**STATE OF NEBRASKA**

**NEBRASKA POWER REVIEW BOARD**

PRIVATELY DEVELOPED RENEWABLE GENERATOR, LLC ) NOTICE OF CERTIFICATION OF

or INDIVIDUAL OWNER’S NAME ) INTENT TO CONSTRUCT A PRIVATELY

(Underlined text is for example purposes only. ) DEVELOPED RENEWABLE ENERGY

The private developer should modify underlined ) GENERATION FACILITY

text as needed to apply to its circumstances) )

 [Legal name of privately owned developer] (hereinafter “Developer”), pursuant to Nebraska Revised Statutes section 70-1014.02, hereby notifies the Nebraska Power Review Board (the “Board”) of its intention to construct a Privately Developed Renewable Energy Generation Facility as defined by section 70-1001.01(12). Developer hereby requests the Board acknowledge and confirm that the developer and facility (as defined below) are exempt from sections 70-1012 through 70-1014.01 based upon the facts certified herein.

1. Description of Developer:

Developer is a privately owned [Nebraska limited liability company, etc.]. Developer is not a public power district, a public power and irrigation district, a municipality, a registered group of municipalities, an electric cooperative, an electric membership association, or any other governmental entity, or any combination thereof. Developer certifies to the Board that it meets the definition of a “private electric supplier” in section 70-1001.01(11).

1. Description of Proposed Electric Generation Facility:

[Developer should provide a brief description of the location, capacity, type of renewable fuel (wind, solar, etc.), related infrastructure and any other pertinent information.]

1. Certification of Compliance with section 70-1014.02(2)(a):
2. Developer certifies that the facility will be a privately developed renewable energy generation facility as defined by section 70-1001.01(12), and certifies the following:
3. The facility will generate electricity using [insert renewable fuel (wind, solar, etc)].
4. The facility will be developed, constructed and owned by one or more private electric suppliers.
5. The facility will not be wholly owned by a public power district, a public power and irrigation district, a municipality, a registered group of municipalities, an electric cooperative, an electric membership association, or any other governmental entity or combination thereof.
6. Developer will comply with any decommissioning requirements adopted by [insert name of county or municipality in which facility will be located] or any other local governmental entity with jurisdiction over the facility.
7. Developer has or will enter into a joint transmission development agreement with the electric supplier owning the transmission facilities to which the privately developed renewable energy generation facility will interconnect pursuant to section 70-1014.02(2)(c), as necessary to document the construction, ownership, operation and maintenance of additions or upgrades to the transmission facilities required for the facility. [This example paragraph should be used for larger facilities that will require an interconnection agreement with the local utility owning the transmission system to which the new facility will interconnect. Delete this paragraph if the alternative below is used.]

**[OR]**

(c) The Facility will use the local distribution system only, and thus will not require a joint development agreement. Instead, the Developer and [name of local electric utility owning the distribution system] have entered into an interconnection agreement setting out the rules and obligations for interconnecting the facility with the local distribution system. [This example paragraph should be used for smaller facilities that will not require a formal joint transmission development agreement. Delete this paragraph if the alternative above is used.]

1. Developer has consulted with, and will continue to consult with, the Nebraska Game and Parks Commission to identify potential measures to avoid, minimize, and mitigate impacts to species identified under subsections (1) or (2) of section 37-806.
2. The facility will have greater than ten megawatts capacity. Developer has held at least one public meeting\* with advanced publicized notice in at least one of the counties in which the proposed facility will be located. At the meeting Developer explained the need for the proposed facility and type of facility involved. Real property owners in all of the counties in which the proposed facility will be located were given an opportunity to comment on the proposed facility.
	1. Enclosed with this Notice is a report containing the minutes of said public meeting. The report includes the number of people who offered comments on the proposed facility. Any documents received at the meeting will be provided to the Board upon its request.
3. The proposed facility is not within a ten mile radius of a military installation as defined in Neb. Rev. Stat. section 70-1001.01(9).

**[OR]**

1. The proposed facility is within a ten mile radius of a military installation as defined in Neb. Rev. Stat. section 70-1001.01(9). Developer provides notice to the Board that it has consulted with its vendors and Developer hereby certifies that the facility continually contains no electronic-related equipment or electronic-related components manufactured by a foreign adversary as defined in Neb. Rev. Stat. section 70-1001.01(8).

**[OR]**

1. The proposed facility is within a ten mile radius of a military installation as defined in Neb. Rev. Stat. section 70-1001.01(9), the facility will connect to the transmission grid at one hundred kilovolts or higher voltage, and

**[Either]**

the facility has a nameplate rating of twenty megavolt amperes [for facilities with a single generation unit]

 **[OR]**

the facility will inject electricity onto the grid at an aggregate of seventy-five megavolt amperes or greater.

Developer hereby certifies to the Board that the facility will, upon reaching commercial operation, be in compliance with the critical infrastructure protection requirements issued by the North American Electric Reliability Corporation.

* 1. Developer hereby certifies it will provide written notice to the Board if at any time such facility is no longer in compliance with the requirements in section (f) of this Notice.

[Private Developer Name] hereby certifies the foregoing to be true and accurate.

 [Private Developer Name]

 By: [Signature] \_\_\_\_\_

 Printed name: \_\_\_\_\_

 Title: [President, CEO, Owner, etc.]\_

 Address: \_\_\_\_\_

 \_\_\_\_\_

 \_\_\_\_\_

Date: \_\_\_\_\_

\* This meeting is separate from any public meeting held by a county board or other local unit of government at which the proposed facility is addressed. Any such meeting is not subject to the requirements described in subdivision (2)(b)(iv) of section 84-1411.