

**THE UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
OFFICE OF ELECTRICITY**

NEXTERA ENERGY MARKETING, LLC)

Docket No. EA-348-__

**RENEWAL APPLICATION OF NEXTERA ENERGY MARKETING, LLC
FOR AUTHORIZATION TO TRANSMIT ELECTRIC ENERGY TO CANADA AND
REQUEST FOR EXPEDITED TREATMENT**

NextEra Energy Marketing, LLC (“NEM”), pursuant to Section 202(e) of the Federal Power Act (16 U.S.C. §824a(e)) and 10 C.F.R. §205.300 *et seq.* (2008), hereby submits a renewal application (“Application”) of its authorization from the Department of Energy (“the Department or DOE”) to transmit electric energy from the United States to Canada for an additional period of five years from April 24, 2024 or the date the DOE grants this application or such other period as the Department deems appropriate.

In support of this application, NEM respectfully shows as follows:

I. DESCRIPTION OF APPLICANT

The exact name of the applicant is NextEra Energy Marketing, LLC and its principal place of business is 700 Universe Boulevard, Juno Beach, Florida, 33408. NEM is a limited liability company engaged in the purchase and sale of physical and financial energy commodities. NEM is a wholly-owned direct subsidiary of NextEra Energy Resources, LLC, which in turn is a wholly-owned direct subsidiary of NextEra Energy Capital Holdings, Inc., a Florida corporation, which in turn is a wholly-owned direct subsidiary of NextEra Energy, Inc. (“NextEra”), a Florida corporation publicly traded on the New York Stock Exchange. With the exception of Applicant, each of these companies is a holding company.

II. PARTNERS

NEM is not seeking authorization to export power on behalf of, or in conjunction, with, any partners or partnerships.

III. COMMUNICATIONS

Communications regarding this application should be addressed to the following:

William Lavarco
Senior FERC Counsel
NextEra Energy Resources, LLC
801 Pennsylvania Ave., N.W.
Suite 220
Washington, DC 20004
(202) 347-7127
william.lavarco@nee.com

IV. ORGANIZATION OF APPLICANT, AUTHORITY TO DO BUSINESS

NEM is a limited liability company formed pursuant to the laws of the State of Delaware with its principal place of business in Juno Beach, Florida. NEM is authorized by the Federal Energy Regulatory Commission (“FERC”) to make wholesale sales of electric power and related products at market-based rates. *See NextEra Energy Power Marketing, LLC*, Docket No. ER09-832-000, Letter Order (issued Apr. 16, 2009). If the Department requests that it do so, NEM will provide the Department a list of states in which it has registered to do business.

V. JURISDICTION

NEM does not know of any other federal, state or local government other than DOE that has jurisdiction over the actions to be taken under the authority sought in this Application.

VI. FACILITIES

NEM does not own any transmission facilities. NEM’s affiliate, NextBridge Infrastructure LP, owns and operates the East-West Tie transmission project in Ontario, Canada, including 280 miles

of double-circuit 230 kV line. NEM intends to export power over existing transmission interconnections between the United States and Canada. Exhibit C to this renewal application provides the location and description of the transmission facilities through which the electric energy may be delivered into Canada, and includes the name of the facility owners as well as the Presidential Permit numbers.

VII. TECHNICAL DISCUSSION OF PROPOSAL

Through this renewal application, NEM seeks to renew its authority to engage in open-ended transactions to export electricity to Canada under terms and conditions to be negotiated in the future. DOE has granted such renewed authority to export electricity to Canada previously for other entities, such as Tenaska Power Services and TransAlta Energy Marketing (U.S.) Inc. NEM is submitting this renewal application under Order No. 348-C at this time in order to ensure that the Department may act upon NEM's application in sufficient time to prevent a lapse in NEM's authorization. The electric power NEM will continue to export, on either a firm or interruptible basis, will generally be purchased from others voluntarily and will, therefore, be surplus to the needs of the selling entities. Because NEM does not have native load obligations, its exports will not impair its ability to meet current or prospective power supply obligations. In addition, NEM's proposed exports will not impair or impede sufficient electric supplies in the United States or the regional coordination of electric utility planning or operations.

VIII. PROCEDURES

NEM's Renewal Application is consistent with the United States energy policy in the Energy Policy Act of 1992, the North American Free Trade Agreement of 1993, the Energy Policy Act of 2005, and FERC Order No. 890, which foster more efficient and competitive North American energy markets.

NEM is seeking renewal, as a power marketer, to export electricity through existing U.S.-Canadian border facilities. NEM will accept general conditions in its export authorization consistent with those included in the Department's previous export authorizations and renewal applications granted to power marketers, including compliance with applicable export limits for the transmission facilities utilized by NEM. In addition, if requested by the Commission NEM will provide written evidence to the Department that it has secured sufficient transmission service for the delivery of power to the U.S.-Canada border. When scheduling the delivery of power, NEM will comply with the applicable North American Electric Reliability Corporation ("NERC") reliability criteria, standards, and guidelines. For each calendar quarter, NEM will provide the Department with reports regarding the gross amount of electricity delivered to Canada, consideration received during each month, and the maximum hourly rate of transmission, and other data requested by the Department.

IX. EXHIBITS

The following exhibits are attached hereto:

- Exhibit A: Agreements - There are currently no formal agreements in place for sales of energy from the United States to Canada that are related to this application.
- Exhibit B: Legal Opinion of NEM's counsel.
- Exhibit C: Transmission Facilities (submitted in lieu of maps).
- Exhibit D: Non-U.S. Applicant's Power of Attorney-Not applicable.
- Exhibit E: Not applicable.
- Exhibit F: Not applicable.

To the extent necessary, NEM requests a waiver of the requirement to include the above exhibits that are not applicable to its renewal application as a power marketer.

X. EXPEDITED PROCESSING

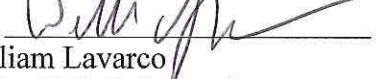
NEM respectfully requests that the Department expedite processing of this application to avoid a gap in its export authorization.¹ NEM respectfully requests that the Department issue an order granting the requested authorization for an additional period of five years from April 24, 2024 or the date the DOE grants this application or such other period as the Department deems appropriate.

XI. CONCLUSION

WHEREFORE, NEM respectfully requests that the Department review and grant this application for authorization to transmit electric energy to Canada.

Respectfully submitted,

NEXTERA ENERGY MARKETING, LLC

By: 
William Lavarco
Senior FERC Counsel
NextEra Energy Marketing, LLC
801 Pennsylvania Ave., N.W.
Suite 220
Washington, DC 20004
(202) 347-7127
william.lavarco@nee.com

Counsel for Applicant,
NextEra Energy Marketing, LLC

Dated this 21st day of March, 2024

¹ NEM is aware that this renewal application is being submitted less than sixty days prior to the expiration of Order No. EA-348-C. The counsel for NEM that has historically filed this application has retired and new counsel for NEM has just recently learned of the need to renew this export authority. NEM apologizes for the administrative oversight.

EXHIBIT B
OPINION OF COUNSEL

NEXTERA ENERGY RESOURCES, LLC
700 UNIVERSE BOULEVARD
JUNO BEACH, FL 33408

March 21, 2024

The Department of Energy
Office of Electricity Delivery and Energy Reliability
OE-20, Room 6H-034
1000 Independence Avenue, S.W.
Washington, DC 20585

Re: NextEra Energy Marketing, LLC
Renewal Application for Authorization to Transmit Electric Energy to Canada

Dear Sirs/Madams:

I am Vice President & General Counsel of NextEra Energy Resources, LLC, a Delaware limited liability company ("NEER"), and in such capacity, I have acted as counsel to NEER subsidiary NextEra Energy Marketing, LLC ("Applicant"). I am a member of the bar of the state of Florida and the District of Columbia.

This opinion (the "**Opinion**") is given in support of the Renewal Application of NextEra Energy Marketing, LLC for Authorization to Transmit Electric Energy to Canada dated March 21, 2024 (the "Application"), which Renewal Application is being submitted by Applicant to the Department of Energy pursuant to 10 C.F.R. § 2005.300 (the "Applicable Regulations").

For purposes of rendering the opinions expressed herein, I have been furnished and have reviewed a copy of the Renewal Application. I have also made such examinations of U.S. federal and state laws as I have deemed relevant for purposes of this Opinion, and the opinions expressed herein are expressly limited solely to U.S. federal and state laws insofar as such laws bear on the matters covered hereby.

Based upon the foregoing, and subject to the limitations, qualifications and assumptions expressed herein, I am of the opinion that:

1. As required by the Applicable Regulations, Applicant has full corporate power and authority to buy and sell, or act as a marketer/broker in connection with the sale and exportation of, electric energy.
2. Applicant has complied with all pertinent U.S. federal and state laws.

This Opinion speaks as of the time of its delivery on the date first set forth above, and the undersigned takes no obligation to update this Opinion at any time thereafter. This Opinion is rendered solely in connection with the Renewal Application, is solely for the benefit of the recipient named above, and is not to be used, circulated, quoted or otherwise referred to for any other purpose or relied upon by any other person or entity for any purpose without Applicant's prior written consent.



By: _____

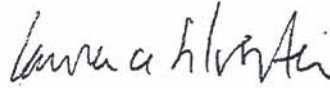
Mitchell S. Ross
Vice President & General Counsel
NextEra Energy Resources, LLC

VERIFICATION

STATE OF FLORIDA)

COUNTY OF PALM BEACH)

I, Lawrence Silverstein, Senior Vice President and Managing Director, of NextEra Energy Marketing, LLC, am authorized to provide this verification on behalf of NextEra Energy Marketing, LLC, have knowledge of the matters set forth in the foregoing Application of NextEra Energy Marketing, LLC for Authorization to Transmit Electric Energy to Canada, and hereby verify that the contents thereof are true and correct to the best of my knowledge, information and belief.



Lawrence Silverstein

SIGNED and SWORN TO before me this 20 day of March, 2024.



Notary Public

My commission expires: 4/23/24

