

# STATE OF NEW HAMPSHIRE

## Intra-Department Communication

DATE: June 5, 2012  
AT (OFFICE): NHPUC

**FROM:** Barbara Bernstein *BB*  
Sustainable Energy Analyst

**SUBJECT:** DE 08-128, Nautilus Solar Silvermine, LLC's Request for Recognition of NH Class II RECs for Q1, January 1, 2011 through March 31, 2011 and Q3, July through September, 2011.  
**Staff Recommends Approval**

**TO:** Chairman Amy L. Ignatius  
Commissioner Robert R. Scott  
Commissioner Michael Harrington  
Debra A. Howland, Executive Director and Secretary

**CC:** Jack K. Ruderman, Director of the Sustainable Energy Division  
Suzanne Amidon, Staff Attorney



### *Analysis*

On January 17, 2012, the Commission received a letter from David Velasco, Operations Director, Nautilus Solar Silvermine, LLC, (Nautilus Solar) requesting that the Commission permit certain RECs generated from the Nautilus Solar Silvermine (Nautilus Solar) (DE 08-128) to be banked and made available during the next trading period. A request for additional information was sent February 3, 2012; a response was received March 29, 2012. Mr. Velasco's letter states that Nautilus Solar could not access the GIS account because the individual responsible for managing the account, uploading generation, and banking certificates, left the company. Prior to leaving this individual did not record the necessary process steps to manage the account and thus the RECs created for Q1, (January 1, 2011 through March 31, 2011) and Q3, (July 1 through September 30, 2011) were not recorded as NH RPS eligible.<sup>1</sup>

If generators fail to enter the required data before the deadline, the GIS locks out the generator from entering data relating to the relevant quarter and there is no mechanism for the RPS eligibility to be added back. Therefore, Nautilus Solar is asking the Commission to issue an attestation saying that even though the NEPOOL GIS does not display Nautilus Solar's Q1, (January 1 through March 31, 2011) and Q3, (July 1 through September 30, 2011) RECs as NH RPS eligible, the NH PUC will still accept them for RPS compliance when the end user retires them at the end of the year.

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<sup>1</sup> Mr. Velasco worked with Mr. Webb, the NEPOOL GIS Administrator to learn the process for uploading certificates. Mr. Velasco was under the impression that all three quarters had been uploaded; unfortunately on Q2 was successfully completed.

Mr. James Webb, GIS Administrator, submitted the following table that provides a summary of the RECs in question:

Month of Generation	NH Certification #	Unit ID	Unit Name	Fuel Type	Certificate Numbers
2011/1	NH-II-08-018	NON32755	Nautilus Solar Silvermine	Solar	293606 – 1 to 3
2011/2	NH-II-08-018	NON32755	Nautilus Solar Silvermine	Solar	293651 – 1 to 8
2011/3	NH-II-08-018	NON32755	Nautilus Solar Silvermine	Solar	293883 – 1 to 35
2011/7	NH-II-08-018	NON32755	Nautilus Solar Silvermine	Solar	318975 – 1 to 50
2011/8	NH-II-08-018	NON32755	Nautilus Solar Silvermine	Solar	318976 – 1 to 41
2011/9	NH-II-08-018	NON32755	Nautilus Solar Silvermine	Solar	318977 – 1 to 32

### *Staff Recommendation*

Staff recommends that the Commission grant Mr. Velasco's request and issue a attestation stating that even though the NEPOOL GIS does not display Nautilus Solar's Q1, (January 1, 2011 through March 31, 2011) and Q3, (July 1, 2011 through September 30, 2011) RECs as NH RPS eligible, the NH PUC will still accept them for RPS compliance when the end user retires them at the end of the year. Staff recommends the Secretarial Letter request the following:

- A notarized statement by the Authorized Representative of Nautilus Solar, attesting that the GIS certificates listed in the statement have not otherwise been, nor will be, sold, retired, claimed, used, or represented as part of electrical energy output or sales, or used to satisfy obligations, in jurisdictions other than New Hampshire.
- That the notarized statement and a copy of the Secretarial Letter shall be provided to the Retail Electricity Supplier to which the certificates are transferred; and,
- That the Supplier shall submit a copy of the notarized statement and the Secretarial Letter to the Commission as part of its 2011 RPS Class III annual compliance filing.

In addition, staff recommends the Commission note that this decision regarding the 2011 Q1 and Q3 certificates shall not be regarded as establishing a precedent, and the Commission may deny any similar Nautilus Solar request for a waiver in the future.

Staff finds that Nautilus Solar's error of omission was inadvertent, and that correcting the mistake will not adversely affect the RPS program. Further, Staff finds that it is in the best interests of the RPS that the certificates at issue be honored for 2011 RPS Class II compliance.