

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Notice of Exemption)
of Boot Hill Solar LLC Pursuant To) Docket No. 24-BHST-794-WND
K.S.A. 66-104(e))

Notice of Self-Certification of Exempt Wholesale Generator Status

Please take note that on July 30, 2025, the attached Notice of Self-Certification of Exempt Wholesale Generator Status (“Notice”) was filed with the Federal Energy Regulatory Commission (“FERC”) on behalf of Boot Hill Solar LLC. Consistent with FERC’s regulations, this Notice was then served via email on Aaron Bailey, Assistant General Counsel to the Kansas Corporation Commission. On August 4, 2025, Mr. Bailey directed counsel for Boot Hill Solar LLC to file this Notice in the above-captioned docket.

Consistent with that directive, Boot Hill Solar LLC hereby respectfully submits a copy of that Notice in this docket.

Please direct any questions to the undersigned.

Respectfully submitted,

BOOT HILL SOLAR LLC



Imraan Mir
Authorized Person
email: imir@alluvialpower.com
tel: (913)787-7812

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Boot Hill Solar LLC

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Docket No. EG25-____-000

**NOTICE OF SELF-CERTIFICATION OF
EXEMPT WHOLESALE GENERATOR STATUS**

Pursuant to section 366.7 of the regulations of the Federal Energy Regulatory Commission (“Commission”),¹ Boot Hill Solar LLC (“Company”) hereby submits this Notice of Self-Certification (“Notice”) as an Exempt Wholesale Generator (“EWG”), as defined in section 366.1 of the Commission’s regulations.²

I. COMMUNICATIONS

Communications with regard to this Notice should be addressed to:

Imraan Mir
Boot Hill Solar LLC
c/o Alluvial Services LLC
PO Box 4802
Scottsdale, AZ 85261
imir@alluvialpower.com

Nicholas M. Gladd
Steven G. Boughton
WILSON SONSINI GOODRICH & ROSATI
1700 K Street NW
Fifth Floor
Washington, DC 20006
(617) 598-7871
ngladd@wsgr.com
sboughton@wsgr.com

II. DESCRIPTION OF COMPANY

The Company is a Delaware limited liability company that has been formed to develop, own, and operate an approximately 150 MWac nameplate capacity solar-powered electric generation facility (“Facility”) that will be located in Ford County, Kansas. The Company is an indirect subsidiary of Alluvial Power LLC and of OPTrust Infrastructure Direct N.A. VI Inc. Alluvial Power LLC is a renewable energy company focused on developing, owning, and

¹ 18 C.F.R. § 366.7 (2025).

² 18 C.F.R. § 366.1.

operating solar energy projects. OPTrust Infrastructure Direct N.A. VI Inc. is a Canadian entity that is part of OPTrust, a large pension fund headquartered in Ontario, Canada.

The Facility is currently expected to achieve commercial operation in the 4th quarter of 2025. The Facility will be comprised of photovoltaic panels and associated structures, facilities, and equipment necessary for the generation of power at wholesale. The Facility will also include interconnection facilities necessary to effectuate the Company's wholesale power sales from the Facility. The Facility will be interconnected with the transmission system of Sunflower Electric Power Corporation ("Sunflower") pursuant to a Surplus Interconnection Service Generator Interconnection Agreement among Sunflower and the Southwest Power Pool, Inc. ("SPP").³ All of the Facility's output will be sold at wholesale pursuant to a 25-year, firm power purchase agreement with Sunflower.

In connection with the operation of the Facility, the Company may also engage in certain activities, incidental to the wholesale sale of electricity that the Commission has found to be permissible EWG activities, including but not limited to the following:

- the sale of ancillary services;⁴
- the sale of renewable energy credits;⁵ and
- other activities associated with the development of eligible facilities and/or EWGs, including project design review and development, application for permits and/or regulatory approvals, negotiation of agreements to sell electricity at wholesale, negotiation of contractual commitments with lenders and equity

³ See *Southwest Power Pool, Inc.*, Docket No. ER25-773-000 (Jan. 30, 2025) (accepting Surplus Interconnection Service Generator Interconnection Agreement pursuant to delegated authority).

⁴ See, e.g., *Sithe Framingham, LLC*, 83 FERC ¶ 61,106 (1998).

⁵ See, e.g., *Madison Windpower, LLC*, 93 FERC ¶ 61,270 (2000).

investors, and other such activities as may be required to achieve financial closing on an eligible facility and/or EWG.⁶

III. REPRESENTATIONS REGARDING EXEMPT WHOLESALE GENERATOR STATUS

The Commission's regulations require that an EWG be engaged directly, or indirectly through one or more affiliates, and exclusively in the business of owning and/or operating one or more eligible facilities and selling electric energy at wholesale.⁷ Consistent with the Commission's regulations, the Company makes the following representations to certify that it satisfies the requirements for EWG status:

1. The Company is engaged directly, or indirectly through one of more affiliates as defined in section 366.1 of the Commission's regulations, and exclusively in the business of owning or operating, or both owning and operating, all or part of one or more "eligible facilities" and selling electric energy at wholesale.
2. The Facility is an "eligible facility" because (i) it is used for the generation of electric energy exclusively for sale at wholesale, and (ii) it includes only those interconnecting transmission facilities that are necessary to effect a sale of electric energy at wholesale.
3. No rate or charge for, or in connection with, the construction of the Facility, or for electric energy produced by the Facility (other than any portion of a rate or charge which represents recovery of the cost of a wholesale rate or charge), was in effect under the laws of any state on October 24, 1992. Therefore, no determinations by a state commission are necessary for this self-certification to become effective.

⁶ See, e.g., *Southern Elec. Wholesale Generators, Inc.*, 66 FERC ¶ 61,264 (1994); *Entergy Power Asia Ltd.*, 67 FERC ¶ 61,342 (1994).

⁷ See 18 C.F.R. §§ 366.7 and 366.1. Section 366.1 incorporates sections 32(a)(2) through (4), and sections 32(b) through (d) of the Public Utility Holding Company Act of 1935, 15 U.S.C. §§ 79z-5a(a)(2)-(4), 79z-5b(b)-(d) ("PUHCA 1935"), for purposes of establishing or determining whether an entity qualifies for EWG status.

4. No portion of the Facility is owned or operated by an electric utility company that is an affiliate or associate company of the Company, as defined in Section 366.1 of the Commission's regulations.

IV. STATE COMMISSION NOTIFICATION

As required by Section 366.7(a) of the Commission's regulations, a copy of this self-certification has been filed with the Kansas Corporation Commission, the state regulatory authority of the state in which the Facility is located.

V. SUBSCRIPTION CERTIFICATION

Pursuant to section 366.7 of the Commission's regulations, attached to this filing as Attachment A is a signed subscription certification by a representative legally authorized to bind the Company, attesting to the facts and representations in this Notice which demonstrate eligibility for EWG status.

VI. CONCLUSION

Based upon the facts, representations and statements set forth herein, the Company satisfies the requirements for EWG status.

Respectfully Submitted,

Dated: July 30, 2025.



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Counsel for Boot Hill Solar LLC

Attachment A

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Boot Hill Solar LLC

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Docket No. EG25-____-000

SUBSCRIPTION CERTIFICATION

I, the undersigned, and as an officer of Boot Hill Solar LLC, certify that I have read the foregoing Notice of Self-Certification of Exempt Wholesale Generator Status being filed by Boot Hill Solar LLC for a determination of exempt wholesale generator status and know the contents thereof; and the facts and representations set forth in the attached certification of exempt wholesale generator status are true and correct to the best of my knowledge, information and belief. I possess the full power and authority to sign this filing.

Dated: July 30, 2025.



Imraan Mir
Authorized Signatory for Boot Hill Solar LLC

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Self-Certification of Exempt Wholesale Generator Status of Boot Hill Solar LLC was served this 30th day of July 2025 upon the following:

Kansas State Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

/s/ Steven G. Boughton

Steven G. Boughton
Wilson Sonsini Goodrich & Rosati
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