

MAY 22 2017

Electricity Delivery and  
Energy Reliability

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

ENERTIME ENERGY RESOURCES, LLC

Docket No. EA - 437

APPLICATION OF ENERTIME ENERGY RESOURCES, LLC.  
FOR AUTHORIZATION TO TRANSMIT ELECTRICITY TO MEXICO

EnerTime Energy Resources, 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 legal name of the applicant is EnerTime Energy Resources, LLC. EnerTime Energy Resources is a limited liability company organized in the State of Texas and is currently authorized to do business in the State of Texas with its principal place of business located at 700 Milam, Suite 1300 in Houston, Texas 77002.

EnerTime Energy Resources, LLC. was formed for the purpose of purchasing wholesale power within the United States for export to Mexico over any authorized international electric transmission facilities designated for open access transmission, including any facilities that have been authorized by Presidential Permit but not yet constructed and placed into operation. An attachment of currently authorized international transmission facilities is included with this application.

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

**A. Exact legal name of Applicant:**

EnerTime Energy Resources, 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:**

Fernando Miner  
Vice President  
EnerTime Energy Resources, LLC.  
Address: 700 Milam, Suite 1300. Houston, TX. 77002  
Telephone: 956-458-4308  
E-mail: fernadominer@hotmail.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:**

EnerTime Energy Resources, LLC is a Texas corporation, organized on April 26, 2017, with its principal office located at 1300 Milam, Suite 1300 Houston, Texas 77002. EnerTime Energy Resources 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:**

EnerTime Energy Resources requests authorization to export electric energy to Mexico over any authorized international electric transmission facilities appropriate for open access transmission by third parties, including facilities that have been authorized but not yet constructed. EnerTime Energy Resources does not own, operate, or control any electricity transmission facilities. EnerTime Energy Resources proposes to export electric energy to Mexico utilizing one or more of the transmission facilities identified in Exhibit C of 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:**

EnerTime Energy Resources 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 similar entities seeking use of those facilities.

EnerTime Energy Resources requests that the Department apply this standard to the instant application. EnerTime Energy Resources has not previously exported electric power from the United States. The electric power EnerTime Energy Resources 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). EnerTime Energy Resources's export activities will occur within market and transmission structures that are already in place.

EnerTime Energy Resources 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, EnerTime Energy Resources'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.

EnerTime Energy Resources 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:**

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 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 attached opinion of counsel.

**(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. EnerTime Energy Resources does not own or operate any electrical system or electrical energy generation or transmission facilities. EnerTime Energy Resources requests waiver of the requirement to provide a map identifying the location of the proposed border crossing points or power transfer points. EnerTime Energy Resources 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, EnerTime Energy Resources 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.

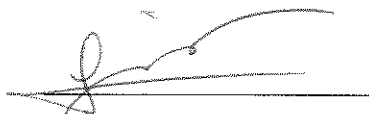
**(f). *Exhibit F.* An explanation of the methodology (Operating Procedures) to inform neighboring electric utilities in the United States of the available capacity and energy which may be in excess of the applicant's requirements before the delivery of such capacity to the foreign purchaser. Approved 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. EnerTime Energy Resources does not own or operate any transmission or generation facilities in the United States. EnerTime Energy Resources 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, EnerTime Energy Resources respectfully requests approval of this application for blanket authorization to export electrical energy to Mexico over any authorized international electrical transmission facility, in accordance with the export limits authorized by the Department.


Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'E' followed by a long horizontal line and a small flourish at the end.

Attachment A

VERIFICATION UNDER OATH

I, Fernando Miner declare that I am an officer of EnerTime Energy Resources, LLC. To the best of my knowledge the statements and content contained in the Application are true and correct.

A handwritten signature in black ink, appearing to read 'Fernando Miner', is written over a horizontal line.

Fernando Miner  
Vice President  
EnerTime Energy Resources, LLC

Dated

5/17/17

## LEGAL OPINION

The following opinion is given in support of the foregoing application of EnerTime Energy Resources LLC for authorization to transmit electric energy to Mexico.

- (1) I am an attorney authorized to practice law in the State of Texas.
- (2) I am counsel to EnerTime Energy Resources LLC, a duly incorporated and validly existing limited liability company, which is in good standing under the laws of the State of Texas.
- (3) To the best of my knowledge and belief, EnerTime Energy Resources 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, EnerTime Energy Resources LLC has complied with and or will comply with all pertinent Federal and State laws regarding the sale, marketing, brokering and exportation of electric energy as requested in its application.



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Rene E. De Coss

Counsel

EnerTime Energy Resources LLC

## EXHIBIT C

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