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Original Filing

Public Utilities Commission of Nevada
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Reference:

Filed For: EDF Renewables Development Inc

In accordance with NRS Chapter 719,
this filing has been electronically signed and filed
by: /s Linda Bullen

By electronically filing the document(s),
the filer attests to the authenticity of the electronic signature(s) contained therein.

This filing has been electronically filed and deemed to be signed by an authorized
agent or
representative of the signer(s) and
EDF Renewables Development Inc

**BULLEN LAW, LLC
8635 W. Sahara Ave. #454
Las Vegas, NV 89117**

**Linda M. Bullen
702-279-4040
linda@bullenlaw.com**

February 4, 2022

Ms. Trisha Osborne
Assistant Commission Secretary
Public Utilities Commission of Nevada
1150 East William Street
Carson City, Nevada 89701-3109

Re: Notice Pursuant to the Utility Environmental Protection Act of an Application to a Federal Agency by EDF Renewables Development, Inc. to Construct the Rigel Solar Project, an up to 500 MW/ac Photovoltaic Solar Plant, 230 kV Generation Tie Line, a Battery Energy Storage System and Ancillary Facilities

Dear Ms. Osborne:

Enclosed for filing please find the Notice Pursuant to the Utility Environmental Protection Act of an Application to a Federal Agency by EDF Renewables Development, Inc. to Construct the Rigel Solar Project, an up to 500 MW/ac Photovoltaic Solar Plant, 230 kV Generation Tie Line, a Battery Energy Storage System and Ancillary Facilities.

If you have any questions about this filing, please do not hesitate to contact me at (702) 279-4040.

Best Regards,

/s/ Linda M. Bullen

Linda M. Bullen

Attorney for EDF Renewables Development, Inc.

1 **BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

2 IN THE MATTER OF:

3 Notice Pursuant to the Utility Environmental
4 Protection Act of an Application to a Federal
5 Agency by EDF Renewables Development,
6 Inc. to Construct the Rigel Solar Project, an up
7 to 500 MW/ac Photovoltaic Solar Plant, 230
8 kV Generation Tie Line, a Battery Energy
9 Storage System and Ancillary Facilities

Docket No. 22- _____

10 **NOTICE PURSUANT TO THE UTILITY ENVIRONMENTAL PROTECTION ACT OF**
11 **AN APPLICATION TO A FEDERAL AGENCY BY EDF RENEWABLES**
12 **DEVELOPMENT, INC. TO CONSTRUCT THE RIGEL SOLAR PROJECT, AN UP TO**
13 **500 MW/AC PHOTOVOLTAIC SOLAR PROJECT, 230 KV GENERATION TIE**
14 **LINE, A BATTERY ENERGY STORAGE SYSTEM AND ANCILLARY FACILITIES**

15 **I. INTRODUCTION**

16 Pursuant to the Nevada Utility Environmental Protection Act ("UEPA"), Nevada Revised
17 Statutes ("NRS") Sections 704.820 to 704.900 and Sections 703.415 to 703.427 of the Nevada
18 Administrative Code ("NAC"), EDF Renewables Development, Inc. ("EDF Renewables") hereby
19 files a Notice with the Public Utilities Commission of Nevada (the "Commission") that it is filing,
20 contemporaneous with this Notice, an application with a federal agency to allow it to construct an
21 up to 500 megawatt ("MW") alternating current ("ac") solar photovoltaic project with a battery
22 energy storage system ("BESS") in rural Nye County, Nevada (the "Project").

23 All correspondence related to this Notice should be sent to the undersigned:

24 Linda M. Bullen
25 Bullen Law, LLC
26 8635 W. Sahara Ave. #454
27 Las Vegas, Nevada 89117
28 linda@bullenlaw.com
702-279-4040

The Project falls within the definition of a "utility facility" pursuant to NRS 704.860.1,
because it is a renewable energy electric generating facility of 70 MW or greater. Because the
Project is located on federal land, the BLM is required to conduct an environmental analysis for
that portion of the Project. The environmental review for this portion of the Project will be

1 conducted by the BLM pursuant to the National Environmental Policy Act (“NEPA”), 42 U.S.C.
2 §4321. Accordingly, this Notice is being filed pursuant to NRS 704.870(2)(a). No later than 30
3 days after the issuance of the final federal environmental document, Desert Marble Solar will file
4 a UEPA Application with the Commission pursuant to NRS 704.870(2)(b) that contains the federal
5 environmental document. Upon submission of the Application and supporting documents, Desert
6 Marble Solar will seek one or more Permits to Construct (“PTCs”) the Project from the
7 Commission.

8 II. INFORMATION REQUIRED BY NAC 703.421

9 The following Notice was prepared pursuant to NRS 704.870.2(a) and NAC 703.421.

10 **1. The name, address and telephone number of the person who is filing the application**
11 **with the appropriate federal agency (NAC 703.421.1).**

12 Devon Muto
13 EDF Renewables Development, Inc.
14 15445 Innovation Drive
San Diego, CA 92128
(858) 442-4957

15 **2. The date on which the application was filed with the appropriate federal agency (NAC**
16 **703.421.2).**

17 The SF 299 for the Project is being filed contemporaneously with this Notice, on February
18 4, 2022.

19 **3. A general description of the location of the proposed utility facility (NAC 703.421.3).**

20 The Project will be located approximately 7.5 miles south of the town of Beatty in rural
21 Nye County, Nevada on BLM-administered federal land.

22 **4. A general description of the proposed utility facility (NAC 703.421.4).**

23 The Project will be an up to 500 MW/ac photovoltaic solar facility, a 230 kV gen-tie line
24 and associated facilities including a substation, an operation and maintenance building, an energy
25 storage system and other ancillary facilities.

26 **5. Proof that a copy of the notice has been submitted to the Nevada State Clearinghouse**
27 **within the Department of Conservation and Natural Resources (NAC 703.421.5).**

28 A copy of this Notice has been submitted to the Regulatory Operations Staff of the

1 Commission, the Nevada Attorney General's Bureau of Consumer Protection, Nevada State
2 Clearinghouse, the Nevada Department of Conservation and Natural Resources - Division of
3 Environmental Protection, the Nye County Clerk and others. *See* Certificate of Service attached
4 hereto as Exhibit A.

5 **6. Draft Notice (NAC 703.162).**

6 A copy of the draft notice pursuant to NAC 703.162 is attached hereto as Exhibit B.

7 **7. Proof of Compliance with the Nevada Department of Wildlife Energy Cost Recovery
8 Fund Program (NRS 701.600-640).**

9 Pursuant to NRS 701.610, a person who files an application with the Federal Government
10 for a lease or easement for a right-of-way for an energy development project or an application with
11 the Public Utilities Commission of Nevada or any county in this State relating to the construction
12 of an energy development project shall, concurrently with the filing of the application, file a notice
13 of the energy development project with the Nevada Department of Wildlife (“NDOW”). The
14 NDOW Application for Energy Projects Fund for the Recovery of Costs for the Project was filed
15 in February 2022, and a copy is attached hereto as Exhibit C.

16 **III. CONCLUSION**

17 EDF Renewables will submit its UEPA Application at the conclusion of the federal
18 environmental review process. At that time, it will request that the Commission issue to it one or
19 more UEPA Permits to Construct the Project pursuant to NRS 704.870(2)(b) and NAC 703.423.

20 Respectfully submitted on February 4, 2022.

21 Linda M. Bullen

22 /s/ Linda M. Bullen

23 Bullen Law, LLC

24 Attorney for EDF Renewables Development, Inc.

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EXHIBIT A

CERTIFICATE OF SERVICE

It is hereby certified that on February 4, 2022 a true and correct copy of the attached Notice Pursuant to the Utility Environmental Protection Act of an Application to a Federal Agency by EDF Renewables Development, Inc. to Construct the Rigel Solar Project, an up to 500 MW/ac Photovoltaic Solar Plant, 230kV Generation Tie Line, a Battery Energy Storage System and Ancillary Facilities was served via electronic mail on the following:

Staff Counsel Support
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, Nevada 89701-3109
pucn.sc@pucn.nv.gov

Office of the Attorney General
Bureau of Consumer Protection
Mr. Ernest Figueroa
100 North Carson Street
Carson City, Nevada 89701-4717
bcp@ag.nv.gov

Public Utilities Commission of Nevada
Mr. Don Lomoljo, Staff Counsel
1150 E. William Street
Carson City, Nevada 89701-3109
dlomoljo@puc.nv.gov

Nye County Clerk
Sandra L. Merlino
101 Radar Road
P.O. Box 1031
Tonopah, NV 89049
smerlino@co.nye.nv.us

State Clearinghouse
Division of State Lands
901 South Stewart Street, Suite 5003
Carson City, NV 89701-5246
nevadaclearinghouse@lands.nv.gov

Nevada Division of Environmental
Protection
Mr. Greg Lovato, Administrator
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
glovato@ndep.nv.gov

Dated: February 4, 2022

/s/ Linda M. Bullen
An Employee of Bullen Law, LLC

Exhibit B

PUBLIC UTILITIES COMMISSION OF NEVADA DRAFT NOTICE (Applications, Tariff Filings, Complaints, and Petitions)

Pursuant to Nevada Administrative Code (“NAC”) 703.162, the Commission requires that a draft notice be included with all applications, tariff filings, complaints and petitions. Please complete and include **ONE COPY** of this form with your filing. (Completion of this form may require the use of more than one page.)

A title that generally describes the relief requested (*see* NAC 703.160(4)(a)):

Notice Pursuant to the Utility Environmental Protection Act of an Application to a Federal Agency by EDF Renewables Development, Inc. to Construct the Rigel Solar Project, an up to 500 MW/ac Photovoltaic Solar Plant, 230 kV Generation Tie Line, a Battery Energy Storage System and Ancillary Facilities

The name of the applicant, complainant, petitioner or the name of the agent for the applicant, complainant or petitioner (*see* NAC 703.160(4)(b)):

**The applicant is EDF Renewables Development, Inc. (“EDF Renewables”).
Linda M. Bullen of Bullen Law, LLC is legal counsel for the applicant.**

A brief description of the purpose of the filing or proceeding, including, without limitation, a clear and concise introductory statement that summarizes the relief requested or the type of proceeding scheduled **AND** the effect of the relief or proceeding upon consumers (*see* NAC 703.160(4)(c)).

EDF Renewables is filing a Notice of an Application to a Federal Agency with the Public Utilities Commission of Nevada (the “Commission”) for an application to the Bureau of Land Management (“BLM”) to construct the Rigel Solar Project, an up to 500 megawatt (“MW”) alternating current (“ac”) solar photovoltaic project a battery energy storage system and a 230 kilovolt (“kV”) generation tie line and ancillary facilities including access roads, an on-site substation, an operation and maintenance building located on BLM managed land approximately 7.5 miles south of the town of Beatty in rural Nye County, Nevada.

A statement indicating whether a consumer session is required to be held pursuant to Nevada Revised Statute (“NRS”) 704.069(1)¹:

A consumer session is not required.

If the draft notice pertains to a tariff filing, please include the tariff number **AND** the section number(s) or schedule number(s) being revised.

The draft notice does not pertain to a tariff filing.

¹ NRS 704.069 states in pertinent part:

1. The Commission shall conduct a consumer session to solicit comments from the public in any matter pending before the Commission pursuant to NRS 704.061 to 704.110 inclusive, in which:

(a) A public utility has filed a general rate application, an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale or an application to clear its deferred accounts; and

(b) The changes proposed in the application will result in an increase in annual gross operating revenue, as certified by the applicant, in an amount that will exceed \$50,000 or 10 percent of the applicant’s annual gross operating revenue, whichever is less.

EXHIBIT C

Application for Energy Projects "Fund for the Recovery of Costs"



Nevada Revised Statutes 701.600-640
Nevada Administrative Code 701.800-820

Applicant:	
<input type="checkbox"/>	Self
<input checked="" type="checkbox"/>	Private Company
<input type="checkbox"/>	Government Agency
<input type="checkbox"/>	Other _____

Project Name Rigel Solar Project
 Applicant EDF Renewables Development, Inc.
 Mailing Address 15445 Innovation Drive
 City San Diego State CA Zip Code 92128
 Name of Contact Devon Muto Phone 858-442-4957 Email devon.muto@edf-re.com
 Name of Responsible Corp. Officer/Agency Rep. Devon Muto Title Sr. Director, Solar Development

Project Type

Solar Wind Geothermal Fossil Fuel Biomass Fuel Pipeline Power Transmission Other

Net Maximum Generation Capacity 500 MW Estimated Voltage (power transmission) _____ kV
 Proposed Project Size (acres) 6,555 Proposed Transmission Length (miles) _____
 Proposed Length of Fuel Lines/Pipelines (miles) _____

Other Infrastructure (e.g., evaporation/holding ponds or tanks, recharge stations; estimated acres) _____
 Battery storage, on-site substation, generation tie-lines, roads and associated facilities (O&M etc.) _____

Proposed County Location (submit project map and shapefiles) Nye, Nevada, map attached as Exhibit A.

Project Description The Project is a 500 MW photovoltaic solar and battery storage facility with other facilities ancillary to a solar electric generation facility. It will be constructed on approximately 6,565 acres of BLM managed land and will interconnect at the Beatty Substation via a 230kV generation tie-line.

Estimated Project Schedule/Timeline Construction to start in Q1 2024 and take 12 months to complete.

Applicant Signature [Signature] Date 2/2/2022

Enclose initial payment made out to **Nevada Department of Wildlife.**

- Remit **\$5,000** for fuel pipelines less than 50 miles in length, power transmission projects greater than 50kV and less than 50 miles in length, or geothermal production projects.
- Remit **\$10,000** for fuel pipelines more than 50 miles in length, power transmission projects greater than 50kV and more than 50 miles in length, or solar, wind, fossil fuel or other energy production projects.

Submit project shapefiles (ArcGIS or GoogleEarth are acceptable) to: Jasmine Kleiber at jkleiber@ndow.org

Submit application, payment, and maps to: Nevada Department of Wildlife
 Habitat Division – AB307
 6980 Sierra Center Parkway, Suite 120
 Reno, NV 89511 USA