



September 1, 2026

VIA EMAIL

Tina Francone
Grid Deployment Office
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
electricity.exports@hq.doe.gov

**Re: *Tenaska Power Services Co.*, Docket No. EA-431-B
Application for Renewal of Authorization to Transmit
Electric Energy to Mexico**

Dear Ms. Francone:

Enclosed for filing is the “Application of Tenaska Power Services Co. for Authorization to Transmit Electric Energy to Mexico.”

Thank you for your assistance in this matter.

Respectfully submitted,

/s/ Neil L. Levy

Neil L. Levy

Counsel for **Tenaska Power Services Co.**

Enclosures

cc: Marina Fennel (GDO, Program Manager)
Federal Energy Regulatory Commission

**UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
GRID DEPLOYMENT OFFICE**

Tenaska Power Services Co.

)

Docket No. EA-431-B

**APPLICATION OF TENASKA POWER SERVICES CO.
FOR AUTHORIZATION TO TRANSMIT ELECTRIC ENERGY TO MEXICO**

Pursuant to Section 202(e) of the Federal Power Act (the “FPA”), 16 U.S.C. § 824a(e) (2024), and 10 C.F.R. § 205.300 (2026),¹ Tenaska Power Services Co. (“TPS” or “Applicant”) hereby submits this application (this “Application”) for renewal of its blanket authorization to transmit electric energy from the United States to Mexico for a period of five years. In support of this Application, TPS respectfully states as follows:

I.

COMMUNICATIONS

All correspondence and communications regarding this Application should be addressed to the following persons:

Kevin M. Page
Vice President and General Counsel
Tenaska Power Services Co.
300 East John Carpenter Freeway
Suite 1100
Irving, TX 75062
(817) 462-8053
kpage@tenaska.com

Neil L. Levy
McDERMOTT WILL & SCHULTE LLP
The McDermott Building
500 North Capitol Street, NW
Washington, DC 20001
(202) 756-8080
(202) 756-8087 (facsimile)
nlevy@mcdermottlaw.com

¹ See also *Application for Authorization To Transmit Elec. Energy to a Foreign Country*, 91 Fed. Reg. 36,970 (June 22, 2026) (the “June 22 Rule”) (final rule modifying 10 C.F.R. § 205.300 and removing 10 C.F.R. §§ 205.301 through 309).

II.

DESCRIPTION OF APPLICANT

TPS is a Nebraska corporation that is authorized to do business in the State of Nebraska, as well as Alabama, Illinois, Texas, New York, Ohio, Oklahoma, California, Delaware, Nevada, Pennsylvania, New Jersey, and Washington.

TPS is a power marketer authorized by the Federal Energy Regulatory Commission (“FERC”) to make sales of electric power at wholesale in interstate commerce at market-based rates.² TPS does not own or control any transmission facilities and does not have a franchised service area.

On March 4, 2022, the U.S. Department of Energy (the “Department” or “DOE”), issued Order No. EA-431-A authorizing TPS to export electric energy to Mexico as a power marketer for a five-year term.³ TPS’s current authorization to export electric energy to Mexico expires on March 4, 2027.

TPS is an indirect, wholly owned subsidiary of Tenaska Energy, Inc. (“Tenaska”). TPS’s parent company, Tenaska, is a privately held corporation organized and existing under the laws of Delaware. Tenaska is an independent developer and owner of power production facilities located throughout the United States.

² See *Tenaska Power Servs. Co.*, Docket No. ER94-389-000 (May 26, 1994) (unreported) (granting market-based rate authority) (provided as Attachment 2 hereto).

³ See *Tenaska Power Servs. Co.*, Order Authorizing Electricity Exports to Mexico, Order No. EA-431-A (Mar. 4, 2022). TPS has also received authorization to export electricity to Canada. See *Tenaska Power Servs. Co.*, Order Authorizing Electricity Exports to Canada, Order No. EA-243-D (Jan. 7, 2022). A former, wholly owned subsidiary of TPS, Tenaska Energía de Mexico, S. de R.L. de C.V., was previously granted authorization to export electricity to Mexico, but did not request renewal of such authorization when it expired. See *Tenaska Energía de Mexico, S. de R.L. de C.V.*, Order Authorizing Electricity Exports to Mexico, Order No. EA-417 (June 15, 2016).

III.

APPLICATION

Consistent with the Department's prior orders, TPS respectfully requests authorization to continue to export power to Mexico over any authorized international transmission facility that is appropriate for open access transmission by third parties in accordance with the export limits authorized by the Department.⁴ Given that TPS only intends to export power over existing transmission lines, this Application qualifies for a categorical exclusion under the Department's regulations implementing the National Environmental Policy Act of 1969.⁵

A. The Requested Authorization Will Not Impair the Sufficiency of Electric Supply in the United States

As noted above, TPS does not currently own or control electric generation or transmission facilities, and does not have a power supply of its own in the United States that would cause its electricity exports to have a reliability, fuel use, or system stability impact. TPS will purchase the electricity that it may export, on either a firm or an interruptible basis, from wholesale generators, electric utilities, federal power marketing agencies and affiliates through negotiated agreements that have been voluntarily executed by the selling parties after considering their own need for any such electricity. Accordingly, TPS's proposed electricity exports will not impair or tend to impede

⁴ Exhibit A to this Application identifies the existing and planned international transmission facilities that are currently authorized by Presidential Permit and available for open access transmission. *See, e.g., Rainbow Energy Mktg. Corp.*, Order Authorizing Electricity Exports to Mexico, Order No. EA-375-C (Aug. 11, 2026) ("*Rainbow*"). Other than the Department, TPS is not aware of any federal, state, or local government agency that has jurisdiction over the actions to be taken under the authority sought in this Application.

⁵ *See* 10 C.F.R. Part 1021, Appendix B, § B4.2 (2025) (providing a categorical exclusion for the "[e]xport of electric energy as provided by Section 202(e) of the [FPA] over existing transmission systems or using transmission system changes that are themselves categorically excluded."); *Rainbow* at 8 (finding *Rainbow*'s application for renewal of its export authorization to Mexico to qualify for the categorical exclusion).

the sufficiency of electric power supplies in the United States or the regional coordination of electric utility planning or operations.⁶

B. The Requested Authorization Will Not Adversely Affect Reliability or the Security of the Domestic Electric Transmission System

As a power marketer that does not own or operate a transmission system (and therefore must acquire transmission service pursuant to open access transmission and similar tariffs), TPS does not have the ability to cause a violation of the terms and conditions in the existing authorizations associated with international transmission facilities. Specifically, TPS does not have the ability to cause total electricity exports on Presidential Permit facilities to exceed the authorized instantaneous transmission capacity limits for such facilities.

TPS will make all necessary commercial arrangements and will obtain any and all other regulatory approvals required in order to carry out any electricity exports. This would include: (1) scheduling each transaction with the appropriate balancing authority area in compliance with all reliability criteria, standards, and guidelines of the North American Electric Reliability Corporation and the relevant Regional Entities (collectively, “NERC”) in effect at the time of export, and (2) obtaining all necessary transmission access over approved export facilities. TPS agrees to abide by the export limits contained in the relevant export authorization of any transmission facilities over which TPS exports electricity to Mexico. The controls that are inherent in any transaction that complies with all NERC requirements and the export limits imposed by the

⁶ See June 22 Rule, 91 Fed. Reg. at 36,971 (recognizing that power marketers like TPS “have no franchised service area and no physical transmission or generation assets because they do not produce electricity,” and that power marketers “purchase and sell electricity on the open market and thereby improve the efficiency of electric power markets.”); *Rainbow* at 5 (finding that “market mechanisms and reliability oversight protect against the possibility that . . . exports [by Rainbow Energy Marketing Corporation (“Rainbow”), a power marketer] would jeopardize domestic sufficiency of supply” and that, as a result, “an export by Rainbow would not trigger the first exception criterion of FPA § 202(e) regarding the sufficiency of electric supply within the United States”).

Department on the international transmission facilities are sufficient to ensure that exports by TPS would not impede or tend to impede the coordinated use of transmission facilities within the meaning of Section 202(e) of the FPA.⁷

IV.

EXHIBIT AND ATTACHMENTS

TPS is hereby providing the following exhibit and attachments in support of this Application.

Exhibit A	The transmission facilities authorized by Presidential Permit over which TPS intends to export electricity.
Attachment 1	Verification of Kevin Michael Page, Vice President and General Counsel of TPS.
Attachment 2	Copy of letter order from FERC, dated May 26, 1994, granting TPS market-based rate authority.

⁷ See *Rainbow* at 7 (finding that “the existing industry procedures for obtaining transmission capacity on the domestic transmission system . . . provide adequate assurance that any export will not cause an operational reliability problem” and that the “question of whether the border system is reliable and secure” is “satisfied by DOE regulatory oversight, in addition to NERC’s reliability enforcement”).

V.

CONCLUSION

WHEREFORE, for the reasons set forth herein, TPS respectfully requests that the Department issue an order renewing TPS's authorization to transmit electric energy to Mexico for a period of five years, effective upon issuance of the order but no later than March 4, 2027.

Respectfully submitted,

TENASKA POWER SERVICES CO.

By: /s/ Neil L. Levy
Neil L. Levy
Stephanie S. Lim
McDERMOTT WILL & SCHULTE LLP
The McDermott Building
500 North Capitol Street, NW
Washington, DC 20001

Counsel for **Tenaska Power Services Co.**

Dated: September 1, 2026

Exhibit A

Transmission Facilities

**Currently Authorized Existing and Planned
International Transmission Facilities Available for Open Access Transmission¹**

Owner	Location	Voltage	Presidential Permit No.²
Comisión Federal de Electricidad	Falcon Dam, TX Redford, TX Presidio, TX	138-kV 7.2-kV 13.8-kV	N/A PP-51 PP-03
Baja California Power, Inc.	Imperial Valley, CA	230-kV	PP-234
Generadora del Desierto – Western Area Power Administration (WAPA)	San Luis, AZ	230-kV	PP-304*
AEP Texas Inc.	Brownsville, TX Brownsville, TX Laredo, TX Laredo, TX	138-kV 69-kV 138-kV 230-kV 138-kV	PP-425 PP-425 PP-423 PP-423 PP-424
El Paso Electric Company	Diablo, NM Ascarate, TX	115-kV 115-kV	PP-92 PP-48
San Diego Gas & Electric	Miguel, CA Imperial Valley, CA	230-kV 230-kV	PP-68 PP-79
Sharyland Utilities	McAllen, TX	138-kV	PP-285
Nogales Transmission	Nogales, AZ	230-kV	PP-420*
Energia Sierra Juarez U.S. Transmission, LLC	Jacumba, CA	230-kV	PP-334

* These transmission facilities have been authorized but not yet constructed or placed into operation.

¹ These international transmission facilities are authorized by Presidential Permit and available for open access transmission. *See Rainbow Energy Mktg. Corp.*, Order Authorizing Electricity Exports to Mexico, Order No. EA-375-C at 10-11 (Aug. 11, 2026).

² 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.

Attachment 1

Verification

**UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
GRID DEPLOYMENT OFFICE**

Tenaska Power Services Co.

)

Docket No. EA-431-B

VERIFICATION

STATE OF TEXAS

)

COUNTY OF DALLAS

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Kevin Michael Page, being first duly sworn, states that he is the Vice President and General Counsel of Tenaska Power Services Co.; that he is authorized to execute this verification; that he has read the above and foregoing Application and is familiar with the contents thereof; and that all allegations and facts contained therein, are true and correct to the best of his knowledge, information, and belief.



Kevin M. Page
Vice President and General Counsel
Tenaska Power Services Co.

Subscribed and sworn to before me this 31st day of August, 2026.



Notary Public
for the State of Texas



My Commission expires:

4/15/27

Attachment 2

FERC Order Granting Market-Based Rate Authorization

Docket No. ER94-389-000

MAY 26, 1994

Flood & Ward
Attention: Mr. David B. Ward
1000 Potomac Street, N.W., Suite 402
Washington, D.C. 20007

Dear Mr. Ward:

By letters dated December 23, 1993, February 1 and March 28, 1994, you submitted for filing with the Commission, on behalf of Tenaska Power Services Company (TPS), a rate schedule under which TPS will engage in wholesale electric power and energy transactions as a marketer. You also request (1) waivers of various regulations consistent with those granted other marketers, and (2) clarification as to whether the sale of accounts receivable in connection with power marketing transactions requires Commission approval under Section 203 of the Federal Power Act. Authority to act on this matter is delegated to the Director, Division of Applications, under Section 375.308 of the Commission's Regulations; pursuant to Section 375.308(a)(1), your submittal is accepted for filing and designated as shown on the Enclosure.

Your requests for waiver of the Commission's filing requirements are hereby granted, along with the authorizations and subject to the same conditions provided in Citizens Power & Light Corp. (Citizens), 48 FERC ¶ 61,210 (1989). Consistent with Ford Motor Company, 52 FERC ¶ 61,025 (1990), TPS is required to comply with Part 46 of the Regulations. Also, in Enron Power Marketing, Inc. (Enron), 65 FERC ¶ 61,305 at 62,405 (1993), the Commission explained that sales of accounts receivable would not require filing under Section 203.

Consistent with the Commission's action in Citizens, you are directed to submit quarterly informational filings containing the same information required in Citizens for each purchase contract and each sale contract, with the first filing due within 30 days of the calendar quarter ending in June of 1994. Also, consistent with Citizens and Enron, order on reh'g, 66 FERC ¶ 61,244 (1994), you are directed to file promptly with the Commission any change in status. Changes in status include departure from the characteristics the Commission has relied upon in approving market-based pricing for TPS, including but not limited to: (1) lack of ownership of generation or transmission facilities (except for those qualifying facilities (QF) or exempt wholesale

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Flood & Ward

generators (EWG) identified in your submittal for which commitments of the entire output were made under long-term contracts prior to the date of this order) or inputs to electric power production; (2) lack of affiliation with any entity which owns generation or transmission facilities (except for QFs and EWGs identified in your submittal for which commitments of the entire output were made under long-term contracts prior to the date of this order) or other inputs to electric power production; (3) lack of affiliation with any entity that has a franchised service area; or (4) lack of business arrangements (including sales of accounts receivable) involving TPS or any entity affiliated with TPS and the entities which buy power from or sell power to TPS or transmit power for TPS.

Notice of your filing was published in the Federal Register with comments, protests, or interventions due on or before May 3, 1994. No comments, protests, or interventions were filed.

Good cause is shown for granting waiver of the notice requirements pursuant to Section 205(d) of the Federal Power Act and Section 35.11 of the Commission's Regulations thereunder; therefore, the rate schedule shall become effective as shown on the Enclosure.

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, or practice affecting such rate or service provided for in the

filed documents; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against Tenaska Power Services Company.

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within thirty days of the date of issuance of this order, pursuant to 18 CFR 385.713.

This letter terminates Docket No. ER94-389-000.

Sincerely,

Donald J. Gelinas, Director
Division of Applications

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Enclosure

Enclosure

Tenaska Power Services Company
Docket No. ER94-389-000
Rate Schedule Designation

Designation

Effective Date

Rate Schedule FERC No. 1

February 21, 1994

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