforme a las atribuciones que les hayan sido conferidas.



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DÉCIMO CUARTA. Transferencia del permiso. La permissionaria, previa autorización de la Comisión Reguladora de Energía y oyendo la opinión de la Comisión Federal de Electricidad, podrá transferir a terceros los derechos derivados del presente permiso de manera accesoria a la enajenación que se haga en favor de los mismos, de las instalaciones objeto del permiso, en los casos y bajo las condiciones siguientes:

- I. La transmisión total o parcial, podrá ser autorizada en aquellos casos previstos en el contrato, en la Ley del Servicio Público de Energía Eléctrica y en su Reglamento, si:
 - a) La permissionaria y quien pretenda adquirir dichos derechos solicitan la autorización conjuntamente y por escrito, y
 - b) Se acompañan a la solicitud los documentos que acrediten la personalidad del cesionario y demuestren que cumple con los requisitos señalados por la Ley del Servicio Público de Energía Eléctrica y su Reglamento para llevar a cabo la actividad autorizada;
- II. Para su transmisión por adjudicación judicial será necesario presentar:
 - a) La solicitud en la que se indique la causa que da lugar a la transmisión;
 - b) La documentación que acredite la personalidad de quien deba ejercer los derechos correspondientes y que demuestre que cumple con los requisitos señalados por la Ley del Servicio Público de Energía Eléctrica y su Reglamento para llevar a cabo la actividad autorizada, y
 - c) La documentación que acredite al cesionario solicitante como causahabiente de los derechos que se transmiten.

DÉCIMO QUINTA. Causas de terminación del permiso. El presente permiso terminará por la actualización de cualquiera de las siguientes causas:



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- I. Disolución de la permisionaria;
- II. Extinción de la concesión o asignación de uso o aprovechamiento de aguas nacionales, en su caso;
- III. Revocación, dictada por la Comisión Reguladora de Energía, en los siguientes supuestos:
 - a) Cuando la permisionaria haya sido sancionada reiteradamente por vender, revender o enajenar o por cualquier otro acto transmitir la capacidad o energía eléctrica generada;
 - b) Si la permisionaria transmite los derechos derivados del permiso o genera energía eléctrica en condiciones distintas a las establecidas en este permiso, sin la autorización de la Comisión Reguladora de Energía, y
 - c) Cuando por cualquier hecho se incumpla de manera grave y reiterada o continua alguna de las disposiciones de la Ley del Servicio Público de Energía Eléctrica, su Reglamento, las condiciones de este permiso, las normas oficiales mexicanas o las especificaciones técnicas y operativas aplicables;
- IV. Caducidad, la cual operará cuando se suspenda la construcción de las obras para la generación de energía eléctrica por un plazo de seis meses, salvo que se deba a caso fortuito o fuerza mayor, y
- V. Renuncia de la permisionaria, para lo cual deberá notificar por escrito a la Comisión Reguladora de Energía con una anticipación mínima de un año, siempre y cuando con dicha renuncia no se afecte el interés público.

Para los efectos de lo dispuesto en la fracción III de esta Condición, se considerará que el incumplimiento es reiterado cuando la permisionaria incurra por segunda vez en una falta grave y que el incumplimiento es continuo cuando éste se prolongue por un lapso mayor de cuarenta y cinco días, después de haber sido notificada por la Comisión Reguladora de Energía que se encuentra en ese supuesto.

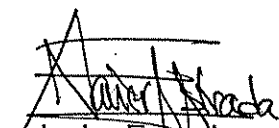


COMISION REGULADORA DE ENERGIA

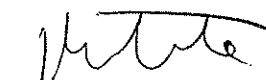
DÉCIMO SEXTA. Aceptación de las condiciones. La aceptación del permiso por parte de la permisionaria implica su conformidad con todos los términos, condiciones y obligaciones que a su cargo se derivan directa o indirectamente de las disposiciones jurídicas aplicables, normas oficiales mexicanas, especificaciones técnicas y operativas y del presente permiso.

México, D.F., a 11 de julio, 2002


Dionisio Pérez-Jácome
Presidente


Javier Estrada
Comisionado


Rubén Flores
Comisionado


Raúl Monteforte
Comisionado


Raúl Necedal
Comisionado



COMISION REGULADORA DE ENERGIA

RESOLUCIÓN POR LA QUE SE OTORGA A FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. DE C.V., PERMISO PARA GENERAR ENERGÍA ELÉCTRICA DESTINADA A LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE PRODUCCIÓN INDEPENDIENTE

RESULTANDO

PRIMERO. Que el 19 de octubre de 2001, Fuerza Eólica de Baja California, S.A. de C.V., en lo sucesivo la solicitante, señalando como domicilio para oír y recibir todo tipo de documentos y notificaciones el ubicado en Av. Año de Juárez 205, Colonia Granjas San Antonio, C.P. 09070, Delegación Iztapalapa, México, D.F., presentó ante esta Comisión Reguladora de Energía solicitud de permiso para generar energía eléctrica destinada a la exportación, a través de un proyecto de producción independiente;

SEGUNDO. Que con fechas 15 de noviembre y 5 de diciembre de 2001, la solicitante presentó ante este órgano información y documentación complementarias a la solicitud mencionada en el Resultando inmediato anterior;

TERCERO. Que el 11 de abril de 2002 esta Comisión Reguladora de Energía solicitó a la solicitante mediante oficio número SE/DGE/408/2002, la carta de intención emitida por la empresa que pretende comprar la energía eléctrica generada a fin de acreditar lo establecido en el artículo 117 del Reglamento de la Ley del Servicio Público de Energía Eléctrica;

CUARTO. Que el 24 de abril de 2002 la solicitante pretendió dar respuesta al requerimiento de información a que hace referencia el Resultando inmediato anterior;

QUINTO. Que el 6 de mayo de 2002 esta Comisión Reguladora de Energía informó a la solicitante mediante oficio número DGE/524/2002, que toda vez que había dejado de promover desde el 24 de abril de 2002, la paralización del trámite produciría la caducidad del procedimiento administrativo correspondiente a la solicitud, mencionada en el Resultando Primero anterior, en un término de tres meses contado a partir del día siguiente a aquél en que surtiera efecto la notificación del citado oficio;



COMISION REGULADORA DE ENERGIA

SEXTO. Que el 14 de junio de 2002, la solicitante entregó a esta Comisión Reguladora de Energía la carta a que hacen referencia el Resultando Tercero anterior y Considerando Décimo siguiente;

SÉPTIMO. Que de acuerdo con la información y documentación presentadas por la solicitante, el proyecto planteado tendrá por objeto la generación de energía eléctrica, utilizando una central eoloeléctrica que será construida en dos etapas, en la primera de ellas se instalarán 40 aerogeneradores de 1.5 MW cada uno, mientras que en la segunda se instalarán 160 aerogeneradores con capacidad de 1.5 MW cada uno; que central estará integrada por 200 aerogeneradores con capacidad total de 300 MW y una producción estimada anual de energía eléctrica de 830 GWh; que para la primera etapa de la central la solicitante utilizará el servicio de transmisión de energía a ser contratado con la Comisión Federal de Electricidad y para la segunda etapa construirá sus líneas propias para transmitir la energía eléctrica a los Estados Unidos de América;

OCTAVO. Que la central que se describe en el Resultando inmediato anterior, será utilizada por la solicitante para exportación a los Estados Unidos de América a la empresa Clipper WindPower Inc., en términos de la carta de intención de compraventa que se menciona en el Considerando Décimo siguiente, y

NOVENO. Que la central estará ubicada en el Ejido Jacume, Población de la Rumorosa, Municipio de Tecate, Baja California.

CONSIDERANDO

PRIMERO. Que de acuerdo con lo dispuesto por el artículo 3, fracción XII, de la Ley de la Comisión Reguladora de Energía, compete a este órgano otorgar y revocar los permisos y autorizaciones que, conforme a las disposiciones legales aplicables, se requieran para la generación y exportación de energía eléctrica que realicen los particulares;



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DE ENERGIA
SECRETARIA EJECUTIVA



COMISION REGULADORA DE ENERGIA

SEGUNDO. Que para efectos de lo dispuesto por los artículos 36, base 3), de la Ley del Servicio Público de Energía Eléctrica y 84 de su Reglamento, esta Comisión solicitó a la Comisión Federal de Electricidad su opinión respecto al proyecto de exportación presentado por la solicitante, la cual fue recibida el 7 de febrero de 2002 y tomada en cuenta por esta Comisión;

TERCERO. Que la solicitud de permiso a que se refiere el Resultando Primero anterior, contiene los datos requeridos por el artículo 82 del Reglamento de la Ley del Servicio Público de Energía Eléctrica y fue presentada de acuerdo con el formato autorizado;

CUARTO. Que de acuerdo con lo establecido por la fracción I, del artículo 83 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, la solicitante acreditó su existencia legal y las facultades de su representante, Ing. Carlos Federico Gottfried Joy, mediante copia certificada de la escritura número 88,448 de fecha 6 de julio de 2001, otorgada ante la fe del Lic. Gerardo Correa Etchegaray, Notario Público número 89 del Distrito Federal, en la cual constan la constitución de la solicitante así como el otorgamiento a dicho representante de un poder general para actos de administración;

QUINTO. Que para los efectos de lo dispuesto por el artículo 83, fracción II, del Reglamento de la Ley del Servicio Público de Energía Eléctrica, la solicitante exhibió los siguientes documentos:

- a) Descripción en términos generales del proyecto incluyendo las características de las instalaciones y el croquis de las líneas de transmisión requeridas para la exportación, así como de las instalaciones accesorias, los datos estimados de generación anual y consumo de combustibles;
- b) Con respecto a la información relativa al uso de aguas, manifestó que no utilizarán aguas nacionales;
- c) Por lo que se refiere a la información concerniente al cumplimiento de las normas en materia ecológica, copia simple del escrito presentado con fecha 12 de octubre de 2001 ante la Secretaría de Medio Ambiente y Recursos Naturales, mediante el cual solicitó a dicha dependencia la





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evaluación del informe preventivo en materia de impacto ambiental, para la central a que se refiere el Resultando Séptimo anterior, y

- d) En cuanto a la información relativa al uso de suelo, copia simple del escrito presentado ante el Ayuntamiento de Tecate, Baja California, respecto de la central a que se refiere el Resultando Séptimo anterior;

SEXTO. Que para acreditar la propiedad, posesión o autorización para el aprovechamiento de la superficie que ocuparán las instalaciones o, en su defecto, informar acerca de los actos jurídicos previstos para tal efecto, en los términos de la fracción III del artículo 83 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, la solicitante presentó copia simple del contrato de cesión de derechos de fecha 9 de noviembre de 2001, celebrado entre Fuerza Eólica, S.A. de C.V. y la solicitante, respecto del predio en donde se ubicará la central a que se refiere el Resultando Noveno anterior;

SÉPTIMO. Que para los efectos de lo establecido en la parte conducente del artículo 86, del Reglamento de la Ley del Servicio Público de Energía Eléctrica, con relación a la memoria técnico-descriptiva y justificativa del proyecto, dado que la documentación presentada por la solicitante incluye en detalle los elementos a que se refiere la fracción II del artículo 83 del mismo cuerpo reglamentario, tal memoria se tuvo por integrada al expediente y no fue solicitada, buscando así simplificación y economía administrativas;

OCTAVO. Que de acuerdo con lo establecido en el artículo 108 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, el proyecto a que se refiere el Resultando Primero anterior se considera de producción independiente, ya que la generación de energía eléctrica provendrá de una planta con capacidad mayor de 30 MW y se destinará exclusivamente a la exportación;

NOVENO. Que de acuerdo con lo establecido en el artículo 36, fracciones III, inciso a) y V de la Ley del Servicio Público de Energía Eléctrica y 109 de su Reglamento, la solicitante es una persona moral constituida conforme a las leyes mexicanas, con domicilio en el territorio nacional y cumple con los requisitos establecidos por la legislación aplicable.



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DÉCIMO. Que para acreditar los extremos a que se refiere el artículo 117 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, la solicitante presentó carta de intención de compra de energía eléctrica que le dirige Clipper Windpower Inc., respecto de la central a que se refiere el Resultando Séptimo anterior;

DÉCIMO PRIMERO. Que de conformidad con lo establecido por el artículo 118 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, la energía eléctrica generada al amparo del permiso objeto de la presente Resolución se destinará totalmente a la exportación, salvo en el caso previsto en el inciso a) del artículo 37 de la Ley del Servicio Público de Energía Eléctrica;

DÉCIMO SEGUNDO. Que del análisis de la solicitud de permiso de exportación a que se refiere el Resultando Primero anterior, en términos de lo dispuesto por el artículo 119 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, resulta que:

- a) La Comisión Federal de Electricidad considera en su opinión a que hace referencia el Considerando Segundo anterior, que la solicitud de exportación no presenta inconveniente alguno, ya que la generación proviene de una central propia que esta destinada a la satisfacción de las necesidades de exportación;
- b) La primera etapa de la central a que hace referencia el Resultando Quinto anterior requiere de la interconexión de la central con el Sistema Eléctrico Nacional y de la contratación del servicio de transmisión con la Comisión Federal de Electricidad, para lo cual este organismo manifestó mediante la opinión antes mencionada que no tiene inconveniente alguno para proporcionar dichos servicios;
- c) La Comisión Federal de Electricidad en la opinión en cita manifestó no tener inconveniente en que el solicitante construya sus propias líneas de transmisión para la segunda etapa del proyecto, y
- d) El proyecto utilizará como energético primario el viento, por lo que no requerirá del uso de combustibles, y



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DÉCIMO TERCERO. Que la solicitante realizó el pago de derechos para la expedición del título de permiso respectivo, en términos de lo dispuesto por el artículo 56, fracción II de la Ley Federal de Derechos, ante Banca Afirme, S.A., el 5 de diciembre de 2001.

Por lo expuesto y con fundamento en los artículos 3, fracción III, 36, fracciones III y V y base 3), 37, 38 y 44 de la Ley del Servicio Público de Energía Eléctrica; 3, 16, fracción X y 57, fracción I de la Ley Federal de Procedimiento Administrativo; 2, fracción II, 3, fracción XII y 4 de la Ley de la Comisión Reguladora de Energía; 72, fracción II, 77, 78, 81, 82, 83, 84, 86, 87, 88, 108, 109, 116, 117, 118 y 119 del Reglamento de la Ley del Servicio Público de Energía Eléctrica y 56, fracción II de la Ley Federal de Derechos, esta Comisión Reguladora de Energía:

RESUELVE

PRIMERO. Se otorga a Fuerza Eólica de Baja California, S.A. de C.V., permiso para generar energía eléctrica destinada a la exportación a través de un proyecto de producción independiente, en los términos del permiso E/214/EXP/2002.

SEGUNDO. Esta Resolución no prejuzga sobre la validez del contrato de cesión de derechos a que hace referencia el Considerando Sexto anterior, relativo al sitio en donde se ubicará la central de generación de energía eléctrica a que se refiere el Resultando Noveno anterior.

TERCERO. Notifíquese la presente Resolución a Fuerza Eólica de Baja California, S.A. de C.V., y hágase de su conocimiento que el presente acto administrativo puede ser impugnado interponiendo en su contra el recurso de reconsideración que prevé el artículo 11 de la Ley de la Comisión Reguladora de Energía y que el expediente respectivo se encuentra y puede ser consultado en las oficinas de esta Comisión, ubicadas en Horacio 1750, Col. Polanco, Delegación Miguel Hidalgo, 11510, México, D.F.





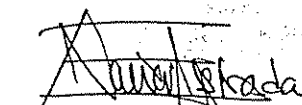
COMISION REGULADORA DE ENERGIA

CUARTO. Inscribanse la presente Resolución con el Núm. **RES/132/2002** y el permiso **E/214/EXP/2002** en el Registro a que se refiere la fracción XVI del artículo 3 de la Ley de la Comisión Reguladora de Energía.

México, D.F., a 11 de julio, 2002



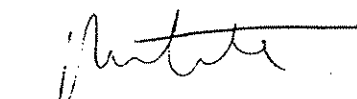
Dionisio Pérez-Jacome
Presidente



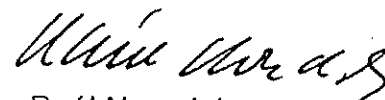
Javier Estrada
Comisionado



Rubén Flores
Comisionado



Raúl Monteforte
Comisionado



Raúl Nocedal
Comisionado



COMISION REGULADORA
DE ENERGIA
SECRETARIA EJECUTIVA



COMISION REGULADORA DE ENERGIA

RESOLUCIÓN Núm. RES/120/2005

RESOLUCIÓN POR LA QUE SE MODIFICA LA CONDICIÓN SÉPTIMA DEL PERMISO DE EXPORTACIÓN DE ENERGÍA ELÉCTRICA E/214/EXP/2002, OTORGADO A FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. DE C.V.

RESULTANDO

PRIMERO. Que con fecha 11 de julio de 2002, mediante Resolución Núm. RES/132/2002, esta Comisión Reguladora de Energía (esta Comisión), otorgó a Fuerza Eólica de Baja California, S.A. de C.V. (la Permissionaria), el Permiso para Generar Energía Eléctrica destinada a la Exportación a través de un proyecto de Producción Independiente número E/214/EXP/2002 (el Permiso), mediante una central de generación con capacidad de hasta 300 MW, misma que estará ubicada en el Ejido Jácume, Población de la Rumorosa, Municipio de Tecate, Baja California.

SEGUNDO. Que la Condición Séptima del Permiso, establece el programa de obras para la construcción de la central de generación objeto del Permiso, en los siguientes términos:

***“SÉPTIMA. Programa, inicio y terminación de las obras.** El programa de obras a desarrollarse por la permissionaria, para cada una de las etapas de construcción de la central a que hace referencia la Condición inmediata anterior, comprende la realización de los estudios meteorológicos, la selección de sitios, la ingeniería de proyecto, el financiamiento, la construcción y la puesta en marcha de la central.*

Las fechas de inicio y terminación de obras serán las siguientes:

<i>Etapas</i>	<i>Fecha de inicio</i>	<i>Fecha de terminación</i>
<i>Primera</i>	<i>septiembre de 2003</i>	<i>diciembre de 2003</i>
<i>Segunda</i>	<i>septiembre de 2003</i>	<i>septiembre de 2004”</i>

TERCERO. Que con fecha 6 de abril de 2005, la Permissionaria presentó ante esta Comisión, una solicitud para modificar las fechas de terminación de las dos etapas del programa de obras del Permiso, estableciendo para tal efecto las siguientes:

RES/120/2005



COMISION REGULADORA DE ENERGIA

Etapa	Fecha de terminación
Primera	diciembre de 2006
Segunda	diciembre de 2007

CUARTO. Que con fecha 3 de mayo de 2005, la Permisinaria presentó ante esta Comisión, información y documentación complementarias a la solicitud mencionada en el Resultando inmediato anterior.

CONSIDERANDO

PRIMERO. Que de acuerdo con lo dispuesto por el artículo 3, fracción XII, de la Ley de la Comisión Reguladora de Energía, corresponde a este órgano otorgar y revocar los permisos y autorizaciones que, conforme a las disposiciones legales aplicables se requieran para la generación de energía eléctrica que realicen los particulares.

SEGUNDO. Que la solicitud a que se refieren los Resultandos Tercero y Cuarto anteriores implica el cambio de las fechas de terminación de obras a que se refiere la Condición Séptima del Permiso.

TERCERO. Que la Permisinaria señaló como las causas principales que han motivado el diferimiento de la fecha de terminación de obras del proyecto, que está en proceso un litigio en contra del Ejido Jácume por incumplimiento del contrato de arrendamiento, las dificultades por congestión y por cuestiones regulatorias de los sistemas de transmisión transfronterizos entre el Estado de Baja California y el Estado de California de los Estados Unidos de América.

CUARTO. Que la Permisinaria manifestó en los escritos a que se refieren los Resultandos Tercero y Cuarto anteriores, que dio cumplimiento a lo establecido en la Condición Séptima del Permiso en lo relativo al desarrollo de las actividades por las cuales dio inicio al programa de obras autorizado para la construcción de la central eléctrica objeto del Permiso y que no ha suspendido ni interrumpido el desarrollo de las obras por un plazo de seis meses o por un plazo equivalente; que para acreditar lo anterior, la Permisinaria presentó evidencia documental de las actividades llevadas a cabo en torno al proyecto de exportación objeto del Permiso, consistente principalmente en diversos estudios realizados con el fin de analizar el impacto que tendrá el reconocimiento de la

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capacidad en el costo y financiamiento del proyecto; facturación de diversos elementos que permiten realizar los estudios referentes a las condiciones del sitio; así como diversa documentación que muestra el proceso de litigio en el que se encuentran actualmente contra el Ejido Jácume.

QUINTO. Que la Permissionaria cumplió con la presentación del formato de solicitud autorizado, debidamente suscrito por su representante, Ing. Carlos Federico Gottfried Joy, quien acreditó sus facultades en términos del quinto testimonio de la escritura pública número 88,448 de fecha 6 de julio de 2001, otorgada ante la fe del Lic. Gerardo Correa Etchegaray, Notario Público número 89 del Distrito Federal, en el cual consta el otorgamiento a dicho representante de un poder general para actos de administración.

SEXTO. Que la Solicitante, en virtud de que la central objeto del Permiso utilizará como fuente de energía a la eólica, considerada como fuente de energía renovable, se encuentra exenta de realizar el pago de derechos para la expedición de la presente modificación al Permiso, de conformidad con lo dispuesto por el artículo 56 Bis de la Ley Federal de Derechos, que a la letra establece:

" Artículo 56 Bis. En ningún caso se pagará el derecho de permiso de generación de energía eléctrica por el análisis, evaluación de la solicitud y, en su caso, la expedición o modificación del título de permiso, exclusivamente, cuando sea bajo las modalidades de fuentes de energía renovables. "

Por lo expuesto y con fundamento en los artículos 3, fracción III y 36, fracción V y base 3) de la Ley del Servicio Público de Energía Eléctrica; 1, 3, 12, 14, 16, fracción X y 57, fracción I de la Ley Federal de Procedimiento Administrativo; 1, 2, fracción II, 3, fracciones XII y XXII y 4 de la Ley de la Comisión Reguladora de Energía; y 1, 72, fracción I, inciso d), 77, 78, 84 y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, esta Comisión Reguladora de Energía:

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DE ENERGIA
SECRETARIA EJECUTIVA



COMISION REGULADORA DE ENERGIA

RESUELVE

PRIMERO. Se modifican las fechas de terminación de obras a que se refiere la Condición Séptima del Permiso para Generar Energía Eléctrica destinada a la Exportación a través de un proyecto de Producción Independiente número E/214/EXP/2002, otorgado a Fuerza Eólica de Baja California, S.A. de C.V., en los siguientes términos:

“SÉPTIMA. Programa, inicio y terminación de las obras. El programa de obras a desarrollarse por la permissionaria, para cada una de las etapas de construcción de la central a que hace referencia la Condición inmediata anterior, comprende la realización de los estudios meteorológicos, la selección de sitios, la ingeniería de proyecto, el financiamiento, la construcción y la puesta en marcha de la central.

Las fechas de inicio y terminación de obras serán las siguientes:

Etapas	Fecha de inicio	Fecha de terminación
Primera	septiembre de 2003	diciembre de 2006
Segunda	septiembre de 2003	diciembre de 2007”

SEGUNDO. Notifíquese la presente Resolución a Fuerza Eólica de Baja California, S.A. de C.V. y hágase de su conocimiento que el presente acto administrativo puede ser impugnado, interponiendo en su contra el recurso de reconsideración que prevé el artículo 11 de la Ley de la Comisión Reguladora de Energía y que el expediente respectivo se encuentra y puede ser consultado en las oficinas de esta Comisión Reguladora de Energía, ubicadas en Horacio 1750, Col. Polanco, Delegación Miguel Hidalgo, 11510, México, D.F.

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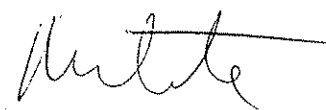
COMISION REGULADORA DE ENERGIA

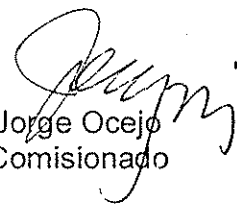
TERCERO. Inscribese la presente Resolución con el Núm. **RES/120/2005** en el Registro a que se refiere la fracción XVI del artículo 3 de la Ley de la Comisión Reguladora de Energía.

México, D.F., a 7 de julio, 2005


Dionisio Pérez-Jácome
Presidente


Francisco Barnés
Comisionado


Raúl Monteforte
Comisionado


Jorge Ocejo
Comisionado


Adrián Rojí
Comisionado

RES/120/2005


COMISION REGULADORA
DE ENERGIA
SECRETARIA EJECUTIVA



FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V.

México D.F., a 10 de Julio de 2007

COMISIÓN REGULADORA DE ENERGÍA

Horacio No. 1750

Colonia Polanco

11560, México, DF

DR. ALEJANDRO PERAZA GARCÍA
DIRECTOR GENERAL DE ELECTRICIDAD
PRESENTE

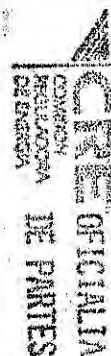
REF: PERMISO PARA GENERAR ENERGÍA ELÉCTRICA DESTINADA A LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE PRODUCCIÓN INDEPENDIENTE NÚM. E/214/EXP/2002.

ASUNTO: SE PRESENTA INFORMACIÓN ADICIONAL PARA COMPLEMENTAR NUESTRO ESCRITO DE FECHA 28 DE MAYO DE 2007 ENTREGADO A LA COMISIÓN REGULADORA DE ENERGÍA EN RESPUESTA AL OFICIO DGE/0993/2007.

RE: SOLICITUD PARA MODIFICAR LAS CONDICIONES ORIGINALES DEL PERMISO NÚMERO E/214/EXP/2002 DE FECHA 16 DE ABRIL DE 2007.

CARLOS F. GOTTFRIED JOY, EN NOMBRE Y REPRESENTACIÓN DE FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., señalando como domicilio para oír y recibir toda clase de notificaciones en Avenida Año de Juárez No. 205, Colonia Granjas San Antonio - Iztapalapa, C.P. 09070 y autorizando para tales efectos a los señores Lic. Miguel Jáuregui Rojas y Lic. Pablo Gottfried Blackmore, con el debido respeto comparezco y expongo lo siguiente:

- I.- Que las obras necesarias para llevar a realización de las actividades amparadas por el PERMISO PARA GENERAR ENERGÍA DESTINADA A LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE PRODUCCIÓN INDEPENDIENTE NÚM. E/214/EXP/2002 no han sido detenidas por un plazo mayor a 6 meses desde el otorgamiento del Permiso.
- II.- Se solicita y se autoriza a la Comisión Reguladora de Energía la utilización de la información y documentación contenida en nuestro expediente para



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eliminado.
Fundamento: Art.18
fracc.II LFTAIPG.
Motivación:
Información
confidencial, datos
personales

el presente Procedimiento Administrativo.

Se hace entrega de la siguiente documentación de carácter confidencial con el fin de complementar nuestro oficio de fecha 28 de mayo de 2007 en contestación al oficio de la Comisión Reguladora de Energía DGE/0993/2007:

1.- Copia del correo electrónico que fue enviado por Judy Nickel, Gerente de Proyectos en el Estado de California de la Área de Control del Operador Independiente del Sistema del estado de California, EEUU (siglas en ingles "CAISO") al Ing. Rodolfo Rivas, director de acceso a la red de nuestro socio Clipper Windpower Inc, el pasado 28 de junio de 2007, en donde se nos informa que nuestra solicitud para ingresar en la lista oficial de Generadores de la Red de Transmisión es válida y está formalmente aprobada.

2. Copia de la lista oficial de Generadores de la Red de Transmisión ("The California ISO Controlled Grid Generation Queue"), en donde Fuerza Eólica de Baja California (Concepción II) ocupa el lugar número 209.

Por lo antes expuesto a esa H. Comisión Reguladora de Energía atentamente solicito:

PRIMERO. Tener a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., presentada en los términos del presente escrito que complementa la información antes presentada a la Comisión Reguladora de Energía.

SEGUNDO. De conformidad con las disposiciones de la Ley del Servicio Público de Energía Eléctrica, su Reglamento, y de la Ley de la Comisión Reguladora de Energía, en su oportunidad, informar a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V. sobre la necesidad de cualquier aclaración o información.

TERCERO. Tener a mi representada como cumplida y que ha estado llevando a cabo las actividades necesarias para finalizar las obras a desarrollar al amparo del Permiso de Exportación de Energía Eléctrica E/214/EXP/2002.

CUARTO. Tratar la información aquí expuesta como de carácter confidencial.

QUINTO. Previos los trámites reglamentarios, se solicita respetuosamente a esa H. Comisión Reguladora de Energía la modificación de las condiciones sexta y séptima de acuerdo a nuestra solicitud de fecha 16 de abril de 2007 al Permiso de Exportación de Energía Eléctrica otorgado a Fuerza Eólica de Baja California S.A. de C.V.

Un renglón
eliminado.
Fundamento:
Art.18 fracc.II
LFTAIPG.
Motivación:
Información
confidencial,
datos personales

3217

ATENTAMENTE,
México DF, a 10 de julio de 2005.
Por Fuerza Eólica de Baja California, S.A. DE C.V.

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

ING. CARLOS FEDERICO GOTTFRIED JOY
PRESIDENTE DEL CONSEJO DE ADMINISTRACIÓN

CC: Dr. Francisco Barnés de Castro, Comisionado, CRE



3217

3217

Pablo Gottfried <pg@fuerzaeolica.com>

FW: Concepcion Project - IR Deemed Valid

4 messages

Rudy Rivas <rrivas@clipperwind.com>

Tue, Jul 3, 2007 at 12:19 PM

To: Michael Rucker <MRucker@clipperwind.com>, Aparna Narang <ANarang@clipperwind.com>, Mary Grady <MGrady@clipperwind.com>, Peter Stricker <pstricker@clipperwind.com>, Mike Miller <MMiller@clipperwind.com>, Pablo Gottfried <pg@fuerzaeolica.com>
Cc: Susanna Wilson <SWilson@clipperwind.com>

Hello Team,

It's finally official: we're in the CAISO queue for Concepcion II. Many thanks to Aparna and Pablo on the site control work for the CAISO. Note the queue position is backdated to May 3, 2007 – the original submittal date, this is a very good thing.

I'll check the queue in the next few days to see where we ended up relative to other interconnection submittals on the same line.

Regards,

Rudy Rivas

Grid Access Leader

Clipper Windpower Development Company, Inc.

6305 Carpinteria Avenue, Suite 300

Carpinteria, CA 93013

Direct: +1 (214) 227 0144

Cellular: +1 (214) 883 7153

Web: <http://www.clipperwind.com>

Email: rrivas@clipperwind.com

sag

From: Nickel, Judy [mailto:JNickel@caiso.com]

Sent: Thursday, June 28, 2007 12:00 PM

To: Rudy Rivas
Cc: Green, Irina; Winter, Rodney; Wright, Linda
Subject: Concepcion Project - IR Deemed Valid

The California ISO (CAISO) has reviewed the Generator Interconnection Requests (IR) submitted by Clipper Wind Power Development for the interconnection of the Concepcion II project located in La Rumorosa, Baja CA, Mexico.

The IR and initial deposit were received by the CAISO on May 2, 2007. The document representing evidence of Site Control was received on May 3, 2007. The CAISO has determined the IR is valid. The effective queue date for this project will be May 3, 2007.

Per Section 3.5.4 of the LGIP, *"Within ten (10) Business Days after the ISO notifies the Interconnection Customer of a valid Interconnection Request, the ISO shall establish a date agreeable to the Interconnection Customer and the applicable Participating TO(s) for the Scoping Meeting, and such date shall be no later than thirty (30) Calendar Days from notification of the valid Interconnection Request, unless otherwise mutually agreed upon by the Parties."*

The ISO proposes to schedule the Scoping Meeting on **July 10, 2007** from **1:00 p.m. – 3:00 p.m.** in the Collins Room at the CAISO offices located at 151 Blue Ravine Rd., Folsom, CA 95630. Please notify me as soon as possible if this date does not accommodate your schedule and submit at least two dates and times that should be considered.

The purpose of the Scoping Meeting shall be to discuss alternative interconnection options, to exchange information including any transmission data that would reasonably be expected to impact such interconnection options, to analyze such information and to determine the potential feasible Points of Interconnection. The applicable Participating TO(s) and the ISO will bring to the meeting such already available technical data, including, but not limited to: (i) general facility loadings, (ii) general instability issues, (iii) general short circuit issues, (iv) general voltage issues, and (v) general reliability issues, as may be reasonably required to accomplish the purpose of the meeting. The Interconnection Customer will bring to the Scoping Meeting Attachment A to Appendix 1, and system studies previously performed, as available. The applicable Participating TO(s), the ISO, and the Interconnection Customer will also bring to the meeting personnel and other resources as may be reasonably required to accomplish the purpose of the meeting in the time allocated for the meeting. On the basis of the meeting, the Interconnection Customer shall designate its Point of Interconnection, pursuant to LGIP Section 6.1, and one alternative Point of Interconnection.

Per the LGIP, Section 6.1 a pro forma Interconnection Feasibility Study Agreement has been attached.

Should you have any questions, please contact Judy Nickel at (916) 608-7062 (jnickel@caiso.com) or Songzhe Zhu at 916-608-5854 (szhu@caiso.com).

<<INTERCONNECTION FEASIBILITY STUDY AGREEMENT06232006.doc>>

Judy Nickel
Project Manager
California ISO
(916) 608-7062

Aparna Narang <ANarang@clipperwind.com>

Tue, Jul 3, 2007 at 12:32 PM

To: Rudy Rivas <rrivas@clipperwind.com>, Michael Rucker <MRucker@clipperwind.com>, Mary Grady <MGrady@clipperwind.com>, Peter Stricker <pstricker@clipperwind.com>, Mike Miller

<MMiller@clipperwind.com>, Pablo Gottfried <pg@fuerzaeolica.com>
Cc: Susanna Wilson <SWilson@clipperwind.com>

Wonderful news Rudy! I pulled up the CAISO queue, and we appear to have queue position #209 for 400 MW (though CAISO accidentally labeled us as a Wind Turbine project, but using Solar as our energy source! I can't complain as we're in the queue!). Our interconnection point is identified as the "New 230/500kV substation near the 500kV IV-ML line".

Other projects ahead of us that are coming out of La Rumorosa are:

Size	Interconnection Point
400 MW	500kV Imperial Valley – Miguel transmission line (<i>I believe this is Cannon</i>)
1000 MW	Imperial Valley 230kV switchyard
1000 MW	Imperial Valley 500kV bus
500 MW	Miguel 230kV bus
1000 MW	Imperial Valley 230kV Substation
300 MW	500kV Imperial Valley-Miguel transmission line (<i>I believe this is Cannon</i>)

I look forward to hearing Rudy's thoughts on which of the above may impact our project. It may just be that Cannon's projects are the only ones that impact us (700 MW), and based on Cannon's project sale to Sempra for a project size of 250MW, I wonder if Cannon may have just obtained the additional queue position to make their asset more marketable for a Sempra expansion in the La Rumorosa region.

Aparna

Aparna Narang
Development Project Manager - Western Region

Clipper Windpower Development Company, Inc.
main: +1 (805) 690-3275 x209
direct: +1 (805) 576-1809
cell: +1 (805) 453-1502

From: Rudy Rivas
Sent: Tuesday, July 03, 2007 10:20 AM
To: Michael Rucker; Aparna Narang; Mary Grady; Peter Stricker; Mike Miller; Pablo Gottfried

Generating Facility										Location		Point of Interconnection			Study Availability				
Queue Position	Interconnection Request Receive Date	Queue Date	Application Status	Type	Fuel	Summer	Winter	County	State	Utility	Station or Transmission Line	Proposed On-line Date (as filed with R)	Current On-line Date	Feasibility Study (FS)	System Impact Study (SIS)	Facility Study (FAS)	Optional Agreement Status		
181	3/2/2007	3/2/2007	Active	CT	NG	404		San Bernardino	CA	SCG	New 220kV substation on the Chino-Sanimo line	3/1/2010	3/1/2010	In Progress					
182	3/5/2007	3/5/2007	Active	PV	S	500		Ken	CA	SCG	Thermal Conversion Substation	12/31/2010		In Progress					
183	3/5/2007	3/5/2007	Active	WT	W	309		San Bernardino	CA	SCG	Thermal Conversion Substation	11/1/2009	11/1/2009	In Progress					
184	3/5/2007	3/5/2007	Active	WT	W	309		San Bernardino	CA	SCG	Thermal Conversion Substation	11/2010	11/2010	In Progress					
185	3/5/2007	3/5/2007	Active	WT	W	309		San Bernardino	CA	SCG	Thermal Conversion Substation	11/2010	11/2010	In Progress					
186	3/5/2007	3/5/2007	Active	WT	W	309		San Bernardino	CA	SCG	Thermal Conversion Substation	11/2010	11/2010	In Progress					
187	3/14/2007	3/14/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
188	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
189	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
190	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
191	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
192	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
193	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
194	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
195	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
196	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
197	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
198	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
199	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
200	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
201	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
202	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
203	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
204	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
205	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
206	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
207	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
208	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
209	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
210	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
211	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
212	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
213	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
214	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
215	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
216	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
217	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
218	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
219	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
220	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
221	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
222	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
223	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
224	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
225	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
226	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
227	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
228	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
229	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					
230	3/24/2007	3/24/2007	Active	WT	W	200		San Bernardino	CA	SCG	Thermal Conversion Substation	12/1/2010	12/1/2010	In Progress					

Notes:

This Queue posting reflects the requirements of the FERC Order 2003 for Large Generator Interconnection Procedures (LIGIP). Generator Interconnection Requests or applications Completed or Withdrawn prior to the posting are not shown. Future withdrawals will be indicated in the Application Status as Withdrawn and their Queue position will be re-allocated. Weekly posting is anticipated.

Legend:

- Generator Type Key: (C)Coal, (G)Gas, (N)Nuclear, (O)Oil, (C)Coal, (B)Biomass, (S)Solar, (L)Landfill Gas, (W)Wind, (G)Geothermal, (H)Hydroelectric
- Fuel Type Key: (W)Wind, (N)Nuclear, (O)Oil, (C)Coal, (B)Biomass, (S)Solar, (L)Landfill Gas, (W)Wind, (G)Geothermal, (H)Hydroelectric

The California ISO Controlled Grid Generation Queue as of: July 2, 2007

Generating Facility										Maximum MWs		Location		Point of Interconnection				Study Availability			
Queue Position	Interconnection Request Recvd Date	Queue Date	Application Status	Type	Fuel	Summer	Winter	County	State	Utility	Station or Transmission Line	Proposed On-line Date (4a filed with FR)	Current On-line Date	Feasibility Study (FFS)	System Impact Study (SIS)	Facility Study (FAS)	Options Agreement (OAS)	Interconnection Agreement Status			
1	8/20/1988	8/20/1988	Active	WT	W	18.5	550	San Diego	CA	SCGE	Duane-Garnett 115 kV line (120)	3/1/1992	8/1/2007	NA	Complete	Complete	Complete	GSF Extended			
1A	11/1/1989	11/1/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Market Station	3/1/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
2	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
3	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
4	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
5	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
6	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
7	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
8	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
9	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
10	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
11	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
12	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
13	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
14	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
15	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
16	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
17	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
18	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
19	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
20	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
21	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
22	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
23	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
24	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
25	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
26	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
27	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
28	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
29	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
30	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
31	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
32	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
33	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
34	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
35	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
36	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
37	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
38	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
39	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
40	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
41	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
42	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
43	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
44	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
45	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
46	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
47	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
48	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
49	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
50	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
51	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
52	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
53	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
54	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			
55	8/10/1989	8/10/1989	Active	CC	NG	550	550	San Diego	CA	SDGE	Corbin-Costa	11/2/2007	11/1/2006	NA	Complete	Complete	Complete	GSF Extended			

Notes:
This Queue posting reflects the requirements of the FERC Order 2003 for Large Generator Interconnection Procedures (LICP).
Generator Interconnection Requests or applications completed at Midstream prior to this posting are not shown.
Future withdrawals will be indicated in the Application Status as Withdrawn and their Queue position will be noted.
Weekly posting is anticipated.

Legend:
* Generator Type Key: Conventional Combustion, ST/Steam Turbine, CFC/Combined Cycle, Hydro, Wind/Water Turbine, PV/Photovoltaic, RE/Repowering Engine
* Fuel Type Key: Wind, Natural Gas, Oil, Coal, Biomass, Solar, LFG/Land Fill Gas, WTR/Water, Geothermal, Hydro/Recovery

[illegible]

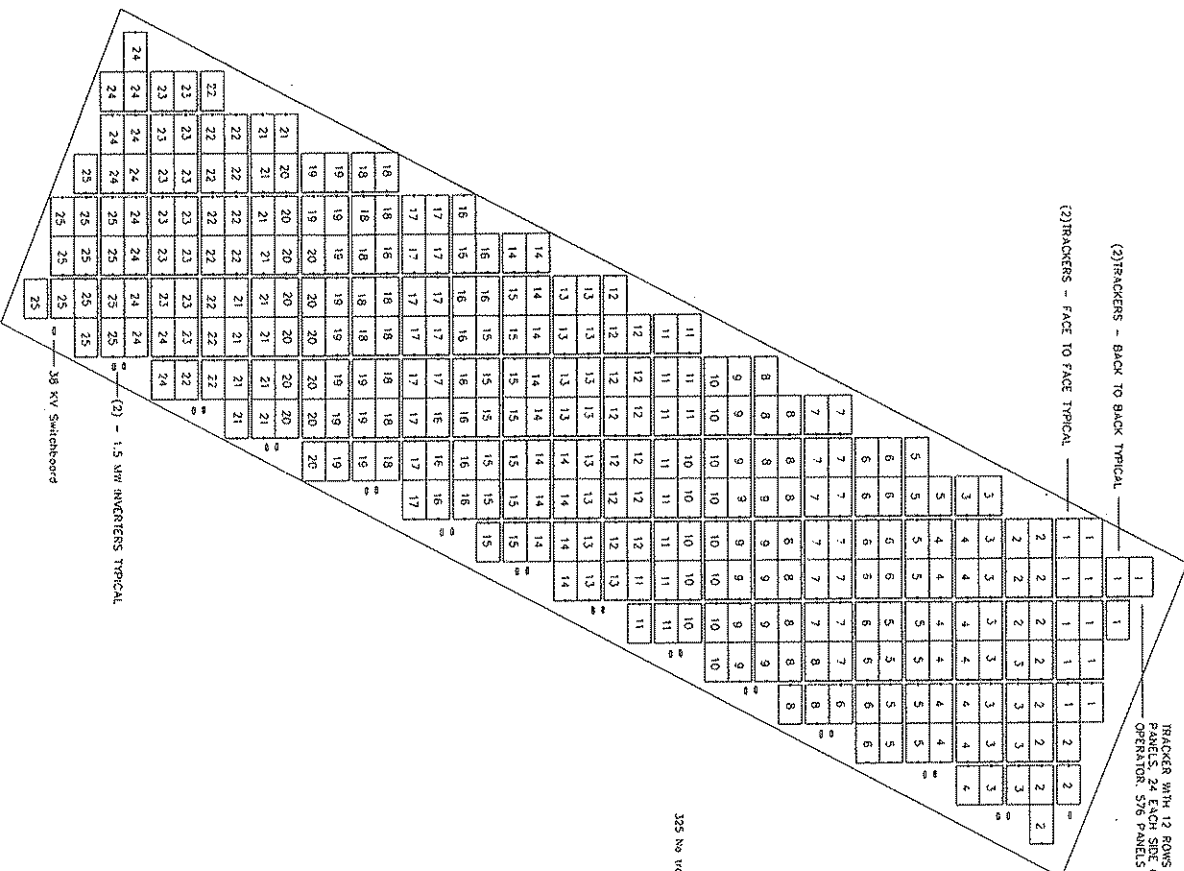
Notes: The Queue position reflects the requirements of the PERC Order 2003 for Large Generator Interconnection Procedures (LGIIP). Generation Interconnection Requests or applications Completed or Withdrawn prior to this posting are not shown. Future withdrawals will be indicated in the application Status as Withdrawn and their Queue position will be revised. Weekly posting is anticipated.

- **Generator Type**: Key: IC=Internal Combustion, ST=Steam Turbine, CT=Combustion Turbine, CD=Combined Cycle, HH=Hydro, WT=Wind Turbine, PV=Photovoltaic, RE=Reciprocating Engine
- **Fuel Type**: Key: V=Vehicular, N=Natural Gas, C=Coal, C=Cool, B= Biomass, S=Solar, LG=Land Fill Gas, WTR=Water, GC=Geothermal, HR=Heat Recovery

(2) TRACKERS - BACK TO BACK TYPICAL

(2) TRACKERS - FACE TO FACE TYPICAL

TRACKER WITH 12 ROWS OF 48
PANELS, 24 EACH SIDE OF
OPERATOR, 576 PANELS EACH



(2) - 1.5 MW INVERTERS TYPICAL

38 KV Switchboard

325 No trackers of 12 rows of 48 modules each



COMISION
REGULADORA
DE ENERGIA

DIRECCION GENERAL DE ELECTRICIDAD

DGE/ 1546/2007

México, D. F., a 18 de junio de 2007

Ing. Carlos Federico Gottfried Joy
Representante de
Fuerza Eólica de Baja California, S. A. de C. V.



ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745

En relación con la solicitud mencionada al rubro, presentada ante la Comisión Reguladora de Energía con fecha 16 de abril de 2007, se le comunica que, como resultado del análisis de la información presentada con fecha 28 de mayo de 2007, misma que no satisface el requerimiento a que se refiere el oficio número DGE/0993/2007, de fecha 7 de mayo de 2007, se desecha su escrito inicial de solicitud de permiso de generación de energía bajo la modalidad de exportación, dejándose a salvo sus derechos para iniciar nuevamente el procedimiento administrativo solicitado, en caso de así convenir a sus intereses.

Lo anterior, con fundamento en los artículos 3, fracción I, 36, fracción V y 44 de la Ley del Servicio Público de Energía Eléctrica; 12, 13, 16, fracción VII, 17-A y 39 de la Ley Federal de Procedimiento Administrativo; 2, fracción II, 3, fracciones XII, XXII y 7 de la Ley de la Comisión Reguladora de Energía; 72 fracción I, inciso b), 77, 78, 82, 83 y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica y en el oficio de la Presidencia de la Comisión Reguladora de Energía número P/1263/2005, de fecha 1 de junio de 2005.

Atentamente
El Director General de Electricidad

Alejandro Peraza García

Un renglón eliminado.
Fundamento: Art. 18 fracc.II LFTAIPG.
Motivación: Información confidencial, datos personales

c.c.p. Carlos Hans Valades Martínez.- Secretario Ejecutivo.
c.c.p. Dr. Francisco de Rosenzweig Mendialdua.- Director General de Asuntos Jurídicos
c.c.p. Expediente Núm. F26/E/745
Turno Núm. 2513





3760

FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. DE C.V.

México DF a 2 de agosto de 2007

Dr. Alejandro Peraza
Director General de Electricidad
Comisión Reguladora de Energía

ASUNTO: SOLICITUD DE MODIFICACIÓN A PERMISO DE EXPORTACIÓN

REF: Oficio CRE DGE/0102/2007

CARLOS F. GOTTFRIED JOY, EN NOMBRE Y REPRESENTACIÓN DE FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., señalando como domicilio para oír y recibir toda clase de notificaciones en Avenida Año de Juárez No. 205, Colonia Granjas San Antonio - Iztapalapa, C.P. 09070 y autorizando para tales efectos a los señores Lic. Miguel Jáuregui Rojas, al Lic. Pablo F. Gottfried Blackmore y Sr. Raul Santos Coy Cuevas, con el debido respeto comparezco y solicito lo siguiente:

- I.- Que las obras necesarias para llevar a realización de las actividades amparadas por el PERMISO PARA GENERAR ENERGÍA DESTINADA A LA EXPORTACIÓN A TRAVÉS DE UN PROYECTO DE PRODUCCIÓN INDEPENDIENTE NÚM. E/214/EXP/2002 no han sido detenidas por un plazo mayor a 6 meses desde el otorgamiento del Permiso.
- II.- Se solicita y se autoriza a la Comisión Reguladora de Energía la utilización de la información y documentación contenida en nuestro expediente para el presente Procedimiento Administrativo y para subsanar lo solicitado en el formato de Solicitud de Autorización para Modificar las Condiciones Originales del Permiso de Generación de Energía Eléctrica.
- III.- Se anexan copias de documentos relacionados al desarrollo del proyecto amparado por el Permiso de referencia.

Un renglón
eliminado.
Fundamento: Art.18
fracc.II LFTAIPG.
Motivación:
Información
confidencial, datos
personales



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DIRECCIÓN GENERAL DE ASUNTOS JURÍDICOS
COMISIÓN REGULADORA DE ENERGÍA

SOLICITUD:

- 1) Se solicita la modificación de la **Condición Sexta** para quedar como sigue:

“SEXTA. Descripción de las instalaciones”. El proyecto tendrá por objeto la generación de energía eléctrica, utilizando una central eoloelectrica que será construida en dos etapas, en la primera de ellas se instalarán 24 aerogeneradores de 2.5 MW cada uno, mientras que en la segunda se instalarán 96 aerogeneradores con capacidad de 2.5 MW cada uno. La central estará integrada por 120 aerogeneradores con capacidad total de 300 MW y una producción estimada anual de energía eléctrica de 850 GWh. Para la primera etapa de la central la permisionaria utilizará el servicio de transmisión de energía a ser contratado con la Comisión Federal de Electricidad y para la segunda construirá sus líneas propias para transmitir la energía eléctrica a los Estados Unidos de América.

Justificación:

La razón principal para solicitar la modificación en el punto 1 anterior se debe a los avances tecnológicos realizados por la empresa Clipper Windpower, Inc. en su modelo de turbina eoloelectrica de 2.5 MW. Entre dichos avances se incluyen un factor de planta más alto por la alta eficiencia en el diseño de rotor, tren motriz y generadores de imanes permanentes (producto patentado mexicano) de dicha turbina, disponibilidad de planta más alta al contar cada turbina con su propia grúa que permite reponer componentes esenciales de la turbina sin necesidad de esperar el flete de grúas especiales (>300 ton.) al sitio y por su diseño de generación distribuida en cuatro generadores (permitiendo la operación de la turbina si uno de ellos fallara), una “huella” de proyecto de menor impacto al instalar menos turbinas para la misma capacidad instalada y los beneficios económicos implícitos en las características anteriormente mencionadas. Se anexa la hoja técnica de la turbina Clipper Liberty de 2.5 MW como **Anexo 1** del presente.

- 2) Se solicita la modificación de la **Condición Séptima** para quedar como sigue:

“SÉPTIMA. Programa, inicio y terminación de las obras.” El programa de obras a desarrollarse por la permisionaria, para cada una de las etapas de construcción de la central a que hace referencia la Condición inmediata anterior, comprende la realización de los estudios meteorológicos, la selección de sitios, la ingeniería del proyecto, el financiamiento, la construcción y la puesta en marcha de la central.

Las fechas de inicio y terminación de obras serán las siguientes:

Etapas	Fecha de inicio	Fecha de terminación
Primera	septiembre de 2003	diciembre de 2011
Segunda	septiembre de 2003	diciembre de 2013

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eliminado.
Fundamento:
Art.18 fracc.II
LFTAIPG.
Motivación:
Información
confidencial,
datos personales

Justificación: La razón principal para solicitar la modificación de las fechas especificadas en la RESOLUCIÓN Núm. RES/120/2005 es la no-disponibilidad de turbinas eoloelectricas para antes del 2010. Clipper Windpower, Inc. ha informado a Fuerza Eólica de Baja California S.A. de C.V. sobre esta situación en la carta que se anexa al presente como **Anexo 2**. La alta demanda por turbinas eoloelectricas en los mercados europeos y estadounidense han provocado un déficit en el corto plazo de turbinas eoloelectricas de última generación. Se anexa copia de la introducción del reporte del Global Wind Energy Council para el 2006 que trata el tema de problemas de abasto de los fabricantes de turbinas a nivel mundial como **Anexo 3** del presente. Para obtener el reporte completo ingresar a: http://www.gwec.net/uploads/media/gwec-2006_final.pdf.

SE INFORMA:

- 1) Que las actividades no se han detenido y que Fuerza Eólica de Baja California S.A. de C.V., por medio de su socio Clipper Windpower, Inc., ha presentado una carta de crédito por un monto de \$1,200,000.00 USD para garantizar su selección por Southern California Edison como uno de los finalistas en el concurso de solicitud de capacidad y energía que convocó hace unos meses. Se anexa copia de la documentación evidenciando lo anterior como **Anexo 4** del presente.
- 2) El proyecto eoloelectrico de Fuerza Eólica de Baja California S.A. de C.V. fue aprobado para ingresar en la lista oficial de Generadores de la Red de Transmisión controlada por el Operador Independiente de Sistema de California (siglas en ingles CAISO). Se anexa copia de la documentación evidenciando lo anterior como **Anexo 5** del presente. La documentación anexa puede ser descargada desde el siguiente sitio: <http://www.caiso.com/>.
- 3) Que se han instalado 4 torres adicionales de meteorología de 50m de altura en la zona de La Rumorosa para comenzar la recolección de información más detallada para la elaboración de estudios de micro-sitio para el proyecto. Los datos a ser recolectados por estas nuevas torres serán correlacionados con los datos de las torres que la empresa ha mantenido en el sitio de largo plazo para detallar el comportamiento del viento sobre la zona. Se anexa copia de las facturas de adquisición de torres y equipo meteorológico evidenciando lo anterior como **Anexo 6** del presente.

Por lo antes expuesto a esa H. Comisión Reguladora de Energía atentamente solicito:

PRIMERO. Tener a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., presentada en los términos de la presente contestación y solicitud.

SEGUNDO. De conformidad con las disposiciones de la Ley del Servicio Público de Energía Eléctrica, su Reglamento, y de la Ley de la Comisión Reguladora de Energía, en su oportunidad, informar a FUERZA EÓLICA DE BAJA

Un renglón
eliminado.
Fundamento:
Art.18 fracc.II
LFTAIPG.
Motivación:
Información
confidencial,
datos personales

CALIFORNIA, S.A. de C.V. sobre la necesidad de cualquier aclaración o información.

TERCERO. Tener a mi representada como cumplida y que ha estado llevando a cabo las actividades necesarias para finalizar las obras a desarrollar al amparo del Permiso.

CUARTO. Previos los trámites reglamentarios, se solicita respetuosamente a esa Comisión Reguladora de Energía la modificación del Permiso y emisión de Resolución modificando las Condiciones Sexta y Séptima de acuerdo con lo estipulado en el presente para el Permiso de Exportación de Energía Eléctrica otorgado a Fuerza Eólica de Baja California S.A. de C.V.

ATENTAMENTE,
México DF, a 2 de agosto de 2007.
Por Fuerza Eólica de Baja California, S.A. DE C.V.

Un renglón eliminado.

Fundamento: Art. 18 fracc. II LFTAIPG. Motivación:

Información confidencial, datos personales

ING. CARLOS FEDERICO GOTTFRIED JOY
PRESIDENTE DEL CONSEJO DE ADMINISTRACIÓN

CC. Lic. Jordy Herrera, Subsecretario de Planeación Energética, SENER

Ing. Rubén Flores, Subsecretario de Electricidad, SENER



Solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica

PARA USO EXCLUSIVO DE LA CRE

Núm. de Expediente

Núm. de Turno

Antes de llenar lea las Instrucciones Generales de la página 3

I. DATOS DEL SOLICITANTE

I.1 Nombre, denominación o razón social

Fuerza Eólica de Baja California S.A. de C.V.

R.F.C. FEB010709914

I.2 Domicilio

Calle	Núm. exterior	Núm. interior
Año de Juárez	205	
Colonia	Código postal	
Granjas San Antonio	09070	
Población	Municipio o delegación	Entidad federativa
Mexico	Iztapalapa	Distrito Federal
Teléfono(s)	Fax	Correo electrónico
56857030	56867006	pgottfried@gmail.com

I.3 Datos de inscripción del acta constitutiva en el Registro Público de la Propiedad y del Comercio

Partida	Foja	Volumen	Libro	Sección	Fecha	o Folio mercantil
					31 agosto 2001	280361

I.4 Nombre del representante

Carlos Federico Gottfried Joy

I.5 Domicilio para oír y recibir notificaciones

Calle	Núm. exterior	Núm. interior
Año de Juárez	205	
Colonia	Código postal	
Granjas San Antonio	09070	
Población	Municipio o delegación	Entidad federativa
Mexico	Iztapalapa	Distrito Federal
Teléfono(s)	Fax	Correo electrónico
56857030	56867006	pgottfried@gmail.com

I.6 ¿Autoriza a la CRE a notificar cualquier acto relacionado con esta solicitud vía fax o correo electrónico?

☒ Sí

☐ No

I.7 Clasificación de la información y documentación entregada

☐

Pública

☐

Reservada

☒

Confidencial

Solicitud de autorización para modificar las condiciones originales de generación o importación de energía eléctrica

II. DATOS DEL PERMISO

II.1 Número del permiso

E/214/EXP/2002

II.2 Fecha de otorgamiento del permiso

11 de julio de 2002

II.3 Objeto del permiso

Exportación de Energía

III. TIPO DE MODIFICACION

III.1 Indique el tipo de modificación que se pretende realizar

Modificación de la capacidad instalada

☐

Modificación del programa de obras

X

Inclusión de nuevos socios en el aprovechamiento de la energía eléctrica

☐

Modificación en la distribución de cargas de los beneficiarios de la energía eléctrica generada

☐

Otros. (especificar en el punto III.2)

X

*NOTA: De conformidad con lo establecido en el acuerdo de la Comisión Reguladora de Energía de fecha 24 de junio de 2004, los supuestos que de manera enunciativa mas no limitativa se enlistan a continuación, no se consideran modificaciones a las condiciones de los permisos:

- El cambio de nombre, denominación o razón social del permisionario o socio autorizado en el permiso de que se trate, siempre que no derive de una transmisión de acciones o partes sociales que, directa o indirectamente, impliquen la asunción, por parte del adquirente, del control de la sociedad permisionaria;
- El cambio de representante legal o de apoderado general o especial;
- El cambio de domicilio para oír y recibir notificaciones, y
- Las demás que la Comisión determine y haga del conocimiento de los permisionarios mediante la publicación del Acuerdo respectivo en el Diario Oficial de la Federación.

No obstante lo anterior, deberá presentar este formato junto con los documentos que sustenten el cambio que se pretende realizar, con el fin de que esta Comisión Reguladora de Energía pueda tomar nota de lo que proceda..

III.2 Explique brevemente las modificaciones que se pretenden realizar a las condiciones originales del permiso

Se solicita modificación de la condición sexta.

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Fecha: 02/08/2007

Firma del Representante

ANEXO 1



2.5 MW LIBERTY Wind Turbine

for IEC class I, II & III wind conditions

Specifications

For more than 25 years, Clipper Windpower's management and engineering team has been at the forefront of the wind power industry, both in turbine design and project development. This Clipper 2.5 MW turbine is the fourth generation of commercial turbines designed by Clipper's engineers.



Cinco páginas eliminadas.

Fundamento: Art.18 LFTAIPG y Art. 82 Ley de Propiedad Industrial. Motivación: Información confidencial sujeta a secreto industrial

ANEXO 2



Clipper Windpower, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013
Tel: +1 (805) 690 3275
Fax: +1 (805) 899 1115
Web: www.clipperwind.com

August 2, 2007

Mr. Carlos Gottfried
President
Fuerza Eólica de Baja California S.A. de C.V.

Dear Mr. Gottfried:

I am writing in response to your inquiry regarding turbine supply for the Concepcion II (400 MW) project in Baja California Norte, Mexico.

The demand for wind energy generating equipment is very high at this time both in the United States and abroad. As a result of this demand, Clipper has current commitments or sale agreements in the final stages of completion for turbines through the year 2009, with the earliest available schedules for delivery in 2010.

It is anticipated that the earliest that Clipper can fulfill an order for the Rumorosa site will be for ex works deliveries of turbines at our Cedar Rapids, Iowa manufacturing facility in the latter half of 2010. Blades, towers, and other components may be supplied from other locations.

When making your advanced planning estimates, please take into consideration the time necessary to transport equipment to your site in Mexico.

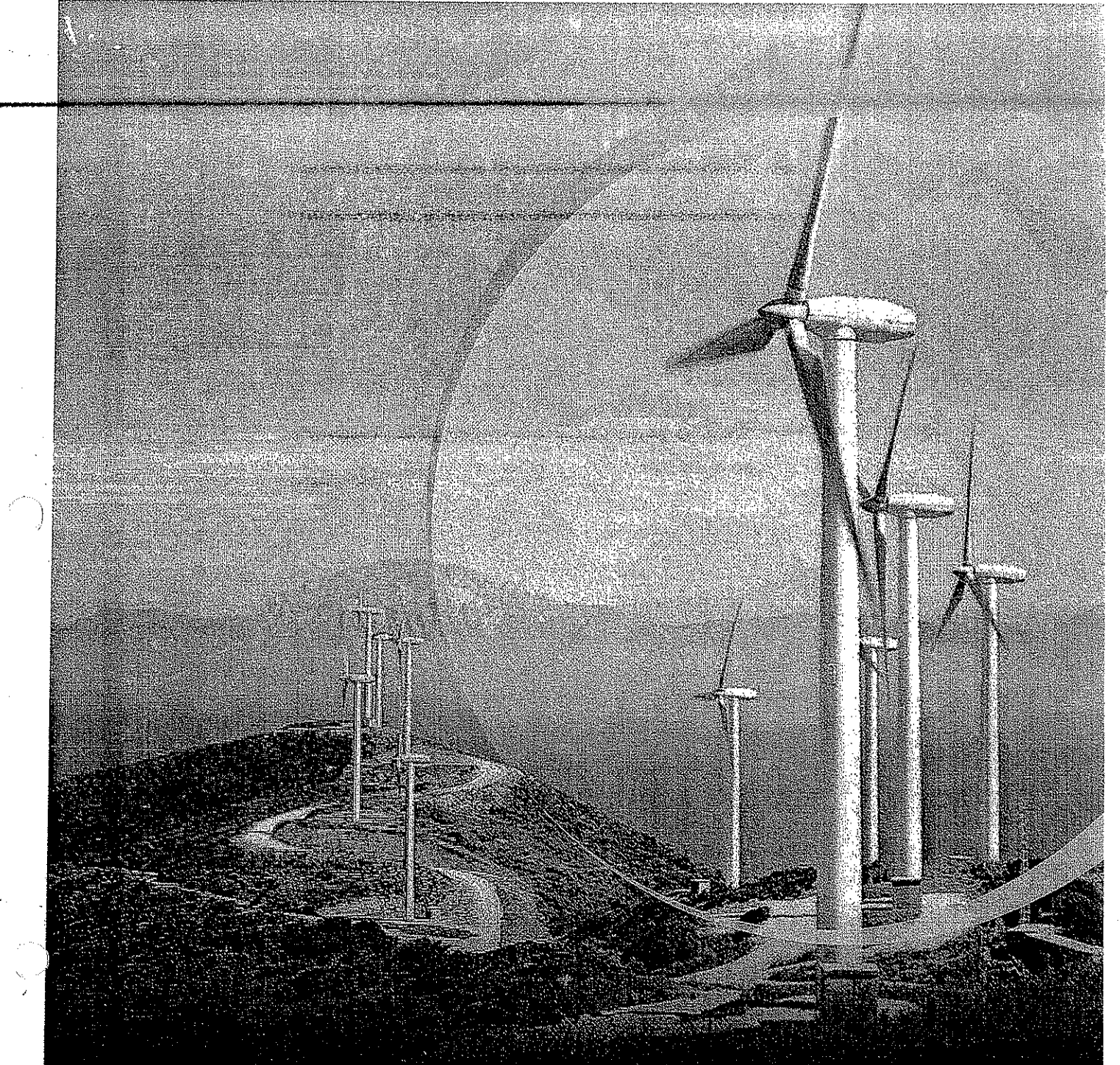
Please bear in mind that a firm shipment schedule will depend on completion of a turbine supply agreement.

We look forward to providing Clipper Liberty turbines for your Baja California project.

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Robert Gates
Senior Vice President
Clipper Windpower, Inc.

ANEXO 3



GLOBAL WIND 2006 REPORT

GWEC
GLOBAL WIND ENERGY COUNCIL

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Foreword

2006 was another booming year for the wind industry, with growth in annual installed capacity of 32 % globally, well ahead of our own projections. The market continued to broaden, further establishing wind power as the leading renewable energy technology – in the vanguard of the 21st century energy industry transformation. Globally, the value of new generating plant installed in 2006 reached €18 billion, or US\$24 billion.

Against the backdrop of a growing acknowledgement of the twin crises of global climate change and energy security, wind power is the most effective means available now to tackle both issues. At the same, wind energy development strengthens local economies and insulates countries from the macro-economic shocks of global commodities markets. Wind energy provides a clear solution for policymakers and a general public increasingly concerned with volatility in the gas market, discussions of 'peak' oil, and growing realization of the true cost of coal.

Energy policy is now at the heart of high-level international meetings, such as the UN Commission on Sustainable Development (CSD) in May 2007 in New York and the G8 Summit in June in the German city of Heiligendamm. Climate and energy policy were the subject of a recent debate in the UN Security Council and a General Assembly debate is planned for later in the year.

Renewable energies, and especially wind energy, are able to provide solutions to the manifold energy challenges the world is facing, and their promotion should form the basis of both national and international energy policy.

The Global Wind Report 2006 is the second annual report by GWEC on the status of global wind energy markets, and it clearly shows that wind energy today is a global business, with installations in over 70 countries.

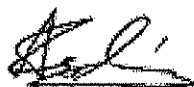
While Europe continues to lead the way, with 65 % of the global market, the United States was the leader in new ~~installed capacity for the~~ second year running, bringing about 2,500 MW capacity of new plant on line in 2006.

The Asian market is also growing at a breathtaking rate, by 53 % in 2006. China's booming industry more than doubled its capacity; India, the world's 4th largest market, continued its strong growth.

The broadening of the global market is clearly illustrated by the list of markets which more than doubled their installed capacity in 2006: Iran, Brazil, Mexico, Taiwan and South Korea; while Poland, Morocco and Egypt nearly doubled.

The data and country reports for 2006 have been collected through GWEC's member associations around the world as well as other industry sources. The Council thanks the contributors and looks forward to further cooperation for future editions.

The central message from the Global Wind 2006 Report is clear: wind power is becoming an established, mainstream power source in a rapidly growing number of countries, and that growth will, and must, continue as we seek to stave off the threat of global climate change and create true energy security while at the same time growing new industries, creating new jobs and a new paradigm for a truly sustainable 21st century energy economy.



Arthouros Zervos
Chairman
Global Wind Energy Council



Steve Sawyer
Secretary General
Global Wind Energy Council

Booming wind markets put temporary strain on supply chains

The global wind energy industry is facing a challenge that many other sectors would qualify as a 'luxury problem', that of supply chain difficulties due to booming demand.

The global wind energy industry has been growing at the staggering rate of nearly 30 % per year for the last 10 years, and experts predict that there is no end in sight for this boom. While a large proportion of this development is happening in Europe, other markets, especially Asia and North America are catching up fast.

The success of wind energy worldwide and its tremendous growth has put unprecedented pressure on the manufacturers of the components of wind turbines, such as towers, rotor blades, gearboxes, bearings, generators, etc., and the industry has been struggling to keep up with the demand. At the moment, developers of wind farms have to wait for 12 months for the turbines required, and the trend shows that this may increase to 18 or even 24 months.

2006 ANOTHER RECORD YEAR DESPITE SUPPLY CHAIN DIFFICULTIES

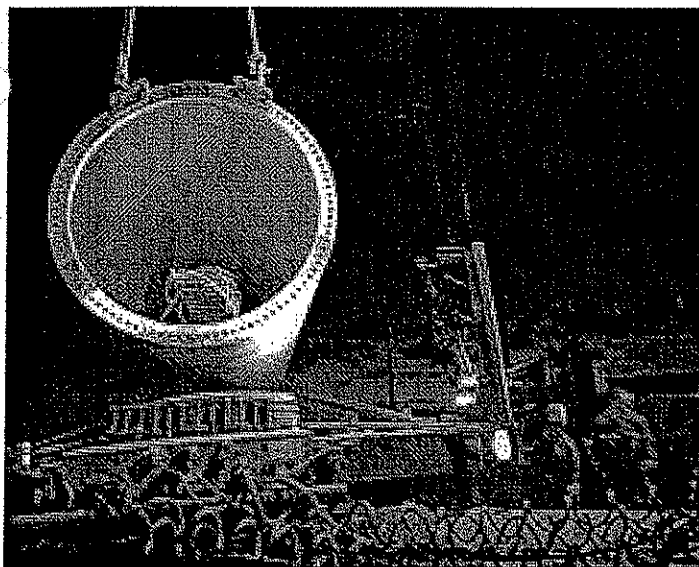
Despite these constraints facing supply chains for turbines, the annual market for wind energy continued to increase at a rate of 32 % in 2006, with over 15,000 MW of new capacity installed worldwide. This follows a record year in 2005, where the growth rate topped 40 %. To keep up this pace, the sector has had to rapidly mature into a streamlined, efficient mass producer of high quality technical equipment. Nevertheless, there are still a number of bottlenecks in the supply chain, and many developers continue to have difficulties in sourcing turbines for their projects.

For 2007, experts predict a rise in demand to nearly 20,000 MW, stretching the industry beyond its manufacturing capabilities. However, all players are working to resolve supply chain difficulties and to counteract existing bottlenecks, and it is expected that the current challenges will be overcome by 2009 the latest.

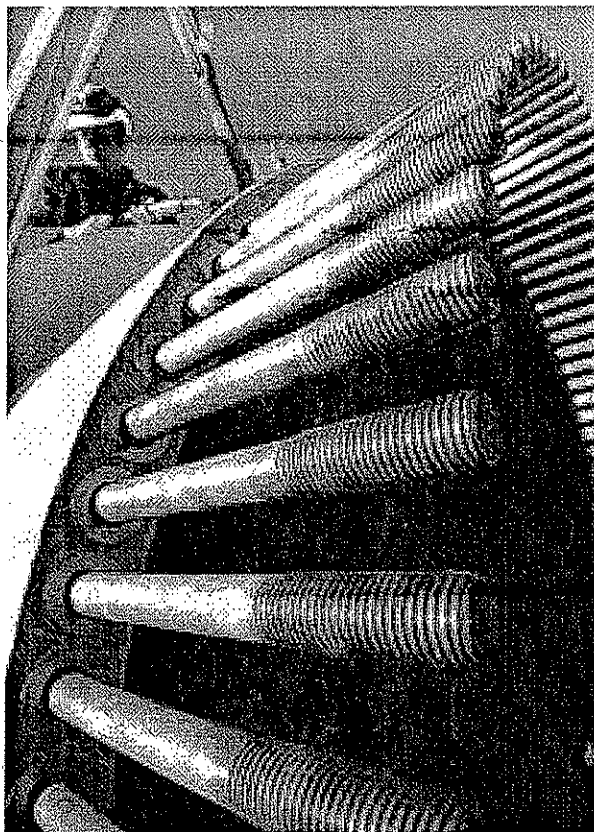
FACTORS LEADING TO BOTTLENECKS OFTEN OUTSIDE OF INDUSTRY'S CONTROL

Overcoming supply chain difficulties is not simply a matter of ramping up the production of wind turbine components to meet the increased levels of demand. The real picture is more complicated than that, since large scale investment decisions must be based on a sound long-term outlook for the industry; but in most markets, both the projections and actual demand for wind energy depend on a number of factors, some of which are outside of the control of the industry.

In particular, the political frameworks for wind energy in various countries play a crucial role in fostering the growth of the industry. The future of national incentive programmes is not always easy to predict for the long-term, making it



Construction site Vestas, Porep, Germany



Construction site Vestas, Porep, Germany

difficult for manufacturers to commit to big investments. One of the most striking examples of the impact that national programmes can have on wind energy development is the Production Tax Credit (PTC) in the United States, which in the past was often not renewed in a timely fashion.

At the end of 2003, the PTC period expired without an extension, leaving the market in a very insecure position. This resulted in new installations of only 389 MW in the US in 2004, while market participants waited for the credit to get extended. This happened at the end of 2004, spurring renewed investment and turning 2005 and 2006 into record years with over 2,400 MW of new capacity built in each year. This boom is still continuing and has resulted in a massive increase in demand for turbines. However, the limited timescale of the PTC and the danger of it expiring again at the end of 2008 have prompted manufacturers to prioritise the US market, which as a result has diverted turbines from European suppliers that were originally destined for other markets around the world.

There are various other reasons that have led to the current difficulties. One factor is the steady growth of the size of turbines, increasing from less than 1 MW to 2 MW and larger in a short period of time. Only a few component suppliers, especially in the area of gearboxes, but also blades, bearings and towers, can satisfy the demand for such big machines. This has important implications for the supply chain.

Other broader developments have also affected the wind industry, such as the price and availability of certain raw materials used in the manufacturing of wind turbines. Prices have increased substantially for steel, copper and carbon, all of which are essential in this industry. Growing economies such as China and India have boosted global demand for raw materials more than expected, and global steel prices have more than doubled since 2001, putting additional strain on manufacturers.

PRODUCTION CAPACITY BEING EXPANDED, MAINLY IN US, INDIA AND CHINA

While the industry is doing its best to keep up with the strong demand, this cannot be done overnight. For component suppliers, ramping up their manufacturing requires a major investment in machinery with up to two years lead-time. At a time when the entire machine tools business is struggling to meet demand, this is not an easy proposition.

However, despite the uncertain investment environment, the massive up-front investment required and long lead times involved, most turbine and components manufacturers have already taken the plunge to respond to the boom in demand by substantially expanding their production capacity. This expansion is continuing in Europe, but there is an increasing focus on new production facilities in the US, China and India. The challenge will be to make the whole supply chain follow this trend in order to secure long-term supply of all necessary components.

EXPERTS PREDICT CONTINUING STRONG GROWTH – PROBLEMS TO BE RESOLVED BY 2009

With these ambitious plans for expansion and a continuous influx of new players emerging on the stage, experts predict that the current tight situation for turbine manufacturers should be overcome by 2009 at the latest. In the meantime, it is expected that the industry will continue to see very healthy growth rates of 25-30 % per year. In 2006, all expectations for growth were exceeded by far, and there is good reason to be optimistic about the future.

ANEXO 4



Pablo Gottfried <pgottfried@gmail.com>

SCE's 2007 Renewable RFP, Notification of SCE's Final Short List (07-6007 Fuerza Eolica, Concepcion)

1 message

RenewableProposals@sce.com <RenewableProposals@sce.com>
To: 07-6007 <mruicker@clipperwind.com>, pgottfried@gmail.com

Fri, Jun 29, 2007 at 3:43 PM

Seller: **Fuerza Eolica de Baja California S.A. de C.V.**
Generating Facilities: **Concepcion Wind Power Project**

Regarding: **SCE's 2007 Renewable RFP**
Subject: **Notification of SCE's Final Short List**
Proposal No. **07-6007**

Dear Seller,

Congratulations! This email is formal notice ("Notice") that your Proposal for the sale of renewable energy Products to Southern California Edison Company ("SCE") which was submitted in response to SCE's 2007 Request for Proposals from Eligible Renewable Energy Resource Suppliers for Electric Energy ("RFP") has been selected for SCE's Final Short List.

Please be advised that the selection of your Proposal for SCE's Final Short List does not guarantee that our negotiations with you will result in the execution of a Renewable Power Purchase and Sale Agreement or limit SCE's ability in any way to pursue opportunities with other Sellers.

In order for your Proposal to continue to be considered for SCE's Final Short List, you must now provide to SCE by the end of the business day on Monday, July 16, 2007:

1. An executed copy of the attached Exclusivity Agreement; and
2. A Short List Deposit in the amount of \$1,200,000 (i.e., 400,000 kW times \$3/kW).

The Exclusivity Agreement or Withdrawal Notice should be emailed to my attention at RenewableProposals@SCE.com.

The Short List Deposit may be in the form of either cash or a Letter of Credit. Cash must be wired transferred directly to SCE in the form of immediately available funds. A letter of credit must be in the form set forth in Exhibit E of the Form of Seller's Proposal. Please contact Ms. Kelly Lew-Quintal at (626) 302-3383 to arrange for this payment.

If SCE does not receive your executed Exclusivity Agreement and the

Short List Deposit on or before the July 16, 2007 deadline, we shall presume that you have elected to withdraw your Proposal from further consideration.

SCE considers many factors in its prioritization of negotiations with Sellers who's Proposals have been selected for the final short list. Please advise us if the terms or pricing of your Proposal have changed since they were initially submitted to us as these changes may improve the priority which SCE assigns to our negotiations with you for a Renewable Power Purchase and Sale Agreement. We are also encouraging all short listed Sellers to review their Proposals and to identify any key areas where their proposed contracting terms can be brought more into alignment with the positions set forth by SCE in our Pro Forma Agreement.

SCE is currently in the process of assessing our work load and assigning a Project Manager who will lead the discussions with you concerning the development of a Renewable Power Purchase and Sale Agreement. Once that assignment has been made, we will contact you and provide further information related to our plans for initiating negotiations.

This Notice is subject to the terms and conditions of the Non-Disclosure Agreement between you and SCE. The contents and existence of this Notice (e.g., the fact that your Proposal has been included on SCE's Final Short List) may only be disclosed by you in accordance with the terms and conditions set forth in the Non-Disclosure Agreement.

(See attached file: 2007 06 26 - SCE's Standard Form Exclusivity Agt.doc)

Ed Cook
Project Manager for Contract Origination
Renewable & Alternative Power Department
GO#1, Quad 4D, 488
626-302-3737

Southern California Edison
2244 Walnut Grove Avenue
Rosemead, CA 91770

 2007 06 26 - SCE's Standard Form Exclusivity Agt.doc
41K

SANTA BARBARA BANK & TRUST

July 16, 2007

Southern California Edison
2244 Walnut Grove Avenue
Rosemead, CA 91770

Attn: Kelly Lew-Quintal

Re: Irrevocable Standby Letter of Credit No. 3086

SCE Ref: 2007 Request for Proposals from Eligible Renewable Energy Resource
Suppliers for Electric Energy

Issued on behalf of Clipper Windpower, Inc.

Ladies and Gentlemen:

We ask that you acknowledge receipt of the referenced letter of credit delivered to you by the
Applicant, Clipper Windpower, Inc. Please sign where indicated below, and return this letter to the
undersigned. Your cooperation is sincerely appreciated.

Respectfully Yours.

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:

Información confidencial, datos personales

Jennifer M. Snowman
International Operations Officer
International Banking Group
(805) 564-6323

Post-it® Fax Note

7671

Date	7/16/07	# of pages	4
To	tres renglones eliminado.		
Co.	Fundamento: Art.18		
Phone	fracc.II LFTAIPG.		
Fax	Motivación: Información confidencial, datos personales		
From	tres renglón eliminado.		
Co.	Fundamento: Art.18		
Phone	fracc.II LFTAIPG.		
Fax #	Motivación: Información confidencial, datos personales		

Receipt Acknowledged by: _____

Print Name: _____

Date: _____

SANTA BARBARA BANK & TRUST

ISSUE DATE: July 16, 2007

LETTER OF CREDIT NUMBER (LOC NO.)

3087

ACCOUNT PARTY:

Clipper Windpower, Inc
6305 Carpinteria Avenue, Suite 300
Carpinteria, CA 93013

BENEFICIARY

tres renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

AMOUNT: USD \$1,200,000.00
(one million two hundred thousand US
dollars)

PHONE: tres renglones eliminados.

FAX: Fundamento: Art.18 fracc.II LFTAIPG. Motivación:

E-Mail: Información confidencial, datos personales

WE HEREBY ESTABLISH THIS IRREVOCABLE STANDBY LETTER OF CREDIT
(LOC NO. INDICATED ABOVE) FOR AN AGGREGATE AMOUNT NOT TO EXCEED
THE AMOUNT INDICATED ABOVE, EXPIRING AT OUR COUNTERS WITH OUR
CLOSE OF BUSINESS ON DECEMBER 31, 2007.

THIS LETTER OF CREDIT IS AVAILABLE WITH SANTA BARBARA BANK &
TRUST, AGAINST PRESENTATION OF YOUR DRAFT AT SIGHT DRAWN
ON SANTA BARBARA BANK & TRUST, WHEN ACCOMPANIED BY:

- 1) THE ORIGINAL OF THIS LETTER OF CREDIT (OR A
PHOTOCOPY OF THE ORIGINAL FOR PARTIAL DRAWINGS)
AND ANY SUBSEQUENT AMENDMENTS, IF ANY; AND
- 2) A DRAW CERTIFICATE PURPORTEDLY SIGNED BY ONE OF
THE BENEFICIARY'S OFFICIALS IN THE FORM OF EXHIBIT
"A" ATTACHED HERETO.

BENEFICIARY SHALL BE ENTITLED TO DRAW UPON THIS LETTER OF CREDIT
UP TO THE STATED AMOUNT; PROVIDED HOWEVER, THAT IF ANY DRAWING
WOULD EXCEED THE STATED AMOUNT, BENEFICIARY SHALL BE ENTITLED
TO DRAW ONLY THAT PORTION THAT WOULD NOT EXCEED THE STATED
AMOUNT.

ALL CORRESPONDENCE AND ANY DRAWINGS HEREUNDER ARE TO BE
DIRECTED TO SANTA BARBARA BANK & TRUST, INTERNATIONAL BANKING
GROUP, 1002 ANACAPA STREET, SANTA BARBARA, CA, 93101. CUSTOMER
INQUIRY NUMBER IS (805) 899-8456.

WE HEREBY AGREE WITH YOU THAT DRAFTS DRAWN UNDER AND IN
COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS LETTER OF CREDIT
WILL BE DULY HONORED.

THIS IRREVOCABLE STANDBY LETTER OF CREDIT IS ISSUED SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998, INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590 (ISP98) AND AS TO MATTERS NOT ADDRESSED BY THE ISP98 THIS LETTER OF CREDIT SHALL BE GOVERNED BY, AND CONSTRUED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF NEW YORK, WITHOUT REGARD TO PRINCIPLES OF CONFLICT OF LAWS.

THE NUMBER AND THE DATE OF OUR CREDIT AND THE NAME OF OUR BANK MUST BE QUOTED ON ALL DRAFTS REQUIRED.

- End -

SANTA BARBARA BANK & TRUST

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación: Información confidencial, datos personales

Shawn K. Walters
Vice President
International Baking Group

**EXHIBIT A
TO
IRREVOCABLE STANDBY LETTER OF CREDIT NO. 3087**

DRAW CERTIFICATE

TO:
Santa Barbara Bank & Trust
International Banking Group
1002 Anacapa Street
Santa Barbara, CA 93101

RE: LETTER OF CREDIT NO. 3087

THE ACCOUNT PARTY HAS EITHER:

- (i) FORFEITED ITS PROPOSAL DEPOSIT; OR
- (ii) A LETTER OF CREDIT DEFAULT HAS OCCURRED;

BOTH IN ACCORDANCE WITH THE TERMS OF THE PROCUREMENT PROTOCOL
ISSUED BY BENEFICIARY ON MARCH 12, 2007, AS IT MAY BE AMENDED FROM
TIME TO TIME PRIOR TO JULY 16, 2007.

WHEREFORE THE UNDERSIGNED DOES HEREBY DEMAND PAYMENT OF \$USD
(\$) (WHICH AMOUNT DOES NOT EXCEED THE AMOUNT OF THE
OFFER DEPOSIT.

THE AMOUNT DEMANDED UNDER THIS LETTER OF CREDIT HAS BEEN
COMPUTED IN ACCORDANCE WITH THE TERMS OF THE REQUEST FOR OFFER
ISSUED BY BENEFICIARY ON MARCH 12, 2007, AS IT MAY BE AMENDED FROM
TIME TO TIME PRIOR TO JULY 16, 2007.

SOUTHERN CALIFORNIA EDISON
COMPANY

By: _____

Title: _____

DATED: _____

***** -COMM JURNAL- ***** DATE JUL-16-2' ***** TIME 13:36 *****

MODE = MEMORY TRANSMISSION

START=JUL-16 13:35

END=JUL-16 13:36

FILE NO. -498

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	97455949	004/004	00:00:42

-SBBT Intl. Banking

***** - ***** 805 882 3848- *****

SANTA BARBARA BANK & TRUST

Past-it® Fax Note 7671		Date 7/16/07	# of pages 4
To	cuatro renglones eliminado.	From	cuatro renglones eliminado.
Co./Do	Fundamento: Art.18 fracc.II LFTAIPG.	Co.	Fundamento: Art.18 fracc.II LFTAIPG.
Phone	Motivación:	Phone	Motivación:
Fax #	Información	Fax #	Información
	confidencial, datos personales		confidencial, datos personales

July 16, 2007

Southern California Edison
2244 Walnut Grove Avenue
Rosemead, CA 91770

Attn: Kelly Low-Quintal

Re: Irrevocable Standby Letter of Credit No. 3086

SCC Ref: 2007 Request for Proposals from Eligible Renewable Energy Resource
Suppliers for Electric Energy

Issued on behalf of Clipper Windpower, Inc.

Ladies and Gentlemen:

We ask that you acknowledge receipt of the referenced letter of credit delivered to you by the Applicant, Clipper Windpower, Inc. Please sign where indicated below, and return this letter to the undersigned. Your cooperation is sincerely appreciated.

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Jennifer M. Shawman
International Operations Officer
International Banking Group
(805) 564-6323

Receipt Acknowledged by: _____

Print Name: _____

Date: _____



Pablo Gottfried <pgottfried@gmail.com>

FW: Letter of Credit

1 message

Michael Rucker <MRucker@clipperwind.com>

Wed, Aug 1, 2007 at 2:25 PM

To: Pablo Gottfried <pg@fuerzaeolica.com>, Pablo Gottfried <pgottfried@gmail.com>

Cc: Carlos Gottfried <carlosgottfried@gmail.com>

Attached is the email from SCE acknowledging the LOC.

Michael

Michael Rucker
Development Origination Leader

Clipper Windpower Development Company, Inc.
6305 Carpinteria Ave., Suite 300
Carpinteria, CA 93013
Tel: (805) 576-1795
Cell: (805) 679-1986
Fax: (805) 899 1115
Email: mrucker@clipperwind.com
Web: <http://www.clipperwind.com>

—Original Message—

From: Kelly.Lew-quintal@sce.com [mailto:Kelly.Lew-quintal@sce.com]

Sent: Monday, July 16, 2007 5:21 PM

To: Chris Greco

Cc: Ellen Gilman; Garry Pealer; Michael Rucker

Subject: Re: Letter of Credit

Chris,

I received the fax today. I will look for the original tomorrow and if I don't receive it, I will contact you.

Thanks.

Kelly Un renglón eliminado.
Fina Fundamento: Art.18 fracc.II LFTAIPG.
Risk Motivación: Información confidencial,
Pho datos personales
Fax

"Chris Greco"

<CGreco@ClipperWi

nd.com>

To

<kelly.lew-quintal@sce.com>

07/16/2007 05:13

cc

PM

dos renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

"Michael

Rucker"

<MRucker@ClipperWind.com>,

dos renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Subject

Letter of Credit

Hi Kelly:

You should have received the attached letter of credit via FAX from Santa Barbara Bank and Trust at approximately 2:00PM today. The original will be sent to you via overnight mail.

For your convenience, I have attached a scan of the Letter of Credit.

If you need any other information, please let me know.

Best Regards,

Chris

Christopher L. Greco
Assistant Treasurer
Clipper Windpower, Inc.
6305 Carpinteria Avenue, Suite 300
Carpinteria, CA 93013
Telephone: +1 (805) 576-1126
FAX: +1 (805) 745-5949

E-Mail: cgreco@clipperwind.com

Web: <http://www.clipperwind.com>

(See attached file: SCE Letter of Credit.pdf)

 **SCE Letter of Credit.pdf**
140K

ANEXO 5

ANEXO 6

**The California ISO Controlled Grid Generation Queue
as of: July 2, 2007**

Generating Facility										Location		Point of Interconnection		Study Availability				
Queue Position	Interconnection Request Received Date	Queue Date	Application Status	Type	Fuel	Summer	Winter	County	State	Utility	Station or Transmission Line	Proposed On-line Date (as bid with PG)	Current On-line Date	Feasibility Study (F/S)	System Impact Study (SIS)	Facility Study (FAS)	Optional Study (OS)	Interconnection Agreement Status
1	8/20/1998	8/20/1998	Active	WT	W	18.5			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
2	8/10/1999	2/2/2000	Active	CC	NG	550	450	San Diego	CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
3	4/21/2000	6/14/2000	Active	CC	NG	550			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
4	8/21/2000	8/21/2000	Complete	CC	NG	550			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
5	8/21/2000	8/21/2000	Complete	CC	NG	550			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
6	8/16/2000	8/16/2000	Active	CC	NG	550			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
7	8/16/2000	8/16/2000	Active	CC	NG	550			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
8	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
9	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
10	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
11	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
12	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
13	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
14	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
15	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
16	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
17	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
18	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
19	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
20	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
21	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
22	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
23	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
24	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
25	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
26	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
27	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
28	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
29	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
30	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
31	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
32	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
33	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
34	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
35	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
36	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
37	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
38	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
39	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
40	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
41	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
42	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
43	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
44	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
45	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
46	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
47	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
48	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
49	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
50	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
51	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
52	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
53	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
54	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended
55	11/29/2000	12/14/2000	Active	CC	NG	750			CA	PG&E	Donnerstag 115 kV Line (110)	3/1/2007	8/1/2007	NA	Complete	Complete	Complete	GSFA Extended

Notes:

This Online Posting reflects the requirements of the FERC Order 2003 by Lamps Canada Interconnection Procedures (LCIP).

Generate Interconnection Request or Applications Completed or Withdrawn after 10:00 AM on the day of the posting.

Future withdrawals will be posted to the Interconnection Request or Applications Completed or Withdrawn after 10:00 AM on the day of the posting.

Weekly posting is anticipated.

Legend:

- Generator Type Key: IC=Internal Combustion, ST=Steam Turbine, CT=Coldwater Turbine, CC=Combined Cycle, Hy=Hydro, WT=Wind Turbine, PV=Photovoltaic, BE=Rechargeable Battery
- Fuel Type Key: WH=Wood, NU=Nuclear, MC=Natural Gas, Q=Oil, C=Coal, B=Biomass, S=Solar, FCO=Land Fill Gas, WTP=Water, C=Cemental, H=Heat Recovery



Generating Facility				Maximum MWs		Location		Point of Interconnection				Study Availability						
Queue Position	Interconnection Request Receive Date	Queue Date	Application Status	Type	Fuel	Summer	Winter	County	State	Utility	Station or Transmission Line	Proposed On-line Date (as filed with RI)	Current On-line Date	Feasibility Study (FIS)	System Impact Study (SIS)	Facility Study (FAS)	Optional Study (OS)	Interconnection Agreement Status
181	3/2/2007	3/2/2007	Active	CT	NG	404		San Bernardino	CA	SCG	New 220KV substation on the Chino-Santa Ana line	3/1/2010	3/1/2010	In Progress				
182	3/2/2007	3/2/2007	Active	PV	S	500		San Bernardino	CA	SCG	San Bernardino Substation	12/31/2010	12/31/2010	In Progress				
183	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
184	3/2/2007	3/2/2007	Active	ST	G	35		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
185	3/2/2007	3/2/2007	Active	ST	NG	350		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
186	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
187	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
188	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
189	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
190	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
191	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
192	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
193	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
194	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
195	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
196	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
197	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
198	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
199	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
200	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
201	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
202	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
203	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
204	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
205	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
206	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
207	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
208	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
209	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
210	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
211	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
212	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
213	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
214	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
215	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
216	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
217	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
218	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
219	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
220	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
221	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
222	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
223	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
224	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
225	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
226	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
227	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
228	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
229	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				
230	3/2/2007	3/2/2007	Active	WT	W	200		San Bernardino	CA	SCG	San Bernardino Substation	11/1/2009	11/1/2009	In Progress				

Notes:

This Queue posting reflects the requirements of the FERIS Order 2003 for Large Generator Interconnection Procedures (LGIP).
Generator Interconnection Requests or applications Completed or Withdrawn prior to this posting are not shown.
Future withdrawals will be indicated in the Application Status as Withdrawn and their Queue position will be noted.
Weekly posting is anticipated.

Legend:

- * Generator Type Key: IC=Internal Combustion, ST=Steam Turbine, CT=Combustion Turbine, CC=Combined Cycle, HH=Hydro, WT=Wind Turbine, PV=Photovoltaic, RE=Re-generating Engine
- * Fuel Type Key: W=Wood, N=Natural Gas, C=Coal, B=Bituminous, S=Solid, LFG=Land Fill Gas, WTR=Water, G=Geothermal, NH=Heat Recovery

NRG Systems, Inc.
 110 Riggs Road
 P.O. Box 509
 Hinesburg, Vermont 05461 USA
 Telephone: 802-482-2255
 Fax: 802-482-2272
 Website: www.nrgsystems.com

Order Number: ORD028710

Date: 2/15/2007
 Customer ID: 3541
 Purchase Order No.: 50424
 Salesperson: Evan Osler
 Shipping Method: UPS GROUND
 Payment Terms: Net 30 days
 Ship Date: 2/19/2007
 Master No.: 38872
 Page: 1

Bill To:

Clipper Windpower Development Co., Inc.
 6305 Carpinteria Avenue
 Suite 300
 Carpinteria CA 93013
 USA
 Fax: 805-899-1115

Ship To:

Fuerza Eolica
 c/o Geitzer Brothers
 9543 Heinrich Hertz Dr
 Suite 7
 San Diego CA 92154
 USA
 Contact: Logistics Manager
 Phone: 319-861-7449

Quantity	Item Number	Description	Unit Price	Extended Price
4	3147	Symphonie NRG Logger with (1) MMC and accessories	\$1,062.5000	\$4,250.00
4	3157	MultiMedia Card (MMC), 16MB	\$42.5000	\$170.00
4	3159	Symphonie Shelter Box with Hose Clamps	\$97.7500	\$391.00
16	1899	NRG #40 Anemometer	\$97.7500	\$1,564.00
4	3148	Symphonie SCM Card for #40 Anemometer	\$29.7500	\$119.00
8	1904	NRG #200P Wind Direction Vane, 10K	\$165.7500	\$1,326.00
4	1906	NRG #110S Temperature Sensor with Radiation Shield	\$165.7500	\$663.00
4	3153	Symphonie SCM Card for #110S	\$29.7500	\$119.00
8	1934	Sensor Cable, 2C, 20Ga, 52.5m(172'), for 50m level	\$85.0000	\$680.00
4	1933	Sensor Cable, 2C, 20Ga, 42m (138'), for 40m level	\$68.0000	\$272.00
4	1932	Sensor Cable, 2C, 20Ga, 32m (105'), for 30m level	\$51.8500	\$207.40
4	1939	Sensor Cable, 3C, 20Ga, 52.5m(172'), for 50m level	\$85.0000	\$340.00
4	1938	Sensor Cable, 3C, 20Ga, 42m (138'), for 40m level	\$68.0000	\$272.00
16	3390	Boom, Side, 1.53m(60.5"), Galv, with clamps	\$72.2500	\$1,156.00
1	2000	Freight, Handling, Insurance-Domestic	\$0.0000	\$0.00
		FOB Hinesburg, VT		
		UPS Ground Door-to-Door courtesy of NRG Systems		

Authorized signature _____

Please sign above and fax back to confirm order

Country of Origin: USA.

Certified true and correct.

Subtotal	\$11,529.40
Misc	\$0.00
Tax	\$0.00
Total	\$11,529.40
Payment Received	\$0.00
Total US Dollars Due	\$11,529.40

Ingeniería en Sistemas Electrónicos del Istmo S.A. de C.V.

R.F.C. ISE 970510-3L7

MATRIZ
Av. 5 de Septiembre No. 16
C.P. 70000 Juchitán, Oax.
Tel. (01 971) 711-02-42 FAX 711-02-11

SUCURSAL
5 de Septiembre No. 37
Calleto C.P. 70000
Juchitán, Oax.

SUCURSAL
S de Mayo No. 38
Calleto C.P. 70000
Juchitán, Oax.

SUCURSAL
Calleto Arriero No. 64
Calleto C.P. 70000
Juchitán, Oax.
Tel. (01 971) 712-15-10

SUCURSAL
Hombres Ilustres No. 409
Calleto C.P. 70000
Juchitán, Oax.
Tel. (01 971) 727-90-70

CLIPPER WINDPOWER, INC

R.F.C.

6305 CARPINTERÍA AVE SUITE 300

Colonia

CARPINTERÍA, CA 93103

Fecha 26-MARZO-2007

F A C T U R A

No. 08044 A

UNIDAD	DESCRIPCION	UNITARIO	IMPORTE
	VIATICOS POR INSTALACIÓN DE 4 TORRES ARRIOSTRADAS DE 50 M. DE ALTURA EN BAJA CALIFORNIA NORTE		30,191.49
Observaciones			
Subtotal			\$30,191.49
I.V.A.			4,528.72
Total			\$34,720.21

LA REPRODUCCIÓN NO AUTORIZADA DE ESTE COMPROBANTE CONSTITUYE UN DELITO EN LOS TÉRMINOS DE LAS DISPOSICIONES FISCALES

ORIGINAL

Ingeniería en Sistemas Electrónicos del Istmo S.A. de C.V.

R.F.C. ISE 970510-3L7

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Juchitán, Oax.

SUCURSAL
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Juchitán, Oax.

SUCURSAL
Calleto Arriero No. 64
Calleto C.P. 70000
Juchitán, Oax.

SUCURSAL
Hombres Ilustres No. 409
Calleto C.P. 70000
Juchitán, Oax.
Tel. (01 971) 727-90-70

CLIPPER WINDPOWER, INC

R.F.C.

75 CARPINTERÍA AVE SUITE 300

Colonia

CARPINTERÍA, CA 93103

Fecha 26-MARZO-2007

F A C T U R A

No. 08043 A

UNIDAD	DESCRIPCION	UNITARIO	IMPORTE
	SUMINISTRO E INSTALACIÓN DE 4 TORRES ARRIOSTRADAS DE 50 M. DE ALTURA E INSTALACIÓN DE INSTRUMENTOS DE MEDICIÓN EN BAJA CALIFORNIA NORTE		\$305,088.00
Observaciones			
Subtotal			\$305,088.00
I.V.A.			45,763.20
Total			\$350,851.20

LA REPRODUCCIÓN NO AUTORIZADA DE ESTE COMPROBANTE CONSTITUYE UN DELITO EN LOS TÉRMINOS DE LAS DISPOSICIONES FISCALES

ORIGINAL

**COMISION FEDERAL
DE ELECTRICIDAD**

COMISION
REGULADORA
DE ENERGIA

2007 AGO 28 PM 12: 49

00588
SUBDIRECCION DE
PROGRAMACION

ACUSE

DIRECCIÓN GENERAL DE ELECTRICIDAD

DGE/ 1813/2007

México, D. F., a 17 de agosto de 2007

Dr. Florencio Aboytes García
Subdirector de Programación
Comisión Federal de Electricidad

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745

En cumplimiento de lo dispuesto por el artículo 84 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, la Comisión Reguladora de Energía solicita de la Comisión Federal de Electricidad, se sirva emitir opinión respecto de la solicitud de permiso mencionada al rubro.

A tal efecto, adjunto al presente encontrará el expediente de **Fuerza Eólica de Baja California, S. A. de C. V.**, que contiene la información relativa a dicha solicitud.

Lo anterior, con fundamento en el precepto invocado, así como en los artículos 3, fracción I, 36, fracción V y 44 de la Ley del Servicio Público de Energía Eléctrica, 1, 12, 46 y 53 de la Ley Federal de Procedimiento Administrativo, 1, 2, fracción II, y 3, fracciones XII y XXII de la Ley de la Comisión Reguladora de Energía y 1, 72, fracción I, inciso d); 77 y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica y en el oficio de la Presidencia de la Comisión Reguladora de Energía número P/2359/98, de fecha 9 de octubre de 1998.

Atentamente
El Director General de Electricidad

Alejandro Peraza García

c.c.p. Carlos Hans Valadez Martínez.- Secretario Ejecutivo
c.c.p. Dr. Francisco de Rosenzweig Mendiola.- Director General de Asuntos Jurídicos
c.c.p. Expediente Núm. F26/E/745
Turno Núm. 3760





Oficio 5.-

00486

4656

México, DF., 03 OCT 2007

Ing. Francisco Xavier Salazar Díez de Sollano
Presidente
Comisión Reguladora de Energía



En atención a su oficio DGE/1813/2007 del 17 de agosto de 2007, sobre la **solicitud de permiso para modificar las condiciones originales de generación del permiso de exportación presentada por Fuerza Eólica de Baja California, S.A. de C.V.**, y para cumplir con lo establecido en el artículo 84, sección III del capítulo IX del Reglamento de la Ley del Servicio Público de Energía Eléctrica, a continuación se presenta la opinión que se solicita.

El 11 de julio de 2002 la Comisión Reguladora de Energía (CRE) otorgó a Fuerza Eólica de Baja California, S.A. de C.V. (FEBC) el título de permiso E/124/EXP/2002 para generar 300 MW de capacidad destinada a la exportación a través de un proyecto de producción independiente. La central estaría integrada por 200 aerogeneradores de 1.5 MW cada uno.

El permiso original estableció que la central eléctrica se construiría en dos etapas. La primera fase de 60 MW proyectada para diciembre de 2003 y la segunda fase para septiembre de 2004. Asimismo, para la primera etapa de la central generadora, el permisionario utilizaría la red del servicio público de energía y para la segunda etapa construiría sus propias líneas de transmisión para entregar la energía eléctrica a los Estados Unidos de América (EUA).

Mediante la resolución RES/120/2005 del 7 de julio de 2005, la CRE autorizó modificar las fechas de terminación de las obras del proyecto: la primera etapa para diciembre de 2006 y diciembre de 2007 para la segunda etapa.

FEBC está solicitando a la CRE modificar las condiciones del permiso de exportación por: a) el cambio en la capacidad de los aerogeneradores a instalar de 1.5 MW a 2.5 MW, y b) el cambio en la fecha de terminación de las obras del proyecto para la primera y segunda etapa, de diciembre de 2006 a diciembre de 2011 y de diciembre de 2007 a diciembre de 2013, respectivamente.

gas

[Signature]



modFzsEólicaBCv2

1
Carpeta
2007 OCT -3 PM 1:25

CRE
COMISIÓN
REGULADORA
DE ENERGÍA



OPINIÓN DE COMISIÓN FEDERAL DE ELECTRICIDAD

En opiniones anteriores sobre este proyecto, CFE externó no haber inconveniente técnico respecto de las etapas de la central eléctrica, apoyándose en elementos objetivos establecidos en el artículo 84 del Reglamento de la Ley del Servicio Público de Energía Eléctrica y tomando en cuenta las condiciones y características de la central eléctrica consignadas por el permisionario en su solicitud, así como las condiciones operativas del sistema eléctrico de Baja California (BC) que existían en ese momento.

Actualmente las condiciones operativas del sistema BC han cambiado, debido principalmente a los límites mínimos operativos de las unidades generadoras que se han incorporado recientemente al sistema, y la instalación de centrales eléctricas en los sistemas colindantes con BC.

El sistema eléctrico de BC se encuentra conectado permanentemente al sistema eléctrico del oeste de EUA y debe cumplir estrictamente con los criterios de seguridad y control establecidos por el Western Electricity Coordinating Council (WECC) y de CFE. Debido a las características del sistema BC y a los límites de operación de las unidades generadoras existentes, éste tiene una capacidad limitada para controlar el intercambio de energía en los enlaces con el WECC.

Por otra parte, debido al comportamiento intermitente que tiene la generación eólica, puede dar lugar a variaciones de hasta el 100 %, lo cual agravaría el problema de control y el cumplimiento de estándares.

Cabe mencionar que el incumplimiento de los estándares de control comprometidos por el sistema eléctrico BC con el WECC, puede resultar en la solicitud del Operador Independiente del Sistema de California (CAISO) en la apertura de los enlaces de interconexión del sistema BC con el WECC, condición que causaría la degradación en la confiabilidad y continuidad de suministro eléctrico, lo que pondría en riesgo la prestación del suministro del servicio público de energía eléctrica y ocasionaría la afectación de otros usuarios.

Por otra parte, CFE ha revisado este caso y otros de exportación con fuentes de energía renovable y opina que no se deberían autorizar por parte de la CRE, proyectos donde un recurso nacional de energía es utilizado para la exportación.

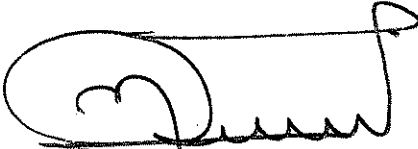


Tomando en cuenta lo anterior, CFE opina que no es técnicamente factible incorporar el proyecto del permisionario a la red de CFE. Asimismo, considera que permitir la exportación de energía de este proyecto no sería congruente con una política energética de interés nacional.

Atentamente



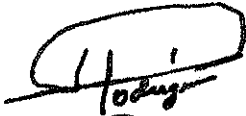
Dr. Florencio Aboytes García
Subdirector de Programación



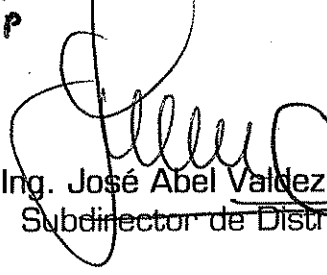
Ing. Noé Peña Silva
Subdirector de Transmisión



Ing. Gustavo Salvador Torres
Subdirector del CENACE



Ing. Luis Carlos Hernández Ayala
Subdirector de Generación



Ing. José Abel Valdez Campoy
Subdirector de Distribución

cc Ing. Alfredo Elías Ayub. Director General.
Ing. Néstor F. Moreno Díaz. Director de Operación.
Ing. Gonzalo Arroyo Aguilera. Coordinador de Planificación.



CRE

COMISION
REGULADORA
DE ENERGIA

ACTUSE

SECRETARÍA EJECUTIVA
SE/DGE/ 2804 /2007

México, D. F., a 18 de octubre de 2007

Ing. Carlos Federico Gottfried Joy
Representante de
Fuerza Eólica de Baja California, S. A. de C. V.

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745

En relación con la solicitud mencionada al rubro, anexo al presente sírvase encontrar copia del oficio número 5.-00486 con fecha del 3 de octubre de 2007, mediante el cual la Comisión Federal de Electricidad hizo del conocimiento de la Comisión Reguladora de Energía, diversas consideraciones sobre el proyecto a que se refiere dicha solicitud.

Por lo anterior, se le previene para que en un término máximo de diez días hábiles, contado a partir del día hábil siguiente a aquél en que surta efectos la notificación del presente oficio, exhiba la información y documentación que convenga a sus intereses.

Lo anterior, con fundamento en los artículos 90 de la Constitución Política de los Estados Unidos Mexicanos; 17, 26 y 33 de la Ley Orgánica de la Administración Pública Federal; 3, fracción III y 36, fracción V de la Ley del Servicio Público de Energía Eléctrica; 1, 3, 12, 16, fracción VII, 39 y 49 de la Ley Federal de Procedimiento Administrativo; 1, 2 fracción II, y 3, fracciones XII y XXII de la Ley de la Comisión Reguladora de Energía; 1, 72, fracción I, inciso d), 77, 84, 85 y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica; 1, 2, 3, fracción VI, inciso a), 33, 35 y 36, fracción III, del Reglamento Interior de la Secretaría de Energía.

Atentamente

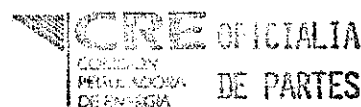
El Secretario Ejecutivo

Carlos Hans Valadez Martínez

c.c.p. Dr. Alejandro Peraza García.- Director General de Electricidad
c.c.p. Dr. Francisco de Rosenzweig Mendialdua.- Director General de Asuntos Jurídicos
c.c.p. Expediente Núm. F26/E/745
Turno Núm. 4656



En cumplimiento a lo dispuesto por el artículo 3º, fracción XIV de la Ley Federal de Procedimiento Administrativo, se hace de su conocimiento que el expediente respectivo puede ser consultado en las oficinas de la propia Comisión, ubicadas en Horacio 1750, Colonia Polanco, México D.F., C.P. 11510.



2007 NOV 14 PM 4 15

FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. DE C.V.

México DF a 13 de Noviembre de 2007

Ing. Francisco Xavier Salazar Diez de Sollano
Presidente
Comisión Reguladora de Energía

ASUNTO: Solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745.

CARLOS F. GOTTFRIED JOY, en mi carácter de apoderado de la empresa FUERZA EOLICA DE BAJA CALIFORNIA S.A. DE C.V. ("FEBC"), personalidad que tengo debidamente acreditada ante esa H. Autoridad, señalando como domicilio para oír y recibir notificaciones y toda clase de documentos en Avenida Año de Juárez No.- 205, Colonia Granjas de San Antonio, Delegación Iztapalapa, C.P. 09070, autorizando para tales efectos a los señores Miguel Jáuregui Rojas, Gabriel Gallo Reynoso, Raúl Santos Coy y Pablo Federico Gottfried Blackmore, indistintamente, ante Usted con el debido respeto comparezco para exponer lo siguiente:

Que por medio del presente escrito vengo a desahogar la vista que ordenó esa H. Autoridad, mediante oficio CRE SEDGE/2804/2007 de fecha 1º de noviembre de 2007, al que acompañó diversas consideraciones que la CFE ("CFE") hizo del conocimiento de esa H. Autoridad, mediante el cual se previene a mi representada para que en el término de diez días hábiles exhiba información y documentación que convenga a nuestros intereses.

Al respecto me permito hacer de su conocimiento lo siguiente:

Que las obras conducentes a la realización de las obras autorizadas en el permiso número E/214/EXP/2002 no han sido interrumpidas por un plazo mayor a 6 meses desde el otorgamiento de dicho permiso.

Que FEBC solicitó a la Comisión Reguladora de Energía ("CRE") modificación a las Condiciones Sexta y Séptima de su permiso número E/214/EXP/2002 mediante la presentación en tiempo y forma de su solicitud y documentación anexa el 3 de agosto de 2007.

Que el 15 de octubre de 2007, FEBC solicitó a la CRE la modificación del texto de su solicitud fechada el 3 de agosto de 2007 para reflejar el hecho que FEBC planea construir sus propias líneas de transmisión para la totalidad

de la capacidad autorizada del proyecto eoloeléctrico debido a la falta de capacidad en las líneas del sistema eléctrico de la CFE en el Estado de Baja California. Se anexa copia de la solicitud para pronta referencia.

Que el 1 de noviembre de 2007, FEBC recibió el oficio CRE SE/DGE/2804/2007 el cual contiene en anexo una copia del oficio CFE número 5.-00486 de fecha 3 de octubre de 2007, en el cual la CFE hizo del conocimiento de la CRE, diversas consideraciones y su opinión sobre el proyecto eoloeléctrico de FEBC.

(on ^{en} base a todo lo anterior y en particular al oficio CFE número 5.-00486, del cual mostramos extractos del mismo en "**itálicas**" para pronta referencia y fácil lectura, respetuosamente contestamos lo conducente de dicho oficio:

Del Oficio CFE número 5.-00486

".....

El 11 de julio de 2002 la Comisión Reguladora de Energía (CRE) otorgó a Fuerza Eólica de Baja California, S.A. de C.V. (FEBC) el título de permiso E/124/EXP/2002 para generar 300 MW de capacidad destinada a la exportación a través de un proyecto de producción independiente. La central estaría integrada por 200 aerogeneradores de 1.5 MW cada uno.

El permiso original estableció que la central eléctrica se construirá en dos etapas. La primera fase de 60 MW proyectada para diciembre de 2003 y la segunda fase para septiembre de 2004. Asimismo, para la primera etapa de la central generadora, el permisionario utilizaría la red del servicio público de energía y para la segunda etapa construiría sus propias líneas de transmisión para entregar la energía eléctrica a los Estados Unidos de América (EUA).

Mediante la resolución RES/120/2005 del 7 de julio de 2005, la CRE autorizó modificar las fechas de terminación de las obras del proyecto: la primera etapa para diciembre de 2006 y diciembre de 2007 para la segunda etapa."

FEBC está solicitando a la CRE modificar las condiciones originales del permiso de exportación por: a) el cambio en la capacidad de aerogeneradores a instalar de 1.5 MW a 2.5 MW, y b) el cambio en la fecha de terminación de las obras del proyecto para la primera y segunda etapa, de diciembre de 2006 a diciembre de 2011 y de diciembre de 2007 a diciembre de 2013, respectivamente....."



Respuesta de FEBC

Mi representada FEBC, está de acuerdo con los antecedentes mencionados por la CFE.

Del Oficio CFE número 5.-00486

".....

OPINIÓN DE COMISIÓN FEDERAL DE ELECTRICIDAD

En opiniones anteriores sobre este proyecto, CFE externó no haber inconveniente técnico respecto de las etapas de la central eléctrica, apoyándose en elementos objetivos establecidos en el artículo 84 del Reglamento de la Ley del Servicio Público de Energía Eléctrica y tomando en cuenta las condiciones y características de la central eléctrica consignadas por el permisionario en su solicitud, así como las condiciones operativas del sistema eléctrico de Baja California (BC) que existían en ese momento.

Actualmente las condiciones operativas del sistema de BC han cambiado, debido principalmente a los límites mínimos operativos de las unidades generadoras que se han incorporado recientemente al sistema, y la instalación de centrales eléctricas en los sistemas colindantes con BC.

El sistema eléctrico de BC se encuentra conectado permanentemente al sistema eléctrico del oeste de EUA y debe cumplir estrictamente con los criterios de seguridad y control establecidos por el Western Electricity Coordinating Council (WECC) y de CFE. Debido a las características del sistema de BC y a los límites de operación de las unidades generadoras existentes, éste tiene una capacidad limitada para controlar el intercambio de energía en los enlaces con el WECC.

Por otra parte, debido al comportamiento intermitente que tiene la generación eólica, puede dar lugar a variaciones de hasta el 100%, lo cual agravaría el problema de control y cumplimiento de estándares.

Cabe mencionar que el incumplimiento de los estándares de control comprometidos por el sistema eléctrico BC con el WECC, puede resultar en la solicitud del Operador Independiente del Sistema de California (CAISO) en la apertura de los enlaces de interconexión del sistema BC con el WECC, condición que causaría la degradación en la confiabilidad y continuidad de suministro eléctrico, lo que pondría en riesgo la prestación del suministro del servicio público de energía eléctrica y ocasionaría la afectación de otros usuarios...."



Respuesta de FEBC

Mi representada entiende y no objeta las limitaciones técnicas del sistema eléctrico de la CFE en Baja California, en cuanto a las condiciones operativas, los límites mínimos operativos, los estándares de control y las limitaciones para el control de intercambio de energía que la CFE pueda tener en los enlaces con Western Electricity Coordinating Council (WECC).

Es claro que para la CFE prevalecen condiciones técnicas que le imposibilitan la interconexión de fuentes de energía renovable intermitentes de gran escala a su sistema eléctrico en Baja California, en especial de los 60 MW previamente autorizadas a mi representada, por lo cual mi representada ha decidido financiar con sus propios recursos, la infraestructura de transmisión necesaria para interconectar el total de capacidad de 300 MW del proyecto directamente al sistema de los Estados Unidos de América en el estado de California, de tal forma que el proyecto eoloeléctrico de exportación de energía, no tendría interconexión directa con el sistema eléctrico de la CFE.

Por lo anterior FEBC confirma su petición de fecha 15 de octubre de 2007, en la que se solicita la modificación de su escrito de fecha 3 de agosto de 2007, en la que se refleja el hecho de que FEBC planea construir sus propias líneas de transmisión para la totalidad de la capacidad autorizada del proyecto eoloeléctrico que nos ocupa.

Del Oficio CFE número 5.-00486

"....

Por otra parte, CFE ha revisado este caso y otros de exportación con fuentes de energía renovable y opina que no se deberían autorizar por parte de la CRE, proyectos donde un recurso nacional de energía es utilizado para la exportación.

Tomando en cuenta lo anterior, CFE opina que no es técnicamente factible incorporar el proyecto del permisionario a la red de CFE. Asimismo, considera que permitir la exportación de energía de este proyecto no sería congruente con una política energética de interés nacional...."

Respuesta de FEBC

FEBC ratifica de nueva cuenta los puntos que se indican a continuación:

a).- El proyecto eoloeléctrico de Fuerza Eólica de Baja California S.A. de C.V. es congruente con las leyes y políticas energéticas, económicas, sociales y ambientales de la República Mexicana.

b).- El recurso eólico, es un recurso **RENOVABLE** inagotable, razón por la cual es aprovechable ad perpetuum. Cabe señalar que el recurso eólico aprovechable en Baja California excede los 10,000 MW (Diez mil Mega Watts). En términos de abundancia y disponibilidad del recurso, México nunca perderá su habilidad de desarrollarlo y aprovecharlo en el futuro dentro de la red de la CFE, cuando se superen las condiciones técnicas del sistema eléctrico de la CFE en Baja California.

c).- Que el recurso eólico en Baja California debe ser aprovechado en el corto plazo ya que su explotación conlleva múltiples beneficios para el Estado de Baja California y el País. Toda vez que por la situación geográfica de la península de Baja California, no permite el aprovechamiento del recurso eólico para su uso en la Red de la CFE, es menester que dicho recurso sea aprovechado produciendo energía eléctrica para exportación, utilizando infraestructura de transmisión independiente del sistema eléctrico de la CFE en Baja California, a fin de no afectar a los usuarios, y mucho menos a la CFE.

d).- Que el proyecto eoloelectrico de FEBC representa una inversión de capital directa en el País por encima de \$600,000,000.00 USD (seiscientos millones de dólares EUA) que conlleva un ingreso de divisas importantes al país a largo plazo produciendo una derrama económica en los tres niveles de gobierno de largo plazo, un derrame económico sustancial de largo plazo por el pago de rentas a los propietarios locales, la creación de empleos directos e indirectos, la transferencia tecnológica, la apertura del mercado para bienes de capital fabricados en México, el reforzamiento de la relación bilateral México-EUA en temas comerciales, energéticos y de Cambio Climático, la disminución de fuentes contaminantes, y que todas las anteriores razones expuestas son en beneficio del Estado de Baja California y del País y en pro del fomento de la generación de energía eléctrica sustentable.

e).- Se incrementará la participación de México en la solución contra el Cambio Climático, ya que en nuestro proyecto, se estima un desplazamiento de emisiones aproximadamente de 523,918 (quinientos veintitrés mil novecientos dieciocho) toneladas de dióxido de carbono (CO₂) anuales, o un total de 10'478,362 (diez millones cuatrocientas sesenta y ocho mil trescientas sesenta y dos) toneladas de CO₂, utilizando el mismo factor de emisión que la CFE en sus proyectos de energía renovable. Durante la vida de nuestro proyecto (20 años) se desplazarían el equivalente a 23'141,000 (veintitrés millones ciento cuarenta y un mil) barriles de petróleo ó 4,924'000,000 (cuatro mil novecientos veinticuatro millones) de metros cúbicos de gas natural.

f).- En virtud de que para CFE le es técnicamente imposible interconectar fuentes de energía renovables intermitentes de gran escala al sistema eléctrico de la CFE en Baja California y con el objeto de que mi representada Fuerza Eólica de Baja California S.A. de C.V. coadyuve con la política energética del País, específicamente con el gran compromiso de

México al emitir la Estrategia Nacional de Cambio Climático, es concluyente que nuestro proyecto, al ser independiente, es congruente con lo anteriormente señalado, razón por la cual se debe emitir una solución favorable en la que se determine que se autorizan las modificaciones solicitadas a las Condiciones Sexta y Séptima del permiso otorgado a FEBC.

Por lo expuesto:

A ESA H. COMISIÓN REGULADORA DE ENERGÍA, atentamente pido se sirva:

PRIMERO. Tenerme por presentado, con la personalidad que ostento, en tiempo y forma desahogando la vista que se ordenó dar a mi representada mediante oficio CRE SE/DGE/2804/2007, en los términos del presente escrito.

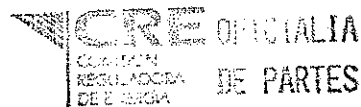
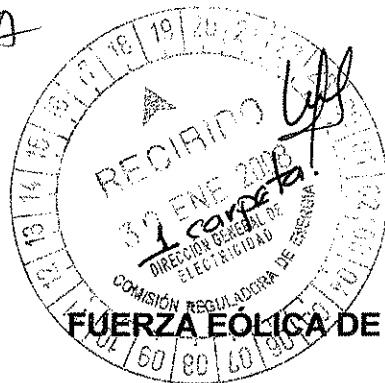
SEGUNDO. Previos los trámites reglamentarios, se solicita respetuosamente a esa Comisión Reguladora de Energía ordenar se emita la resolución correspondiente, en la que se autorice las modificaciones planteadas a las Condiciones Sexta y Séptima del Permiso de Exportación de Energía Eléctrica otorgado a mi mandante.

ATENTAMENTE,
México DF, a 13 de noviembre de 2007.
Por Fuerza Eólica de Baja California, S.A. DE C.V.

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Ing. Carlos F. Gottfried Joy
Presidente del Consejo de Administración

Ccp. Lic. Carlos Hans Valadez Martínez, Secretario Ejecutivo, CRE
Dr. Francisco Barnés de Castro, Comisionado, CRE
Dr. Francisco de Rosenzweig, Director General de Asuntos Jurídicos, CRE
Dr. Alejandro Peraza, Director General de Electricidad, CRE



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1 Carpeta.

FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. DE C.V.**RECIBIDO**

México DF a 30 de enero de 2008

Lic. Carlos Hans Valadez Martínez
 Secretario Ejecutivo
 Comisión Reguladora de Energía

ASUNTO: Se presenta información adicional en alcance a la solicitud de permiso para modificar las condiciones originales de generación del permiso número E/214/EXP/2002. Expediente Núm. F26/E/745.

CARLOS F. GOTTFRIED JOY, EN NOMBRE Y REPRESENTACIÓN DE FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., señalando como domicilio para oír y recibir toda clase de notificaciones en Avenida Año de Juárez No. 205, Colonia Granjas San Antonio, Delegación Iztapalapa, C.P. 09070 y autorizando para tales efectos a los señores Lic. Miguel Jáuregui Rojas, Lic. Raul Santos Coy y Lic. Pablo Gottfried Blackmore, con el debido respeto comparezco y expongo lo siguiente:

Que las obras conducentes a la realización de las obras autorizadas en el permiso número E/214/EXP/2002 no han sido interrumpidas por un plazo mayor a 6 meses desde el otorgamiento de dicho permiso.

Que Fuerza Eólica de Baja California, S.A. de C.V. solicitó ante esa CRE modificación a las Condiciones Sexta y Séptima de su permiso número E/214/EXP/2002 mediante la presentación en tiempo y forma de su solicitud y documentación anexa el 3 de agosto de 2007.

Que el 15 de octubre de 2007, Fuerza Eólica de Baja California, S.A. de C.V. solicitó ante esa CRE la modificación del texto de su solicitud fechada el 3 de agosto de 2007 para reflejar el hecho que Fuerza Eólica de Baja California planea construir sus propias líneas de transmisión para la totalidad de la capacidad autorizada del proyecto eoloeléctrico debido a la falta de capacidad en las líneas del sistema eléctrico de Baja California. Se anexa copia de la solicitud para pronta referencia.

Que el 1 de noviembre de 2007, Fuerza Eólica de Baja California, S.A. de C.V. recibió el oficio CRE SE/DGE/2804/2007 anexando copia del oficio CFE número 5.-00486 con fecha 3 de octubre de 2007, mediante el cual la Comisión Federal de Electricidad hizo del conocimiento de la Comisión Reguladora de Energía, diversas consideraciones sobre el proyecto eoloeléctrico de Fuerza Eólica de Baja California, S.A. de C.V. Asimismo, el oficio CRE SE/DGE/2804/2007 previene a

Fuerza Eólica de Baja California, S.A. de C.V. del plazo de diez días hábiles para exhibir la información y documentación que convenga a sus intereses.

Que el 14 de noviembre de 2007, Fuerza Eólica de Baja California, S.A. de C.V. entregó a la CRE la contestación solicitada en el oficio CRE SE/DGE/2804/2007, en el cual plasmó su punto de vista en torno al oficio CFE número 5.-00486.

Que en seguimiento a diversas comunicaciones con esa CRE deseamos ampliar la información con respecto a los temas identificados por CFE en su oficio número 5.-00486.

Que estamos en espera de la entrega del Estudio de Viabilidad para el proyecto Fuerza Eólica de Baja California, S.A. de C.V., en proceso de elaboración por parte del CAISO y que será entregado a CRE y CFE una vez recibido para su debida consideración.

Se anexa carta dirigida a esa CRE por parte de nuestro socio Clipper Windpower Development Company, Inc. con sus anexos: **A)** Fila de generación en la Red Controlada por el California Independent System Operator (CAISO) al 11 de enero de 2008; **B)** (CAISO FERC OATT 2008) Tercer volumen de reemplazo de la Tarifa Eléctrica del FERC (Federal Electricity Regulatory Commission) para el CAISO y (CAISO LGIP 2008) Anexo U de la Tarifa CAISO: Procedimientos Estándar de Interconexión para Grandes Generadores del CAISO; **C)** Permiso Presidencial del Departamento de Energía de los Estados Unidos de América número PP-235-2.

Se anexa traducción al castellano de la carta dirigida a esa CRE por parte nuestro socio Clipper Windpower Development Company, Inc.

Se anexa carta dirigida a esa CRE por parte del CAISO.

Se anexa traducción al castellano de la carta dirigida a esa CRE por parte del CAISO.

Por lo antes expuesto a esa H. Comisión Reguladora de Energía respetuosamente solicito:

PRIMERO. Tener a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V., presentada en los términos del presente.

SEGUNDO. De conformidad con las disposiciones de la Ley del Servicio Público de Energía Eléctrica, su Reglamento, y de la Ley de la Comisión Reguladora de Energía, en su oportunidad, informar a FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. de C.V. sobre la necesidad de cualquier aclaración o información.

TERCERO. Tener a mi representada como cumplida y que ha estado llevando a cabo las actividades necesarias para finalizar las obras a desarrollar al amparo del Permiso.

CUARTO. Previos los trámites reglamentarios, se solicita respetuosamente a esa Comisión Reguladora de Energía la modificación del Permiso y emisión de Resolución modificando las Condiciones Sexta y Séptima de acuerdo con lo estipulado en el presente para el Permiso de Exportación de Energía Eléctrica otorgado a Fuerza Eólica de Baja California S.A. de C.V.

MUY ATENTAMENTE,

México DF, a 30 de enero de 2008.

Por Fuerza Eólica de Baja California, S.A. DE C.V.

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:

Información confidencial, datos personales

ING. CARLOS FEDERICO GOTTFRIED JOY
PRESIDENTE DEL CONSEJO DE ADMINISTRACIÓN

CC. Dra. Georgina Kessel, Secretario de Energía, SENER
Lic. Jordy Herrera, Subsecretario de Planeación Energética, SENER

Ing. Francisco Xavier Salazar Diez de Sollano, Presidente, CRE
Dr. Francisco Barnés de Castro, Comisionado, CRE
Ing. Rubén Flores, Comisionado, CRE
Ing. Noe Navarrete, Comisionado, CRE
Lic. Israel Hurtado, Comisionado, CRE

Ing. Eduardo Zenteno, Presidente, AMDEE



January 24, 2008

Ing. Francisco Xavier Salazar Diez de Sollano
Presidente
Comisión Reguladora de Energía
Horacio 1750, Col. Los Morales Polanco
Delegación Miguel Hidalgo
México, D.F., C.P. 11510

Dear Ing. Salazar Diez de Sollano:

This letter is being submitted to the *Comisión Reguladora de Energía* ("CRE") in response to concerns that the *Comisión Federal de Electricidad* ("CFE") has raised with regards to the impact of the safe and reliable operation of the Baja California, Mexico CFE system ("CFE BC System") that may arise from the interconnection from Clipper Windpower Development Company, Inc.'s ("Clipper") 400 MW Concepcion II Wind Generation Project (also known as the Fuerza Eólica de Baja California, S.A. de C.V., CRE Permit E/214/EXP/2002) (the "Project") on the California Independent System Operator Corporation ("CAISO") transmission system ("ISO Controlled Grid").

Clipper filed an interconnection request to the CAISO, and as of May 3, 2007 this interconnection request is officially in the CAISO generator interconnection queue process as Generator Interconnection Queue Position 209¹. The interconnection request proposes to electrically tie the Project directly to the Imperial Valley – Miguel 500 KV transmission line located in the United States of America which is owned by San Diego Gas & Electric Company (SDG&E) and operated by the CAISO. As of this date, the CAISO is in the process of completing the Feasibility Study for this request.

The generator interconnection laws and regulations on the CAISO Controlled Grid are governed by the Federal Energy Regulatory Commission ("FERC") of the United States of America in accordance with the Open Access Transmission Tariff ("ISO Tariff")². The CAISO is obligated under the ISO Tariff to provide generation developers open and non-discriminatory access to the ISO Controlled Grid regardless of the locations of their connections to the ISO Controlled Grid³.

In accordance with these regulations, the CAISO is obligated to allow generators to interconnect to the ISO Controlled Grid in such a way as to conserve the safe and reliable operation of i) the interconnecting utility's transmission system (SDG&E in this case) and ii) all neighboring transmission systems which the CAISO deems to be affected by such interconnection ("Affected Systems")⁴.

CAISO considers the CFE BC System as part of the neighboring interconnected utilities that may be an Affected System. The safe and reliable operation of the system is defined by the reliability standards established by the Western Electricity Coordinating Council ("WECC") and the North

¹ Refer to Attachment A entitled CAISO Generation Interconnection Queue Jan 11, 2008

² Refer to Attachment B entitled CAISO FERC OATT 2008

³ CAISO FERC OATT 2008, Section 2.1 Open Access

⁴ CAISO FERC OATT 2008 Section 7.2.2.3 Standards to be Observed, Section 7.2.2.3.1 Applicable Reliability Criteria, CAISO LGIP 2008 Section 3.3.2 The Interconnection Studies

American Electric Reliability Corporation ("NERC") among others⁵. Under ISO Tariff, the CAISO is assigned to be the WECC Reliability Coordinator. As such the CAISO is responsible for the stable and reliable operation of the Western Interconnection which includes electric utility systems in the U.S., Canada and northern Mexico where the transmission systems are interconnected and operating synchronously as is the case with the CFE BC system⁶.

In the interconnection process, the CAISO conducts technical studies (Feasibility, System Impact and Facilities) on the interconnection requests to determine the impact that the new generator will cause on the regional transmission system and to identify the system upgrades necessary to allow the new generator to operate without negatively affecting the local transmission system as well as the neighboring Affected Systems⁷.

Among the system upgrades identified are Reliability Network Upgrades consistent with WECC practice which are facilities necessary to mitigate any adverse impact that the generator may have specifically on the WECC inter-tie's path rating such as Path 45 which are the power flows between CFE BC system and the CAISO Controlled Grid⁸. Path 45 includes the Miguel – Tijuana and Imperial Valley – La Rosita 230 kV cross-border ties. These ties are also operated in strict adherence to the WECC reliability standards as dictated by the Presidential Permits that govern these ties⁹.

Once the generator is put in operation both the CAISO, which operates and controls the transmission system and the generator, are obligated to follow and abide by the WECC reliability criteria for the continued safe and reliable operation of the transmission systems of all the members of the WECC, which includes CFE¹⁰.

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:

Información confidencial, datos personales

Peter Stricker
Vice President Project Development
Clipper Windpower Development Company, Inc.

Copy to:

Dr. Florencio Aboytes
Subdirector de Programación
Comisión Federal de Electricidad
PASEO DE LA REFORMA # 164 PISO 9,
COL. JUAREZ,
DELEGACION CUAUHTEMOC,
MEXICO D.F., C.P. 6600

Lic. Jordy Herrera Flores
Subsecretario de Planeación Energética y
Desarrollo Tecnológico
Secretaría de Energía
Insurgentes Sur 890, Colonia del Valle
Delegación Benito Juárez
México D.F., C.P. 03100

Ing. Carlos F. Gottfried Joy
Presidente del Consejo de Administración
Fuerza Eólica de Baja California, S.A. de C.V.
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San Antonio
Delegación Iztapalapa,
México D.F., C.P. 09070

⁵ CAISO FERC OATT 2008 Section 7.2.2.3.1 Applicable Reliability Criteria

⁶ CAISO FERC OATT 2008 Section 7.2.1 Reliability Coordinator

⁷ CAISO LGIP 2008 Section 3.7

⁸ CAISO FERC OATT 2008 Appendix A Master Definition Supplement under Reliability Network Upgrades pg 523

⁹ Refer to Attachment C US Department of Energy, Presidential Permit PP-235-2 Article 3 pg 5

¹⁰ CAISO FERC OATT 2008 Section 4.6.5.2 Reliability Criteria, Section 7.2.2.3 Standards to be Observed

**TRADUCCIÓN DE: CARTA DE CLIPPER WINDPOWER DEVELOPMENT COMPANY, INC.
DIRIGIDA AL ING. FRANCISCO XAVIER SALAZAR DIEZ DE SOLLANO, PRESIDENTE DE LA
COMISIÓN REGULADORA DE ENERGÍA, FECHADA EL 24 DE ENERO DE 2008.**

Logotipo Clipper Windpower
Fecha

Ing. Francisco Xavier Salazar Diez de Sollano
Presidente
Comisión Reguladora de Energía
Horacio 1750, Col. Los Morales Polanco
Delegación Miguel Hidalgo
México, D.F., C.P. 11510

Estimado Ing. Salazar Diez de Sollano:

Esta carta se presenta a la Comisión Reguladora de Energía ("CRE") en respuesta a las preocupaciones que ha indicado la Comisión Federal de Electricidad ("CFE") en torno a los posibles impactos sobre la seguridad y confiabilidad de la operación de la red independiente de Baja California ("Sistema CFE BC") que emanarían de la interconexión del proyecto eoloelectrico Concepción II de Clipper Windpower de 400 MW (también conocido como el Proyecto Fuerza Eólica de Baja California, S.A. de C.V., Permiso CRE E/214/EXP/2002) (el "Proyecto") al sistema de transmisión ("Red Controlada del ISO") del California Independent System Operator Corporation ("CAISO").

Clipper registró con CAISO una solicitud de interconexión, y a partir del 3 de mayo del 2007 esta solicitud se ha encontrado oficialmente en el proceso de fila de interconexión de generadores con la Posición de Fila 209¹. La solicitud de interconexión propone la conexión eléctrica directa a la línea de transmisión Imperial Valley – Miguel de 500 kV localizada en los Estados Unidos de América, propiedad de San Diego Gas & Electric Company (SDG&E) y operada por el CAISO. A la fecha, el CAISO está en proceso de completar el Estudio de Viabilidad para esta solicitud.

Las leyes y regulación para la interconexión de generadores al Sistema Controlado por CAISO son gobernadas por la Comisión Federal Reguladora de Energía ("FERC" por sus siglas en inglés) de los Estados Unidos de América, de acuerdo con la Tarifa de Transmisión de Acceso Abierto ("ISO Tariff" en inglés)². El CAISO está obligado por el ISO Tariff a proporcionar acceso abierto y no-discriminatorio a la Red Controlada del ISO independientemente de las ubicaciones de sus conexiones a la Red Controlada del ISO³.

De acuerdo con esta regulación, el CAISO está obligado a permitir la interconexión de generadores a la Red Controlada del ISO de tal manera que se conserve la operación segura y confiable de i) el sistema de transmisión del suministrador ("utility" en inglés) que se interconecta (en este caso SDG&E) y ii) todos los sistemas de transmisión vecinos el cual el CAISO identifica como afectados de la interconexión ("Sistemas Afectados")⁴.

El CAISO considera el Sistema CFE BC como parte de los suministradores vecinos que podría ser un Sistema Afectado. La operación segura y confiable es definida por los estándares de confiabilidad establecidos por el Consejo Coordinador Eléctrico del Oeste (Western Electricity Coordinating Council, "WECC") y la Corporación Americana de Confiabilidad Eléctrica (American

¹ Ver Anexo A: Fila de generación en la Red Controlada por el (CAISO) al 11 de enero de 2008

² Ver Anexo B: CAISO FERC OATT 2008

³ CAISO FERC OATT, Sección 2.1 Open Access (Acceso Abierto)

⁴ CAISO FERC OATT, Sección 7.2.2.3 Standards to be Observed, Sección 7.2.2.3.1 Applicable Reliability Criteria, CAISO LGIP 2008 Sección 3.3.2 The Interconnection Studies

Electric Reliability Corporation, "NERC") entre otros⁵. De acuerdo con el ISO Tariff, el CAISO está asignado para ser el Coordinador de Confiabilidad del WECC. En este papel, el CAISO es responsable por la operación estable y confiable del WECC, que incluye a los sistemas de suministradores en los Estados Unidos, Canadá y el norte de México, donde los sistemas de transmisión están interconectados y operando de manera síncrona como es el caso del Sistema CFE BC⁶.

En el proceso de interconexión, el CAISO lleva a cabo estudios técnicos (Viabilidad, Impacto al Sistema, e Instalaciones) para las solicitudes de interconexión para determinar el impacto que el nuevo generador podría causar en el sistema de transmisión regional y para identificar las obras necesarias para permitir que el nuevo generador opere sin afectar negativamente el sistema de transmisión local así como los vecinos Sistemas Afectados⁷.

Entre las obras necesarias identificadas están las Obras para la Confiabilidad de la Red (Reliability Network Upgrades) consistentes con prácticas del WECC, que son instalaciones necesarias para mitigar cualquier impacto adverso que el generador tenga, específicamente sobre los corredores interconectados del WECC, como lo es el "Path 45", que son los flujos entre el Sistema CFE BC y la Red Controlada del CAISO⁸. El "Path 45" incluye las interconexiones trans-fronterizas de Miguel –Tijuana e Imperial Valley – La Rosita en 230 kV. Estas interconexiones también son operadas en estricta adherencia a los estándares de confiabilidad del WECC, dictados por los Permisos Presidenciales que gobiernan esas interconexiones⁹.

Una vez en operación el generador, tanto el CAISO, quien opera y controla el sistema de transmisión y el generador, están obligados a seguir y obedecer los criterios de confiabilidad del WECC para la operación segura y confiable de los sistemas de transmisión de todos los miembros del WECC, incluyendo a CFE¹⁰.

Atentamente,

(firma)

Peter Stricker

Vicepresidente Desarrollo de Proyectos

Clipper Windpower Development Company, Inc.

Copias a:

Dr. Florencio Aboytes

Puesto

Dirección

Lic. Jordy Herrera

Puesto

Dirección

Ing. Carlos F. Gottfried Joy

Puesto

Dirección

⁵ CAISO FERC OATT 2008 Sección 7.2.2.3.1 Applicable Reliability Criteria (Criterios de Confiabilidad Aplicables)

⁶ CAISO FERC OATT 2008 Sección 7.2.1 Reliability Coordinator (Coordinador de Confiabilidad)

⁷ CAISO LGIP 2008 Sección 3.7

⁸ CAISO FERC OATT Apendix A Master Definition Supplement under Reliability Network Upgrades pg 523 (Suplemento de Definiciones Maestras para Obras para la Confiabilidad de la Red, página 523)

⁹ Ver Anexo C: US Department of Energy, Presidential Permit PP-235-2 Article 3 pg 5 (Permiso Presidencial PP-235-2 del Departamento de Energía de los Estados Unidos de América)

¹⁰ CAISO FERC OATT 2008 Sección 4.6.5.2 Reliability Criteria, Section 7.2.2.3 Standards to be Observed (Criterios de Confiabilidad, Sección 7.2.2.3 Estándares a ser Observados)



January 29, 2008

Ing. Francisco Xavier Salazar Diez de Sollano
Presidente
Comisión Reguladora de Energía
Horacio 1750, Col. Los Morales Polanco
Delegación Miguel Hidalgo
México, D.F., C.P. 11510

Dear Ing. Salazar Diez de Sollano:

This letter is being submitted to the *Comisión Reguladora de Energía* ("CRE"). It is in response to concerns that the *Comisión Federal de Electricidad* ("CFE") has with regards to the impact of the safe and reliable operation of the Baja California, Mexico CFE system ("CFE BC System"). CFE has concerns about the interconnection of Clipper Windpower Development Company, Inc.'s ("Clipper") 400 MW Concepcion II Wind Generation Project (also known as the *Fuerza Eólica de Baja California, S.A. de C.V.*, CRE Permit E/214/EXP/2002) (the "Project") on the California Independent System Operator Corporation ("CAISO") transmission system ("ISO Controlled Grid").

The CAISO acknowledges that Clipper filed an interconnection request to the CAISO, and as of May 3, 2007 this interconnection request is officially in the CAISO generator interconnection queue process as Generator Interconnection Queue Position 209. The interconnection request proposes to electrically tie the Project directly to the Imperial Valley – Miguel 500 KV transmission line located in the United States of America which is owned by San Diego Gas & Electric Company (SDG&E) and operated by the CAISO. As of the date, the CAISO is in the process of completing the Feasibility Study for this request.

The generator interconnection laws and regulations on the CAISO Controlled Grid are governed by the Federal Energy Regulatory Commission ("FERC") of the United States of America in accordance with the Open Access Transmission Tariff ("ISO Tariff"). The CAISO is obligated under the ISO Tariff to provide generation developers open and non-discriminatory access to the ISO Controlled Grid regardless of the locations of their connections to the ISO Controlled Grid. In accordance with these regulations, the CAISO is obligated to allow generators to interconnect to the ISO Controlled Grid in such a way as to conserve the safe and reliable operation of i) the interconnecting utility's transmission system (SDG&E in this case) and ii) all neighboring transmission systems which the CAISO deems to be affected by such interconnection ("Affected Systems").

CAISO considers the CFE BC System as part of the neighboring interconnected utilities that may be an Affected System. The safe and reliable operation of the system is defined by the reliability standards established by the Western Electricity Coordinating Council ("WECC") and the North American Electric Reliability Corporation ("NERC") among others. Under ISO Tariff, the CAISO is assigned to be the WECC Reliability Coordinator. As such the CAISO is responsible for the stable and reliable operation of the Western Interconnection which includes electric utility systems in the U.S., Canada and northern Mexico where the transmission systems are interconnected and operating synchronously as is the case with the CFE BC system.

TRADUCCIÓN DE: CARTA DE CAISO DIRIGIDA AL ING. FRANCISCO XAVIER SALAZAR DIEZ DE SOLLANO, PRESIDENTE DE LA COMISIÓN REGULADORA DE ENERGÍA, FECHADA EL 29 DE ENERO DE 2008.

Logotipo Clipper Windpower
Fecha

Ing. Francisco Xavier Salazar Diez de Sollano
Presidente
Comisión Reguladora de Energía
Horacio 1750, Col. Los Morales Polanco
Delegación Miguel Hidalgo
México, D.F., C.P. 11510

Estimado Ing. Salazar Diez de Sollano:

Esta carta se presenta a la Comisión Reguladora de Energía ("CRE") en respuesta a las preocupaciones que ha indicado la Comisión Federal de Electricidad ("CFE") en torno a los posibles impactos sobre la seguridad y confiabilidad de la operación de la red independiente de Baja California ("Sistema CFE BC") que emanarían de la interconexión del proyecto eólicoeléctrico Concepción II de Clipper Windpower de 400 MW (también conocido como el Proyecto Fuerza Eólica de Baja California, S.A. de C.V., Permiso CRE E/214/EXP/2002) (el "Proyecto") al sistema de transmisión ("Red Controlada del ISO") del California Independent System Operator Corporation ("CAISO").

CAISO confirma que Clipper registró con CAISO una solicitud de interconexión, y a partir del 3 de mayo del 2007 esta solicitud se ha encontrado oficialmente en el proceso de fila de interconexión de generadores con la Posición de Fila 209. La solicitud de interconexión propone la conexión eléctrica directa a la línea de transmisión Imperial Valley – Miguel de 500 kV localizada en los Estados Unidos de América, propiedad de San Diego Gas & Electric Company (SDG&E) y operada por el CAISO. A la fecha, el CAISO está en proceso de completar el Estudio de Viabilidad para esta solicitud.

Las leyes y regulación para la interconexión de generadores al Sistema Controlado por CAISO son gobernadas por la Comisión Federal Reguladora de Energía ("FERC" por sus siglas en inglés) de los Estados Unidos de América, de acuerdo con la Tarifa de Transmisión de Acceso Abierto ("ISO Tariff" en inglés). El CAISO está obligado por el ISO Tariff a proporcionar acceso abierto y no-discriminatorio a la Red Controlada del ISO independientemente de las ubicaciones de sus conexiones a la Red Controlada del ISO. De acuerdo con esta regulación, el CAISO está obligado a permitir la interconexión de generadores a la Red Controlada del ISO de tal manera que se conserve la operación segura y confiable de i) el sistema de transmisión del suministrador ("utility" en inglés) que se interconecta (en este caso SDG&E) y ii) todos los sistemas de transmisión vecinos el cual el CAISO identifica como afectados de la interconexión ("Sistemas Afectados")

El CAISO considera el Sistema CFE BC como parte de los suministradores vecinos que podría ser un Sistema Afectado. La operación segura y confiable es definida por los estándares de confiabilidad establecidos por el Consejo Coordinador Eléctrico del Oeste (Western Electricity Coordinating Council, "WECC") y la Corporación Americana de Confiabilidad Eléctrica (American Electric Reliability Corporation, "NERC") entre otros. De acuerdo con el ISO Tariff, el CAISO está asignado para ser el Coordinador de Confiabilidad del WECC. En este papel, el CAISO es responsable por la operación estable y confiable del WECC, que incluye a los sistemas de suministradores en los Estados Unidos, Canadá y el norte de México, donde los sistemas de transmisión están interconectados y operando de manera síncrona como es el caso del Sistema CFE BC.

CAISO
151 Blue Ravine Road
Folsom, California 95630
(916) 351-4400

En el proceso de interconexión, el CAISO lleva a cabo estudios técnicos (Viabilidad, Impacto al Sistema, e Instalaciones) para las solicitudes de interconexión para determinar el impacto que el nuevo generador podría causar en el sistema de transmisión regional y para identificar las obras necesarias para permitir que el nuevo generador opere sin afectar negativamente el sistema de transmisión local así como los vecinos Sistemas Afectados.

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Una vez en operación el generador, tanto el CAISO, quien opera y controla el sistema de transmisión y el generador, están obligados a seguir y obedecer los criterios de confiabilidad del WECC para la operación segura y confiable de los sistemas de transmisión de todos los miembros del WECC, incluyendo a CFE.

Atentamente,

(firma)

Peter Stricker

Vicepresidente Desarrollo de Proyectos

Clipper Windpower Development Company, Inc.

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ATTACHMENT A

CAISO GENERATION INTERCONNECTION QUEUE

THE CALIFORNIA ISO CONTROLLED GRID GENERATION QUEUE AS OF
JANUARY 11, 2008

The California ISO Controlled Grid Generation Queue
as of: January 11, 2008

Queue Position			Interconnection Request/Receive Date		Queue Date		Application Status		Generating Facility		Location		Point of Interconnection		Study Availability		Interconnection Agreement Status	
Queue Position		Queue Date	Type	Fuel	Summer	Winter	County	State	Utility	Station or Transmission Line	Proposed On-line Date (as filed with R)	Current On-line Date	Feasibility Study (FS)	System Impact Study (SIS)	Facility Study (FAS)	Optional Study (OS)	Interconnection Agreement Status	
1	9/20/1998	9/20/1998	Active	WT	W	16.5	Riverside	CA	SGE	Direct-Corral 115 kV line (Tap)	3/1/2009	9/1/2007	NA	Complete	Complete		IA Executed	
2	11/11/1998	11/11/1998	Active	CC	NG	550	San Diego	CA	SGE	Ugual Substation	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
3	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Corral-Coral Power Plant 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
4	8/10/1998	8/10/1998	Complete	CC	NG	550	Riverside	CA	SGE	Corral-Coral Power Plant 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
5	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
6	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
7	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
8	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
9	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
10	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
11	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
12	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
13	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
14	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
15	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
16	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
17	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
18	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
19	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
20	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
21	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
22	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
23	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
24	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
25	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
26	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
27	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
28	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
29	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
30	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
31	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
32	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
33	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
34	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
35	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
36	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
37	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
38	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
39	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
40	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
41	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
42	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
43	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
44	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
45	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
46	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
47	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
48	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
49	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
50	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
51	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
52	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
53	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
54	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	
55	8/10/1998	8/10/1998	Active	CC	NG	550	San Diego	CA	SGE	Palomar 230 kV line	11/1/2007	11/1/2008	NA	Complete	Complete		GEA Executed	

Notes: This Queue listing reflects the requirements of the FERC Order 2003 for Large Generator Interconnection Procedures (LGIP).
Generator Interconnection Requirements or applicable Commission orders in this listing are not shown.
Future withdrawals will be indicated in the Application Status as Withdrawn and their status position will be noted.
Weekly posting is anticipated.

Legend:

* Generator Type Key: W=Wind, M=Nuclear, C=Combined Cycle, G=Gas, S=Steam, T=Coal, B=Biomass, P=Solar, L=LFG/Land Fill Gas, WTR=Water, O=Geothermal, H=Hydro Recovery

Generating Facility				Maximum MWs		Location		Point of Interconnection		Study Availability									
Queue Position	Interconnection Request Received Date	Queue Date	Application Status	Type	Fuel	Summer	Winter	County		State	Utility	Station or Transmission Line	Proposed On-line Date (as filed with IR)	Current On-line Date	Feasibility Study (IFS)	System Impact Study (SIS)	Facility Study (FAS)	Optional Study (OS)	Interconnection Agreement Status
248	7/26/2007	7/26/2007	Active	WT	W	200		Monterey	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #1 and #2 lines	2/1/2010	2/1/2010	In Progress		Tendered			
249	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #3 line	2/1/2010	2/1/2010	In Progress		Tendered			
250	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #4 line	2/1/2010	2/1/2010	In Progress		Tendered			
251	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #5 line	2/1/2010	2/1/2010	In Progress		Tendered			
252	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #6 line	2/1/2010	2/1/2010	In Progress		Tendered			
253	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #7 line	2/1/2010	2/1/2010	In Progress		Tendered			
254	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #8 line	2/1/2010	2/1/2010	In Progress		Tendered			
255	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #9 line	2/1/2010	2/1/2010	In Progress		Tendered			
256	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #10 line	2/1/2010	2/1/2010	In Progress		Tendered			
257	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #11 line	2/1/2010	2/1/2010	In Progress		Tendered			
258	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #12 line	2/1/2010	2/1/2010	In Progress		Tendered			
259	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #13 line	2/1/2010	2/1/2010	In Progress		Tendered			
260	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #14 line	2/1/2010	2/1/2010	In Progress		Tendered			
261	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #15 line	2/1/2010	2/1/2010	In Progress		Tendered			
262	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #16 line	2/1/2010	2/1/2010	In Progress		Tendered			
263	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #17 line	2/1/2010	2/1/2010	In Progress		Tendered			
264	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #18 line	2/1/2010	2/1/2010	In Progress		Tendered			
265	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #19 line	2/1/2010	2/1/2010	In Progress		Tendered			
266	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #20 line	2/1/2010	2/1/2010	In Progress		Tendered			
267	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #21 line	2/1/2010	2/1/2010	In Progress		Tendered			
268	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #22 line	2/1/2010	2/1/2010	In Progress		Tendered			
269	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #23 line	2/1/2010	2/1/2010	In Progress		Tendered			
270	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #24 line	2/1/2010	2/1/2010	In Progress		Tendered			
271	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #25 line	2/1/2010	2/1/2010	In Progress		Tendered			
272	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #26 line	2/1/2010	2/1/2010	In Progress		Tendered			
273	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #27 line	2/1/2010	2/1/2010	In Progress		Tendered			
274	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #28 line	2/1/2010	2/1/2010	In Progress		Tendered			
275	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #29 line	2/1/2010	2/1/2010	In Progress		Tendered			
276	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #30 line	2/1/2010	2/1/2010	In Progress		Tendered			
277	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #31 line	2/1/2010	2/1/2010	In Progress		Tendered			
278	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #32 line	2/1/2010	2/1/2010	In Progress		Tendered			
279	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #33 line	2/1/2010	2/1/2010	In Progress		Tendered			
280	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #34 line	2/1/2010	2/1/2010	In Progress		Tendered			
281	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #35 line	2/1/2010	2/1/2010	In Progress		Tendered			
282	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #36 line	2/1/2010	2/1/2010	In Progress		Tendered			
283	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #37 line	2/1/2010	2/1/2010	In Progress		Tendered			
284	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #38 line	2/1/2010	2/1/2010	In Progress		Tendered			
285	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #39 line	2/1/2010	2/1/2010	In Progress		Tendered			
286	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #40 line	2/1/2010	2/1/2010	In Progress		Tendered			
287	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #41 line	2/1/2010	2/1/2010	In Progress		Tendered			
288	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #42 line	2/1/2010	2/1/2010	In Progress		Tendered			
289	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #43 line	2/1/2010	2/1/2010	In Progress		Tendered			
290	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #44 line	2/1/2010	2/1/2010	In Progress		Tendered			
291	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #45 line	2/1/2010	2/1/2010	In Progress		Tendered			
292	7/26/2007	7/26/2007	Active	WT	W	200		San Benito	CA	PGE	Merced-Hydro-Selma-Spokane 115kV #46 line	2/1/2010	2/1/2010	In Progress		Tendered			

Notes:

This Queue posting reflects the requirements of the FERC Order 2003 for Large Generator Interconnection Procedures (LGIP). Generator Interconnection Requests or applications Completed or Withdrawn prior to this posting are not shown. Future withdrawals will be indicated in the Application Status as Withdrawn and their Queue position will be nullified. Weekly posting is anticipated.

Legend:

- Generator Type Key: C=Internal Combustion, ST=Steam Turbine, CT=Combustion Turbine, CO=Combined Cycle, HH=Hydro, WT=Wind Turbine, PV=Photovoltaic, RE=Reciprocating Engine
- Fuel Type Key: W=Wind, N=Natural Gas, O=Oil, C=Coal, B=Biomass, S=Solar, LFO=Land Fill Gas, WTH=Water, G=Geothermal, HR=Heat Recovery

ATTACHMENT C

US DEPARTMENT OF ENERGY PRESIDENTIAL PERMIT PP-235-2

UNITED STATES DEPARTMENT OF ENERGY
OFFICE OF ELECTRICITY AND ENERGY ASSURANCE

TERMoeLECTRICA U.S., L.L.C.

OE DOCKET NO. PP-235-2

PRESIDENTIAL PERMIT
NO. PP-235-2

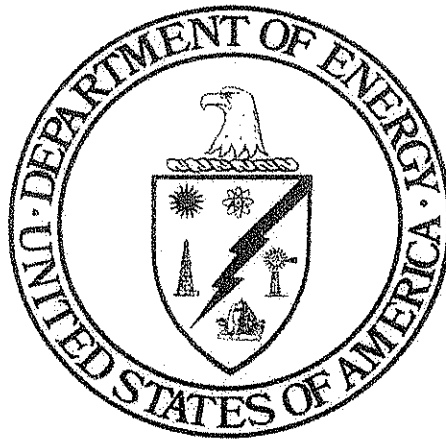
APRIL 18, 2005

United States
Department of Energy

Office of Electricity and Energy Assurance

Termoeléctrica U.S., L.L.C.

OE Docket No. PP-235-2



Presidential Permit
No. PP-235-2

April 18, 2005

TERMOELÉCTRICA U.S., LLC

PRESIDENTIAL PERMIT NO. PP-235-2

I. BACKGROUND

The Department of Energy (DOE) has the responsibility for implementing Executive Order (EO) 10485, as amended by EO 12038, which requires the issuance of Presidential permits for the construction, operation, maintenance, and connection of electric transmission facilities at the United States international border. DOE may issue the permit if it determines that the permit is in the public interest, and after obtaining favorable recommendations from the U.S. Departments of State and Defense.

On March 7, 2001, Sempra Energy Resources (Sempra) applied to DOE for a Presidential permit to construct, operate, maintain, and connect a double-circuit 230,000-volt (230-kV) transmission line that would extend approximately 6 miles from San Diego Gas & Electric Company's (SDG&E) existing Imperial Valley Substation to the U.S.-Mexico border (Docket No. PP-235). At the border, the line would connect with similar transmission facilities constructed in Mexico and would extend to the new 650-megawatt (MW), natural gas-fired Termoelectrica de Mexicali (TDM) power plant being constructed west of the City of Mexicali, Baja California, Mexico. The subject transmission facilities would be used to deliver the entire electrical output of the new TDM power plant onto the southern California electrical grid.

Notice of Sempra's application for a Presidential permit was published in the *Federal Register* on March 22, 2001, (66 FR 16045) requesting that comments, protests, and petitions to intervene be submitted to DOE by April 23, 2001. Comments were received from the County of Imperial, California, and the Imperial County Air Pollution Control District.

In a separate but similar proceeding, on February 27, 2001, Baja California Power, Inc. (BCP) applied for a Presidential permit also proposing to construct a double-circuit, 230-kV transmission line immediately adjacent to the proposed Sempra line (Docket No. PP-234). The BCP line would connect to and be used to import electric power from the natural gas-fired La Rosita Power Complex also being constructed in Mexicali, Baja California, Mexico.

Due to the similarities of the Sempra and BCP proposals, DOE decided to consider both in a single environmental document and determined that the appropriate level of environmental review under the National Environmental Policy Act of 1969 (NEPA) was an environmental assessment (EA)¹ which was completed in December 2001. Based on the information in the EA, DOE issued a Finding of No Significant Impact (FONSI) and on December 5, 2001, issued Presidential Permits PP-235 to Sempra and PP-234 to BCP. Following these decisions, Sempra

¹ Because both proposed transmission lines would cross the same Federal lands managed by the Department of the Interior's Bureau of Land Management (BLM), both applicants applied for right-of-way (ROW) grants from BLM. BLM cooperated with DOE in the preparation of a single environmental document that would satisfy the needs of both Federal agencies. After completion of the EA, BLM issued two FONSI and ROW grants.

and BCP constructed and began commercial operation of the transmission lines, transmitting electricity to the U.S. from their respective power plants in Mexico.

On August 29, 2002, Sempra and Termoeléctrica U.S., LLC (T-US) jointly filed an application with DOE for the voluntary transfer from Sempra to T-US of the facilities authorized by Presidential Permit PP-235.² Sempra and T-US, both indirect wholly-owned subsidiaries of Sempra Energy, a California corporation, requested the transfer of PP-235 to enable the parties to effectuate an internal corporate reorganization that would result in T-US owning, operating, and maintaining the international transmission facilities as an exempt wholesale generator. Sempra and T-US did not propose any physical change to the PP-235 facilities.

Notice of the joint application for the voluntary transfer of the Permit from Sempra to T-US was published in the *Federal Register* on September 10, 2002, (67 FR 57418) requesting that comments, protests, and petitions to intervene be submitted to DOE by September 25, 2002. None were received. On November 12, 2002, DOE issued Presidential Permit PP-235-1 to T-US. Thus, this Permit is being issued in the name of T-US.

Pending Litigation

On March 19, 2002, the Border Power Plant Working Group (Border Power) sued DOE and BLM in the United States District Court for the Southern District of California (Case No. 02-CV-513-IEG (POR)), alleging violations of NEPA and the Administrative Procedure Act (APA) in the issuance of the Presidential permits and ROWs. In an order issued on May 2, 2003, the court ruled that the EA and the FONSI did not comply with NEPA and the APA. On July 8, 2003, after a hearing to determine an appropriate remedy, the court sent the matter back to DOE and BLM for additional NEPA review. At the same time, the court declined to immediately enjoin operation of the transmission lines; instead, it deferred the setting aside of the Presidential permits and the FONSI until July 1, 2004, or until such time as superseding NEPA documents were issued, whichever was earlier. Thus, the transmission lines could continue to provide electricity to California while DOE and BLM conducted the additional environmental review under NEPA. The court has since deferred the July deadline and the lines continue to operate.

In light of the concerns raised by the court and to increase opportunities for public and stakeholder participation in the environmental review process, DOE and BLM decided to cooperate in the preparation of a single environmental impact statement (EIS). DOE and BLM published a Draft EIS in May 2004. On December 10, 2004, they filed the Final EIS with the U.S. Environmental Protection Agency, which announced the document's availability in the *Federal Register* on December 17, 2004 (69 FR 75535). DOE has now completed the NEPA process with the issuance of a Record of Decision (ROD) announcing its decision to grant this Permit with certain conditions and limitations contained herein.

² Existing Presidential permits are not transferable or assignable. However, in accordance with 10 C.F.R. §205.323(b), in the event of a proposed voluntary transfer of facilities, the existing permit holder and the transferee are required to file a joint application with DOE for a new Presidential permit that includes a statement of reasons for the transfer.

II. DISCUSSION

In arriving at its decision, DOE considered the need for electric power supplies in the southern California area. This situation has been well documented in various ways over the past several years. Most recently, on January 19, 2005, the California Independent System Operator (Cal-ISO) issued a report entitled, "2004 Cal-ISO Controlled Grid Study," in which it notes that, "In years 2006 and 2009, at the import levels modeled, and with all generators (new and old) on-line there is barely enough generation available in order to bring the system back within normal operation after all single and double contingencies." The facilities permitted herein would connect the TDM power plant to the southern California electric grid and provide 650 MW of power to the California market.

As part of its Permit application, the applicant submitted technical studies demonstrating the operation of the regional electric system with and without the proposed international transmission lines in service. These studies were coordinated with SDG&E, Imperial Irrigation District and the Cal-ISO. The results of the system power flow, short circuit, transient stability, and post-transient stability studies demonstrate that the installation and operation of the proposed international 230-kV facilities would result in acceptable system performance consistent with the applicable reliability criteria of the Cal-ISO and the Western Electricity Coordinating Council.³ However, this conclusion was based upon the development and implementation of a Remedial Action Scheme (RAS) that would adjust power flows into the United States over the subject facilities during certain system operating conditions and/or contingencies. Therefore, this Permit is conditioned upon the development and implementation of such an RAS and adherence to its provisions by the permit holder.

DOE notes that the analysis in the EIS and the conclusions reached in the ROD were predicated upon the subject international transmission line being connected to a power plant (the TDM power plant) that would use a specified cooling system, water treatment plant, and air pollution control technology and would operate at a maximum capacity of 650 MW. Accordingly, a condition has been placed in this Permit requiring the permitted facilities to remain connected to a power plant that has these same specifications and limiting the maximum instantaneous rate of transmission of electric energy entering the United States over the permitted transmission line to 650 MW.

In the March 22, 2001 *Federal Register* notice, DOE referred readers to an administrative proceeding noticed in the *Federal Register* on July 27, 1999, indicating DOE's intention to require recipients of Presidential permits to provide non-discriminatory open access transmission services over their international transmission lines. The electrical configuration of the subject facilities renders them a radial line that could only be used to connect the TDM power plant to the Imperial Valley Substation. It is not possible for the subject facilities to be operated in parallel with the regional electrical grid. Such a situation makes the subject facilities unavailable for third party use and, therefore, DOE will not place an open access condition on the facilities authorized by this Permit.

³ Formerly the Western Systems Coordinating Council.

III. FINDING AND DECISION

In determining whether issuance of a Presidential permit for an international electric transmission facility is in the public interest, DOE considers the environmental impacts of the proposed project pursuant to NEPA, determines the project's impact on electric reliability, and any other factors that DOE may also consider relevant to the public interest. As discussed above, DOE considered the need for electric power in the southern California area as being relevant to the public interest.

DOE has assessed the impact that the operation of the proposed international transmission facilities would have on the reliability of the U.S. electric power supply system. Based on the information in the docket and as discussed above, DOE has determined that the installation and operation of the proposed international transmission facilities by T-US, as conditioned herein, would not adversely impact the reliability of the U.S. electric power supply system.

DOE also has assessed the impact that the issuance of this Permit would have on the environment pursuant to NEPA. This assessment is documented in the "Final Environmental Impact Statement for the Imperial-Mexicali 230-kV Transmission Lines" (DOE/EIS-0365) and in the ROD.

The Secretary of State and the Secretary of Defense have concurred in the issuance of a Presidential permit to T-US for the proposed facilities. However, the State Department has requested that DOE ensure that the facilities covered by this Permit, and any future changes to those facilities, be presented to the International Boundary and Water Commission for review and approval. DOE agrees with this request and has added this condition to the Permit.

Based upon the above discussion and analysis, DOE has determined that the issuance of a Presidential permit to T-US is consistent with the public interest.

DOE notes that any party to a Presidential permit proceeding, including the applicant, has an opportunity to apply for a rehearing within thirty (30) days of the issuance of a final decision should they have concerns over any aspect of the decision.

IV. ORDER

Pursuant to the provision of EO 10485, as amended by EO 12038, and the Rules and Regulations issued thereunder (Title 10, Code of Federal Regulations, section 205.320 et. seq.), Presidential Permit PP-235-1 issued to T-US on November 12, 2002, is hereby rescinded and permission is granted to T-US to construct, operate, maintain, and connect electric transmission facilities at the international border of the United States and Mexico, as further described in Article 2 below, upon the following conditions:

Article 1. The facilities herein described shall be subject to all conditions, provisions and requirements of this Permit. This Permit may be modified or revoked by the President of the

United States without notice, or by DOE after public notice, and may be amended by DOE after proper application thereto.

Article 2. The facilities covered by and subject to this Permit shall include the following facilities and all supporting structures within the right-of-way occupied by such facilities:

One double-circuit 230,000-volt electric transmission line installed on a single set of steel lattice towers connecting to SDG&E's Imperial Valley Substation and extending approximately 6 miles south to the U.S. international border with Mexico in the vicinity of Calexico, California.

These facilities are more specifically shown and described in the application filed in this docket and in the Final EIS (DOE/EIS-0365).

Article 3. The facilities described in Article 2 above shall be designed and operated in accordance with the applicable criteria established by the Western Electricity Coordinating Council, the California Independent System Operator, and consistent with that of the North American Electric Reliability Council or their successors. T-US shall participate in the development of and adhere to the requirements of a Remedial Action Scheme designed to adjust the operation of the subject facilities so as to maintain system reliability during varying system operating conditions and/or contingencies.

The facilities authorized herein shall be connected only to an electric power plant that employs the same cooling technology, water treatment plant, and air pollution control technologies as those analyzed in the "Final Environmental Impact Statement for the Imperial-Mexicali 230-kV Transmission Lines" (DOE/EIS-0365). Furthermore, the permitted transmission facilities shall be operated in such a manner that the maximum instantaneous rate of transmission of electric energy entering the United States over the permitted transmission line shall not exceed 650 MW.

T-US shall present plans for the permitted facilities to the International Boundary and Water Commission for review and approval.

Article 4. No change shall be made in the facilities covered by this Permit or in the authorized operation or connection of these facilities unless such change has been approved by DOE. Further, any proposed changes to the facilities covered by this Permit shall be presented to the International Boundary and Water Commission for review and approval.

Article 5. T-US shall at all times maintain the facilities covered by this Permit in a satisfactory condition so that all requirements of the National Electric Safety Code in effect at the time of construction are fully met.

Article 6. The operation and maintenance of the facilities covered by this Permit shall be subject to the inspection and approval of a properly designated representative of DOE, who shall be an authorized representative of the United States for such purposes. T-US shall allow officers

or employees of the United States, with written authorization, free and unrestricted access into, through, and across any lands occupied by these facilities in the performance of their duties.

Article 7. T-US shall investigate any complaints from nearby residents of radio or television interference identifiably caused by the operation of the facilities covered by this Permit. T-US shall take appropriate action as necessary to mitigate such situations. Complaints from individuals residing within one-half mile of the centerline of the transmission line are the only ones which must be resolved. T-US shall maintain written records of all complaints received and of the corrective actions taken.

Article 8. The United States shall not be responsible or liable: for damages to or loss of the property of, or injuries to, persons; for damages to, or loss of the facilities covered by this Permit; or for damages to, or loss of the property of, or injuries to the person of T-US officers, agents, servants or employees or of others who may be on said premises; any of which may arise from or be incident to the exercise of the privileges granted herein; and T-US shall hold the United States harmless from any and all such claims.

Article 9. T-US shall arrange for the installation and maintenance of appropriate metering equipment to record permanently the hourly flow of all electric energy transmitted between the United States and Mexico over the facilities authorized herein. T-US shall make and preserve full and complete records with respect to the electric energy transactions between the United States and Mexico. T-US shall furnish annual reports to DOE, by the 15th of February each year, detailing for each month of the previous year: (1) the gross amount of electricity imported into the U.S., in kilowatt hours; (2) the consideration associated with the import; and (3) the maximum hourly rate of transmission, in kilowatts. Annual reports must be filed regardless of current activity and whether or not deliveries of electric energy have been made. If no transactions have been made, a one-sentence report indicating "no activity" for the previous year is sufficient.

Reports shall be submitted to the U.S. Department of Energy, Office of Electricity and Energy Assurance, OE-1, 1000 Independence Avenue, SW, Washington, D.C. 20585-0305. Properly identified reports will also be accepted via facsimile at (202) 287-5736 to meet time requirements, but original copies should still be filed at the above address.

Article 10. Neither this Permit nor the facilities covered by this Permit, or any part thereof, shall be transferable or assignable, except in the event of the involuntary transfer of the facilities by the operation of law. In the case of such an involuntary transfer, this Permit shall continue in effect for a period of 60 days and then shall terminate unless an application for a new permit pursuant to Title 10, Code of Federal Regulations, section 205.323, has been received by DOE. Upon receipt by DOE of such an application, this existing Permit shall continue in effect pending a decision on the new application. During this decision period, the facilities authorized herein shall remain substantially the same as before the transfer.

In the event of a proposed voluntary transfer of the facilities, the existing permit holder and the party to whom the transfer would be made shall file a joint application with DOE for a Presidential permit together with a statement of the reasons for the transfer.

Article 11. Upon the termination, revocation or surrender of this Permit, the 230-kV transmission facilities which are owned, operated, maintained, and connected by T-US and described in Article 2 of this Permit, shall be removed and the land restored to its original condition within such time as DOE may specify and at the expense of T-US. If T-US fails to remove such facilities and/or any portion thereof authorized by this Permit, DOE may direct that such actions be taken for the removal of the facilities or the restoration of the land associated with the facilities at the expense of T-US. T-US shall have no claim for damages by reason of such possession, removal or repair. However, if certain facilities authorized herein are useful for other utility operations within the bounds of the United States, DOE will not require that those facilities be removed and the land restored to its original condition upon termination of the international interconnection.

Issued in Washington, D.C. on April 18, 2005.

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

Kevin Kolevar
Director
Office of Electricity and Energy Assurance

RESOLUCIÓN Núm. RES/128/2008

Primero. RESOLUCIÓN POR LA QUE SE MODIFICAN LAS CONDICIONES TERCERA Y SEXTA DEL PERMISO DE AUTOABASTECIMIENTO DE ENERGÍA ELÉCTRICA E/070/AUT/98, OTORGADO A FUERZA EÓLICA DEL ISTMO, S. A. DE C. V.

Segundo.

RESULTANDO

PRIMERO. Que, mediante Resolución RES/001/98 de fecha 14 de enero de 1998, esta Comisión Reguladora de Energía (esta Comisión) otorgó a Fuerza Eólica del Istmo, S. A. de C. V., (la Permissionaria), el Permiso para Generar Energía Eléctrica Bajo la Modalidad de Autoabastecimiento E/070/AUT/98 (el Permiso), utilizando para ello una central eoloelectrica, integrada por hasta 113 aerogeneradores de capacidad diversa hasta 2.5 MW. La capacidad de la central será de hasta 100 MW, con una producción estimada anual de 450 GWh. La central será construida en dos etapas, en la primera se instalarán hasta 39 aerogeneradores de capacidad diversa de hasta 2.5 MW para satisfacer hasta 50 MW de capacidad y en la segunda hasta 74 aerogeneradores de capacidad diversa de hasta 2.5 MW para satisfacer la capacidad restante hasta completar 100 MW. La central estará ubicada en el Municipio El Espinal, Estado de Oaxaca.

SEGUNDO. Que, mediante Resoluciones RES/232/99, RES/208/2001, RES/002/2003, RES/023/2004, RES/006/2005, RES/205/2006 y RES/056/2007, de fechas 29 de noviembre de 1999, 31 de octubre de 2001, 17 de enero de 2003, 29 de enero de 2004, 20 de enero de 2005, 20 de julio de 2006 y 22 de febrero de 2007, respectivamente, esta Comisión autorizó la modificación, entre otras, de las Condiciones Tercera y Sexta del Permiso, quedando dichas condiciones en los términos siguientes:

“TERCERA. Aprovechamiento de la energía eléctrica generada.

- I. La energía eléctrica que genere la permissionaria deberá destinarse exclusivamente a la satisfacción de necesidades de autoabastecimiento de las siguientes personas morales:*

- a) *Cooperativa Manufacturera de Cementos Portland, La Cruz Azul S. C. L.;*
 - i. *Planta Oaxaca, y*
 - ii. *Planta Hidalgo;*
- b) *Fuerza Eólica, S. A. de C. V., y*
- c) *Procesos Electrónicos de México, S. A. de C. V.*

II. *La demanda de energía eléctrica por parte de las personas morales a que se refiere la fracción I anterior será conforme a lo siguiente:*

- a) *Cooperativa Manufacturera de Cementos Portland, La Cruz Azul S. C. L.;*
 - i. *Planta Oaxaca, y* *hasta 30,000.00 kW*
 - ii. *Planta Hidalgo;* *hasta 60,000.00 kW*
- b) *Fuerza Eólica, S. A. de C. V., y* *hasta 8.55 kW*
- c) *Procesos Electrónicos de México, S. A. de C. V.* *hasta 0.855 kW*

III. *La capacidad de generación será aprovechada en las siguientes instalaciones de las personas a que se refiere la fracción I anterior:*

- a) *La Cooperativa Manufacturera de Cemento Portland La Cruz Azul, S. C. L.;*
 - i. *Planta de cemento localizada en Lagunas, Oaxaca, a 35 km de la central eoloelectrica, y*
 - ii. *Planta de cemento localizada en domicilio conocido en Hidalgo;*
- b) *Fuerza Eólica, S. A. de C. V.; Taller y oficinas de mantenimiento, ubicados en el sitio de la central eoloelectrica, en el Municipio de El Espinal, Oaxaca, y*
- c) *Procesos Electrónicos de México, S. A. de C. V.; Oficina de Representación, ubicada en el sitio de la central eoloelectrica, en el Municipio de El Espinal, Oaxaca"*

- a) **“SEXTA. Programa, inicio y terminación de las obras.** El programa de las obras necesarias para llevar a cabo la actividad autorizada comprende la construcción de la central en dos etapas, iniciando con la firma de contratos, el estudio meteorológico, la selección de sitios, la ingeniería del proyecto, la obtención del financiamiento, la

construcción y la puesta en marcha. Las obras se iniciarán una vez que sea notificado a la permissionaria el otorgamiento del presente permiso por parte de la Comisión Reguladora de Energía y concluirán con la puesta en marcha de la primera etapa de hasta 50 MW, a partir del 1 de junio de 2008 y con fecha límite del 31 de diciembre de 2008, y de la segunda etapa hasta completar 100 MW, de acuerdo con la fecha de entrada en operación de la línea de transmisión objeto de la temporada abierta.”

b)

TERCERO. Que, con fecha 27 de septiembre de 2007, la Permissionaria presentó ante esta Comisión una solicitud para modificar las condiciones del Permiso en los siguientes términos:

Tercero.

- a) Incluir en el Plan de Expansión del Permiso a la persona moral Met-Mex Peñoles, S. A. de C. V.
- b) Incluir como socio a la persona moral mencionada en el inciso a) anterior, con una demanda máxima de 100.00 MW.
- c) Tomar nota del cambio de la denominación social del socio autorizado en el Permiso, Cooperativa Manufacturera de Cementos Portland, La Cruz Azul S. C. L., a Cooperativa La Cruz Azul S. C. L.
- d) Modificar la distribución de cargas de los socios autorizados en el permiso que se listan a continuación, con la demanda máxima que se indica:

Cuarto.

Núm.	Socio	Demanda máxima autorizada (MW) Hasta	Demanda máxima solicitada (MW) Hasta
1.	Cooperativa La Cruz Azul S. C. L.		
	a) Planta Oaxaca	30.00	0.50
	b) Planta Hidalgo	60.00	0.50
2.	Fuerza Eólica, S. A. de C. V.	8.55	0.02
3.	Procesos Electrónicos de México, S. A. de C. V.	0.855	0.01

Núm.	Socio	Demanda máxima autorizada (MW) Hasta	Demanda máxima solicitada (MW) Hasta
TOTAL		99.405	1.03

Quinto.

- e) Modificar la fecha de entrada en operación de la primera etapa de la central de generación de energía eléctrica para el 31 de mayo de 2009.

CUARTO. Que, con fechas 9, 28 y 30 de noviembre de 2007, la Permisionaria presentó información y documentación complementarias a la solicitud mencionada en el Resultando inmediato anterior.

CONSIDERANDO

PRIMERO. Que, de acuerdo con lo dispuesto en la fracción XII del artículo 3 de la Ley de la Comisión Reguladora de Energía, corresponde a este órgano otorgar y revocar los permisos y autorizaciones que, conforme a las disposiciones legales aplicables, se requieran para la realización de actividades reguladas, entre otras, la generación de energía eléctrica que realicen los particulares.

c)

SEGUNDO. Que la solicitud a que se refiere el Resultando Tercero anterior implica la modificación de las Condiciones Tercera y Sexta del Permiso, en términos y para los efectos de establecer lo requerido en el citado Resultando.

d)

TERCERO. Que la solicitud de modificación a que se refiere el Resultando Tercero anterior no implica cambio de destino de la energía eléctrica generada por la Permisionaria, toda vez que dicha energía eléctrica, en términos de lo dispuesto por la fracción I del artículo 36 de la Ley del Servicio Público de Energía Eléctrica, seguirá siendo destinada a la satisfacción de las necesidades propias de los socios de la Permisionaria.

CUARTO. Que la Permisinaria manifestó, como causa que motiva diferir la fecha de entrada en operación de la primera etapa de la central de generación de energía eléctrica, la necesidad de ajustarse a los requisitos establecidos para la asignación de capacidad de transmisión a proyectos de autoabastecimiento, mediante la utilización de la infraestructura actual de transmisión de la Comisión Federal de Electricidad, afectándose con lo anterior el programa de obras originalmente previsto por la Permisinaria.

e)

QUINTO. Que esta Comisión solicitó a la Comisión Federal de Electricidad su opinión con respecto a la solicitud a que se refiere el Resultado Tercero anterior, misma que fue emitida mediante oficio número 5.-00044 de fecha 5 de febrero de 2008, en cumplimiento de lo dispuesto por los artículos 36, numeral 3), de la Ley del Servicio Público de Energía Eléctrica y 84 de su Reglamento, documento en el que la CFE, para los efectos, manifestó que para conectar la primera fase del proyecto de construcción de la central de generación de energía eléctrica a la red del servicio público de energía eléctrica, será necesario que la Permisinaria:

a) Construya, con cargo al proyecto las obras siguientes:

f)

(i) Tres bahías de alimentadores en 115 kV.

g)

(ii) Las obras necesarias para repotenciar la actual línea de transmisión Juchitán II-Matías Romero en 115 kV.

(iii) La construcción, modificación y adaptación de las instalaciones que se requieran en apego a los requisitos técnicos y de seguridad dictados por la Normas Oficiales Mexicanas y el Reglamento de Operación de la CFE.

b) Celebre con la CFE el contrato de interconexión y el convenio de transmisión.

h)

c) Cumpla con lo que se establezca en los Requerimientos para Interconexión de Aerogeneradores al Sistema Eléctrico Nacional vigente (Código de Red).

- d) Cubra el cargo fijo por reserva de capacidad ante la CFE, en caso de incumplir con la fecha de entrada en operación de la primera fase del proyecto (31 de mayo de 2009).

SEXTO. Que la Permissionaria cumplió con la presentación del formato autorizado, debidamente suscrito por su representante legal, Sr. Pablo Federico Gottfried Blackmore, quien acreditó su personalidad y facultades en términos de la copia certificada de la escritura pública número 98,859, de fecha 20 de enero de 2003, otorgada ante la fe del Lic. Jorge H. Falomir, Notario Público número 59 del Distrito Federal, en la cual consta el otorgamiento a dicho representante, de un poder general para actos de administración.

SÉPTIMO. Que, en virtud de que la central objeto del Permiso utilizará la energía potencial del viento como fuente de energía, la Permissionaria se encuentra exenta de realizar el pago de derechos para la expedición de la presente modificación al Permiso, de conformidad con lo dispuesto por el artículo 56 Bis de la Ley Federal de Derechos, que a la letra establece:

i)

“Artículo 56 Bis. En ningún caso se pagará el derecho de permiso de generación de energía eléctrica por el análisis, evaluación de la solicitud y, en su caso, la expedición o modificación del título de permiso, exclusivamente, cuando sea bajo las modalidades de fuentes de energía renovables.”

j)

OCTAVO. Que la modificación del Permiso, objeto de la presente Resolución, no implica de manera alguna la modificación a las demás condiciones aprobadas por esta Comisión a la Permissionaria, por lo que éstas continúan en pleno vigor.

k)

Sexto. Por lo expuesto, y con fundamento en los artículos 90 de la Constitución Política de los Estados Unidos Mexicanos; 17, 26 y 33, fracción VII, de la Ley Orgánica de la Administración Pública Federal; 3, fracción I, 36, fracción I y numeral 3), de la Ley del Servicio Público de Energía Eléctrica; 1, 2, fracción II, 3, fracciones XII, XVI y XXII, 4 y 11 de la Ley de la Comisión Reguladora de Energía; 1, 3, 12, 16, fracción X, 39 y 57, fracción I de la Ley Federal de Procedimiento Administrativo; 1, 72, fracción I inciso b), 77, 78, 84, 101 y 102 del Reglamento de la Ley del Servicio Público de Energía Eléctrica; y 1, 2, 3, fracción VI, inciso a), 33, 34, fracción XXXI, y 35 del Reglamento Interior de la Secretaría de Energía, esta Comisión Reguladora

de Energía:

RESUELVE

PRIMERO. Se autoriza la inclusión de la persona a que se refiere el inciso a) del Resultando Tercero anterior, en los Planes de Expansión a que se refiere la Condición Cuarta del Permiso E/070/AUT/98 otorgado a Fuerza
Eólica del Istmo, S. A. de C. V.

SEGUNDO. Se autoriza la modificación de la Condición Tercera del Permiso E/070/AUT/98, en términos de lo establecido en los incisos del b) al d) del Resultando Tercero anterior, quedando como sigue:

“TERCERA. Aprovechamiento de la energía eléctrica generada. La energía eléctrica que genere la permitida deberá destinarse exclusivamente a la satisfacción de las necesidades de autoabastecimiento de los socios de la permitida que se indican a continuación de acuerdo con la siguiente distribución de demandas máximas:

Núm.	Socio	<i>Demanda máxima (MW) Hasta</i>
1.	Met-Mex Peñoles, S. A. de C. V.	100.00
2.	Cooperativa La Cruz Azul S. C. L.	
	a) Planta Oaxaca	000.50
	b) Planta Hidalgo	000.50
3.	Fuerza Eólica, S. A. de C. V.	000.02
4.	Procesos Electrónicos de México, S. A. de C. V.	000.01

<i>Núm.</i>	<i>Socio</i>	<i>Demanda máxima (MW) Hasta</i>
TOTAL		101.03*

**Este valor es meramente indicativo de la suma de las demandas máximas de los asociados con derecho a recibir energía eléctrica, no de la capacidad de generación autorizada al Permisionario."*

TERCERO. Se autoriza la modificación de la Condición Sexta del Permiso E/070/AUT/98, en términos de lo establecido en el inciso e) del Resultando Tercero anterior, quedando como sigue:

"SEXTA. Programa, inicio y terminación de las obras. *El programa de las obras necesarias para llevar a cabo la actividad autorizada comprende la construcción de la central en dos etapas, iniciando con la firma de contratos, el estudio meteorológico, la selección de sitios, la ingeniería del proyecto, la obtención del financiamiento, la construcción y la puesta en marcha. Las obras se iniciarán una vez que sea notificado a la permisionaria el otorgamiento del presente permiso por parte de la Comisión Reguladora de Energía y concluirán con la puesta en marcha de la primera etapa de hasta 50 MW, el 31 de mayo de 2009, sujeto al convenio relativo a servicios de transmisión celebrado entre la Comisión Federal de Electricidad y la Permisionaria, y de la segunda etapa hasta completar 100 MW, de acuerdo con la fecha de entrada en operación de la línea de transmisión objeto de la temporada abierta."*

CUARTO. Notifíquese la presente Resolución a Fuerza Eólica del Istmo, S. A. de C. V., y hágase de su conocimiento que contra el presente acto administrativo podrá interponerse el recurso de reconsideración que prevé el artículo 11 de la Ley de la Comisión Reguladora de Energía y que el expediente respectivo se encuentra y puede ser consultado en las oficinas de esta Comisión Reguladora de Energía, ubicadas en Horacio 1750, Colonia Los Morales Polanco, Delegación Miguel Hidalgo, C. P. 11510, México, Distrito Federal.

QUINTO. Inscribáse la presente Resolución con RES/128/2008 en el Registro a que se refiere la fracción XVI del artículo 3 de la Ley de la Comisión Reguladora de Energía.

México, Distrito Federal, a 7 de mayo de 2008

Francisco Javier Salazar Diez de Sollano

Presidente

Francisco José Barnés de Castro

Comisionado

Israel Hurtado Acosta

Comisionado

Rubén Flores García

Comisionado

Noé Navarrete González

Comisionado

ACUSE DE RECIBO

La **COMISION REGULADORA DE ENERGIA** por conducto de la Secretaría Ejecutiva notifica, conforme a lo establecido en los artículos 35 de la Ley Federal de Procedimiento Administrativo y 36, fracción III del Reglamento Interior de la Secretaría de Energía, al **Ing. Carlos Federico Gottfried Joy y/o** Representante Legal de **Fuerza Eólica del Istmo, S.A. de C.V.**, mediante oficio Núm. **SE/2972** /2008, de fecha **7 de mayo de 2008**, la Resolución Núm. **RES/128/2007**, que se entrega en copia certificada.

México, D. F., a 10 de Junio de 2008

Hora 16:10

Nombre y firma del representante: _____

Carlos F. Gottfried Joy

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

RESOLUCIÓN Núm. RES/136/2008

RESOLUCIÓN POR LA QUE SE MODIFICAN LAS CONDICIONES SEXTA Y SÉPTIMA DEL PERMISO DE EXPORTACIÓN DE ENERGÍA ELÉCTRICA E/214/EXP/2002, OTORGADO A FUERZA EÓLICA DE BAJA CALIFORNIA, S. A. DE C. V.

RESULTANDO

PRIMERO. Que, mediante Resolución RES/132/2002 del 11 de julio de 2002, esta Comisión Reguladora de Energía (esta Comisión) otorgó a Fuerza Eólica de Baja California, S. A. de C. V., (la Permisiónaria) el Permiso de Exportación de Energía Eléctrica E/214/EXP/2002 (el Permiso), utilizando para ello una central eléctrica eoloeléctrica que estará integrada por 200 aerogeneradores con capacidad total de hasta 300 MW y una producción estimada anual de energía eléctrica de 830 GWh, que estará ubicada en el Ejido Jácume, Población de la Rumorosa, Municipio de Tecate, Estado de Baja California.

SEGUNDO. Que la Condición Sexta del Permiso establece la descripción de las instalaciones, en los términos siguientes:

“SEXTA. Descripción de las instalaciones. El proyecto tendrá por objeto la generación de energía eléctrica, utilizando una central eoloeléctrica que será construida en dos etapas, en la primera de ellas se instalarán 40 aerogeneradores de 1.5 MW cada uno, mientras que en la segunda se instalarán 160 aerogeneradores con capacidad de 1.5 MW cada uno. La central estará integrada por 200 aerogeneradores con capacidad total de 300 MW y una producción estimada anual de energía eléctrica de 830 GWh. Para la primera etapa de la central la permisionaria utilizará el servicio de transmisión de energía a ser contratado con la Comisión Federal de Electricidad y para la segunda construirá sus líneas propias para transmitir la energía eléctrica a los Estados Unidos de América.

La central que se describe en el párrafo anterior, será utilizada para la exportación de energía eléctrica a la empresa Clipper Windpower Inc.”

TERCERO. Que, mediante Resolución RES/120/2005, de fecha 7 de julio de 2005, esta Comisión autorizó la modificación de la Condición Séptima del Permiso, quedando dicha Condición en los términos siguientes:

“SÉPTIMA. Programa, inicio y terminación de las obras. El programa de obras a desarrollarse por la permisionaria, para cada una de las etapas de construcción de la central a que hace referencia la Condición inmediata anterior, comprende la realización de los estudios meteorológicos, la selección de sitios, la ingeniería de proyecto, el financiamiento, la construcción y la puesta en marcha de la central.

Las fechas de inicio y terminación de obras serán las siguientes:

<i>Etapas</i>	<i>Fecha de inicio</i>	<i>Fecha de terminación</i>
<i>Primera</i>	<i>septiembre de 2003</i>	<i>diciembre de 2006</i>
<i>Segunda</i>	<i>septiembre de 2003</i>	<i>diciembre de 2007</i>

”

CUARTO. Que, con fecha 3 de agosto de 2007, la Permisionaria presentó ante esta Comisión una solicitud para modificar las condiciones del Permiso, en los siguientes términos:

- a) Modificar el número de aerogeneradores y la capacidad de los mismos, para cada una de las dos etapas de construcción autorizadas en el Permiso, a 24 aerogeneradores de 2.5 MW cada uno y 96 aerogeneradores de 2.5 MW cada uno, respectivamente.
- b) Diferir la fecha de terminación de obras, para cada una de las dos etapas autorizadas en el Permiso, a diciembre de 2011 y 2013, respectivamente.

C O N S I D E R A N D O

PRIMERO. Que, de acuerdo con lo dispuesto en la fracción XII del artículo 3 de la Ley de la Comisión Reguladora de Energía, corresponde a este órgano otorgar y revocar los permisos y autorizaciones que, conforme a las disposiciones legales aplicables se requieran para la generación de energía eléctrica que realicen los particulares.

SEGUNDO. Que la solicitud a que se refiere el Resultando Cuarto anterior implica la modificación de las Condiciones Sexta y Séptima del Permiso, en términos y para los efectos de establecer lo requerido en el citado Resultando.

TERCERO. Que, para efectos de lo dispuesto por los artículos 36, numeral 3, de la Ley del Servicio Público de Energía Eléctrica (la CFE) y 84 de su Reglamento, esta Comisión solicitó a la Comisión Federal de Electricidad su opinión con respecto a la solicitud de modificación presentada por la Permissionaria, la cual fue emitida mediante oficio número 5.-00486 de fecha 3 de octubre de 2007, documento en el que la CFE, para los efectos, manifestó que:

- a) Actualmente el sistema eléctrico de Baja California (SEBC) ha cambiado, debido principalmente a los límites mínimos operativos de las unidades generadoras que se han incorporado recientemente al sistema y a la instalación de centrales eléctricas en los sistemas colindantes al mismo.
- b) El SEBC se encuentra conectado permanentemente al sistema eléctrico del Oeste de los Estados Unidos de América y debe cumplir estrictamente con los criterios de seguridad y control establecidos por el Western Electricity Coordinating Council (WECC) y de la CFE.
- c) El incumplimiento de los estándares de control comprometidos por el SEBC con el WECC puede resultar en la solicitud del Operador Independiente del Sistema de California (CAISO) de la apertura de los enlaces de interconexión del SEBC con el WECC, condición que causaría la degradación en la confiabilidad y continuidad del suministro eléctrico, poniendo en riesgo la prestación del suministro del servicio público de energía eléctrica, y ocasionaría la afectación de otros usuarios.
- d) Debido a las características del SEBC y a los límites de operación de las unidades generadoras existentes, éste tiene una capacidad limitada para controlar el intercambio de energía en los enlaces con el WECC.

- e) Debido al comportamiento intermitente que tiene el viento, la generación de energía con centrales eólicas puede dar lugar a variaciones de hasta el 100 %, lo cual agravaría el problema de control y el cumplimiento de estándares.
- f) Por otra parte, la CFE ha revisado este caso y otros de exportación con fuentes de energía renovable y opina que no se deberían autorizar por parte de esta Comisión, proyectos donde un recurso nacional de energía es utilizado para la exportación.
- g) Tomando en cuenta lo anterior, la CFE opina que no es técnicamente factible incorporar el proyecto de la Permissionaria a la red de CFE. Asimismo, considera que permitir la exportación de energía de este proyecto no sería congruente con una política energética de interés nacional.

CUARTO. Que, mediante oficio número SE/DGE/2804/2007 de fecha 18 de octubre de 2007, de conformidad con lo establecido en el artículo 85 del Reglamento, se hizo del conocimiento de la Permissionaria la opinión a que se refiere el Resultando Tercero anterior, requiriéndosele para que manifestara lo que conviniera a sus intereses.

QUINTO. Que mediante escritos de fechas 13 noviembre de 2007 y , la Permissionaria respondió al requerimiento a que se refiere el Resultando Cuarto anterior, manifestando lo que a su convino a sus intereses como si a la letra se insertare:

“ ...

Mi representada FEBC, está de acuerdo con los antecedentes mencionados por la CFE.

...

Mi representada entiende y no objeta las limitaciones técnicas del sistema eléctrico de la CFE en Baja California, en cuanto a las condiciones operativas, los límites mínimos operativos, los estándares de control y las limitaciones para

el control de intercambio de energía que la CFE pueda tener en los enlaces con el Western Electricity Coordinating Council (WECC).

Es claro que para la CFE prevalecen condiciones técnicas que le imposibilitan la interconexión de fuentes de energía renovable intermitentes de gran escala a su sistema eléctrico en Baja California, en especial de los 60 MW previamente autorizados a mi representada, por lo cual mi representada ha decidido financiar con sus propios recursos la infraestructura de transmisión necesaria para interconectar el total de la capacidad de 300 MW del proyecto directamente al sistema de los Estados Unidos de América en el estado de Baja California, de tal forma que el proyecto eoloeléctrico de exportación de energía, no tendría interconexión directa con el sistema eléctrico de la CFE.

Por lo anterior FEBC confirma su petición de fecha 15 de octubre de 2007, en la que solicita la modificación de su escrito de fecha 3 de agosto de 2007, en la que se refleja el hecho de que FEBC planea construir sus propias líneas de transmisión para la totalidad de la capacidad autorizada del proyecto eoloeléctrico que nos ocupa.

...

- a) El proyecto eoloeléctrico de Fuerza Eólica de Baja California S.A. de C.V. es congruente con las leyes y políticas energéticas, económicas, sociales y ambientales de la República Mexicana.*
- b) El recurso eólico, es un recurso RENOVABLE inagotable, razón por la cual es aprovechable ad perpetuam. Cabe señalar que el recurso eólico aprovechable en Baja California excede los 10,000 MW (Diez mil MegaWatts). En términos de abundancia y disponibilidad del recurso, México nunca perderá su habilidad de desarrollarlo y aprovecharlo en el futuro dentro de la red de la CFE, cuando se superen las condiciones técnicas del sistema eléctrico de la CFE en Baja California.*
- c) Que el recurso eólico en Baja California deber ser aprovechado en el corto plazo, ya que su explotación conlleva múltiples beneficios para el Estado de Baja California y el País. Toda vez que por la situación geográfica de la península de Baja California, no permite el aprovechamiento del recurso eólico para su uso en la Red de la CFE,*

es menester que dicho recurso sea aprovechado produciendo energía eléctrica para exportación, utilizando infraestructura de transmisión independiente del sistema eléctrico de la CFE en Baja California, a fin de no afectar a los usuarios, y mucho menos a la CFE.

- d) Que el proyecto eoloelectrico de FEBC representa una inversión de capital directa en el País por encima de \$600.000.000.00 USD (seiscientos millones de dólares EUA) que conlleva un ingreso de divisas importantes al país a largo plazo produciendo una derrama económica en los tres niveles de gobierno de largo plazo, un derrame económico sustancial de largo plazo por el pago de rentas a los propietarios locales, la creación de empleos directos e indirectos, la transferencia tecnológica, la apertura del mercado para bienes de capital fabricados en México, el reforzamiento de la relación bilateral México-EUA en temas comerciales, energéticos y de Cambio Climático, la disminución de fuentes contaminantes, y que todas las anteriores razones expuestas son en beneficio del Estado de Baja California y del País y en pro del fomento de la generación de energía eléctrica sustentable.*
- e) Se incrementará la participación de México en la solución contra el Cambio Climático, ya que en nuestro proyecto, se estima un desplazamiento de emisiones aproximadamente de 523,918 (quinientas veintitrés mil novecientos dieciocho) toneladas de dióxido de carbono (CO₂) anuales, o un total de 10'478,362 (diez millones cuatrocientas sesenta y ocho mil trescientas sesenta y dos) toneladas de CO₂, utilizando el mismo factor de emisión que la CFE en sus proyectos de energía renovable. Durante la vida de nuestro proyecto (20 años) se desplazarían el equivalente a 23'141.000 (veintitrés millones ciento cuarenta y un mil) barriles de petróleo ó 4,924'000,000 (cuatro mil novecientos veinticuatro millones) de metros cúbicos de gas natural.*
- f) En virtud de que para CFE le es técnicamente imposible interconectar fuentes de energía renovables intermitentes de gran escala al sistema eléctrico de la CFE en Baja California y con el objeto de que mi representada Fuerza Eólica de Baja California S.A. de C.V. coadyuve con la política energética del País, específicamente con el gran compromiso de México al emitir la Estrategia Nacional de Cambio*

Climático, es concluyente que nuestro proyecto, al ser independiente, es congruente con lo anteriormente señalado, razón por la cual se debe emitir una solución favorable en la que se determine que se autorizan las modificaciones solicitadas a las Condiciones Sexta y Séptima del permiso otorgado a FEBC.”

SEXTO. Que la Permissionaria señaló, como causas principales que han motivado el diferimiento de la fecha de terminación de las obras del proyecto, la no disponibilidad de turbinas eoloeléctricas para antes del año 2010 a consecuencia de la alta demanda en los mercados europeos y estadounidense de turbinas eoloeléctricas de última generación que ha provocado un déficit de este tipo de turbinas.

SÉPTIMO. Que la Permissionaria cumplió con la presentación del formato de solicitud autorizado, debidamente suscrito por su representante legal, Ing. Carlos Federico Gottfried Joy, quien acreditó su personalidad y facultades en términos de la copia certificada de la escritura número 88,448, de fecha 6 de julio de 2001, otorgada ante la fe del Lic. Gerardo Correa Etchegaray, Notario Público número 89 del Distrito Federal, en la cual consta el otorgamiento a dicho representante de un poder general para actos de administración.

OCTAVO. Que, en virtud de que la central objeto del Permiso utilizará la energía potencial del viento como fuente de energía, la Permissionaria se encuentra exenta de realizar el pago de derechos para la expedición de la presente modificación al Permiso, de conformidad con lo dispuesto por el artículo 56 Bis de la Ley Federal de Derechos, que a la letra establece:

“Artículo 56 Bis. En ningún caso se pagará el derecho de permiso de generación de energía eléctrica por el análisis, evaluación de la solicitud y, en su caso, la expedición o modificación del título de permiso, exclusivamente, cuando sea bajo las modalidades de fuentes de energía renovables.”

NOVENO. Que la modificación del Permiso, objeto de la presente Resolución, no implica de manera alguna la modificación a las demás condiciones aprobadas por esta Comisión a la Permissionaria, por lo que éstas continúan en pleno vigor.

Por lo expuesto y con fundamento en los artículos 90 de la Constitución Política de los Estados Unidos Mexicanos; 17, 26 y 33 de la Ley Orgánica de la Administración Pública Federal; 1, 2, fracción II, 3, fracciones XII y XXII, 4 y 11 de la Ley de la Comisión Reguladora de Energía; 3, fracción I, 36, fracción V y numeral 3) de la Ley del Servicio Público de Energía Eléctrica; 1, 3, 12, 16, fracción X, 39 y 57, fracción I de la Ley Federal de Procedimiento Administrativo; 1, 72, fracción I inciso d), 77, 78, 84, y 116 del Reglamento de la Ley del Servicio Público de Energía Eléctrica; 1, 2, 3, fracciones VI inciso a), 33 34, fracción XXXI y 35 del Reglamento Interior de la Secretaría de Energía, esta Comisión Reguladora de Energía:

RESUELVE

PRIMERO. Se autoriza la modificación de la Condición Sexta del Permiso de Exportación de Energía Eléctrica E/214/EXP/2002, otorgado a Fuerza Eólica de Baja California, S. A. de C. V., en términos de lo establecido en el inciso a) del Resultando Cuarto anterior, quedando como sigue:

“SEXTA. Descripción de las instalaciones. El proyecto tendrá por objeto la generación de energía eléctrica, utilizando una central eoloelectrónica que será construida en dos etapas, en la primera de ellas se instalarán 24 aerogeneradores con capacidad de 2.5 MW cada uno, mientras que en la segunda se instalarán 96 aerogeneradores con capacidad de 2.5 MW cada uno. La central estará integrada por 120 aerogeneradores con capacidad total de 300 MW y una producción estimada anual de energía eléctrica de 830 GWh. Para la primera etapa de la central la permisionaria utilizará el servicio de transmisión de energía a ser contratado con la Comisión Federal de Electricidad y para la segunda construirá sus líneas propias para transmitir la energía eléctrica a los Estados Unidos de América.

La central que se describe en el párrafo anterior será utilizada para la exportación de energía eléctrica a la empresa Clipper Windpower Inc.”

SEGUNDO. Se autoriza la modificación de la Condición Séptima del Permiso E/214/EXP/2002, en términos de lo establecido en el inciso b) del Resultando Cuarto anterior, quedando como sigue:

“SÉPTIMA. Programa, inicio y terminación de las obras. El programa de obras a desarrollarse por la permisionaria, para cada una de las etapas de construcción de la central a que hace referencia la Condición inmediata anterior, comprende la realización de los estudios meteorológicos, la selección de sitios, la ingeniería de proyecto, el financiamiento, la construcción y la puesta en marcha de la central.

Las fechas de inicio y terminación de obras serán las siguientes:

<i>Etapas</i>	<i>Fecha de inicio</i>	<i>Fecha de terminación</i>
<i>Primera</i>	<i>septiembre de 2003</i>	<i>diciembre de 2011</i>
<i>Segunda</i>	<i>septiembre de 2003</i>	<i>diciembre de 2013</i>

”

TERCERO. La presente Resolución surtirá efectos hasta en tanto se cumpla lo siguiente

- a) La empresa Fuerza Eólica de Baja California, S. A. de C. V., lleve a cabo y entregue a esta Comisión y a la CFE los estudios necesarios que demuestren que, en el ejercicio de las actividades autorizadas de conducción, transformación y entrega de la energía eléctrica, no se pone en riesgo la prestación del servicio público de energía eléctrica, para lo cual se concede un plazo máximo de 12 meses contados a partir de la notificación de la presente Resolución.
- b) La CFE, sustentándose en los resultados de los estudios a que se refiere el inciso a) de este Resolutivo Segundo, informe a esta Comisión que la operación de la central, objeto del permiso materia de la presente Resolución, no implica riesgo para la seguridad, eficiencia y estabilidad del servicio público.

CUARTO. En el caso de que la CFE, una vez recibido y analizado el estudio al que hace referencia el Resolutivo Tercero anterior, considere que la operación de la central objeto del permiso materia de la presente Resolución pudiera implicar un riesgo para la seguridad, confiabilidad y estabilidad del servicio público, deberá presentar a esta Comisión los estudios técnicos que sustenten dicha preocupación.

QUINTO. Notifíquese la presente Resolución a Fuerza Eólica de Baja California, S. A. de C. V., y hágase de su conocimiento que contra el presente acto administrativo podrá interponerse el recurso de reconsideración que prevé el artículo 11 de la Ley de la Comisión Reguladora de Energía y que el expediente respectivo se encuentra y puede ser consultado en las oficinas de esta Comisión Reguladora de Energía, ubicadas en Horacio 1750, Colonia Polanco, Delegación Miguel Hidalgo, C. P. 11510, México, Distrito Federal.

SEXTO. Inscríbase la presente Resolución con la **RES/136/2008** en el Registro a que se refiere la fracción XVI del artículo 3 de la Ley de la Comisión Reguladora de Energía.

México, D. F., a 7 de mayo de 2008

Francisco Javier Salazar Diez de Sollano
Presidente

Francisco José Barnés de Castro
Comisionado

Israel Hurtado Acosta
Comisionado

Rubén Flores García
Comisionado

Noé Navarrete González
Comisionado

ACUSE DE RECIBO

La **COMISION REGULADORA DE ENERGIA** por conducto de la Secretaría Ejecutiva notifica, conforme a lo establecido en los artículos 35 de la Ley Federal de Procedimiento Administrativo y 36 fracción III del Reglamento Interior de la Secretaría de Energía al **Ing. Carlos Federico Gottfried Joy Representante de Fuerza Eólica de Baja California, S.A. de C.V.**, mediante oficio Núm. SE/ ²⁹⁷³ /2008, de fecha **7 de mayo de 2008**, la Resolución Núm. **RES/136/2008**, que se entrega en copia certificada.

México, D.F., a 10 de Junio, 2008

Hora 16:10

Nombre y firma del representante:

Carlos F. Gottfried Joy

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG; Motivación:

Información confidencial, datos personales

FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. DE C.V.

México, D.F., a 31 de agosto de 2011.

COMISION REGULADORA DE ENERGIA DIRECCION GENERAL DE ELECTRICIDAD

Pablo Federico Gottfried Blackmore, en nombre y representación de **FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. DE C.V.**, personalidad que acreditada ante esa H. Comisión, señalando como domicilio para oír y recibir todo tipo de notificaciones y documentos el ubicado en Avenida Año de Juárez No. 205, Colonia Granjas San Antonio, Delegación Iztapalapa, CP. 09070, México, D.F., y autorizando para los mismos efectos indistintamente a Liliana Karina Rodríguez Matus, Juan Eugenio Pizarro Suarez Vergara-Lope, Maite Madrazo Vega y Verónica Eugenia González Reyes, con el debido respeto comparezco a exponer:

Que con fecha 11 de julio, 2002, se otorgó a mi representada el Permiso para generar energía eléctrica destinada a la exportación a través de un proyecto de producción independiente, número E/214/EXP/2002, en adelante el "Permiso".

Que mi representada en cumplimiento con los términos y condiciones señalados en el Permiso, ha realizado diversas obras que han comprendido la realización de estudios meteorológicos, la selección de sitios, ingeniería de proyecto, sin embargo la construcción física de la central así como la puesta en marcha de la central misma no ha sido posible debido a la existencia de conflictos político-sociales y de tenencia de la tierra, en la zona en donde se desarrolla del proyecto.

Derivado de lo anterior, y no obstante los intentos por desarrollar en su integridad el proyecto objeto del Permiso, los conflictos político-sociales y de tenencia de la tierra hace inviable la continuación del mismo, por lo que con fundamento en el artículo 11 fracción V de la Ley Federal de Procedimiento Administrativo, 99 fracción VI del Reglamento de la Ley del Servicio Público de Energía Eléctrica, así como la fracción V de la Condición Decima Quinta del Permiso, vengo a presentar expresamente la renuncia, con efectos de manera inmediata al permiso E/214/EXP/2002 considerando la imposibilidad real de desarrollo del mismo. La presente renuncia no afecta el interés público, y solo constituye una renuncia a los derechos de mi representada, toda vez que por causas ajenas a la voluntad de la misma no fue posible concluir la terminación de la construcción de la central y consecuentemente la generación de energía.

Por lo anteriormente expuesto pido:

UNICO.- Tenerme por presentado a nombre de FUERZA EÓLICA DE BAJA CALIFORNIA, S.A. DE C.V., presentado renuncia con efectos de manera inmediata al permiso de energía eléctrica número E/214/EXP/2002.

Atentamente

Un renglón eliminado.
Fundamento: Art. 18 fracc. II LFTAIPG. Motivación:
Información confidencial, datos personales.

Pablo Federico Gottfried Blackmore



México, D.F., a 26 de septiembre de 2011

"2011, Año del Turismo en México"

Representante Legal de
Fuerza Eólica de Baja California, S. A. de C. V.
Avenida Año de Juárez número 205
Colonia Granjas San Antonio, Iztapalapa
09070, México, D. F.

ASUNTO: Solicitud de terminación del permiso bajo la modalidad de exportación de energía eléctrica número E/214/EXP/2002.

En relación con la solicitud mencionada al rubro, presentada ante la Comisión Reguladora de Energía (la Comisión) con fecha 7 de septiembre de 2011, se le previene para que dentro del término de 10 días hábiles contados a partir del día siguiente al en que surta efectos la notificación del presente oficio, entregue a la Comisión la información y documentación que se menciona a continuación:

ÚNICO. El testimonio original o la copia certificada del instrumento público que acredite el otorgamiento de poderes a favor del **Sr. Pablo Federico Gottfried Blackmore**, o bien, el escrito de renuncia suscrito por persona con facultades suficientes para presentarlo.

Lo anterior, con fundamento en los artículos 17 y 33 de la Ley Orgánica de la Administración Pública Federal; 2, fracción II y 3, fracciones XII, XIX y XXII de la Ley de la Comisión Reguladora de Energía; 3, fracción III, 36, fracción V de la Ley del Servicio Público de Energía Eléctrica; 12, 16, fracciones VII y IX, 17-A y 35, fracción I de la Ley Federal de Procedimiento Administrativo; 72, fracción I inciso d), 77, y 99, fracción VI del Reglamento de la Ley del Servicio Público de Energía Eléctrica y, 1, 2, 6, fracción I, inciso C, y 23, fracciones VII y IX del Reglamento Interior de la Comisión Reguladora de Energía.

Atentamente,

El Secretario Ejecutivo

Ing. Luis Alonso González de Alba

Un renglón eliminado.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

c.p.p. Dr. Alejandro Peraza García.- Director General de Electricidad y Energías Renovables, CRE.
Lic. José María Lujambio Irazabal.- Director General de Asuntos Jurídicos, CRE.
Expediente Núm. F26/E/745



CON
ESCRITURAS

2011 OCT 18 PM 4:24

5804
FUERZA EOLICA DE BAJA CALIFORNIA, S.A. DE C.V.

México D.F., a 18 de octubre de 2011



COMISIÓN REGULADORA

ATN: ING. LUIS ALONSO MARCOS GONZÁLEZ DE ALBA
SECRETARIO EJECUTIVO DE LA
COMISIÓN REGULADORA DE ENERGÍA
PRESENTE

REF. Requerimiento Oficio SE/DGEER/3477/2011

Pablo Federico Gottfried Blackmore, en nombre y representación de Fuerza Eólica de Baja California, S.A. de C.V., comparezco a dar respuesta al oficio número SE/DGEER/3477/2011 notificado a mi representada el 5 de octubre de 2011, por el cual se requiere la presentación del testimonio original o la copia certificada del instrumento público que acredite el otorgamiento de poderes a favor del Sr. Pablo Federico Gottfried Blackmore, o bien, el escrito de renuncia suscrito por persona con facultades suficientes para presentarlo, dentro de un plazo de 10 días hábiles contados a partir del día siguiente al que surta efectos la notificación del oficio en cuestión.

En cumplimiento al requerimiento mencionado en el párrafo anterior se adjunta al presente escrito el primer testimonio de la escritura pública número 101,191, otorgada ante el Lic. Salvador Sánchez de la Barquera, notario público No. 141 del Distrito Federal con fecha 6 de abril de 2006, en la que consta el poder amplísimo otorgado por Fuerza Eólica de Baja California, S.A. de C.V., al Lic. Pablo F. Gottfried Blackmore, así como copia simple de dicho instrumento, toda vez que con fundamento en la fracción II del artículo 15 A de la Ley Federal de Procedimiento Administrativo esa H. Comisión Reguladora de Energía se sirva realizar cotejo del mismo y devolver el original una vez realizado el cotejo respectivo.

Derivado de lo anterior pido:

PRIMERO.- Tener por presentado a nombre de Fuerza Eólica de Baja California, S.A. de C.V., dando cumplimiento en tiempo y forma al requerimiento realizado en el oficio SE/DGEER/3477/2011 notificado con fecha 5 de octubre de 2011.

SEGUNDO.- Acordar de conformidad la renuncia del permiso de energía eléctrica número NUM. E/214/EXP/2002, solicitada con fecha 7 de septiembre de 2011.

TERCERO.- Previo cotejo y certificación de la copia simple de la escritura No. 101,191 se ordene la devolución del original.

Atentamente,

Pablo Federico Gottfried Blackmore

Se elimina Escritura pública referida.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación: Contiene datos personales que se encuentran en una fuente de acceso público.





6697

Fuerza Eólica de Baja California, S.A. de C.V.

México D.F., 08 de diciembre de 2011

COMISIÓN REGULADORA DE ENERGÍA
SECRETARÍA EJECUTIVA



A quien corresponda,

Por medio de la presente solicito la compulsión de la copia certificada del testimonio de la escritura pública número 101,191 de fecha 6 de abril de 2006, otorgada ante la fe del Licenciado Salvador Sánchez de la Barquera, Notario Público 141 en el Distrito Federal, en la que consta el otorgamiento de un poder general para actos de administración que hace Fuerza Eólica de Baja California, S.A. de C.V., a favor de Pablo Federico Gottfried Blackmore.

Asimismo incluyo el comprobante de pago de los derechos respectivo, a efecto de realizar la compulsión de acuerdo a lo indicado en el oficio SE/DGEER/3938/2011 que fue recibido el día 2 de diciembre de 2011.

Sin más por el momento, quedo a su disposición para cualquier aclaración y agradezco su atención.

Atentamente,

Se elimina Escritura pública referida.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación: Contiene datos personales que se encuentran en una fuente de acceso público.

Lic. Pablo F. Gottfried Blackmore
Director de Proyectos



Se elimina Escritura pública referida.

Fundamento: Art.18 fracc.II LFTAIPG. Motivación: Contiene datos personales que se encuentran en una fuente de acceso público.



CLAVE Y NOMBRE DEL BANCO : 032 IXE BANCO
 INSTITUCION DE BANCA MULTIPLE
 PASEO DE LA REFORMA NUM. 505, PISO 45
 COL. CUAUHTEMOC
 C.P. 06500, MEXICO, D.F.

NOMBRE DE LA SUCURSAL: Suc. Portal Chu

**RECIBO BANCARIO DE PAGO DE CONTRIBUCIONES, PRODUCTOS
 Y APROVECHAMIENTOS FEDERALES**

R.F.C.	FEB0107099I4
Nombre y/o razón social	FUERZA EOLICA DE BAJA CALIFORNIA SA DE CV
Fecha y hora del pago	08/12/2011 13:21:00
Número de operación	27689009
Llave de pago	4C8D9E56C2
Total efectivamente pagado	\$72.00

1001 Derechos, Productos y Aprovechamientos

Dependencia: 35 Comisión Reguladora de Energía

Clave de referencia del DPA: 354001156

Cadena de la dependencia: 00035430000131

Importe	\$72.00
Cantidad Pagada	\$72.00



CLAVE Y NOMBRE DEL BANCO : 032 IXE BANCO
 INSTITUCION DE BANCA MULTIPLE
 PASEO DE LA REFORMA NUM. 505, PISO 45
 COL. CUAUHEMOC
 C.P. 06500, MEXICO, D.F.

NOMBRE DE LA SUCURSAL: Suc. Portal Chu

**RECIBO BANCARIO DE PAGO DE CONTRIBUCIONES, PRODUCTOS
 Y APROVECHAMIENTOS FEDERALES**

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Total efectivamente pagado	\$72.00

CADENA ORIGINAL

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 =000001000007000154136||

SELLO DIGITAL

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INSTITUTO FEDERAL ELECTORAL
REGISTRO FEDERAL DE ELECTORES.
CREDENCIAL PARA VOTAR

NOMBRE
MADRAZO
VEGA
MAITE
DOMICILIO

EDAD
SEXO

Siete renglones eliminados.
Fundamento: Art.18 fracc.II
LFTAIPG. Motivación:
Información confidencial, datos
personales

Siete renglones eliminados.
Fundamento: Art.18 fracc.II
LFTAIPG. Motivación:
Información confidencial,
datos personales



Un renglón eliminado.
Fundamento: Art.18 fracc.II
LFTAIPG. Motivación:
Información confidencial, datos
personales

ESTE DOCUMENTO ES INTRANSFERIBLE.
NO ES VALIDO SI PRESENTA TACHA-
DURAS O ENMENDADURAS.
EL TITULAR ESTA OBLIGADO A NOTI-
FICAR EL CAMBIO DE DOMICILIO EN
LOS 30 DIAS SIGUIENTES A QUE ESTE
OCURRA.

FERNANDO ZERTUCHE MUÑOZ
SECRETARIO EJECUTIVO DEL
INSTITUTO FEDERAL ELECTORAL



Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación:
Información confidencial, datos personales

ELECCION												EXTRADOMINIOS Y [OTRAS]			
12	18	06	09	09	10	11	12	03	04	05	06	07	08		

Recibi Testimonio original

No. 101,191

05.marzo.2012

Un renglón eliminado.
Fundamento: Art.18 fracc.II LFTAIPG. Motivación: Información confidencial, datos personales

Maite Madrazo



COMISIÓN REGULADORA DE ENERGÍA

**RESOLUCIÓN POR LA QUE LA COMISIÓN REGULADORA DE ENERGÍA
AUTORIZA LA TERMINACIÓN DEL PERMISO PARA GENERAR ENERGÍA
ELÉCTRICA BAJO LA MODALIDAD DE EXPORTACIÓN E/214/EXP/2002
OTORGADO A FUERZA EÓLICA DE BAJA CALIFORNIA, S. A. DE C. V.**

R E S U L T A N D O

PRIMERO. Que, mediante Resolución RES/132/2002, de fecha 11 de julio de 2002, esta Comisión Reguladora de Energía (esta Comisión) otorgó a Fuerza Eólica de Baja California, S. A. de C. V., (la Permisionaria) el Permiso para generar energía eléctrica bajo la modalidad de exportación E/214/EXP/2002 (el Permiso), utilizando para ello una central eoloeléctrica que estaría integrada por 120 aerogeneradores con capacidad de 2.50 MW cada uno. La capacidad total de generación de energía eléctrica sería de 300.00 MW.

La central estaría ubicada en las instalaciones de la Permisionaria en el Ejido Jacume, La Rumorosa, Tecate, Baja California.

SEGUNDO. Que, con fecha 7 de septiembre de 2011, la Permisionaria presentó ante esta Comisión un escrito mediante el cual solicitó la terminación del permiso por renuncia.

TERCERO. Que, con fecha 18 de octubre de 2011, la Permisionaria, por conducto de su representante legal, el Sr. Pablo Federico Gottfried Blackmore, presentó ante esta Comisión información y documentación complementarias a la solicitud a que se refiere el Resultando Segundo.

C O N S I D E R A N D O

PRIMERO. Que, de acuerdo con lo dispuesto por la fracción XII del artículo 3 de la Ley de la Comisión Reguladora de Energía, corresponde a este órgano desconcentrado otorgar y revocar los permisos y autorizaciones que, conforme a las disposiciones legales aplicables, se requieran para la realización de actividades reguladas, entre otras, la generación de energía eléctrica que realicen los particulares.



COMISIÓN REGULADORA DE ENERGÍA

SEGUNDO. Que, de conformidad con lo establecido por la fracción VI del artículo 99 del Reglamento de la Ley del Servicio Público de Energía Eléctrica, la renuncia a los permisos es una causal de terminación de los mismos, sujeta a los plazos y términos establecidos en el propio Permiso.

TERCERO. Que la Condición Décimo quinta, fracción V, del Permiso prevé como causal de terminación del mismo la renuncia de la Permissionaria, la cual deberá comunicarse por escrito a la Comisión con una anticipación mínima de tres meses al momento en que dicha renuncia se haga efectiva.

CUARTO. Que el Sr. Pablo Federico Gottfried Blackmore acreditó su personalidad y facultades como representante legal de la Permissionaria mediante la copia certificada de la Escritura Pública 101 191, de fecha 6 de abril de 2006, otorgada ante la fe del Lic. Salvador Sánchez de la Barquera, Notario Público número 59 del Distrito Federal, en la que consta el otorgamiento a dicho representante de un poder general amplísimo sin limitación alguna, para ser ejercido ante cualquier autoridad administrativa.

Por lo expuesto y con fundamento en los artículos 17 y 33, fracción VII, de la Ley Orgánica de la Administración Pública Federal; 1, 2, fracción II, 3, fracciones XII, XVI y XXII, 4 y 11 de la Ley de la Comisión Reguladora de Energía; 3, fracción III, y 36, fracción V, de la Ley del Servicio Público de Energía Eléctrica; 1, 3, 16, fracción X, 35, fracción I, 39 y 57, fracción I, de la Ley Federal de Procedimiento Administrativo; 1, 72, fracción I, inciso b), 77 y 99, fracción VI, del Reglamento de la Ley del Servicio Público de Energía Eléctrica; y 1, 2, 6, fracción I, incisos A y C, 9, 19, 23, fracción VII, y 33 del Reglamento Interior de la Comisión Reguladora de Energía, y en la Condición Décimo quinta, fracción V, del permiso de exportación de energía eléctrica E/214/EXP/2002, otorgado a Fuerza Eólica de Baja California, S. A. de C. V., esta Comisión Reguladora de Energía:

RESUELVE

PRIMERO. Se autoriza la terminación por renuncia del permiso para generar energía eléctrica bajo la modalidad de exportación E/214/EXP/2002 otorgado a Fuerza Eólica de Baja California, S. A. de C. V.



COMISION REGULADORA DE ENERGIA

SEGUNDO. Notifíquese la presente Resolución a Fuerza Eólica de Baja California, S. A. de C. V., y hágase de su conocimiento que el presente acto administrativo puede ser impugnado, interponiendo en su contra el recurso de reconsideración que prevé el artículo 11 de la Ley de la Comisión Reguladora de Energía, y que el expediente respectivo se encuentra y puede ser consultado en las oficinas de esta Comisión Reguladora de Energía, ubicadas en Avenida Horacio 1750, Colonia Los Morales Polanco, 11510, México, Distrito Federal.

TERCERO. Inscríbase la presente Resolución con el número **RES/448/2011** en el registro a que se refiere la fracción XVI del artículo 3 de la Ley de la Comisión Reguladora de Energía.

México, Distrito Federal, a 24 de noviembre de 2011.



Francisco J. Salazar Diez de Sollano
Presidente



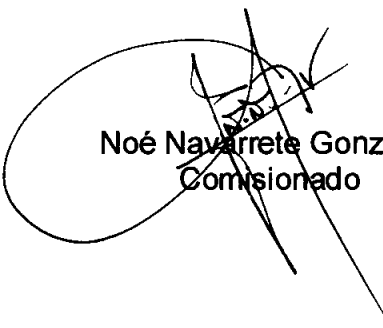
Francisco José Barnés de Castro
Comisionado



Rubén F. Flores García
Comisionado



Israel Hurtado Acosta
Comisionado



Noé Navarrete González
Comisionado

RES/448/2011