

JUL 13 2015

UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY

Electricity Delivery and
Energy Reliability

Roctop Investments Inc.

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)

Docket No. EA-414-000

APPLICATION OF ROCTOP INVESTMENTS INC.
FOR AUTHORITY TO TRANSMIT ELECTRIC ENERGY TO CANADA

PUBLIC VERSION

Pursuant to Section 202(e) of the Federal Power Act ("FPA"), 16 U.S.C. § 824a(e) and 10 C.F.R. § 205.300, et seq., Roctop Investments Inc. ("Roctop") hereby submits this application for a blanket authorization to export electricity from the United States to Canada ("Application"). Roctop respectfully requests authorization to transmit electric energy from the United States to Canada for a period of five (5) years. Roctop further respectfully requests that this application be made effective no later than September 1, 2015.

I. COMMUNICATIONS

Communications and correspondence concerning this filing should be addressed to:

Ruta Kalvaitis Skučas
Pierce Atwood LLC
900 17th St., NW Suite 350
Washington, DC 20006
Tel. (202) 530-6428
Fax. (202) 223-2239
rskucas@pierceatwood.com

Vincent Thellen*
President
1061 Merivale Road - Unit 5
Ottawa (ON) Canada K1Z 6A9
Telephone : 613-421-4246
Cell : 613-793-2718
vincent@roctop.ca

II. DESCRIPTION OF APPLICANT

Roctop is a Canadian company, created under a Canadian Federal Charter, with its principle place of business in Ottawa, Ontario. Roctop is owned by three common shareholders,

and one preferred shareholder, who are identified in Attachment G. Roctop does not have any affiliates or upstream owners which possess any ownership interest or have involvement in any other company that is a traditional utility or that owns, operates, or controls any electric generation, transmission or distribution facilities, nor do they have any direct involvement with the energy industry other than through the ownership of Roctop.

Roctop has applied for authorization at FERC to be a FERC-authorized power marketer engaging in the purchase and sale of physical and/or virtual energy in the Day-ahead and Real-time Markets of various Independent System Operators and Regional Transmission Organizations. Roctop applied for market-based rate authority from the Federal Energy Regulatory Commission (“FERC”) on June 23, 2015 in FERC Docket No. ER15-1971-000.

III. JURISDICTION

Roctop believes that the U.S. Department of Energy (“DOE”) is the only governmental agency that has jurisdiction over this application.

IV. DESCRIPTION OF TRANSMISSION FACILITIES

Roctop intends to export electricity over existing international transmission facilities between Canada and the United States, as identified in Exhibit C. Roctop requests authority to export electricity to Canada over any international transmission facility authorized by Presidential Permit that is appropriate for open access by third parties in accordance with the assessment made by DOE of the transmission limits for operation in the export mode.

V. TECHNICAL DISCUSSION OF PROPOSAL

Section 202(e) of the Federal Power Act (“FPA”) and DOE’s regulations provide that exports should be allowed unless the proposed export would impair the sufficiency of electric

power supply within the United States or would tend to impede the coordinated use of the United States power supply network.¹ Roctop seeks blanket authority to transmit electric power to Canada as a power marketer. Roctop has no electric power supply system on which the proposed exports could have a reliability, fuel use system or stability impact. Roctop also has no obligation to serve native load usually associated with a franchised service area, and, thus, the exports proposed by Roctop will not impair its ability to meet current and prospective power supply obligations.

Roctop will purchase power to be exported from a variety of sources such as power marketers, independent power producers, or U.S. electric utilities and federal power marketing entities as those terms are defined in Sections 3(22) and 3(19) of the FPA. By definition, such power is surplus to the system of the generator and, therefore, the electric power that Roctop will export on either a firm or interruptible basis will not impair the sufficiency of the electric power supply within the U.S.²

Roctop will make all necessary commercial arrangements and will obtain any and all other regulatory approvals required in order to schedule and deliver power exports. All of the electricity exported by Roctop will be transmitted pursuant to arrangements with utilities that own and operate existing transmission facilities and will be consistent with the export limitations and other terms and conditions contained in the existing Presidential Permits and electricity export authorizations associated with these transmission facilities. Roctop will schedule its transactions with the appropriate balancing authority areas in compliance with the reliability criteria standards and guidelines established by the North American Reliability Corporation ("NERC") and its member Regional Entities in effect at the time of the export.

¹ 16 U.S.C. § 824a(e).

² See *Enron Power Marketing, Inc.*, Order EA-102 (1996).

In previous orders granting export authorization to electric power marketers, DOE declined to rigidly apply the information filing requirements contained in its regulations and instead used a flexible approach which takes into consideration the unique nature of power marketers, the requirements of FERC Order No. 888 and previously authorized export limit of cross-border facilities.³ These same considerations demonstrate that the exports proposed by Roctop will not impair or tend to impede the sufficiency of electric supplies in the U.S. or the regional coordination of electric utility planning or operations.

VI. COMPLIANCE WITH CONDITIONS AND PROCEDURES

Roctop proposes to abide by the general conditions consistent with DOE's previous grants of authorizations to power marketers as set forth in its previous orders, as described herein. From time to time, Roctop will enter into agreements with third parties which involve the export of electric power from the United States into Canada. Exports made by Roctop will not exceed the export limits for the facilities, or otherwise cause a violation of the terms and conditions set forth in the export authorizations for each. With regard to specific transactions, Roctop will provide written evidence to DOE that it has secured sufficient transmission service for the delivery of power to the border. When scheduling the delivery of power, Roctop will comply with the applicable NERC reliability standards. For each calendar year, Roctop will provide DOE with reports indicating the gross amount of electricity delivered to Canada, consideration received during each month, and the maximum hourly rate of transmission, as well as any additional annual reports.

³ See e.g. *NorAm Energy Services, Inc.*, Order No. EA-105-CN (Aug. 16, 1996); *MidCon Power Services Corp.*, Order No. EA-114 (July 15, 1996); *USGen Power Services*, No. EA-112 (June 27, 1996); *CNG Power Services Corp.*, Order No. EA-110 (June 20, 1996); *North American Energy Conservation, Inc.*, Order No. EA-103 (May 30, 1996).

VII. VERIFICATION, REQUIRED COPIES, AND FEE

Verification executed by Roctop's authorized representative in accordance with 10 C.F.R. § 205.302(h) is enclosed with the Application. In accordance with the requirements of 10 C.F.R. § 205.307, and DOE's directions, five (5) copies of the Application are being provided to the Department. In accordance with the requirements of 10 C.F.R. § 205.309, a copy of this application will be provided to the Secretary of the Federal Energy Regulatory Commission.

A check in the amount of \$500.00 made payable to the Treasurer of the United States is enclosed in payment of the fee specified in 10 C.F.R. § 205.309.

VIII. REQUIRED EXHIBITS

The following information is provided pursuant to the required exhibits as set forth in DOE regulations 10 C.F.R. § 205.303:

Exhibit A	Transmission Agreements	Not Applicable
Exhibit B	Opinion of Counsel	Attached
Exhibit C	Transmission Facilities	List of international transmission facilities submitted in lieu of a map
Exhibit D	Designation of Agent	Attached
Exhibit E	Statement of Corporate Relationship	Not Applicable
Exhibit F	Operating Procedures	Not Applicable
Exhibit G	FERC Market Based Rate Authority	Attached – Application by Roctop for Market-Based Rate Authorization under Docket No. ER15-1971-000 ⁴

⁴ This application was filed on June 23, 2015 in Docket No. ER15-1971-000 and remains pending before FERC. Roctop will notify DOE when the delegated letter order approving its application for market-based rate authority is issued.

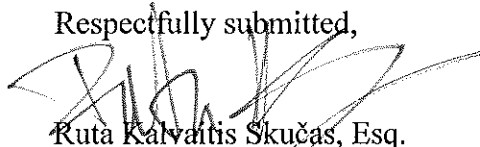
IX. REQUEST FOR CONFIDENTIAL TREATMENT

Roctop requests confidential treatment for the information related to the individual owners of Roctop and the percentages of the company each holds, as it is commercially sensitive information the disclosure of which would harm the company. Roctop provides the information to DOE in Exhibit H hereto, has marked Exhibit H as confidential, and has filed a public version of this application with a redacted version of Exhibit H.

X. CONCLUSION

WHEREFORE, Roctop Investments Inc. respectfully requests that DOE grant this application for blanket authorization to export power from the United States to Canada, for a period of five (5) years, with such authorization to be effective as of September 1, 2015.

Respectfully submitted,



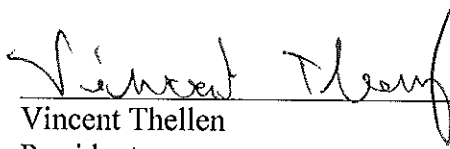
Ruta Kalvaitis Skucas, Esq.
Maev C. Tibbets, Esq.
Pierce Atwood LLP
900 17th St N.W., Suite 350
Washington, D.C. 20006
Telephone: (202) 530-6428
Facsimile: (202) 223-2239
rskucas@pierceatwood.com

Attorneys for Roctop Investments Inc.

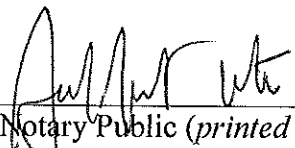
July 13, 2015

VERIFICATION

I, Vincent Thellen, being authorized to execute this verification and having knowledge of the matters set forth in this Application of Roctop Investments Inc., hereby verify that the contents thereof are true and correct to the best of my knowledge and belief.



Vincent Thellen
President
Roctop Investments Inc.



Name of Notary Public (*printed name*)
Notary Public, _____
My commission expires: lifetime

EXHIBIT A – TRANSMISSION AGREEMENTS

Roctop Investments Inc. has not entered into any transmission agreements at this time.

EXHIBIT B – OPINION OF COUNSEL

July 13, 2015

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

RE: Application of Roctop Investments Inc. for Authorization to Export Electricity

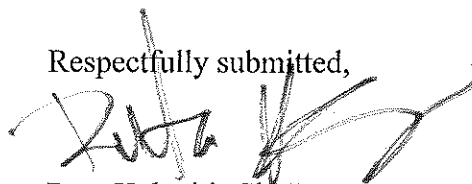
Dear Mr. Lawrence:

Pursuant to 10 C.F.R. § 205.303(b), I hereby provide a legal opinion regarding the corporate powers of Roctop Investments Inc. to export electricity to Canada. I have examined the Articles of Incorporation of Roctop Investments Inc. ("Roctop"), as well as relevant amendments thereto. Based on my review of those documents and representations provided to me by authorized representatives of Roctop, it is my opinion that:

1. The import and export of electricity contemplated by this Application is within the corporate powers of Roctop Investments Inc.; and
2. To the best of my knowledge and belief, Roctop has directed its officers and agents to take all necessary steps to comply with all applicable state and federal laws in connection with the actions to be taken under the Application.

I am opining here only as to the federal laws of the United States, and laws of relevant states within the United States. I express no opinion as to the laws of any other jurisdiction. I am not assuming any obligation to review or update this opinion should the law or existing facts or circumstances change. This opinion is provided by me as counsel to Roctop solely to you for your exclusive use and is not to be made available or relied upon by any other person or entity without my prior written authorization.

Respectfully submitted,



Ruta Kalvaitis Skučas

Counsel for Roctop Investments Inc.

EXHIBIT C – INTERNATIONAL TRANSMISSION FACILITIES

At the U.S.-Canada Border Authorized for Use by Third Party Transmitters

Present Owner	Location	Voltage	Presidential Permit No.
Bangor Hydro Electric Co.	Baileyville, ME	345 kV	PP-89
Basin Electric Power Cooperative	Tioga, ND	230 kV	PP-64
Bonneville Power Administration	Blaine, WA	2x 500 kV	PP-10
	Nelway, WA	230 kV	PP-36
	Nelway, WA	230 kV	PP-46
Eastern Maine Electric Cooperative	Calais, ME	69 kV	PP-32
International Transmission Co.	Detroit, MI	230 kV	PP-230
	Marysville, MI	230 kV	PP-230
	St. Claire, MI	230 kV	PP-230
	St. Claire, MI	345 kV	PP-230
Joint Owners of the Highgate Project	Highgate, VT	120 kV	PP-82
Long Sault, Inc.	Massena, NY	2x 115 kV	PP-24
Maine Electric Power Co.	Houlton, ME	345 kV	PP-43
Maine Public Service Co.	Limestone, ME	69 kV	PP-12
	Fort Fairfield, ME	69 kV	PP-12
	Madawaska, ME	138 kV	PP-29
	Aroostock, ME	2x 69 kV	PP-29
Minnesota Power Inc.	International Falls, MN	115 kV	PP-78
Minnkota Power Cooperative	Roseau County, MN	230 kV	PP-61
Montana Alberta Tie Ltd.	Cut Bank, MT	230 kV	PP-305 ⁵

⁵ These transmission facilities have been authorized but not yet constructed or placed into operation

Present Owner	Location	Voltage	Presidential Permit No.
New York Power Authority	Massena, NY	765 kV	PP-56
	Massena, NY	2x 230 kV	PP-25
	Niagara Falls, NY	2x 345 kV	PP-74
	Devil's Hole, NY	230 kV	PP-30
Niagara Mohawk Power Corp.	Devil's Hole, NY	230 kV	PP-190
Northern States Power Co.	Red River, ND	230 kV	PP-45
	Roseau County, MN	500 kV	PP-63
	Rugby, ND	230 kV	PP-231
Sea Breeze Olympic Converter LP	Port Angeles, WA	±450 kV	PP-299 ⁶
Vermont Electric Power Co.	Derby Line, VT	120 kV	PP-66
Vermont Electric Transmission Co.	Norton, VT	±450 kV DC	PP-76
	Millbury, MA	345 kV	
	Medway, MA	345 kV	

⁶ These transmission facilities have been authorized but not yet constructed or placed into operation

EXHIBIT D – DESIGNATION OF AGENT AND POWER OF ATTORNEY

**IRREVOCABLE LIMITED
POWER OF ATTORNEY**

This IRREVOCABLE LIMITED POWER OF ATTORNEY is made on July 8, 2015 by Roctop Investments Inc. (the "Principal"), a corporation organized and existing under the Canadian Business Corporations Act, with its headquarters at 1061 Merivale Road, Unit 5, Ottawa ON, K1Z 6A9 Canada.

1. Appointment. The Principal hereby appoints Attorney Ruta Skucas, with principle place of business at Pierce Atwood LLP, 900 17th St. NW Suite 350, Washington DC 20006, as the Principal's true and lawful agent for the limited purpose set forth below.
2. Scope of Authority. Pursuant to 10 C.F.R. § 205.303(d), Attorney Skucas shall have the limited power and authority to serve as the agent for the Principal regarding all matters related to the Principal's authorization to export electricity to Canada as issued by the U.S. Department of Energy ("DOE"). This appointment will remain in effect for the duration of the authorization, a five-year period, and will terminate simultaneously with the expiration of the authorization granted by DOE.
3. Irrevocability. This Power of Attorney is irrevocable by the Principal.

IN WITNESS HEREOF, the Principal has caused this Power of Attorney to be duly executed on this 8th day of July, 2015.

By: Vincent Thellen
Vincent Thellen
President
Roctop Investments Inc.
1061 Merivale Road - Unit 5
Ottawa (ON) Canada K1Z 6A9

SUBSCRIBED AND SWORN BEFORE ME, this 8th day of July, 2015.

Audrey M. White
Name of Notary Public (*printed name*)
Notary Public, _____
My commission expires: lifetime

**EXHIBIT E – STATEMENT OF ANY CORPORATE RELATIONSHIP
OR EXISTING CONTRACT**

Not Applicable

EXHIBIT F – OPERATING PROCEDURES

Not Applicable

EXHIBIT G – FERC MARKET BASED RATE AUTHORITY

*Application to FERC
For Market-Based Rate Authorization
Docket No. ER15-1971-000
Filed June 23, 2015*

EXHIBIT H – OWNERSHIP INFORMATION

Confidential Information Has Been Redacted