



DEPARTMENT OF ENERGY

Certification Notice – 263; Notice of Filing of Self-Certification of Coal Capability Under the Powerplant and Industrial Fuel Use Act

AGENCY: Office of Electricity, Department of Energy.

ACTION: Notice of filing.

SUMMARY: On June 28, 2023, Rayburn Energy Station LLC (RES), as the new owner of the Rayburn Energy Station, a baseload electric generating powerplant formerly known as Panda Sherman, submitted an amended coal capability self-certification to the Department of Energy (DOE). The Powerplant and Industrial Fuel Use Act of 1978 (FUA), as amended, and regulations thereunder require DOE to publish a notice of filing of self-certification in the *Federal Register*.

ADDRESSES: Copies of coal capability self-certification filings are available for public inspection, upon request, by contacting the Office of Electricity by electronic mail to Electricity.Exports@hq.doe.gov.

FOR FURTHER INFORMATION CONTACT: Marina Fennel at (240) 702-6156, Electricity.Exports@hq.doe.gov.

SUPPLEMENTARY INFORMATION: On June 28, 2023, RES, as the new owner of an existing baseload electric generating powerplant, submitted an amended coal capability self-certification to the DOE pursuant to section 201(d) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA), as amended (42 U.S.C. 8311(d)), and DOE regulations in 10 CFR 501.61(a). The amendment application reflects RES' asset purchase and sale agreement of the Rayburn Energy Station (formerly known as the Panda Sherman Project) from Panda Sherman Power, LLC (Panda Sherman). The FUA and regulations thereunder require DOE to publish a notice of filing of self-certification in the *Federal Register*. See 42 U.S.C. 8311(d)(1); 10 CFR 501.61(c). Section 201(a) of the FUA provides that “no new base load electric powerplant may be constructed or operated without the capability to use coal or

another alternate fuel as a primary energy source.” 42 U.S.C. 8311(a). Pursuant to section 201(d) of the FUA, in order to meet the requirement of coal capability, the owner or operator of such a facility proposing to use natural gas or petroleum as its primary energy source shall certify to the Secretary of Energy (Secretary) prior to construction, or prior to operation as a base load electric powerplant, that such powerplant has the capability to use coal or another alternate fuel. *See* 42 U.S.C. 8311(d)(1). Such certification establishes compliance with FUA section 201(a) as of the date it is filed with the Secretary. *Id.*; 10 CFR 501.61(b). Panda Sherman’s self-certification was submitted to DOE on July 16, 2014, but was not noticed in the *Federal Register* due to clerical error. Certification Notice -263 serves as the notice of filing for Panda Sherman’s original self-certification submission and RES’ self-certification amendment.

The following owner of a proposed new baseload electric generating powerplant has filed a self-certification of coal-capability with DOE pursuant to FUA section 201(d) and in accordance with DOE regulations at 10 CFR 501.61:

PREVIOUS OWNER: Panda Sherman Power, LLC

NEW OWNER: Rayburn Energy Station LLC

PREVIOUS OPERATOR: PPG – O&M Panda Sherman Power, LLC

NEW OPERATOR: NAES Corporation

CHANGE EFFECTIVE DATE: June 21, 2023

DESIGN CAPACITY: 758 megawatts

FUEL TO BE USED: Natural gas

PLANT LOCATION: 510 Progress Drive, Sherman, TX 75092

IN-SERVICE DATE: July 30, 2014

Signing Authority:

This document of the Department of Energy was signed on February 6, 2026, by Catherine Jereza, Assistant Secretary, Office of Electricity, pursuant to delegated authority

from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the *Federal Register*.

Signed in Washington, DC on March 6, 2026.

Treana V. Garrett
Federal Register Liaison Officer,
U.S. Department of Energy

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