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Joseph B. Nelson, Partner
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February 19, 2025

VIA EMAIL: electricity.exports@hq.doe.gov

Grid Deployment Office
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

**Re: Application of Nalcor Energy Marketing Corporation for Renewal of
Authorization to Transmit Electric Energy to Canada, Docket No. EA-408**

To Whom it May Concern:

Enclosed for filing is the Application of Nalcor Energy Marketing Corporation (“NEMC”) for Renewal of Authorization to Transmit Electric Energy to Canada and related exhibits (“Renewal Application”). On behalf of NEMC, payment in the amount of \$500.00 has been made to the Treasurer of the United States, as required by 10 C.F.R. § 205.309. A copy of the Renewal Application is being served contemporaneously upon the Federal Energy Regulatory Commission as required of entities holding market-based rate authorizations.

If you have any questions regarding the Renewal Application, or if you require additional information, please contact the undersigned at 202-298-1894.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe Nelson".

Joseph B. Nelson,
Counsel for Nalcor Energy Marketing Corporation

Enclosures

cc: Federal Energy Regulatory Commission

Nalcor Energy Marketing Renewal Application Payment

Tracking Information

Pay.gov Tracking ID: 27LOGHKM

Agency Tracking ID: 76966033290

Form Name: U.S. Department of Energy General Collections

Application Name: DOE General Collections Form

Payment Information

Payment Type: Debit or credit card

Payment Amount: \$500.00

Transaction Date: 02/18/2025 04:20:19 PM EST

Payment Date: 02/18/2025

Payment Type : Other

Bill Number:

PO Number :

WFO Number:

Other : Payment for Renewal Application by Nalcor Energy Marketing Corporation for
Authority to Export

Electricity to Canada

Comments: Submitted on behalf of Nalcor Energy Marketing Corporation

Account Information

Please share it here.

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Cardholder Name: Joseph B Nelson

Card Type: American Express

Card Number: *****2054

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

Nalcor Energy Marketing Corporation

Docket No. EA-408-C

**APPLICATION OF
NALCOR ENERGY MARKETING CORPORATION
FOR RENEWAL OF AUTHORIZATION TO
EXPORT ELECTRICITY TO CANADA**

Pursuant to section 202(e) of the Federal Power Act (FPA), 16 U.S.C. § 824a(e), and the Department of Energy's (DOE) regulations contained in 10 C.F.R. § 205.300, *et seq.*, Nalcor Energy Marketing Corporation (NEMC or Applicant) hereby files this Application for renewal of its existing blanket authority to export electricity, as a power marketer, from the United States to Canada for a term of five years (Renewal Application). NEMC respectfully requests that the renewal of its export authorization be made effective no later than May 22, 2025.¹

I. REQUEST FOR EXPORT AUTHORIZATION

A. Description of the Applicant

The legal name of the Applicant is Nalcor Energy Marketing Corporation (NEMC). NEMC is a corporation that is incorporated in the Province of Newfoundland and Labrador with its principal place of business in the City of St. John's, NL. NEMC is a wholly owned subsidiary of Newfoundland and Labrador Hydro, which is a Crown corporation wholly owned by the Province of Newfoundland and Labrador that generates, transmits, and

¹ NEMC's existing export authorization is set to expire on May 22, 2025. *See* Order Authorizing Electricity Exports to Canada (Docket No. EA-408-A (April 16, 2020)). For purposes of ensuring continuity of authorizations, NEMC respectfully requests the issuance of the requested renewal with a corresponding effective date of May 22, 2025.

distributes electricity to utility, residential, and industrial customers throughout the Province of Newfoundland and Labrador.

NEMC is a public utility pursuant to section 201(e) of the FPA², holding market-based rate authority, which was granted by the Federal Energy Regulatory Commission (FERC) in Docket No. ER14-2579-000.³ Further, NEMC has engaged in transactions that have involved the export of electricity from the United States wholesale energy markets into Canada and it plans to continue such wholesale energy market activities during the period covered by this Renewal Application. As a power marketer, NEMC does not own any electric power generation or transmission facilities and does not have a franchised electric power service area within either the United States or Canada.

NEMC is not affiliated with any franchised public utility in the United States and does not have any partners in the export of energy for which authorization is now requested. NEMC's parent corporation is Newfoundland and Labrador Hydro (NLH), a Crown corporation that generates, transmits, and distributes electricity to utility, residential, and industrial customers throughout the Province of Newfoundland and Labrador. Through NLH, NEMC *is* affiliated with the following entities:

- Churchill Falls (Labrador) Corporation which operates the 5,428 MW Churchill Falls Generating Station.
- The Muskrat Falls Corporation, which owns and operates the 824 MW Muskrat Falls hydroelectric generating station.

² 16 U.S.C. § 824(e).

³ *Nalcor Energy Marketing Corp.*, Letter Order, No. ER14-2579-000 (Sep. 24, 2014).

B. Communications

Walter Parsons
President & CEO
Nalcor Energy Marketing Corporation
500 Columbus Drive – Hydro Place
P.O. Box 15200
St. John’s, NL A1B0P5
Canada
Tel: (709) 737-1440
Email: WalterParsons@nlh.nl.ca

Joseph B. Nelson
Van Ness Feldman, LLP
2000 Pennsylvania Ave, NW
Suite 6000
Washington, DC 20006
Tel: (202) 298-1894
Email: jbn@vnf.com

C. State of Incorporation

NEMC is incorporated in the Province of Newfoundland and Labrador with its principal place of business in the City of St. John’s, NL. In the United States, NEMC is registered as a market participant in the wholesale energy markets operated by the New York Independent System Operator, Inc. (NYISO) and ISO New England (ISO-NE).

D. Jurisdiction

Pursuant to section 202(e) of the FPA,⁴ DOE has jurisdiction over the action to be taken in this Application. No other known federal, state, or local government has jurisdiction over the export of energy to be undertaken under the authority requested pursuant to this Application.

E. Description of Transmission Facilities

NEMC seeks renewal of its blanket authority to export electricity to Canada as a power marketer over existing cross-border facilities, as well as any additional future international electric transmission facilities that are appropriate for third-party use. NEMC does not own any transmission facilities and currently does not hold any long-term

⁴ 16 U.S.C. § 824a(e).

transmission reservations for the delivery of energy from the United States into Canada.⁵ Exhibit C to this Application provides a description, including Presidential Permit numbers, of the transmission facilities which NEMC anticipates using for any authorized export of electricity.

F. Technical Discussion

Pursuant to 18 C.F.R. §205.302(g), NEMC provides the following discussion of the proposed electricity exports' reliability, fuel use and system stability impact, within the context of NEMC's operations as a power marketer. NEMC seeks to continue its blanket authority to transmit electricity as a power marketer over existing cross-border facilities identified in Exhibit C, as well as any additional future facilities that are appropriate for third-party use. NEMC does not own or control electric generation or transmission facilities in the United States and does not have a power supply system of its own on which exports of power from the United States could have a reliability, fuel use, or system stability impact.

Sufficiency of Electric Supply. NEMC will purchase electric energy from wholesale energy markets operated by NYISO, ISO-NE or other organized electric markets in which NEMC holds status as a market participant, as well as through bilateral, voluntary agreements with electric or municipal utilities, cooperatives and federal power marketing agencies (as applicable). NEMC does not have a franchised service area and therefore does not have native load requirements within the United States that could otherwise be impaired

⁵ Any transmission reservations necessary to support an export from the United States into Canada will be acquired pursuant to the applicable, FERC-approved open access transmission tariff and subject to all applicable electric reliability regulations. Solely for the purpose of the importation of electricity from Canada into the U.S., NEMC presently holds 2 megawatts (MW) of firm transmission reservations on the Hydro-Quebec Phase I/II line with a point of receipt in Quebec and point of delivery in Massachusetts.

by exports.⁶ Accordingly, the electric energy that NEMC will export on either a firm or interruptible basis will not impair the sufficiency of the electric power supply within the United States.

Criterion # 2 – Reliability. NEMC’s exports of electric energy to Canada will not impede or tend to impede the regional coordination of electric utility planning or operations. NEMC will acquire all necessary transmission rights and reservations as well as schedule and deliver energy for export in accordance with the applicable transmission tariffs governing the provision of transmission service for any transmission facility(ies) over which an export transaction is sought. Further, NEMC will comply with all applicable reliability rules and procedures in the conduct of its energy purchase and selling activities, including those activities effectuating the export of energy from the United States to Canada pursuant to this requested authorization. NEMC will schedule each transaction with the appropriate balancing authority in compliance with the reliability criteria, standards, and guidelines of NERC and its Regional Entities. NEMC will maintain any and all regulatory approvals required to accomplish any export of energy from the United States into Canada. Moreover, NEMC will comply with the terms and conditions contained in the export authorizations issued for those cross-border facilities as well as other export limitations that the DOE may deem appropriate for those facilities.⁷

The controls inherent in any transaction that complies with applicable transmission tariffs, NERC requirements and DOE export limits on the transmission facilities in Exhibit

⁶ See *Shell Energy N. Am. (U.S.), L.P.*, Order No. EA-339-A, at pp. 4-5 (May 9, 2013).

⁷ See e.g. *Luminant Energy Company, LLC*, Order No. EA-472-A pp. 13-17 (May 30, 2024) and *Emera Energy Services Subsidiary No. 8, LLC*, Order No. EA-393-B, pp. 13-17 (October 15, 2024); (identifying authorized export limits for international transmission facilities).

C, and any additional future facilities that are appropriate for third-party use, are sufficient to ensure that exports by Applicant will not impede the coordinated use of transmission facilities within the meaning of section 202(e) of the FPA.

DOE has concluded that, where it has previously reviewed technical reliability studies for Presidential permit applications for cross-border facilities, additional reliability impact assessments are not required for an export authorization over such facilities, provided that the maximum rate of transmission through a border system does not exceed the authorized limit of that transmission system.⁸ The transmission facilities listed in Exhibit C are the facilities over which NEMC intends to export energy into Canada, all of which have each received Presidential permits and therefore have been previously subject reliability studies reviewed by DOE.

Pursuant to the National Environmental Policy Act of 1969 and DOE's implementing regulations under 10 C.F.R. Part 1021, DOE has established a categorical exclusion for energy export authorizations under FPA, Section 202(e).⁹ Under this categorical exclusion, it has been determined that the authorization for export of electric energy is a specific agency action that does not, individually or cumulatively, have a significant effect on the human environment and, therefore neither an environmental assessment nor an environmental impact statement is required.¹⁰ Further, to apply this categorical exclusion DOE must determine that there are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the

⁸ See *Northland Power*, Order No. EA-473-A at p. 8 (September 24, 2024) (citing to *AEP Texas Central Co.* Order No. EA-317, pp. 2-3 (Jan. 22, 2007) and *Montana Alberta Tie Ltd.*, Order No. 305, pp. 2-4 (Nov. 2008)).

⁹ 10 C.F.R. Part 1021, Subpart D, App. B, §B4.2.

¹⁰ *Id.*

proposal and that the proposal has not been segmented to meet the definition of categorical exclusion.¹¹ NEMC's application presents no special or unique circumstances and is not related to, or segmented from, any other project or facility that is under review pursuant to NEPA. Accordingly, application of the categorical exclusion pursuant to DOE's NEPA implementing regulations is appropriate.

II. EXHIBITS

In accordance with 10 C.F.R. § 205.303, the following exhibits are attached hereto and made part hereof:

Exhibit A Agreements – **Not Applicable**

Exhibit B Legal Opinion

Exhibit C Transmission Facilities

Applicant will use all existing and future DOE-approved transmission facilities available over the United States-Canada border. Existing transmission facilities are identified in Exhibit C.

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

Exhibit E Statement of Any Corporate Relationship or Existing Contract Which in Any Way Relates to the Control or Fixing of Electric Power Rates - **Not Applicable.**

Exhibit F Operating Procedures – **Not Applicable**

Pursuant to 10 C.F.R. § 205.309, a copy of this Application is being provided to:

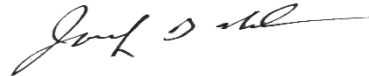
Federal Energy Regulatory Commission
Office of the Secretary
888 First Street, N.E.
Washington, DC 20426

¹¹ 10 C.F.R. §1021.410(b)(2) and (3); see e.g., *Northland Power*, Order No. EA-473-A at p. 9.

III. CONCLUSION

In consideration of the foregoing, NEMC requests that this Application be expeditiously considered and approved, no later than May 22, 2025, for a term of five years, effective from the date of its issuance.

Respectfully submitted,



Joseph B. Nelson
Van Ness Feldman, LLP
2000 Pennsylvania Avenue, NW
Suite 6000
Washington, DC 20006
202-298-1894
jbn@vnf.com

Dated: February 19, 2025

Exhibit A

Transmission Agreements

NEMC has no long-term transmission reservations or transmission agreements for delivery of electricity from the United States into Canada. Any transmission reservations necessary to support an export from the United States into Canada will be acquired pursuant to the applicable, FERC-approved open access transmission tariff and subject to all applicable electric reliability regulations.

Exhibit B
Statement of Opinion of Counsel
(Attached)



2000 Pennsylvania Ave. NW
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202-298-1800

Joseph B. Nelson, Partner
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February 19, 2025

Grid Deployment Office
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

**Re: Legal Opinion Confirming Corporate Powers - Renewal Application of
Nalcor Energy Marketing Corporation for Authority to Transmit Electric
Energy to Canada**

Dear Secretary:

Pursuant to 10 C.F.R. § 205.303(b) of the regulations of the Department of Energy, I hereby provide a legal opinion regarding the corporate powers of Nalcor Energy Marketing Corporation ("NEMC") to export electricity to Canada. I have examined the relevant corporate documents for NEMC, and based on my review of these documents, it is my opinion that the proposed exportation of electricity is within the corporate powers of NEMC, subject to Section 202(e) of the Federal Power Act, 16 U.S.C. § 824a(e). Additionally, NEMC confirms they have taken all necessary steps to comply with the applicable Federal and State laws in connection with the actions to be undertaken pursuant to this application.

Please contact the undersigned with any questions regarding this opinion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph B. Nelson".

Joseph B. Nelson
Attorney for Nalcor Energy
Marketing Corporation

Exhibit C

**Transmission Lines
at the U.S. – Canada Border
Authorized for Third-Party Use**

Present Owner	Location	Voltage	Presidential Permit No.¹
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
Champlain Hudson Power Express, Inc.	Champlain, NY	320 kV (DC)	PP-362²
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-412³
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

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

³ These transmission facilities have been authorized but not yet constructed or placed in operation

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-398⁴
Minnkota Power Cooperative	Roseau County, MN	230-kV	PP-61
Montana Alberta Tie Ltd.	Cut Bank, MT	230-kV	PP-305
NECEC Transmission LLC	Beattie Township, ME	±320-kV (DC)	PP-438⁵
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-299⁶
TDI-New England	Alburgh, Vermont	±320-kV (DC)	PP-400⁷
Vermont Electric Power Co.	Derby Line, VT	120-kV	PP-66
Vermont Electric Transmission Co.	Norton, VT	±450-kV (DC)	PP-76
Vermont Transco LLC	Highgate, VT	120-kV	PP-82

⁴ These transmission facilities have been authorized but not yet constructed or placed in operation

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

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

⁷ These transmission facilities have been authorized but not yet constructed or placed in operation

Exhibit D

**IRREVOCABLE LIMITED
POWER OF ATTORNEY**


This IRREVOCABLE LIMITED POWER OF ATTORNEY is made on February 14, 2025 by Nalcor Energy Marketing Corporation (the "Principal"), a corporation organized and existing under the Corporations Act of Newfoundland and Labrador, with its registered office at 500 Columbus Dr., P.O. Box 15200, St. John's, NL A1B 0P5.

1. Appointment. The Principal hereby appoints Joseph B. Nelson, Esq., who maintains his place of business at Van Ness Feldman LLP, 2000 Pennsylvania Avenue, NW, Suite 6000, 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) (2024), Attorney Nelson 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 14 day of February, 2025.

By: 
Walter Parsons
President & CEO
Nalcor Energy Marketing Corporation

SUBSCRIBED AND SWORN BEFORE ME, this 14 day of February, 2025


Michael Ladha
Vice President, Chief Legal Officer
& Corporate Secretary
Newfoundland and Labrador Hydro

My Commission expires: N/A Notary Public, Newfoundland and Labrador

Exhibit E

[Not Applicable]

Exhibit F

[Not Applicable]

VERIFICATION

PROVINCE OF NEWFOUNDLAND AND LABRADOR

Walter Parsons, duly sworn, states that he serves as the President and CEO of Nalcor Energy Marketing Corporation, that he is authorized to execute this Verification, that he has read the above and foregoing document and is familiar with the contents thereof, and that all allegations of fact therein contained are true and correct to the best of his knowledge and belief.



Walter Parsons
President & CEO
Nalcor Energy Marketing Corporation

Sworn to me this 14 day
of February, 2025.



Michael Ladha
Vice President, Chief Legal Officer & Corporate Secretary
Newfoundland and Labrador Hydro

Notary Public, Newfoundland and Labrador

My Commission expires: N/A