

FRONT RANGE-MIDWAY SOLAR PROJECT, LLC

16105 West 113th Street, Suite 105

Lenexa, Kansas 66219

P: 913.888.9463

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October 23, 2017

Ms. Kari Parsons
Project Manager
El Paso County Planning and Development
ADDRESS

Re: Request for a Condition of Approval for the Front Range-Midway Solar Project ("Project") Wind/Solar Energy Generation Overlay (WSEO rezoning), El Paso County, Colorado

Dear Ms. Parsons,

We are writing to request as a condition of approval a waiver of the requirement that a zoning applicant provide a power purchase agreement ("PPA") at the time of an application for WSEO rezoning by Front Range-Midway Solar Project, LLC ("Front Range") as provided for in the El Paso County Procedures Manual, Subject: Wind/Solar Energy Generation Plan Overlay (WSEO) Rezoning Map (Amendment) issued April 12, 2011. Front Range intends to provide a PPA to the county during the Site Development Plan ("SDP") stage of the county review process within 3 years. Front Range is requesting this waiver based on the due diligence-centered business model. Front Range has been working to permit the Project since 2014 and is actively working with multiple utilities that currently have RFP's in process for solar energy. Before entering into a PPA, one of our primary focuses is to first make certain that the project can be built, should it be able to secure a PPA. This is because once a PPA is signed, a utility will typically require that a large sum be posted. In that circumstance, if the Project cannot be permitted and/or built, the utility will keep the security for performance of the PPA. Our model is to permit projects prior to obtaining a PPA to reduce the risk associated with the possible loss of posted security in the event that rezoning does not occur. In addition, securing a permit prior to issuance of a PPA allows additional time for appropriate due diligence of the Project.

This Project has gone to great lengths to engage in responsible development activities. To date, Front Range has made considerable investment in the Project including the purchasing real property, completing federal permitting through the National Environmental Policy Act (which took 2 years to complete), and completing interconnection studies and interconnection agreements with Western Area Power Administration and the Public Service Company of Colorado.

We understand that El Paso County wants to minimize time spent on permitting projects that do not have certainty of being built. However, as an entity that owns real property in the County that was purchased to facilitate the Project, and has invested a substantial amount of time and capital in trying to bring a project to El Paso County, we request a condition of approval (waiver of the requirement that a PPA accompany the WSEO rezoning application).

FRONT RANGE-MIDWAY SOLAR PROJECT, LLC

By  for _____

Name: Scott Zeimetz

Title: Vice President

O: 913.956.4080

E-Mail: szeimetz@tradewindenergy.com

Please confirm your agreement that the El Paso County Development Services Department in consultation with the El Paso County Attorney has decided to waive the requirement that a PPA accompany the WSEO rezoning application for the Front Range-Midway Solar Project, LLC by affixing your signature below.

Accepted and Agreed:

By: _____

Name: _____

Title: _____