

RECORDS OF CATEGORICAL EXCLUSION DETERMINATION

Luminant Energy Company LLC Docket EA-471

PROPOSED ACTIONS: Luminant Energy Company LLC (LUME or Applicant) has applied to the Office of Electricity for an electricity export authorization which will allow it to export electricity to Mexico pursuant to Section 202(e) of the Federal Power Act. LUME is a Texas limited liability company, states that it “manages the optimization, marketing, and deployment of approximately 18,000 megawatts (MW) of generation capacity located with the Electric Reliability Council of Texas (ERCOT).” It’s also a wholly-owned subsidiary of Vistra Energy Corp. The Applicant states that it “does not own any electric generation, transmission facilities, or distribution facilities and does not hold a franchise or service territory or native load obligation.” The Applicant proposes to use existing authorized international electric transmission facilities that are appropriate for open access by third parties. The existing international transmission facilities to be utilized by the Applicant have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. The Presidential permit for these facilities was issued after an appropriate level of NEPA review.

CX TO BE APPLIED: The elements identified above fit within the class listed in Appendix B to Subpart D, of Part 1021-Categorical exclusions applicable to specific agency actions. Specifically:

B4.2 Export of electric energy as provided by Section 202(e) of the Federal Power Act over existing transmission systems or using transmission systems that are themselves categorically excluded.

REGULATORY REQUIREMENT: The proposed action has previously been determined by DOE to not have a significant effect on the human environment either individually or cumulatively. Authorizing the proposed action will not (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health including DOE and/or Executive orders; (2) require siting of new facilities or expansion of existing facilities; (3) disturb hazardous substances, pollutants or contaminants; or (4) adversely affect environmentally sensitive resources.

DETERMINATION: Based on my review of the above information concerning the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1), I have determined that the proposed action fits within the specified class of actions, other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Signature: _____



Julie A. Smith, PhD
NEPA Compliance Officer
Office of Electricity

Date: _____

7/17/2019