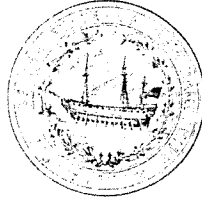


THE STATE OF NEW HAMPSHIRE

CHAIRMAN  
Thomas B. Getz

COMMISSIONERS  
Graham J. Morrison  
Clifton C. Below

EXECUTIVE DIRECTOR  
AND SECRETARY  
Debra A. Howland



**PUBLIC UTILITIES COMMISSION**  
21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

Tel. (603) 271-2431

FAX (603) 271-3878

TDD Access: Relay NH  
1-800-735-2964

Website:  
[www.puc.nh.gov](http://www.puc.nh.gov)

February 13, 2009

Patricia Stanton  
Conservation Services Group  
40 Washington Street  
Westborough, MA 01581

Re: DE 08-175 Conservation Services Group's  
Certification Application for Class I Eligibility pursuant to RSA 362-F

Dear Ms. Stanton:

On December 30, 2008, Conservation Services Group submitted an application on behalf of Seneca Energy II, LLC requesting certification of the Seneca Falls landfill gas facility (Seneca Falls facility) as eligible to produce Class I and Class III renewable energy certificates (RECs) pursuant to RSA 362-F, New Hampshire's Electric Renewable Portfolio Standard law. Staff has reviewed the application and recommended approval noting that the Conservation Services Group application was complete on December 30, 2008.

Class I eligibility requires a facility to have begun the production of electricity after January 1, 2006 and to use certain sources to produce electricity, one of which is methane gas. Class III eligibility requires a methane gas facility to have begun operation prior to January 1, 2006. The application indicates that the Seneca Falls facility has a gross nameplate capacity of 17.6 megawatts, is fueled with methane gas and is located at 2121 State Route 414, Seneca Falls, New York. Seneca Falls began commercial operation in March 1996 as a 5.6 megawatt facility and added an additional 5.6 megawatts for commercial operation in September 1998. Seneca's third addition of 6.4 megawatts in capacity became commercially operational in July 2007. The NEPOOL GIS facility identification number for the first phase of construction is IMP 32513. The NEPOOL GIS facility number for the second and third phases is IMP 32528.

The average annual electrical production of Seneca Falls from 2004 to 2006 is 90,813.63 megawatt-hours. Any electrical output that exceeds this historical generation baseline is associated with the installation of additional capacity that began operational in July 2007 and, as a result, is eligible to receive Class I RECs.

The Commission has reviewed the Conservation Services Group application and determined that it has provided all the necessary information to demonstrate that the Seneca Falls facility is eligible for certification as a Class III facility and that generation in excess of its

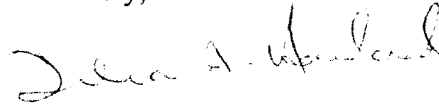
February 13, 2009

Page two

historical generation baseline is eligible to receive Class I renewable energy certificates. Therefore, the Commission hereby certifies that the Seneca Falls facility is a Class III renewable energy source effective December 30, 2008 and is eligible to be issued New Hampshire Class III RECs. The Commission also certifies generation from Seneca Falls that is greater than its historical generation baseline as eligible for New Hampshire Class I renewable energy certificates. For the issuance of any renewable energy certificates, please be aware that since the facility is located in an adjacent control area, the applicant will need to provide proof to the Commission pursuant to Puc 2504.01 (a)(2) that the associated electricity produced by the facility was imported into the New England control area. The applicant must provide such proof when it submits similar information to the GIS administrator as required by GIS Operating Rule 2.7(c).

Attached please find a copy of the notice of this certification provided to the GIS administrator. The New Hampshire Renewable Portfolio Standard certification code for the Seneca Falls landfill methane gas unit is NH-III-09-010 and the certification code for the Seneca Falls' additional capacity that began commercial operation in July 2007 is NH-I-09-011.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debra A. Howland", is written over a horizontal line.

Debra A. Howland  
Executive Director

Encl.

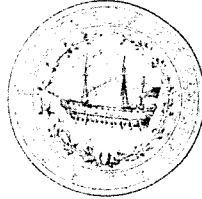
cc: Stephanie Lovejoy Hamilton  
Conservation Services Group

THE STATE OF NEW HAMPSHIRE

CHAIRMAN  
Thomas B. Getz

COMMISSIONERS  
Graham J. Morrison  
Clifton C. Below

EXECUTIVE DIRECTOR  
AND SECRETARY  
Debra A. Howland



**PUBLIC UTILITIES COMMISSION**  
21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

Tel. (603) 271-2431

FAX (603) 271-3878

TDD Access: Relay NH  
1-800-735-2964

Website:  
[www.puc.nh.gov](http://www.puc.nh.gov)

February 13, 2009

James Webb  
Registry Administrator  
APX Environmental Markets  
5201 Great America Parkway, Suite #522  
Santa Clara, CA 95054

Re: DE 08-175, Seneca Energy II, LLC's Seneca Falls Facility  
Certification as a New Hampshire RPS Class III and Class I Facility pursuant to RSA 362-F  
New Hampshire Certification Code NH-III-09-010 and NH-I-09-011

Dear Mr. Webb:

Please be advised that, pursuant to NH RSA 362-F, the New Hampshire Public Utilities Commission has certified Seneca Energy II, LLC's Seneca Falls facility is a Class III renewable energy source effective December 30, 2008 and is eligible to be issued New Hampshire Class III RECs. The Commission also certifies generation from Seneca Falls that is greater than its historical generation baseline of 90,813.63 megawatt-hours as eligible for New Hampshire Class I renewable energy certificates.

The Seneca Falls facility has a gross nameplate capacity of 17.6 megawatts, is fueled with methane gas and is located at 2121 State Route 414, Seneca Falls, New York. The New Hampshire Renewable Portfolio Standard certification code for the Seneca Falls landfill methane gas unit is NH-III-09-010 and the certification code for the Seneca Falls' additional capacity that began commercial operation in July 2007 is NH-I-09-011.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debra A. Howland".

Debra A. Howland  
Executive Director

cc: Patricia Stanton  
Conservation Services Group