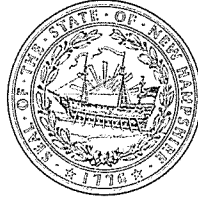


THE STATE OF NEW HAMPSHIRE

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)

January 23, 2009

Latoya Glenn  
WM Renewable Energy, L.L.C.  
1001 Fannin, Suite 400  
Houston, TX 77002

Re: DE 08-158, Waste Management Renewable Energy, L.L.C.  
Certification Application for Class I Eligibility pursuant to RSA 362-F

Dear Ms. Glenn:

On December 10, 2008, Waste Management Renewable Energy (WMRE) submitted an application requesting certification of the High Acres landfill methane gas facility (High Acres facility) as eligible to produce Class III and Class I 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 WMSE application was complete on December 10, 2008.

Class I eligibility requires that a facility began operation after January 1, 2006 and that it produces electricity from certain renewable sources, one of which is methane gas. Class III eligibility requires a methane gas facility to have begun operation prior to January 1, 2006. The High Acres facility is located at 425 Perinton Parkway, Fairpoint, New York. High Acres 1 began operation on July 15, 1991 with a gross nameplate capacity of 1.6 megawatts and added a 0.8 megawatt turbine in 1997 and 1999. High Acres 1's NEPOOL GIS facility identification number is 32529. In 2008, WMRE added four Caterpillar 3520 reciprocating engines, High Acres 2, each with a nameplate capacity of 1.6 megawatts for a total of 6.4 megawatts that became operational in March 2008. The NEPOOL GIS facility identification number for High Acres 2 is 32690.

The average annual electrical production of High Acres 1 from 2004 to 2006 is 27,510.55 megawatt-hours. Any electrical output that exceeds this historical generation baseline is associated with the installation of the High Acres 2 units and, as a result, is eligible to receive Class I RECs.

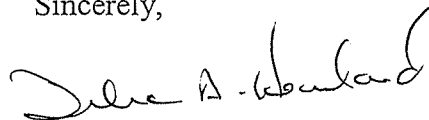
January 23, 2009

Page two

The Commission has reviewed the WMRE application and determined that it has provided all the necessary information to demonstrate that the High Acres facility is eligible for certification as a Class III facility and that generation in excess of its historical generation baseline is eligible to receive Class I renewable energy certificates. Therefore, the Commission hereby certifies that the High Acres facility is a Class III and Class I renewable energy source effective December 10, 2008 and is eligible to be issued New Hampshire Class III and Class I renewable energy certificates that are in excess of its historical generation baseline. For the issuance of any renewable energy certificates, please be aware that since the facility is located in an adjacent control area, the applicant must provide proof pursuant to Puc 2504.01 (a)(2) that the associated electricity produced by the facility was imported into the New England control area.

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 High Acres 1 landfill methane gas unit is NH-III-09-001 and the certification code for the High Acres 2 unit is NH-I-09-002.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra A. Howland". The signature is fluid and cursive, with the first name being the most prominent.

Debra A. Howland  
Executive Director

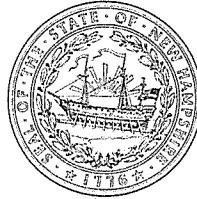
Encl.

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)

January 23, 2009

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

Re: DE 08-158, Waste Management Renewable Energy, L.L.C's High Acres 1 Certification as a New Hampshire RPS Class III Facility and High Acres 2 Certification as a New Hampshire RPS Class I Facility pursuant to RSA 362-F  
New Hampshire Certification Codes NH-III-09-001 and NH-I-09-002, respectively

Dear Mr. Webb:

Please be advised that, pursuant to NH RSA 362-F, the New Hampshire Public Utilities Commission has certified Waste Management Renewable Energy (WMRE)'s High Acres 1 landfill methane gas facility as a Class III renewable energy source and High Acres 2 as a Class I renewable energy source effective December 10, 2008. Accordingly, WMRE's High Acres 1 facility is eligible to be issued New Hampshire Class III renewable energy certificates and any electrical output that exceeds the historical generation baseline of 27,510.55 megawatt-hours, due to investment in the High Acres 2 facility, is eligible to be used New Hampshire Class I renewable energy certificates.

The High Acres facility has a gross nameplate capacity of 9.6 megawatts and is located at 425 Perinton Parkway, Fairpoint, New York. High Acres 1 began operation on July 15, 1991 and has a historical generation baseline of 27,510.55 megawatt-hours. High Acres 1's NEPOOL GIS facility identification number is 32529. High Acres 2 has a gross nameplate capacity of 6.4 megawatts and began commercial operation in March 2008. The NEPOOL GIS facility identification number for High Acres 2 is 32690. The New Hampshire RPS certification code for High Acres 1 is NH-III-09-001 and for High Acres 2 is NH-I-09-002.

Sincerely,

A handwritten signature in black ink that reads "Debra A. Howland".

Debra A. Howland  
Executive Director

cc: Latoya Glenn, WM Renewable Energy LLC