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December 17, 2019

US Department of Energy

Deputy Assistant Secretary Charles Kosak
Department of Energy
Office of Electricity
OE-20, Room 8G-024
1000 Independence Ave. SW
Washington, DC 20585

DEC 17 2019

Electricity Delivery and
Energy Reliability

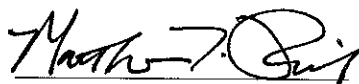
Re: *Application for Renewal of NorthPoint Energy Solutions Inc.'s Authorization to Transmit Electric Energy to Canada, Docket No. EA-275-C*

Dear Deputy Assistant Secretary Kosak:

Enclosed for filing on behalf of NorthPoint Energy Solutions Inc. are an original and fifteen (15) copies of its Application for Renewal of Authorization to Transmit Electric Energy to Canada ("Application"). In accordance with the requirements of 10 C.F.R. § 205.309 (2019), a check in the amount of \$500 payable to the Treasurer of the United States is enclosed as the filing fee for this Application. A copy of this Application is being furnished to the Federal Energy Regulatory Commission and all affected State public utility regulatory agencies.

I have enclosed three (3) additional copies of this Application to be date-stamped and returned to our messenger. Thank you for your attention to this matter. Please contact the undersigned at (202) 429-8809 if you have any questions regarding this Application.

Respectfully submitted,



Matthew T. Rick
Attorney for NorthPoint Energy Solutions Inc.

Enclosures

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

NorthPoint Energy Solutions Inc.)

Docket No. EA-275-__

**APPLICATION FOR RENEWAL OF
NORTHPOINT ENERGY SOLUTIONS INC.'S
AUTHORIZATION TO TRANSMIT ELECTRIC ENERGY TO CANADA**

NorthPoint Energy Solutions Inc. ("NorthPoint") currently holds a blanket authorization to transmit electric energy from the United States to Canada under Order No. EA-275-B issued on December 21, 2009. Pursuant to Section 202(e) of the Federal Power Act ("FPA"), 16 U.S.C. § 824a(e), and Part 205, Subpart W of the United States Department of Energy's ("DOE") regulations, 10 C.F.R. § 205.300, *et seq.* (2019), NorthPoint hereby files an application for renewal of its existing blanket authorization to transmit electric energy from the United States to Canada for a term of ten (10) years ("Application").

**I.
DESCRIPTION OF THE APPLICANT**

The exact legal name of the applicant is NorthPoint Energy Solutions Inc. NorthPoint is a corporation organized and existing under *The Business Corporations Act* of Saskatchewan with its headquarters located at 2025 Victoria Avenue, Regina, Saskatchewan, Canada S4P 0S1.

NorthPoint markets surplus power produced by Saskatchewan Power Corporation ("SaskPower") to other Canadian utilities or power trading pools in Canada and the United States. NorthPoint also purchases power generated in the United States and elsewhere in Canada to meet SaskPower's load requirements, and also to serve loads located elsewhere in Canada. Such purchases have delivery points at the Canada/United States border or points within Saskatchewan, in

accordance with NorthPoint's existing export authorization. In addition, NorthPoint markets power to United States customers with delivery at the Canada/United States border.

NorthPoint is a power marketer subject to the Federal Energy Regulatory Commission's ("FERC") jurisdiction under Section 201 of the FPA, 16 U.S.C. § 824e. FERC granted NorthPoint authority to sell capacity and energy at market-based rates in a letter order issued on November 19, 2004 in Docket No. ER04-1244-000.¹ Neither NorthPoint nor any of its affiliates own, control, or operate any electric generation or transmission facilities in the United States. Neither NorthPoint nor any of its affiliates hold any franchised service territory in the United States.

NorthPoint is a wholly owned subsidiary of SaskPower, a Provincial Crown corporation of the Government of Saskatchewan, Canada. SaskPower is engaged in the generation of power from predominantly thermal sources and the transmission, distribution, and sale of such power to wholesale and retail customers within Saskatchewan. As noted above, SaskPower does not own, control, or operate any electric generation or transmission facilities within the United States. SaskPower does own electric generation and transmission assets located in Saskatchewan, Canada, including 156,000 kilometers of power lines and generation facilities with a combined installed capacity of approximately 5,005.3 megawatts. SaskPower provides open access transmission service over its Canadian facilities under a tariff based on the FERC *pro forma* open access transmission tariff. SaskPower also operates under standards of conduct that are generally consistent with those adopted by FERC.

¹ *NorthPoint Energy Solutions Inc.*, 109 FERC ¶ 61,178 (2004). FERC found NorthPoint to be a Category 1 seller in an unpublished letter order issued on August 19, 2008 in Docket No. ER04-1244-001.

II. COMMUNICATIONS AND CORRESPONDENCE

All communications and correspondence concerning this Application should be directed to the following:

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Fax: (202) 429-8805
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General Counsel
SaskPower - Corporate & Regulatory Affairs
2025 Victoria Avenue
Regina, Saskatchewan
CANADA S4P 0S1
Telephone: (306) 566-3139
Fax: (306) 566-3113
Email: legal@saskpower.com

III. JURISDICTION

Under Section 202(e) of the FPA, 16 U.S.C. § 824a(e), no other Federal agency has jurisdiction over the exportation of electric energy from the United States to Canada. No other known Federal, State, or local government has jurisdiction over the export transactions to be taken under the authority sought in this Application. FERC has jurisdiction over NorthPoint's wholesale electric power activities in the United States.

IV. DESCRIPTION OF TRANSMISSION FACILITIES

NorthPoint intends to export electric energy over transmission interconnections between Canada and the United States. NorthPoint requests authority to export electricity to Canada over any international transmission facility authorized by Presidential permit that is appropriate for open access transmission by third parties in accordance with the assessment made by DOE of the transmission limits for operation in the export mode. A list of these facilities is provided in Exhibit C.

V.
TECHNICAL DISCUSSION OF PROPOSAL

In previous orders, DOE has endorsed a flexible approach, taking into consideration the unique nature of power marketers in terms of its evaluation of reliability issues associated with proposed export transactions.² DOE has relied, for example, 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. NorthPoint requests that DOE continue to apply this standard in its review of this Application.

In this Application, NorthPoint requests a renewal of its blanket authorization in order to continue to transmit electric energy from the United States to Canada as a power marketer. NorthPoint seeks blanket authorization to transmit electric energy from the United States to Canada for a term of ten (10) years in order to align with the customary term of the Canada Energy Regulator's export permits. NorthPoint requests that this ten (10) year period commence from the expiration of its current blanket authorization under Order No. EA-275-B on April 7, 2020.

As noted above, NorthPoint does not own, operate, or control any electric generation, transmission, or distribution facilities in the United States, nor is it affiliated with any owner of electric generation, transmission, or distribution facilities in the United States. NorthPoint therefore has no system of its own on which exports could have a reliability or stability impact. Any power purchased by NorthPoint for export to Canada will be surplus to the needs of the entities selling power to NorthPoint. As such, NorthPoint's transactions will not adversely impact native load

² *NorAm Energy Services, Inc.*, No. EA-105-CN (Aug. 16, 1996); *MidCon Power Services Corp.*, No. EA-114 (Jul. 15, 1996); *USGen Power Services*, No. EA-112 (Jun. 27, 1996); *CNG Power Services Corp.*, No. EA-110 (Jun. 20, 1996); *Destec Power Services, Inc.*, No. EA-113 (May 31, 1996); *North American Energy Conservation, Inc.*, No. EA-103 (May 30, 1996); *NorAm Energy Services, Inc.*, No. EA-105-MX (May 30, 1996); *Enron Power Marketing, Inc.*, No. EA-102 (Feb. 6, 1996).

customers or other market participants. Under these circumstances, the exports proposed herein by NorthPoint will not impair the sufficiency of power in the United States, nor will the transactions impede or tend to impede the coordinated use of United States transmission facilities.

VI. COMPLIANCE WITH CONDITIONS AND PROCEDURES

Approval of this Application will foster a more efficient and competitive North American energy market. This Application is therefore consistent with United States energy policy.

NorthPoint proposes to comply with the general conditions consistent with DOE's previous grants of authorization to power marketers. From time to time, NorthPoint will enter into agreements with third parties that involve the export of electric power from the United States to Canada. NorthPoint commits to fully complying with the terms and conditions of any export authorization granted to it by DOE. Exports made by NorthPoint over the subject transmission facilities will not exceed the export limits for such facilities, or otherwise cause a violation of the terms and conditions set forth in the export authorizations applicable to each facility. NorthPoint will also comply with the applicable reliability criteria, standards, and guidelines of the North American Electric Reliability Corporation when scheduling delivery of power. NorthPoint will make and preserve complete records of any exports into Canada and will provide DOE with quarterly reports within thirty (30) days following each calendar quarter indicating the gross amount of electricity delivered to Canada, consideration received during each month, and the maximum hourly rate of transmission, and/or comply with any new reporting requirements that may be adopted by DOE in the future.

VII. EXHIBITS

In compliance with 10 C.F.R. § 205.303 (2019), the following Exhibits are attached to this

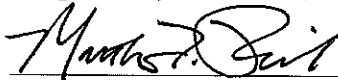
Application:

- Exhibit A Agreements – Not applicable.
- Exhibit B Legal Opinion of NorthPoint's Counsel – Attached.
- Exhibit C Transmission System Information – Attached.
- Exhibit D Non-U.S. Applicant's Power of Attorney – Attached.
- Exhibit E Statement of any Corporate Relationship or Existing Contract Which in Any Way Relates to the Control or Fixing of Electric Power – Not applicable.
- Exhibit F Operating Procedures Regarding Available Capacity and Energy – Not applicable.

VIII. CONCLUSION

WHEREFORE, for the reasons set forth above, NorthPoint respectfully requests that DOE expeditiously review and grant its Application for renewal of its blanket authority to export electric power to Canada for a term of ten (10) years on substantially the same terms and conditions as applied to similarly-situated power marketers.

Respectfully submitted,



Matthew T. Rick

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Telephone: (202) 429-8809
Email: mrick@jhenergy.com

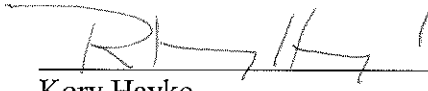
Attorney for NorthPoint Energy
Solutions Inc.

Dated: December 17, 2019

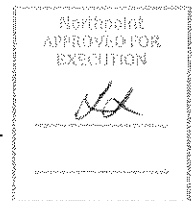
VERIFICATION


Province of Saskatchewan)
)
City of Regina)

Kory Hayko and Troy King, each being duly sworn, depose and say that he is an officer of NorthPoint Energy Solutions Inc., that he has read the foregoing "Application for Renewal of NorthPoint Energy Solutions Inc.'s Authorization to Transmit Electric Energy to Canada," and is familiar with its contents, and that the statements contained therein are true and correct to the best of his knowledge, information and belief.



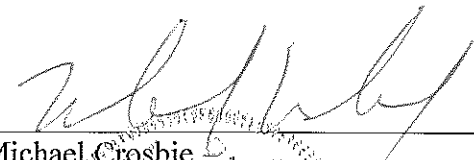
Kory Hayko
President & Chief Executive Officer
NorthPoint Energy Solutions Inc.





Troy King
Chief Financial Officer
NorthPoint Energy Solutions Inc.

Sworn to and subscribed before me, a Notary Public, this 13th day of December, 2019.



Michael Crosbie
Director, Law - Commercial
Notary Public

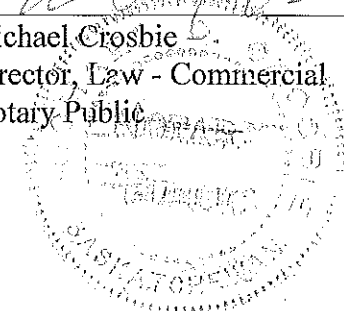


Exhibit A

Agreements

Not Applicable.

Exhibit B

Legal Opinion of NorthPoint Energy Solutions Inc.'s Counsel

LEGAL OPINION

The following opinion is given in support of the "Application for Renewal of NorthPoint Energy Solutions Inc.'s Authorization to Transmit Electric Energy to Canada" (the "Application").

I am a lawyer licensed to practice law in Saskatchewan, Canada. I am Director, Law – Commercial at Saskatchewan Power Corporation ("SaskPower") and NorthPoint Energy Solutions Inc. ("NorthPoint") is a subsidiary of SaskPower and as such am legal counsel for NorthPoint.


I understand that NorthPoint intends to comply with all United States Federal and State laws in entering into and performing any agreements for export.

I am of the opinion that:

1. NorthPoint is a corporation duly organized and in good standing under the laws of the Province of Saskatchewan; and
2. The export of electricity by NorthPoint to Canada proposed in the Application is within NorthPoint's corporate power.

I am not assuming any obligation to review or update this opinion should the existing facts or circumstances change. This opinion is provided by me as counsel for NorthPoint solely for your exclusive use and is not to be relied upon by any other person or entity without my prior written consent.

DATED this 13th day of December, 2019.



Michael Crosbie
Director, Law - Commercial
Saskatchewan Power Corporation

Exhibit C

Transmission System Information

EXHIBIT C

DOE Presidential Permit Electric Transmission Facilities Appropriate for Export

<u>Present Owner</u>	<u>Location</u>	<u>Voltage</u>	<u>Presidential Permit No.¹</u>
Bangor Hydro-Electric Company	Baileyville, ME	345-kV	PP-89
Basin Electric Power Cooperative	Tioga, ND	230-kV	PP-64
Bonneville Power Administration	Blaine, WA	2-500-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 Company	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
ITC Lake Erie Connector	Erie County, PA	320-kV	PP-412 ²
Joint Owners of the Highgate Project	Highgate, VT	120-kV	PP-82
Long Sault, Inc.	Massena, NY	2-115-kV	PP-24
Maine Electric Power Company	Houlton, ME	345-kV	PP-43
Maine Public Service Company	Limestone, ME	69-kV	PP-12
	Fort Fairfield, ME	69-kV	PP-12
	Madawaska, ME	138-kV	PP-29
	Aroostook, ME	2-69-kV	PP-29
Minnesota Power, Inc.	International Falls, MN	115-kV	PP-78
Minnesota Power, Inc.	Roseau County, MN	500-kV	PP-398 ²
Minnkota Power Cooperative	Roseau County, MN	230-kV	PP-61
Montana Alberta Tie Ltd.	Cut Bank, MT	230-kV	PP-305
New York Power Authority	Massena, NY	765-kV	PP-56
	Massena, NY	2-230-kV	PP-25
	Niagara Falls, NY	2-345-kV	PP-74
	Devils Hole, NY	230-kV	PP-30
Niagara Mohawk Power Corp.	Devils Hole, NY	230-kV	PP-190
Northern States Power Company	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 DC	PP-299 ²
Vermont Electric Power Co.	Derby Line, VT	120-kV	PP-66
Vermont Electric Transmission Co.	Norton, VT	±450-kV DC	PP-76

¹ These Presidential permit numbers refer to the generic DOE permit number and are intended to include any subsequent amendments to the permit authorizing the facility.

² These transmission facilities have been authorized but not yet constructed or placed in operation.

Exhibit D

Non-U.S. Applicant's Power of Attorney

IRREVOCABLE LIMITED POWER OF ATTORNEY

This IRREVOCABLE LIMITED POWER OF ATTORNEY is made December 13, 2019, by NorthPoint Energy Solutions Inc. (the "Principal"), a corporation organized and existing under *The Business Corporations Act* of Saskatchewan, with its headquarters located at 2025 Victoria Avenue, Regina, Saskatchewan, Canada S4P 0S1.

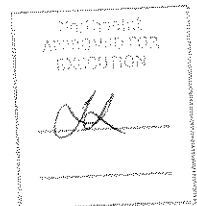
1. Appointment. The Principal does hereby appoint Matthew T. Rick, John & Hengerer LLP, 1629 K Street, N.W., Suite 402, Washington, D.C. 20006-1633 as the Principal's true and lawful agent and attorney-in-fact ("Attorney-in-Fact") for the limited purpose hereinafter set out.
2. Scope of Authority. The Attorney-in-Fact shall have the limited power and authority to receive service of process for any and all matters relating to Principal's reporting requirements to the Department of Energy pursuant to Principal's Authority to Transmit Electric Energy to Canada.
3. Irrevocability. This Power of Attorney is irrevocable by the Principal, subject only to the Principal's right to re-designate or substitute the Attorney-in-Fact upon 30 days notice to the Department of Energy and the Attorney-in-Fact.

IN WITNESS WHEREOF, the Principal has caused this Power of Attorney to be duly executed on the 13th day of December, 2019.

NORTHPOINT ENERGY SOLUTIONS INC.

By: [Signature]
Name: Kory Hayko
Title: President & Chief Executive Officer

By: [Signature]
Name: Troy King
Title: Chief Financial Officer



This instrument was acknowledged before me this 13th day of December, 2019, by Kory Hayko and Troy King at Regina, Saskatchewan.

By: [Signature]
Name: Michael Crosbie, Director, Law - Commercial

Exhibit E

Statement of Any Corporate Relationship or Existing Contract

Not Applicable.

Exhibit F

Operating Procedures Regarding Available Capacity and Energy

Not Applicable.