

ENMAX Energy Marketing Inc. 141 – 50 Avenue SE Calgary, AB T2G 4S7 Tel (403) 514-3000 enmax.com

Submitted via eMail to electricity.exports@hq.doe.gov

May 30, 2024

Office of Electricity Deliverability and Grid Reliability U.S. Department of Energy 1000 Independence Avenue S.W. Washington, D.C. 20585

RE: Application for Renewal to Export Electric Energy, Docket No. EA-264-E

Dear Sir or Madam:

Please see the enclosed original and two copies of the Application of ENMAX Energy Marketing, Inc. ("ENMAX") for renewal of authorization to transmit electric energy to Canada. In view of the fact that this application is being emailed to <u>electricity.exports@hq.doe.gov</u> ENMAX respectfully requests waiver of any need to provide hardcopies of this application.

In addition, the US\$500.00 application fee was paid through the pay.gov website on May 30, 2024, with proof of payment sent to <u>electricity.exports@hq.doe.gov</u> on that same date.

If you have any questions, please feel free to contact me at <u>wmanfro@enmax.com</u> or (403) 390-7748.

Sincerely,

Wesley Manfro ENMAX Energy Regulatory Manager, Regulatory Strategy and Research ENMAX Corporation (403) 390-7748 wmanfro@enmax.com

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

In the Matter of:

ENMAX Energy Marketing Inc. Docket No. EA-264-E

APPLICATION OF ENMAX ENERGY MARKETING INC. FOR RENEWAL OF AUTHORIZATION TO TRANSMIT ELECTRIC ENERGY TO CANADA

On May 30, 2002, the Office of Fossil Energy and Carbon Management ("FECM") of the Department of Energy ("DOE") issued Order No. EA-264 authorizing ENMAX Energy Marketing Inc. ("ENMAX" or "the Applicant") to transmit electric energy from the United States to Canada as a power marketer using international electric transmission facilities. Order No. EA-264 was subsequently renewed by orders issued on May 19, 2004, May 19, 2009, October 8, 2014, and November 27, 2019.

ENMAX submits this application ("Application") for renewal of blanket authorization to transmit electricity from the United States to Canada under Section 202 of the Federal Power Act, 16 U.S.C. § 824(a), and Section 205.300 *et seq*. of the Rules of the DOE, 10 C.F.R. §§ 205.300 *et seq*. ENMAX requests that, consistent with its prior orders to ENMAX, the DOE grant this authorization for a five-year term.

I. INTRODUCTION

The relevant characteristics of ENMAX described in this application are virtually identical to those for which export authority has previously been granted to ENMAX in Orders EA-264, EA-264-A, EA-264-B, EA-264-C, and EA-264-D. ENMAX is an Alberta corporation having its principal place of business at Calgary, Alberta, Canada. ENMAX currently participates in the wholesale trading of energy within Canada and holds permits issued by the Canada Energy Regulator ("CER")¹ authorizing the export of electricity from Canada to the United States. In addition, ENMAX participates in the wholesale trading of energy in the United States and exports electricity into Canada for sales to Canadian utilities, power marketers and end-use customers. More particularly, and as is relevant here, ENMAX takes title to electricity exported to Canada at various points in the U.S. and transmits that power over the facilities of intervening transmission providers to the border crossing points listed in Exhibit C. ENMAX has received authority from the Federal Energy Regulatory Commission ("FERC") to sell power in the U.S. at market-based rates.²

ENMAX is a wholly owned subsidiary of ENMAX Energy Corporation ("ENMAX Energy"), which is a licensed and registered energy retailer in the Province of Alberta, Canada, and provides energy and energy-related products and services to residential, commercial and industrial customers throughout

¹ Formerly called the National Energy Board.

² ENMAX Energy Marketing Inc., FERC Docket No. ER01-2508-000, Letter Order dated Aug. 27, 2001.

Alberta. ENMAX Energy is a wholly owned subsidiary of ENMAX Corporation, an entity wholly owned by The City of Calgary that was established to carry on the electric utility transmission and distribution operations previously carried on by the City of Calgary Electric System, a former department of The City of Calgary.

In addition, ENMAX Corporation owns ENMAX Power Corporation ("ENMAX Power"), which owns the electrical transmission and distribution system in the Calgary area.³ Access to the ENMAX Power transmission system is provided by the Alberta Electric System Operator, an Independent System Operator that provides open access and non-discriminatory transmission service comparable to that provided by U.S. transmission providers under the FERC's Open Access Transmission Tariff ("OATT").

Further, ENMAX Corporation indirectly owns Versant Power, a public utility engaged in the transmission and distribution of electric energy and related services to approximately 165,000 retail customers in portions of northern, eastern, and coastal Maine. Versant Power directly owns approximately 1,265 miles of transmission lines and approximately 6,300 miles of distribution lines. Open access to Versant Power's local transmission facilities in eastern and coastal Maine (the "Versant Power, Bangor Hydro District" or "BHD") is provided pursuant to the ISO New England Inc. OATT and open access to Versant Power's transmission facilities in northern Maine (the "Maine Public District" or "MPD") is provided pursuant to the Versant Power OATT for Maine Public District, both of which are on file with FERC. Rather, entities interconnected with the MPD transmission system can only access the ISO-NE system or other parts of the U.S. transmission grid over transmission facilities in New Brunswick, Canada. Versant Power has received market-based rate authority from FERC,⁴ and holds several Presidential Permits and an Export Authorization issued by the DOE (PP-12, PP-29, PP-81, PP-89, and E-6751).⁵

Versant Power holds a 21.7 percent voting interest in Maine Electric Power Company, a transmissiononly public utility that has an OATT on file with FERC, and holds a Presidential Permit issued by the DOE (PP-43). Versant Power is also the whole or partial parent company of the following entities: (a) Bangor Fiber Co., Inc., an entity which supplies fiber optic communications cable to communications companies and cable service providers,⁶ (b) Chester SVC Partnership, which owns certain facilities used to provide transmission system reinforcement that allows the Hydro-Quebec Phase II transmission facilities in New Hampshire and the Maine Electric Power Company transmission line to

³ On January 1, 2003, ENMAX Power Services, a wholly owned subsidiary of ENMAX Power, assumed responsibility for certain unregulated functions previously managed by ENMAX Energy such as building, maintaining and operating electronic communications, commercial and street lighting, light rail transit electrical systems and related power services.

⁴ Versant Power, Docket No. ER20-1965-001, Letter Order, Aug. 24, 2020

⁵ These Presidential Permits and Export Authorization were initially issued under prior names of Versant Power (namely, Bangor Hydro Electric Company, Maine Public Service Company, and Emera Maine). In October 2020, Versant Power applied to DOE to have these permits and authorization reissued under its current name.

⁶ Bangor Fiber Co., Inc. is a direct, wholly owned subsidiary of Versant Power.

operate at full capacity,⁷ and (c) Maine Yankee Atomic Power Company ("Maine Yankee"), the owner and licensee of the Maine Yankee Nuclear Facility, a retired nuclear generating facility located in Wiscasset, Maine.⁸

II. APPLICATION FOR RENEWAL OF AUTHORIZATION TO TRANSMIT ELECTRIC ENERGY TO CANADA

As noted, ENMAX is a power marketer and engages in the purchase and sale of energy and capacity in wholesale electric markets. ENMAX exports electricity to Canada using the transmission facilities of public utilities and other entities listed in Exhibit C.

III. INFORMATION PROVIDED PURSUANT TO 10 C.F.R. § 205.302 ET SEQ.

The following information is supplied in accordance with the requirements set forth in Section 205.302 *et. Seq.* of DOE's regulations:

(a) <u>The exact legal name of the applicant:</u>

ENMAX Energy Marketing Inc.

(b) <u>The exact legal name of all partners:</u>

None.

⁷ Versant Power holds an indirect, 50 percent interest in Chester SVC Partnership. The other 50 percent interest in Chester SVC Partnership is held by Central Maine Power Company, an entity unaffiliated with Versant Power or ENMAX.

⁸ Versant Power owns 12 percent of the shares of Maine Yankee.

(c) <u>The name, title, post office address, and telephone number of the person to whom</u> correspondence in regard to the application shall be addressed:

Wesley Manfro ENMAX Energy Regulatory Manager, Regulatory Strategy and Research ENMAX Corporation 141 – 50 Avenue S.E. Calgary, AB T2G 4S7 Phone: (403) 390-7748 E-mail: <u>wmanfro@enmax.com</u>

(d) <u>The state or territory under the laws of which the applicant is organized or</u> incorporated, or authorized to operate. If the applicant is authorized to operate in more than one state, all pertinent facts shall be included.

ENMAX is incorporated and authorized to conduct business under the laws of the Province of Alberta, Canada and is authorized to engage in wholesale sales of electric energy at marketbased rates in the United States pursuant to a tariff on file with the FERC.

(e) <u>The name and address of any known Federal, State or local government agency which</u> <u>may have any jurisdiction over the action to be taken in this application and a brief</u> <u>description of that authority.</u>

The Federal Energy Regulatory Commission 888 First Street N.E. Washington, DC 20426 United States

The Federal Energy Regulatory Commission ("FERC") regulates the rates for the transmission and sale of electric energy at wholesale. In accordance with 18 CFR § 205.309, a copy of this application has been provided to the FERC.

(f) <u>A description of the transmission facilities through which the electric energy will be</u> <u>delivered to the foreign country, including the name of the owners and the location</u> <u>of any remote facilities.</u>

ENMAX intends to transmit electric energy through the international transmission facilities of various public utilities and other entities listed in Exhibit C, pursuant to their respective Presidential Permits, and/or through any additional facilities approved by DOE during the term of ENMAX's renewed authorization.

(g) <u>A 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 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.</u>

ENMAX understands that arrangements to transmit energy to the international border require ENMAX to enter into transmission service agreements with transmission providers, and that such agreements are separate and apart from the granting of this Application. The transmission of electric energy by ENMAX across the transmission system of such providers will not impair the sufficiency of the United States electric supply because the power exported (net of any transmission losses) will only be on transmission lines with available capacity.

ENMAX enters into all necessary commercial arrangements and obtains all other regulatory approvals required to effect any power exports. In particular, ENMAX;

- (i) schedules each transaction with the appropriate transmission utility and/or control area operator in accordance with good utility practice, and
- (ii) obtains transmission from available transmission capacity over the existing facilities listed in Exhibit C.

ENMAX's proposed export of electricity to Canada should not burden regional transmission facilities, or adversely affect the regional coordination of electric utility planning or operations. ENMAX will transmit all the power designated for export to Canada over existing transmission lines and in accordance with the transmitting utilities' existing capabilities and operating procedures.

Because ENMAX does not own transmission border facilities, it purchases transmission service from locations in the United States to the border with Canada from the providers listed in Exhibit C. All such services are purchased from the relevant providers and used by ENMAX in accordance with the respective authorizations for those facilities. Thus, ENMAX will comply with all applicable reliability and technical standards set forth in the relevant licenses. To the extent such licenses cap the amount of power to be exported, ENMAX shall comply with the restrictions imposed on each transmission system and facility. During the term of its export authorization, ENMAX only will use the international transmission facilities which have been issued authorizations by the DOE. Thus, by complying with the FERC requirements and export limits imposed by DOE on the aforementioned transmission facilities, ENMAX's proposed exports would not adversely affect transmission facilities or impede the coordinated use of transmission facilities.

(h) <u>Signature and verification under oath by an officer of the applicant having knowledge</u> of the matters set forth therein

This application has been verified under oath by an officer of the Applicant, with knowledge of the matters set forth herein. The verification is attached to this Application as Exhibit G.

IV. EXHIBITS PURSUANT TO 10 C.F.R. § 205.303

In accordance with 10 C.F.R. § 205.303, the required exhibits are attached to this Application.

V. CONCLUSION

ENMAX respectfully requests an expedited processing of this application to minimize any lapse in export authority. ENMAX thus respectfully requests the DOE to expeditiously consider and grant the request for authority at the earliest possible date but no later than October 1, 2024.

For the reasons stated herein, the DOE should grant ENMAX continued authorization to export electric energy to Canada for an additional five-year term.

Respectfully submitted on May 30, 2024.

<u>Exhibit A</u> Transmission Agreement(s)

Currently, ENMAX has no transmission reservations or transmission agreements within the United States.

<u>Exhibit B</u> Opinion of Counsel

I, counsel to ENMAX, have examined the relevant documents of ENMAX Energy Marketing Inc. ("ENMAX") in connection with the export of electricity to Canada and I confirm that:

- 1. The proposed importation and exportation of electricity is within the corporate powers of ENMAX; and
- 2. ENMAX has directed its officers and agents to take all necessary steps to comply with all pertinent Federal and State laws of the United States in connection with the actions to be undertaken pursuant to the above–referenced application.

Respectfully, ENMAX Energy Marketing Inc.

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Sarah Stevens Senior Vice President, Legal and Regulatory ENMAX Corporation

Exhibit C United States Interconnections with Canada

			Presidential
Present Owner	Location	Voltage	Permit No.
Bangor Hydro Electric Company	Baileyville, Maine	345-kV	PP-89
Basin Electric Power Cooperative	Tioga, North Dakota	230-kV	PP-64
Bonneville Power Administration	Blaine, Washington	2x 500-kV	PP-10
Bonneville Power Administration	Nelway, Washington	230-kV	PP-36
Bonneville Power Administration	Nelway, Washington	230-kV	PP-46
CHPE LLC	Champlain, New York	±230-kV DC	PP-481
Eastern Maine Electric Cooperative	Calais, Maine	69-kV	PP-32
International Transmission Co.	Various	Various	PP-230
ITC Lake Erie Connector	Erie County, Pennsylvania	320-kV	PP-412
Long Sault, Inc.	Massena, New York	2x 115-kV	PP-24
Maine Electric Power Company	Houlton, Maine	345-kV	PP-43
Maine Public Service Company	Various	2x 69-kV	PP-12
Maine Public Service Company	Various	Various	PP-29
Minnesota Power Company	International Falls, Minnesota	115-kV	PP-78
Minnesota Power Company	Roseau County, Minnesota	500-kV	PP-398
Minnkota Power Cooperative	Roseau County, Minnesota	230-kV	PP-61
Montana Alberta Tie Ltd. (MATL)	Cut Bank, Montana	230-kV	PP-399
NECEC Transmission, LLC	Beattie Township, Maine	±320 kV	PP-438
New York Power Authority	Massena, New York	2x 230-kV	PP-25
New York Power Authority	Niagara Falls, New York	230-kV	PP-30
New York Power Authority	Massena, New York	765-kV	PP-56
New York Power Authority	Niagara Falls, New York	2x 345-kV	PP-74
Niagara Mohawk Power Corporation	Devil's Hole, New York	230-kV	PP-190
Northern States Power Co.	Red River, North Dakota	230-kV	PP-45
Northern States Power Co.	Roseau County, Minnesota	500-kV	PP-63
Northern States Power Co.	Rugby, North Dakota	230-kV	PP-231
Sea Breeze Olympic Converter, LP	Port Angeles, Washington	±450-kV DC	PP-299
TDI-New England	Alburgh, Vermont	±320-kV DC	PP-400
Vermont Electric Power Company, Inc.	Derby Line, Vermont	120-kV	PP-66
Vermont Electric Transmission Co.	Norton, Vermont	±450-kV DC	PP-76
Vermont Transco LLC	Highgate, Vermont	120-kV	PP-82

Source: Brookfield Renewable Trading and Marketing LP, Oder No. EA-465-A, Mar. 25, 2024

Exhibit D Power of Attorney for Applicants Residing Outside United States

IRREVOCABLE LIMITED POWER OF ATTORNEY

Be it known, that, I, Erica Young of ENMAX Energy Marketing Inc., an Alberta Corporation ("Principal"), with its principal place of business at 141 – 50 Avenue SE, Calgary, Alberta, T2G 4S7, Canada, do hereby grant a limited Power of Attorney to my designated agent, Jeffrey M. Jakubiak, Vinson & Elkins, 1114 Avenue of the Americas, 32nd Floor, New York, NY 10036, as my attorney-in-fact, ("Attorney in Fact"), for the limited purposes set forth herein.

The Attorney in Fact shall have the limited power and authority to receive service of process for any and all matters relating to or arising from the Principal's application before the Department of Energy for authorization to transmit electric energy to Canada, filed pursuant to 10 C.F.R. § 205.300 et seq.

This Power of Attorney is irrevocable by the Principal during the term of the Export Authorization, subject only to the Principal's right to re-designate, or substitute the Attorney in Fact upon thirty (30) days prior notice to the Department of Energy and the Attorney in Fact.

IN WITNESS WHEREOF, the Principal has caused this Power of Attorney to be executed on this 23 day of May 2024.

ENMAX ENERGY MARKETING INC.

Per:

Erica Young Executive Vice President, ENMAX Energy Corporation

Subscribed and sworn before me this AD day of May 2024

Randon Sianey Notary Public in and for the Province of Alberta

Randon Slaney A Commissioner for Oaths/Notary Public in and for the Province of Alberta

> Randon Slaney Barrister and Solicitor

Exhibit E Corporate Relationship

NOT APPLICABLE

Exhibit F Operating Procedures

NOT APPLICABLE

Exhibit G Verification

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

In the Matter of:

ENMAX Energy Marketing In	ıc.
Docket No. EA-264 E	

VERIFICATION

PROVINCE OF ALBERTA)
CITY OF CALGARY) ss.)

Erica Young, being duly first sworn, states she is the Executive Vice President and Officer of ENMAX Energy Marketing Inc. ("ENMAX") and that as such she has approved the submission of the foregoing application, that she is authorized by ENMAX to do so; that she has read the foregoing application and is familiar with the contents thereof; and that the matters and representations set forth therein are true and correct to the best of her knowledge, information and belief.

Erica Young Executive Vice President, ENMAX Energy Corporation

Subscribed and sworn before me this $\frac{\lambda}{2}$ day of May 2024

Randon Slaney Notary Public in and for the Province of Alberta

> A Commissioner for Oaths/Notary Public In and for the Province of Alberta

> > Randon Slaney Barrister and Solicitor