

DEC 23 2013

December 17, 2013

Electricity Delivery and Energy Reliability

Mr. Christopher Lawrence Office of Electricity Delivery and Energy Reliability OE-20, Room 8G-024 United States Department of Energy 1000 Independence Avenue, SW Washington, DC 20585-0350

### Re: Application of Global Pure Energy, LLC for Authority to Transmit Electric Energy to Mexico

Dear Mr. Lawrence:

Pursuant to 10 C.F.R. § 205.300 of the Department of Energy regulations is the filing for Global Pure Energy, LLC. Included is an original and 15 copies of the Application for Authority to Transmit Electric Energy to Mexico. One additional copy is of the application is being provided to be date-stamped and returned in the postage prepaid envelope. Also enclosed is a check in the amount of \$500 payable to the Treasurer of the United States as required by 10 C.F.R. § 205.300.

Please contact the undersigned if you have any questions or concerns.

Respectfully submitted,

Richard Garza Vice President Global Pure Energy, LLC 3200 Southwest Freeway, Suite 3300 Houston, Texas 77027 Phone: 956-792-3468 Email: rgarza@globalpureenergy.com

## US Department of Energy

### UNITED STATES OF AMERICA BEFORE THE CEC 23 2013 DEPARTMENT OF ENERGY OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY ENergy Reliability

#### **GLOBAL PURE ENERGY, LLC**

### Docket No. EA -390

### APPLICATION OF GLOBAL PURE ENERGY, LLC. FOR AUTHORIZATION TO TRANSMIT ELECTRICITY TO MEXICO

Global Pure Energy, LLC. hereby files this application for authority to transmit electric energy from the United States to Mexico for a term of 5 years.

#### I. DESCRIPTION OF APPLICANT

The exact name of the applicant is Global Pure Energy, LLC. Global Pure Energy is a limited liability company organized in the State of Delaware and is currently authorized to do business in the State of Texas with its principal place of business located at 3200 Southwest Freeway, Suite 3300 in Houston, Texas 77027.

Global Pure Energy, LLC. was formed for the purpose of purchasing power at wholesale within the United States for export to Mexico over any authorized international electric transmission facilities that are designated for open access transmission, including facilities that have been authorized by Presidential Permit but not yet constructed and placed into operation. A list of currently authorized international transmission facilities is attached.

### **II. INFORMATION REQUIRED PURSUANT TO 10 C.F.R SECTION § 205.302**

### A. Exact legal name of Applicant:

Global Pure Energy, LLC.

### B. Exact legal name of all partners:

None.

### C. Name, title, post office address, and telephone number of the person to whom correspondence in regard to the application shall be addressed:

Richard Edward Garza Vice President Global Pure Energy, LLC. Address: 3200 Southwest Freeway, Suite 3300. Houston, TX. 77027 Telephone: 956-792-3468 E-mail: rgarza@globalpureenergy.com D. State or territory under the laws of which the Applicant is organized or incorporated, or authorized to operate. If the Applicant is authorized to operate in more than one state, all pertinent facts shall be included:

Global Pure Energy, LLC is a Delaware corporation, organized on August 14, 2013, with its principal office located at 3200 Southwest Freeway, Suite 3300 Houston, Texas 77027. Global Pure Energy is authorized to operate in the State of Texas with its principal place of business in Houston, Texas.

# E. Name and address of any known Federal, State or local government agency which may have any jurisdiction over the action to be taken in the application and a brief description of that authority:

Pursuant to the Federal Power Act 202(e), 16 U.S.C. Section § 824a, the United States Department of Energy, Office of Electricity Delivery and Energy Reliability (Department), is the sole agency with jurisdiction over the proposed export of electric energy to Mexico. No other known Federal, State or local government entity or agency has jurisdiction over the proposed actions described in this application.

### F. Description of the transmission facilities through which the electric energy will be delivered to the foreign country, including the name of the owners and the location of any remote facilities:

Global Pure Energy seeks authorization to export electric energy to Mexico over any authorized international electric transmission facilities that are appropriate for open access transmission by third parties, including facilities that have been authorized but not yet constructed. Global Pure Energy does not own, operate, nor control any electricity transmission facilities. Global Pure Energy proposes to export electric energy to Mexico utilizing one or more of the transmission facilities identified in Exhibit C to this application.

G. Technical discussion of the proposed electricity export's reliability, fuel use and system stability impact on the Applicant's present and prospective electric power supply system. Applicant must explain why the proposed electricity export will not impair the sufficiency of the electric supply on its system and why the export will not impede or tend to impede the regional coordination of electric utility planning or operation:

Global Pure Energy seeks authorization to transmit electric power to Mexico for a period of five (5) years, or for such other period as the Department deems appropriate, effective for the date of the order granting this application. In previous orders, the Department has endorsed a flexible approach for evaluating reliability issues associated with proposed export transactions. The Department has relied on the technical analyses available for existing international transmission facilities when considering applications from power marketers and other similar entities seeking to use those facilities.

Global Pure Energy requests that the Department apply this standard to the instant application. Global Pure Energy has not previously exported electric power from the United States. The electric power Global Pure Energy plans to export will be surplus energy purchased in wholesale markets within Texas. Any such export transactions will be completed through ERCOT (The Energy Reliability Council of Texas), and will use ERCOT's transmission scheduling procedures and market structures, and will be coordinated with the Comision Federal de Electricidad (CFE). Global Pure Energy's export activities will take place within market and transmission structures that are already in place.

Global Pure Energy does not own, operate, or control any electric power generation, transmission or distribution facilities in the United States, nor is it affiliated with any owner of power generation, transmission, or distribution facilities within the United States. Therefore, Global Pure Energy's export transactions will not adversely impact native load customers or other market participants. Under these circumstances, the exports proposed herein will not impair the sufficiency of power in the United States, nor will the transactions impede the coordinated use of transmission facilities.

Finally, Global Pure Energy requests that the Department conclude that the authorization under this application qualifies for a categorical exclusion under the National Environmental Policy Act of 1969, and, thus, this application would not require the preparation of either an environmental impact statement or environmental assessment.

### H. The original application shall be signed and verified under oath by an officer of the applicant having knowledge of the matters set forth therein:

The verification is included in Attachment A to this Application.

### III. Exhibits Required by 10 C.F.R. § 205.303

In compliance with 10 C.F.R. § 205.303, the following Exhibits are attached to this application:

(a). Exhibit A. A copy of the agreement or proposed agreement under which the electricity is to be transmitted including a listing of the terms and conditions. If this agreement contains proprietary information that should not be released to the general public, the applicant must identify such data and include a statement explaining why proprietary treatment is appropriate.

Not Applicable. No such agreements exist at this time.

(b). *Exhibit B.* A showing, including a signed opinion of counsel that the proposed export of electricity is within the corporate power of the applicant, and that the applicant has complied or will comply with all pertinent Federal and State Laws.

Please see opinion of counsel attached hereto.

(c). *Exhibit C.* A general map showing the applicant's overall electric system and a detailed map highlighting the location of the facilities or the proposed facilities to be used for the generation and transmission of the electric energy to be exported. The detailed map shall identify the location of the proposed border crossing point(s) or power transfer point(s) by Presidential Permit number whenever possible.

Not applicable. Global Pure Energy does not own or operate any electrical system or electrical energy generation or transmission facilities. Global Pure Energy requests waiver of the requirement to provide a map identifying the location of the proposed border crossing points or power transfer points. Global Pure Energy requests authorization to export electric energy from the United States to Mexico over any authorized international electrical transmission facilities that are appropriate for open access transmission by third parties, in accordance with the export limits authorized by the Department. To the extent the owners of the international transmission facilities have provided maps of their systems as part of their Presidential Permit Applications and export authority applications, Global Pure Energy requests that such maps be used to satisfy the requirements for this application. Attached hereto is the list of proposed border transmission facilities.

(d). *Exhibit D.* If an applicant resides or has its principal office outside the United States, such applicant shall designate, by irrevocable power of attorney, an agent residing within the United States. A verified copy of such power of attorney shall be furnished with the application.

Not Applicable.

(e). *Exhibit E.* A statement of any corporate relationship or existing contract between the applicant and any other person, corporation, or foreign government, which in any way relates to the control or fixing of rates for the purchase, sale or transmission of electric energy.

Not Applicable.

(f). *Exhibit F*. An explanation of the methodology (Operating Procedures) to inform neighboring electric utilities in the United States of the available capacity and energy which may be in excess of the

applicant's requirements before the delivery of such capacity to the foreign purchaser. Approved firm export, diversity exchange and emergency exports are exempted from this requirement. Those materials required by this section which have been filed previously with the ERA may be incorporated by reference.

Not Applicable. Global Pure Energy does not own or operate any transmission or generation facilities in the United States. Global Pure Energy will rely on the Operating Procedures adopted by those border facilities to inform neighboring utilities of the available capacity and energy which may be in excess of system requirements prior to delivery of such capacity to the foreign purchaser.

### IV. CONCLUSION

In consideration of the foregoing, Global Pure Energy respectfully requests approval of this application for blanket authorization to export electrical energy to Mexico over any authorized international electrical transmission facilities, in accordance with the export limits authorized by the Department.

Respectfully submitted,

EXHIBIT	С

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EXHIBIT C				
Owner	Location	Voltage	Presidential Permit No.	
Comision Federal de Electricidad	Falcon Dam, Tx	138-kV	None	
Generadora del Desierto – V	WAPA San Luis, AZ	230-kV	PP-304	
AEP Texas Central Comp.	Brownsville, Tx	138-kV 69-kV	PP-94	
	Laredo, Tx	138-kV 230-kV	PP-317 PP-317	
	Eagle Pass, Tx	138-kV	PP-219	
El Paso Electric Company	Diablo, NM Ascarate, Tx	115-kV 115-kV	PP-92 PP-48	
San Diego Gas & Electric	Miguel, CA Imperial Valley, CA	230-kV 230-kV	PP-68 PP-79	
Sharyland Utilities, Inc.	McAllen, TX	138-kV	PP-285	

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### Attachment A

### VERIFICATION UNDER OATH

I, Richard Garza declare that I am an officer of Global Pure Energy, LLC. To the best of my knowledge the statements and content contained in the Application are true and correct.

Richard Garza Vice President Global Pure Energy, LLC

Dated

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Exhibit B

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### **LEGAL OPINION**

The following opinion is given in support of the foregoing application of Global Pure Energy, LLC for Authorization to Transmit Electric Energy to Mexico.

(1) I am an attorney at law, authorized to practice law in the State of Texas.

(2) I am counsel to Global Pure Energy, LLC a duly incorporated and validly existing limited liability company, which is in good standing under the laws of the State of Delaware.

(3) To the best of my knowledge and belief, Global Pure Energy, LLC has full power and authority to buy, sell or act as a marketer/broker in the sale and exportation of electric energy as requested in the application.

(4) To the best of my knowledge and belief, Global Pure Energy, LLC has complied with and/or will comply with all pertinent Federal and state laws.

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Juan "Trey" Mendez, NI, counsel to Global Pure Energy, LLC

Dated: December 17, 2013