

# THE STATE of NEW HAMPSHIRE

## Public Utilities Commission

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*Facility Application to qualify for certificate acquisition under PUC 2500 of the New Hampshire Electric Renewable Portfolio Standard*

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### SECTION I: IDENTIFICATION INFORMATION

- (1). Name and Address of Applicant:

Conservation Services Group  
Patricia Stanton  
40 Washington Street  
Westborough MA, 01581  
Phone: 508-836-9500  
Fax: 508-836-3181  
Email: [pat.stanton@csgroup.com](mailto:pat.stanton@csgroup.com)  
With a copy to Stephanie Hamilton: [stephanie.hamilton@csgroup.com](mailto:stephanie.hamilton@csgroup.com)

- (2) Name of Facility Owner:

Seneca Energy II, LLC  
Scott Henningham (CFO)  
2999 Judge Road, Oakfield, NY 14125  
Phone: (585) 948-8580  
Fax: (585) 948-8584

- (3). Name and Location of the applying Facility:

2121 State Rt 414, Seneca Falls, NY 13148

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- (4). ISO-New England Asset Identification number:

See Section V

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(5). GIS Facility Code:

See Section V

(6) Name and Telephone number of the Facility's Operator:

Innovative Energy Systems, Inc.  
Scott Henningham (CFO)  
2999 Judge Road, Oakfield, NY 14125  
Phone: (585) 948-8580  
Fax: (585) 948-8584

## **SECTION II: FACILITY AND FUEL DESCRIPTION**

(1). Fuel Type:

Landfill Gas

Gross Nameplate Generation Capacity:

17.6 MW

Initial Commercial Operation date:

See additional information in Section V

Actual Facility Operation date, if different from Initial Commercial Operation date:

(2) If a Biomass source provide –

NOx and particulate matter emission rates:

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Description of pollution control equipment:

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**Or** proposed practices for compliance with such requirements:

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(3) Description of how the generation facility is connected to the distribution utility:

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(4) Is the Facility's output verified by ISO-New England? If not explain how the output is verified:

Yes \_\_\_\_\_

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(5) Description of how the facility's output is reported to the GIS **if not** verified by ISO-New England:

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### SECTION III: CERTIFICATIONS

- (1). List all other non-federal jurisdiction's renewable portfolio standards the facility has been certified under, if any, **AND** attach proof thereof:

Massachusetts  
Connecticut  
Maryland

### SECTION IV: REGULATORY COMPLIANCE DOCUMENTATION

- (1). List all applicable regulatory approvals and permits:

Seneca	Part 360 Permit Application	5/10/1993	Joint Part 360 application for the installation and operation of a landfill gas recovery facility at the Seneca Meadows Landfill.
Seneca	Chemical Bulk Storage Certificate	02/09/2007	Tanks 008, 009, 010, and 011 These four tanks have a capacity of 1,000 gallons and store ethylene glycol (chemical abstract # 107-21-1).
Seneca	Title V	10/06/2005	Air Permit
Seneca	Petroleum Bulk Storage Certificate	05/15/2006	Tanks 003, 005, and 006 Tank 003 is a 6,000 gallon lube oil tank Tank 005 is a 8,000 gallon lube oil tank Tank 006 is a 2,000 used oil tank
Seneca	SEQR Negative Declaration	5/06/1994	To construct and operate a landfill gas to energy facility at the Seneca Meadows Landfill.
Renewable Resource Park - Seneca	Full Environmental Assessment Form (EAF) State Environmental Quality Review (SEQR) Negative Declaration	5/25/2005	A full environmental assessment was performed for the Renewable Resource Park. After a full review of potential environmental impacts the Town of Seneca Falls Zoning Board of Appeals determined a SEQR Negative Declaration was appropriate.
Seneca	SEQR Addendum	1/2007	The need for a new 34.5 kV power line was identified and added to this project. Originally, the Project did not include the construction of a 34.5 kV power line as this was to be constructed by NYSEG as an independent project. This project was amended to include the construction of the new 34.5 kV power line.
Seneca	Short Environmental Assessment Form (EAF)	2/08/2008	This short environmental assessment form was submitted with the Title V Air Permit Modification application for the installation and

			operation of a Caterpillar emergency diesel fueled IC engine 800 kW electricity generator.
Seneca	Federal Wetlands Permit (Nationwide Permit)	3/16/2007	To construct an overhead transmission line, from Seneca Meadows LFGTE substation to the Goulds substation.
Seneca	Freshwater Wetlands Permit	3/16/2007	Clear and maintain a 100-foot wide electric transmission ROW and construct ~6,400 linear feet of new 34.5 kV line along existing 35-50 foot ROW through portions of freshwater wetlands SF-4 and its delineated 100-foot adjacent area.

- (2). Confirm whether applicant has an approved interconnection study on file with the commission **or** is a party to a current effective interconnection agreement, **or** is otherwise not required to undertake an interconnection study (explain):

See attached Interconnection agreement material.

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- (3) **If** a biomass facility, has a copy of the completed application been filed with the New Hampshire department of environmental services (please attach documentation). (Check either “Yes” or “No”)

YES

NO

## SECTION V: ADDITIONAL INFORMATION

The Applicant may choose to provide in the space provided or through attached document(s), additional information to assist in classification of the generating facility. If document(s) are attached, provide a descriptive list below:

The Seneca Landfill Gas Facility (“Seneca”) has a total name plate capacity 17 MW. To reach this final capacity the project has been constructed in three phases, each phase adding new capacity. Each phase of Seneca has different commercial operation dates. The first phase was commercially operational in March of 1996, making this portion of facility eligible under the Class III of the NH RPS. The second phases occurred in March of 1998, and therefore also considered Class III under the NH RPS. The third phase occurred in July of 2007, and therefore considered Class I under the NH RPS. The vintage, capacity and GIS numbers of the three phases are as follows:

Phase 1 is 5.6 MW of capacity operational in March, 1996 (Class III), GIS # IMP 32513  
Phase 2 is also 5.6 MW operational in September, 1998. (Class III), GIS # IMP 32528  
Phase 3 is 6.4 MW of capacity operational in June, 2007. (Class I), GIS # IMP 32528

Please see the attached calculations illustrating Class III versus Class I generation at Seneca.

## SECTION VI: APPLICATION DOCUMENTATION CHECKLIST

- Approved interconnection documentation on file with the commission or an agreement or statement and proof of exemption is attached.
- Proof the facility is certified under a non-federal jurisdiction's renewable portfolio standard.
- Attached are optional documents or statements the applicant has chosen to submit to provide to assist in classification of the generating facility.
- Attached is an affidavit signed and executed by the owner attesting to the accuracy of the contents of this application.

Respectfully Submitted,  


By: Conservation Services Group  
Patricia Stanton  
Vice President, Clean Energy Markets  
40 Washington Street  
Westborough MA 01581

## Determination of existing generation vs. new generation for the Seneca Landfill Gas Facility

### Current Generation with all 3 Phases operational July 2007

Month	kWH (net)	Notes
JUL	11,753,810	This is the First Month that Phase 3 is fully operational
AUG	11,431,800	
SEP	11,477,460	
OCT	12,042,900	
NOV	11,830,760	
DEC	11,891,340	
Jan-08	12,124,620	
FEB	11,470,500	
MAR	12,193,200	
APR	11,509,410	
MAY	11,807,460	
<b>TOTAL</b>	<b>129,533,260</b>	<i>Source: NYSEG Calculation Sheets, SMI Monthly Electric Bills, NYISO GADS Reports</i>
<b>Average production per month with all 3 phases operational</b>	<b>11,775,751</b>	
<b>Average annual output</b>	<b>141,309,011</b>	

Annual Average for the historical baseline (Class III) 90,813,633

Percentage of Annual Output that is Class III 64%

Percentage of Annual Output that is Class I 36%

Seneca 2004	
Month	KWH (net)
JAN	7,249,000
FEB	6,668,000
MAR	7,538,000
APR	7,053,000
MAY	7,418,000
JUN	7,141,000
JUL	7,478,000
AUG	7,620,000
SEP	7,429,000
OCT	7,768,000
NOV	7,640,000
DEC	7,611,000
<b>Total</b>	<b>88,613,000</b>

Seneca 2005	
Month	
JAN	
FEB	
MAR	
APR	
MAY	
JUN	
JUL	
AUG	
SEP	
OCT	
NOV	
DEC	
<b>Total</b>	



## Seneca LFGTE Facility Online Efficiency 2007

Seneca ENG 01-18 Hours of Operation For Year 2007				
Month	Total	Actual	Downtime	Efficiency
JAN	11,208	9143	2065	81.58%
FEB	7,392	7308	84	98.86%
MAR	7,848	7371	477	93.92%
APR	7,920	7803	117	98.52%
MAY	8,856	8462	394	95.55%
JUN	12,960	12134	826	93.63%
JUL	13,392	12547	845	93.69%
AUG	13,392	12901	491	96.33%
SEP	12,960	12689	271	97.91%
OCT	13,392	13007	385	97.13%
NOV	12,960	12832	128	99.01%
DEC	13,392	13076	316	97.64%
<b>TOTAL</b>	<b>135,672</b>	<b>129273</b>	<b>6399</b>	
<b>AVERAGE</b>				<b>95.31%</b>
<i>Source: Seneca Energy Daily Logs</i>				

Monthly Production		
Month	MWH (net)	MWH (SMI)
JAN	#REF!	#REF!
FEB	#REF!	#REF!
MAR	#REF!	#REF!
APR	#REF!	#REF!
MAY	#REF!	#REF!
JUN	#REF!	#REF!
JUL	11,753.81	#REF!
AUG	11,431.80	#REF!
SEP	11,477.46	#REF!
OCT	12,042.90	#REF!
NOV	11,830.76	#REF!
DEC	11,891.34	#REF!
<b>TOTAL</b>	<b>#REF!</b>	<b>#REF!</b>

ENGINE NO. 1				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	3,362	4,102	740	744
FEB	4,102	4,766	664	672
MAR	4,766	5,335	569	600
APR	5,335	5,335	0	0
MAY	5,335	5,489	154	168
JUN	5,489	6,197	708	720
JUL	6,197	6,910	713	744
AUG	6,910	7,630	720	744
SEP	7,630	8,340	710	720
OCT	8,340	9,067	727	744
NOV	9,067	9,787	720	720
DEC	9,787	10,486	699	744
			<b>7,124</b>	

Down 3/25/07  
Online 5/26/07

ENGINE NO. 4				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	15,917	16,653	736	744
FEB	16,653	17,323	670	672
MAR	17,323	17,870	547	576
APR	17,870	17,870	0	0
MAY	17,870	17,908	38	48
JUN	17,908	18,622	714	720
JUL	18,622	19,342	720	744
AUG	19,342	20,066	724	744
SEP	20,066	20,139	73	720
	0	585	585	
OCT	585	1,319	734	744
NOV	1,319	2,034	715	720
DEC	2,034	2,771	737	744
			<b>6,993</b>	

Down 3/24/07  
Online 5/30/07

ENGINE NO. 2				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	53,225	53,963	738	744
FEB	53,963	54,632	669	672
MAR	54,632	55,201	569	600
APR	55,201	55,201	0	0
MAY	22	126	104	168
JUN	126	715	589	720
JUL	715	941	226	352
	0	355	355	392
AUG	355	1,097	742	744
SEP	1,097	1,817	720	720
OCT	1,817	2,561	744	744
NOV	2,561	3,281	720	720
DEC	3,281	4,021	740	744
			<b>6,916</b>	

Down 3/25/07  
Online 5/26/07

ENGINE NO. 5				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	23,297	23,997	700	744
FEB	23,997	24,638	641	672
MAR	24,638	25,182	544	576
APR	25,182	25,182	0	0
MAY	25,182	25,224	42	48
JUN	25,224	25,814	590	720
JUL	25,814	26,414	600	744
AUG	26,414	26,768	354	744
	0	246	246	
SEP	246	921	675	720
OCT	921	1,655	734	744
NOV	1,655	2,370	715	720
DEC	2,370	3,107	737	744
			<b>6,578</b>	

Down 3/24/07  
Online 5/30/07

ENGINE NO. 3				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	26,688	27,427	739	744
FEB	27,427	28,094	667	672
MAR	28,094	28,637	543	576
APR	28,637	28,637	0	0
MAY	28,637	28,801	164	168
JUN	28,801	29,157	356	720
JUL	29,157	29,880	723	744
AUG	29,880	30,592	712	744
SEP	30,592	31,310	718	720
OCT	31,310	32,040	730	744
NOV	32,040	32,757	717	720
DEC	32,757	33,491	734	744
			<b>6,803</b>	

Down 3/24/07  
Online 5/26/07

ENGINE NO. 6				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	22,215	22,945	730	744
FEB	22,945	23,616	671	672
MAR	23,616	24,138	522	552
APR	24,138	24,138	0	0
MAY	24,138	24,170	32	48
JUN	24,170	24,883	713	720
JUL	24,883	25,600	717	744
AUG	25,600	26,322	722	744
SEP	26,322	27,034	712	720
OCT	27,034	27,764	730	744
NOV	27,764	28,477	713	720
DEC	28,477	29,217	740	744
			<b>7,002</b>	

Down 3/23/07  
Online 5/30/07

ENGINE NO. 7				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	14,687	15,422	735	744
FEB	15,422	16,092	670	672
MAR	16,092	16,619	527	552
APR	16,619	16,619	0	0
MAY	0	22	22	24
JUN	22	739	717	720
JUL	739	1,461	722	744
AUG	1,461	2,180	719	744
SEP	2,180	2,897	717	720
OCT	2,897	3,630	733	744
NOV	3,630	4,350	720	720
DEC	4,350	5,088	738	744
			<b>7,020</b>	

Down 3/23/07  
Online 5/31/07

ENGINE NO. 8					
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours	
JAN	17,794	18,221	427	432	Offline 1/18/07
FEB	18,221	18,221	0	0	
MAR	18,221	18,274	53	120	Online 3/26/07
APR	18,274	18,968	694	720	
MAY	18,968	19,668	700	744	
JUN	19,668	20,394	726	720	
JUL	20,394	21,113	719	744	
AUG	21,113	21,841	728	744	
SEP	21,841	22,558	717	720	
OCT	22,558	23,288	730	744	
NOV	23,288	23,999	711	720	
DEC	23,999	24,737	738	744	
			<b>6,943</b>		

ENGINE NO. 9					
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours	
JAN	20,543	20,972	429	432	Offline 1/18/07
FEB	20,972	20,972	0	0	
MAR	20,972	21,000	28	120	Online 3/26/07
APR	21,000	21,714	714	720	
MAY	21,714	22,434	720	744	
JUN	22,434	23,153	719	720	
JUL	23,153	23,425	272	352	
	0	321	321	392	
AUG	321	1,052	731	744	
SEP	1,052	1,762	710	720	
OCT	1,762	2,493	731	744	
NOV	2,493	3,208	715	720	
DEC	3,208	3,942	734	744	
			<b>6,824</b>		

ENGINE NO. 10					
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours	
JAN	21,860	22,290	430	432	Offline 1/18/07
FEB	22,290	22,290	0	0	
MAR	22,376	22,492	116	120	Online 3/26/07
APR	22,492	23,207	715	720	
MAY	23,207	23,930	723	744	
JUN	23,930	24,636	706	720	
JUL	24,636	25,348	712	744	
AUG	25,348	26,070	722	744	
SEP	26,070	26,774	704	720	
OCT	26,774	27,508	734	744	
NOV	27,508	28,222	714	720	
DEC	28,222	28,954	732	744	
			<b>7,008</b>		

ENGINE NO. 14					
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours	
JAN	72,050	72,479	429	432	Offline 1/18/07
FEB	72,479	72,479	0	0	
MAR	16,632	16,704	72	120	Online 3/26/07 (Eng07 from the old Plant)
APR	16,704	17,414	710	720	
MAY	17,414	18,131	717	744	
JUN	18,131	18,833	702	720	
JUL	18,833	19,556	723	744	
AUG	19,556	20,279	723	744	
SEP	20,279	20,994	715	720	
OCT	20,994	21,723	729	744	
NOV	21,723	22,444	721	720	
DEC	22,444	23,178	734	744	
			<b>6,975</b>		

ENGINE NO. 11				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	15,689	16,114	425	432
FEB	16,114	16,114	0	0
MAR	16,211	16,324	113	120
APR	16,324	17,038	714	720
MAY	17,038	17,746	708	744
JUN	17,746	18,428	682	720
JUL	18,428	19,144	716	744
AUG	19,144	19,877	733	744
SEP	19,877	20,408	531	720
	0	158	158	
OCT	158	891	733	744
NOV	891	1,609	718	720
DEC	1,609	2,342	733	744
			<b>6,964</b>	

Offline 1/18/07

Online 3/26/07

ENGINE NO. 15				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	52	314	262	744
FEB	314	978	664	672
MAR	978	1,708	730	744
APR	1,708	2,422	714	720
MAY	2,422	3,148	726	744
JUN	3,148	3,849	701	720
JUL	3,849	4,565	716	744
AUG	4,565	5,285	720	744
SEP	5,285	5,999	714	720
OCT	5,999	6,721	722	744
NOV	6,721	7,437	716	720
DEC	7,437	8,167	730	744
			<b>8,115</b>	

Online 1/18/07

ENGINE NO. 17				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	52	313	261	744
FEB	313	973	660	672
MAR	973	1,711	738	744
APR	1,711	2,425	714	720
MAY	2,425	3,149	724	744
JUN	3,149	3,853	704	720
JUL	3,853	4,571	718	744
AUG	4,571	5,289	718	744
SEP	5,289	5,980	691	720
OCT	5,980	6,694	714	744
NOV	6,694	7,404	710	720
DEC	7,404	8,123	719	744
			<b>8,071</b>	

Online 1/18/07

ENGINE NO. 12				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	19,721	20,149	428	432
FEB	20,149	20,149	0	0
MAR	20,228	20,347	119	120
APR	20,347	21,061	714	720
MAY	21,061	21,779	718	744
JUN	21,779	22,486	707	720
JUL	22,486	23,209	723	744
AUG	23,209	23,933	724	744
SEP	23,933	24,635	702	720
OCT	24,635	25,365	730	744
NOV	25,365	26,076	711	720
DEC	26,076	26,363	287	744
	0	404	404	
			<b>6,967</b>	

Offline 1/18/07

Online 3/26/07

Swapped out on 12/14/07

ENGINE NO. 16				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	52	313	261	744
FEB	313	978	665	672
MAR	978	1,713	735	744
APR	1,713	2,419	706	720
MAY	2,419	3,142	723	744
JUN	3,142	3,823	681	720
JUL	3,823	4,544	721	744
AUG	4,544	5,271	727	744
SEP	5,271	5,987	716	720
OCT	5,987	6,713	726	744
NOV	6,713	7,425	712	720
DEC	7,425	8,137	712	744
			<b>8,085</b>	

Online 1/18/07

ENGINE NO. 18				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	46	296	250	744
FEB	296	963	667	672
MAR	963	1,691	728	744
APR	1,691	2,403	712	720
MAY	2,403	3,124	721	744
JUN	3,124	3,834	710	720
JUL	3,834	4,548	714	744
AUG	4,548	5,269	721	744
SEP	5,269	5,984	715	720
OCT	5,984	6,713	729	744
NOV	6,713	7,403	690	720
DEC	7,403	8,103	700	744
			<b>8,057</b>	

Online 1/18/07

ENGINE NO. 13				
Month	Start Eng Hrs	End Eng Hrs	Total Eng Hrs	Period Hours
JAN	18,729	19,152	423	432
FEB	19,152	19,152	0	0
MAR	19,261	19,379	118	120
APR	19,379	20,075	696	720
MAY	20,075	20,801	726	744
JUN	20,801	21,510	709	720
JUL	21,510	22,226	716	744
AUG	22,226	22,941	715	744
SEP	22,941	23,647	706	720
OCT	23,647	24,244	597	744
NOV	24,244	24,938	694	720
DEC	24,938	25,666	728	744
			<b>6,328</b>	

Offline 1/18/07

Online 3/26/07

Total ENG01-18		
Month	Eng Hours	Period hrs
JAN	9,143	11,208
FEB	7,308	7,392
MAR	7,371	7,848
APR	7,803	7,920
MAY	8,462	8,856
JUN	12,134	12,960
JUL	12,547	13,392
AUG	12,901	13,392
SEP	12,689	12,960
OCT	13,007	13,392
NOV	12,832	12,960
DEC	13,076	13,392
<b>Total</b>	<b>129,273</b>	<b>135,672</b>

Seneca Energy Stage 3  
Engines 1-18

2007	Landfill Gas Recovered (Cu. Ft.)	Electricity Generated (KWH)	Engine Hours
JAN	132,867,000	6,327,000	9,143
FEB	153,111,000	7,291,000	7,308
MAR	175,097,790	8,337,990	7,371
APR	170,398,200	8,114,200	7,803
MAY	179,502,120	8,547,720	8,462
JUN	205,750,230	9,797,630	12,134
JUL	246,830,010	11,753,810	12,547
AUG	240,067,800	11,431,800	12,901
SEP	241,026,660	11,477,460	12,689
OCT	252,900,900	12,042,900	13,007
NOV	248,445,960	11,830,760	12,832
DEC	249,718,140	11,891,340	13,076
<b>TOTAL</b>	<b>2,495,715,810</b>	<b>118,843,610</b>	<b>129,273</b>

Engine Info	
Horsepower	2221
Fuel Intake (acfm)	321.76
Output (KW/hr)	1600
CO (g/bhp-hr)	2.34
NOx (g/bhp-hr)	0.5

Percent Fuel Use by Season	
DEC-FEB	21%
MAR-MAY	21%
JUN-AUG	28%
SEP-NOV	30%
<b>TOTAL</b>	<b>100%</b>

Contaminant	Actual (lbs/yr)
Sulfur Dioxide	3,801
NMOCs (Calc)	14,025
<b>NMOCs (Actual)</b>	<b>56,568</b>

2007	Combined Production
JAN	6,327,000
FEB	7,291,000
MAR	8,337,990
APR	8,114,200
MAY	8,547,720
JUN	9,797,630
JUL	11,753,810
AUG	11,431,800
SEP	11,477,460
OCT	12,042,900
NOV	11,830,760
DEC	11,891,340
<b>TOTAL</b>	<b>118,843,610</b>

ORIGINAL

HUNTON & WILLIAMS LLP  
1900 K STREET, NW, SUITE 1200  
WASHINGTON, DC 20006-1109

LEBOEUF, LAMB, GREENE & MACRAE LLP  
125 WEST 55<sup>TH</sup> STREET  
NEW YORK, NY 10019-5389

June 22, 2007

**By Hand Delivery**

Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

FILED  
OFFICE OF THE  
SECRETARY  
2007 JUN 22 P 3:58  
FEDERAL ENERGY  
REGULATORY COMMISSION

**Re: Filing of Small Generator Interconnection Agreement Among the New York Independent System Operator, Inc., New York State Electric & Gas Corporation, and Seneca Energy II, LLC, and Request for Waiver of 60-Day Notice Period, Docket No. ER07-1074-000**

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act, 16 U.S.C. § 824d (2000), and 18 C.F.R. § 35.12 (2006) of the Commission's regulations, the New York Independent System Operator, Inc. ("NYISO") and New York State Electric & Gas Corporation ("NYSEG") (together, the "Filing Parties") respectfully submit an original and six (6) copies of an executed Small Generator Interconnection Agreement ("SGIA") among the NYISO, NYSEG, and Seneca Energy II, LLC ("Seneca").

With the limited exceptions noted in Part I.C. of this letter, the SGIA conforms to the *pro forma* small generator interconnection agreement that was filed jointly by the NYISO and the New York Transmission Owners ("NYTOs")<sup>1</sup> in Docket No. ER06-311-003 on March 22, 2007 ("March 22 Filing").<sup>2</sup> The NYISO and NYTOs submitted the March 22 Filing to comply with the Commission's February 20, 2007 Order ("February 20 Order")<sup>3</sup> in the same docket, which had accepted in part and rejected in part the earlier

<sup>1</sup> The NYTOs that jointly submitted the March 22 Filing with the NYISO were: Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, LIPA, and the New York Power Authority.

<sup>2</sup> See *Filing to Comply with the Commission's February 20, 2007 Order on the Joint Filing Parties' Order Nos. 2006, 2006-A, and 2006-B Compliance Filing*, Docket No. ER06-311-003 (March 22, 2007).

<sup>3</sup> *New York Independent System Operator, Inc., New York Transmission Owners*, 118 FERC ¶ 61,130 (2007) ("February 20 Order").

Honorable Kimberly D. Bose

June 22, 2007

Page 2 of 5

joint compliance filing made by the NYISO and NYTOs in response to the Commission's Order No. 2006.<sup>4</sup> The March 22 Filing is currently pending before the Commission.<sup>5</sup>

## I. Discussion

### A. Background

The interconnection project covered by this SGIA consists of an expansion of a pre-existing Seneca landfill gas to energy facility. The pre-existing facility had a capacity of 11.2 MWs, and operated under a two-party interconnection agreement ("IA") between Seneca and NYSEG filed with the Commission on March 28, 2003 in Docket No. ER03-670-000. The Commission accepted the two-party IA on May 14, 2003. The expanded facility has a capacity of 17.6 MW.

The interconnection project to increase the capacity of the Seneca facility was evaluated and processed by NYSEG under its interconnection procedures, but no amendment to the interconnection agreement on file in Docket No. ER03-670-000 was filed. Following the February 20 Order, the Filing Parties agreed to execute a three-party small generator interconnection agreement among the NYISO, NYSEG, and Seneca. The three-party SGIA submitted here will replace the existing two-party IA between NYSEG and Seneca. NYSEG is concurrently submitting a filing with the Commission to cancel that two-party agreement.

### B. The SGIA Closely Conforms to the Pending *Pro Forma* Language Submitted by the NYISO and the NYTOs

The SGIA has been executed by the NYISO, by NYSEG as the Transmission Owner, and by Seneca as the small generator Interconnection Customer.<sup>6</sup> In executing the SGIA, the parties have closely followed the language in the proposed *pro forma* agreement included in the March 22 Filing. The NYISO and the NYTOs believe that the *pro forma* small generator interconnection agreement included in the March 22 Filing fully complies with the February 20 Order. However, the Commission has not at this

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<sup>4</sup> *Standardization of Small Generator Interconnection Agreements and Procedures*, Order No. 2006, FERC Stats. & Regs. ¶ 31,180 ("Order No. 2006"), *order on reh'g*, Order No. 2006-A, FERC Stats. & Regs. ¶ 31,196 (2005), *clarified*, Order No. 2006-B, FERC Stats. & Regs. ¶ 31,221 (2006), *appeal pending sub nom. Consolidated Edison Co. of New York, Inc., et al. v. FERC*, (U.S.C.A., D.C. Circuit, Docket Nos. 06-1018, *et al.*). The *pro forma* small generator interconnection agreement that had earlier been filed by the NYISO and the NYTOs was incorporated into Attachment Z of the NYISO's Open Access Transmission Tariff ("OATT").

<sup>5</sup> The NYISO and certain of the NYTOs also filed a request for rehearing and clarification of limited aspects of the February 20 Order. That request is also pending before the Commission.

<sup>6</sup> Capitalized terms not otherwise defined have the meaning ascribed to them in the NYISO's OATT.

Honorable Kimberly D. Bose  
June 22, 2007  
Page 3 of 5

time issued an order on the March 22 Filing.<sup>7</sup> Therefore, the Filing Parties determined that it would be appropriate to file the present SGIA, even if it did not include the two non-conforming changes discussed in Part I.C. below.

**C. The SGIA Contains Two Limited Variations From the Proposed *Pro Forma* Agreement. Both are Necessary Under the Unique Circumstances of the Seneca Project**

The two limited changes to the *pro forma* interconnection agreement included in the March 22 Filing are necessary, given the context in which this particular SGIA was developed. The variations are contained in Section 4.1.1, which governs cost responsibility for Interconnection Facilities, and in Attachment 2, which provides the specifications regarding the description and costs of Interconnection Facilities and metering equipment. In both cases, the *pro forma* language in the March 22 Filing states that the NYISO, in consultation with the Transmission Owner, will provide a cost estimate for Interconnection Facilities (and metering equipment in the case of Attachment 2). The Filing Parties propose to eliminate these two references to the NYISO.

Although parties must satisfy a high Commission standard to make variations to the language in a *pro forma* interconnection agreement,<sup>8</sup> the Filing Parties submit that the changes here satisfy that standard. While the *pro forma* language proposed by the NYISO and the NYTOs in the March 22 Filing will be used in the ordinary course, the Seneca project is different. It began its development, and has been technically evaluated and processed, under NYSEG's interconnection procedures for small generators. Following the issuance of the February 20 Order, the NYISO and the NYTOs concluded that they should proceed under the NYISO's procedures for small generators, and execute the NYISO's form of small generator interconnection agreement. However, because Seneca's project had already been processed under NYSEG's procedures, it was NYSEG -- and not the NYISO -- that provided the cost estimates that are called for in Section 4.1.1 and Attachment 2 of the SGIA. Under the circumstances, the Filing Parties request that the Commission accept these two non-conforming variations to the pending *pro forma* language.

**II. Proposed Effective Date and Request for Waiver of Notice Requirement**

The Filing Parties respectfully request that the Commission waive its sixty (60) day notice requirement as required by Section 35.3(a) of the Commission's regulations, 18 C.F.R. § 35.3(a) (2006), and make this SGIA effective as of June 18, 2007. Waiver is

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<sup>7</sup> The Filing Parties will make and file any revisions to the SGIA that are required to comply with any Commission order in Docket No. ER06-311.

<sup>8</sup> See, e.g., *Midwest Independent Transmission System Operator, Inc.*, 119 FERC ¶ 61,188 at P 8 (2007) (providing guidance regarding deviations from standard small generator interconnection agreements).

Honorable Kimberly D. Bose  
June 22, 2007  
Page 4 of 5

appropriate in that the SGIA is being filed 4 days of its execution. The SGIA has been filed within 30 days of service commencing.

### **III. Documents Submitted in this Filing**

1. This transmittal letter;
2. Executed SGIA among the NYISO, NYSEG, and Seneca (Exhibit I); and
3. Blacklined version of the SGIA showing the changes from the *pro forma* agreement contained in the March 22 Filing (Exhibit II).

### **IV. Communications and Correspondence**

The following persons should be included in the official service list in this proceeding and all communications concerning this filing should be addressed to them:

#### **For the NYISO:**

Robert E. Fernandez, General Counsel and Secretary  
\*Karen G. Gach, Senior Attorney  
New York Independent System Operator, Inc.  
10 Krey Boulevard  
Rensselaer, NY 12144  
Tel: (518) 356-6000  
Fax: (518) 356-4702  
rfernandez@nyiso.com  
kgach@nyiso.com

Ted J. Murphy  
\*Michael E. Haddad  
Hunton & Williams LLP  
1900 K Street, NW, Suite 1200  
Washington, DC 20006-1109  
Tel: (202) 955-1500  
Fax: (202) 778-2201  
mhaddad@hunton.com

\*J. Kennerly Davis<sup>9</sup>  
Hunton & Williams LLP  
951 East Byrd Street  
Richmond, VA 23219  
Tel: (804) 788-8559  
Fax: (804) 788-8218  
kdavis@hunton.com

#### **For NYSEG**

\*Nicholas A. Giannasca  
LeBoeuf, Lamb, Greene & MacRae LLP  
125 West 55<sup>th</sup> Street  
New York, NY 10019-5389  
Tel: (212) 424-8000  
Fax: (212) 424-8500  
ngiannasca@llgm.com

\* - Designated to receive service.

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<sup>9</sup> The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2006) to permit service on counsel for the NYISO in both Washington, D.C. and Richmond, Virginia.

Honorable Kimberly D. Bose

June 22, 2007

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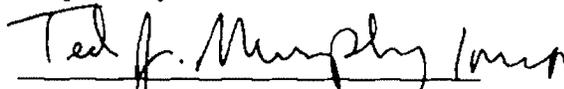
**V. Service**

The NYISO has provided a paper copy of this filing to Seneca. The NYISO will electronically send a link to this filing to the official representative of each of its customers, to each participant on its stakeholder committees, to the New York Public Service Commission, and to the electric utility regulatory agencies of New Jersey and Pennsylvania. In addition, the complete filing will be posted on the NYISO's website at www.nyiso.com. The NYISO will also make a paper copy available to any interested party that requests one. To the extent necessary, the NYISO requests waiver of the requirements of Section 35.2(d) of the Commission's Regulations (18 C.F.R. § 35.2(d) (2006)) to permit it to provide service in this manner.

**VI. Conclusion**

For the foregoing reasons, the Filing Parties respectfully request that the Commission accept for filing this SGIA and grant the proposed effective date of June 18, 2007.

Respectfully submitted,



Ted J. Murphy  
Counsel for the  
New York Independent System Operator, Inc.



Nicholas A. Giannasca  
Counsel for  
New York State Electric & Gas Corporation

Enclosures

cc: Shelton M. Cannon  
Larry Gasteiger  
Connie Caldwell  
Michael A. Bardee  
Kathleen E. Nieman  
Dean Wight  
Lance Hinrichs

## General Affidavit under Oath

I, Scott A. Herringham ("Declarant"),  
CFO (position) of, Seneca Energy II, LLC,

incorporated in the State of New York, do hereby certify, swear or affirm, and declare that I am competent to give the following declaration. I have reviewed each section of the Seneca Landfill Gas Facility application and based on my personal knowledge hereby state the facts contained within the New Hampshire facility application for certificate acquisition submitted on my behalf are true and correct to the best of my knowledge.

WITNESS my signature this 4<sup>th</sup> day of August/2008 (month/year).

Scott A. Herringham  
Signature of Declarant

STATE OF MARYLAND

MARTIN O'MALLEY  
GOVERNOR

ANTHONY G. BROWN  
LIEUTENANT GOVERNOR



COMMISSIONERS

STEVEN B. LARSEN  
CHAIRMAN

HAROLD D. WILLIAMS  
ALLEN M. FREIFELD  
SUSANNE BROGAN  
LAWRENCE BRENNER

PUBLIC SERVICE COMMISSION

#4, 1/23/08 AM; ML#s 107921,  
and 108682, IR-1142

January 23, 2008

Ms. Deborah Razza  
Conservation Services Group  
40 Washington Street  
Westborough, MA 01581

Dear Ms. Razza:

The Commission has reviewed the Application for Certification as a Renewable Energy Facility for the Maryland Renewable Energy Portfolio Standard Program and additional information filed on October 18, 2007 and December 10, 2007 by Seneca Energy II, LLC.

After considering this matter at the January 23, 2008 Administrative Meeting, the Commission issued renewable energy facility Certification Number MD-40128-LFG-01 to the Company for the Seneca Falls facility.

Additionally, the Company is reminded that under COMAR 20.61.02.03B, it is obligated to notify the Commission within 30 days of any substantial change to the information contained in its application.

By Direction of the Commission,

A handwritten signature in cursive script, appearing to read "Terry J. Romine".

Terry J. Romine  
Executive Secretary

TJR/gjd

c: GATS Administrator, PJM Environmental Information Service, Inc.  
M. Brent Hare, Esquire, Maryland Energy Administration  
Mr. Peter Dunbar, Maryland Department of Natural Resources  
Ms. Karen Irons, Maryland Department of the Environment  
Paula M. Carmody, People's Counsel



STATE OF MARYLAND  
PUBLIC SERVICE COMMISSION

**NUMBER:** IR-1142  
**DATE:** January 8, 2008  
**MAIL LOG NO:** 107921 & 108682

**TO:** Steven B. Larsen, Chairman  
Harold D. Williams, Commissioner  
Allen M. Freifeld, Commissioner  
Susanne Brogan, Commissioner  
Lawrence Brenner, Commissioner

**FROM:** Anthony Myers, Assistant Executive Director *AM*

**RE:** Seneca Energy II, LLC – Application for Certification as a Renewable Energy Facility

---

**Description of Application:**

On October 18, 2007, Seneca Energy II, LLC (“Seneca II” or “Applicant”) filed with the Commission an application (ML No. 107921) seeking certification as a renewable energy facility under Section 20.61.02.01 of the Code of Maryland Regulations (“COMAR”). On December 10, 2007, Seneca II filed supplemental information (ML No. 108682) to the initial filing.

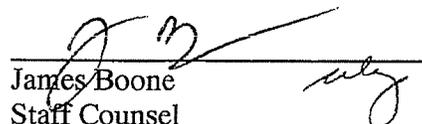
**Groups which should receive a copy of Staff Recommendations:**

Seneca Energy II, LLC  
PJM Environmental Information Services, Inc.  
Maryland Energy Administration  
Power Plant Research Program of the Department of Natural Resources  
Maryland Office of People's Counsel

**Recommended Action (Including Conditions):**

Staff recommends that the Commission grant the application of Seneca Energy II, LLC and issue the Seneca Falls facility a renewable energy facility certification number as specified herein. If the information on which the application is based should change, the Applicant should be directed to file notice with the Commission within 30 days of the change.

  
Robert Howatt  
Director, ERMDivision

  
James Boone  
Staff Counsel

Commission Action on \_\_\_\_\_:

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Accept for Filing \_\_\_\_\_

STATE OF MARYLAND  
PUBLIC SERVICE COMMISSION

**Comments of the Energy Resources and Markets Division (IR-1142)**

**Date: January 8, 2008**

**Re: Seneca Energy II, LLC – Application for Certification as a Renewable Energy Facility**

**Mail Log No.: 107921 & 108682**

**Page 2 of 5**

**Summary of Filing:**

By application filed October 18, 2007 (ML No. 107921), Seneca Energy II, LLC seeks certification of its Seneca Falls facility, as a renewable energy facility under Section 20.61.02.01 of the Code of Maryland Regulations (“COMAR”). The Applicant filed supplemental information on December 10, 2007 (ML No. 108682). The supplemental information was an updated copy of the Seneca Falls facility’s EIA-860 form. The Seneca Falls facility is located in Waterloo, New York. A renewable energy facility includes any person that produces electricity using a Tier 1<sup>1</sup> renewable source or a Tier 2<sup>2</sup> renewable source. Staff has reviewed Seneca II’s application and found it to be complete. Staff recommends that the Commission grant the application for certification as a Maryland Renewable Energy Facility (“REF”).

**Applicable Law:**

Under COMAR 20.61.02 a facility seeking to obtain Maryland renewable energy credits (“RECs”) for the renewable attributes associated with its electricity must be certified as a renewable energy facility (“REF”). To obtain certification the applicant must apply on the form provided by the Commission and demonstrate that it generates electricity using either a Tier 1 or Tier 2 source as defined under PUC Article §7-701, certify that it is in substantial compliance with Maryland’s environmental and administrative requirements under PUC Article §7-704, and is located in an area eligible to produce Maryland RECs as defined by PUC §Article 7-701. Upon certification and pursuant to the above-noted requirements, the applicant must establish a REC account with PJM GATS within 30 days. See COMAR 20.61.02.02.

**Company Requested Commission Action:**

Seneca Energy II, LLC asks the Commission to determine whether or not the Seneca Falls facility qualifies as a REF that is eligible to participate in the Maryland Renewable Energy Portfolio Standard Program.

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<sup>1</sup> Tier 1 renewable sources include the following: solar; wind; qualifying biomass; methane from the anaerobic composition of organic materials in a landfill or wastewater treatment plant; geothermal; ocean, including energy from waves, tides, currents and thermal differences; a fuel cell that produces electricity from qualifying biomass or methane; and a small hydro electric plant licensed or exempt from licensing by FERC. See PUC Article §7-701(l).

<sup>2</sup> Tier 2 renewable sources include hydroelectric power other than pump storage generation and incineration of poultry litter under certain conditions. See PUC Article §7-701(m).

STATE OF MARYLAND  
PUBLIC SERVICE COMMISSION

**Comments of the Energy Resources and Markets Division (IR-1142)**

**Date: January 8, 2008**

**Re: Seneca Energy II, LLC – Application for Certification as a Renewable Energy Facility**

**Mail Log No.: 107921 & 108682**

**Page 3 of 5**

**Background:**

COMAR 20.61 implements Section §7-701 *et seq.* of the PUC (“RPS Legislation”) and establishes the Maryland Renewable Energy Portfolio Standard (“RPS”) Program. All electricity suppliers are required to comply with the RPS Legislation and COMAR 20.61. Renewable on-site generators may choose to participate in the RPS Program unless the generator is also a supplier or load serving entity.

A supplier’s compliance with the RPS Legislation is accomplished by submitting an amount of renewable energy credits (“RECs”) equal to the supplier’s RPS for a specified reporting period or paying a compliance fee specified at PUC Article §7-705. A renewable on-site generator may choose to sell or trade its RECs to a supplier in need of the RECs.

A REC may be earned equal to the attributes associated with each MWh of generation derived from a certified REF. COMAR 20.61.02 describes the procedure by which the Commission may certify a facility as a REF. Specifically, COMAR requires that a facility seeking certification as a REF file a completed application with the Commission that lists the following: 1) name and location of the REF; 2) owner’s legal name and copy of a certificate of good standing issued by the state of the applicant’s formation; 3) operator’s name; 4) description of the facility’s technology; 5) rated renewable capacity, and where co-fired with fossil fuels, the proportion of output per fuel type generated according to the fuel source on file with the generation attributes tracking system operated by PJM Environmental Information Services, Inc.; 6) documentation that the facility meets the requisite Tier 1 or Tier 2 requirements for which certification is sought; and 7) certification that the applicant is substantially in compliance with all applicable environmental and administrative requirements as specified in PUC Article §7-704.

COMAR 20.61.02 further provides that upon Commission certification of a REF, the REF shall apply to PJM-Environmental Information System, Inc. (“PJM-EIS”) to establish a Generation Attributes Tracking System (“GATS”) account in its name. The account must be maintained in good standing in order for a REC to be considered eligible to satisfy Maryland’s RPS.

Seneca Energy II, LLC seeks to be certified as a REF and be eligible to receive RECs for renewable attributes associated with electricity that it generates using landfill gas as a fuel source. Should the application be granted, Seneca II would be given a Maryland REF certification number. This number is to be used to open an account with GATS, which is operated by PJM-EIS.

STATE OF MARYLAND  
PUBLIC SERVICE COMMISSION

**Comments of the Energy Resources and Markets Division (IR-1142)**

**Date: January 8, 2008**

**Re: Seneca Energy II, LLC – Application for Certification as a Renewable Energy Facility**

**Mail Log No.: 107921 & 108682**

**Page 4 of 5**

GATS is an integral part of the RPS Program. This is in keeping with PUC Article §7-708 which requires the Commission to use, to the extent practicable, a trading system that is consistent with and operates in conjunction with a trading system developed by PJM Interconnection, LLC. GATS is a system designed and operated by PJM-EIS that is used to create, record, and track RECs. GATS monitors the generation of participating units. RECS are created monthly based upon actual renewable output. A GATS certificate from a Commission-certified renewable energy facility is identified as a Maryland eligible Tier 1 or Tier 2 REC.

PJM-GATS collects generation data for facilities certified for RPS programs in various states. Upon issuance of a Maryland RPS Certification Number, a facility may open a GATS account for use with the Maryland RPS Program. Facilities often are eligible for participation with numerous state RPS programs, and, as a result, they will be certified with multiple states and be issued multiple state certification numbers. A facility that is interconnected with PJM will have its electricity generation data automatically uploaded.

The Applicant's facility, Seneca Falls, is located in New York and uses landfill gas to generate electricity for on-site use. The Seneca Falls facility began operation in June 2001. According to the EIA-860 form filed, the Seneca Falls facility is comprised of 14 generators that each has a rated capacity of 0.8 MW and 4 generators that have a rated capacity of 1.6 MW. The overall rated capacity for the Seneca Falls facility is 17.6 MW.

**Analysis:**

Staff has reviewed the application filed by Seneca II for REF certification of its facility and found it to be complete. Seneca II's facility, Seneca Falls, is located in New York, a state eligible to participate in the RPS. The Applicant uses landfill gas to generate electricity for on-site use. Landfill gas qualifies as a Tier 1 renewable source under PUC Article §7-701(l), and the attributes associated with the generation may be eligible for RECs. The Applicant's facility began operation in March, 1996.

Staff proposes that the following REF certification number be assigned to the Seneca Falls facility: **MD-40128-LFG-01**. The twelve-digit number is consistent with the GATS identification system. The first two letters represent the state that is certifying the facility. The next five digits identify the facility. The following three letters represent the renewable energy source on which RECs from the facility are based. The last two digits indicate whether the renewable energy source is Maryland Tier 1 or Maryland Tier 2.

STATE OF MARYLAND  
PUBLIC SERVICE COMMISSION

**Comments of the Energy Resources and Markets Division (IR-1142)**

**Date: January 8, 2008**

**Re: Seneca Energy II, LLC – Application for Certification as a Renewable Energy Facility**

**Mail Log No.: 107921 & 108682**

**Page 5 of 5**

**Recommendation:**

Staff recommends that the Commission grant the application of Seneca Energy II, LLC and issue the Seneca Falls facility a renewable energy facility certification number as specified herein. If the information on which the application is based should change, the Applicant should be directed to file notice with the Commission within 30 days of the change.



---

Gregory H. Kim  
Regulatory Economist

cc: Douglas R. M. Nazarian, General Counsel  
Terry Romine, Executive Secretary  
Bryan G. Moorhouse, Chief Hearing Examiner  
LaWanda Edwards, Manager, Office of External Relations



STATE OF MARYLAND  
PUBLIC SERVICE COMMISSION

**AGENDA**

**Administrative Meeting - 10:00 AM , January 23, 2008**

Sixteenth Floor Hearing Room  
William Donald Schaefer Tower  
6 St. Paul Street  
Baltimore, Maryland 21202-6806  
(410) 767-8000

**Matters for Commission Consideration**

**Consent Agenda:\***

1. Core Communications, Inc. filed, on December 24, 2007, revised tariff pages. The Company proposes to reduce Switched Access Originating and Terminating per minute rates in compliance with the Commission rate cap. (ML#108860)
2. XO Communications Services, Inc. filed, on December 31, 2007, revised tariff pages. The Company proposes to increase rates of Small Business Basic Business Lines, Directory Assistance DID Number Blocks, and True Business Solutions. Effective: February 1, 2008. (ML#108896)
3. Lightyear Network Solutions, LLC filed, on December 14, 2007, its initial access services tariff. (ML#108736) Additional information was filed on January 9, 2008 (ML#108991).
4. Seneca Energy II, LLC filed, on October 18, 2007, an Application for Certification of Seneca Falls as a Renewable Energy Facility for the Maryland Renewable Energy Portfolio Standard Program. (ML#107921) Additional information was filed on December 10, 2007 (ML#108682).

**\*Note: Items on the Consent Agenda are intended to be noncontroversial. However, a Commissioner or an interested person may request the opportunity to discuss a Consent Agenda item. Any such discussion shall take place at the end of the Administrative Meeting.**

**Administrative Agenda:**

5. Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance filed, on January 7, 2008, revised tariff pages. The Company proposes to make changes to the Promotional Offering language to provide for the introduction of promotions on one day's notice. (ML#108966)
6. NYNEX Long Distance Company d/b/a Verizon Enterprise Solutions filed, on January 7, 2008, revised tariff pages. The Company proposes to make changes to the Promotional Offering language to provide for the introduction of promotions on one day's notice. (ML#108968)
7. Delmarva Power & Light Company filed, on December 27, 2007, its proposed Rider "DSM" - Demand Side Management Surcharge for Residential High-Efficiency Lighting Program and associated Customer Awareness Program in compliance with Commission Order No. 81618. (ML#108875)
8. Potomac Electric Power Company filed, on December 27, 2007, its proposed Rider "DSM" - Demand Side Management Surcharge for Residential High-Efficiency Lighting Program and associated Customer Awareness Program in compliance with Commission Order No. 81618. (ML#108876)

9. Washington Gas Light Company filed, on December 18, 2007, revised tariff and supporting summary pages which reflect the annually updated Demand-Side (DSM) Management surcharges. Effective: February 2008. (ML#108777)
10. Baltimore Gas and Electric Company filed, on December 20, 2007, its calculation of the Gas Choice and Reliability Charges under Rider 7 of the Gas Service Tariff. (ML#108804)
11. Baltimore Gas and Electric Company filed, on December 20, 2007, Supplement 320 to P.S.C. G-9. The Company proposes to calculate Rider 3 - Standby Service Price. Effective: February 2008. (ML#108805)

### **Rulemaking Session - January 23, 2008**

The Commission's Rulemaking Session will occur immediately following the Administrative Meeting.

#### **COMAR Matters for Commission Consideration:**

Rulemaking No. 33. Distribution Transformer Regulations.  
Commission's discussion of proposed regulations.

Rulemaking No. 34. Small generator definition.  
Commission's discussion of proposed regulations.

#### **NOTICE**

**\*\* For weather-related cancellations or postponements, dial 410-767-8000 or 1-800-492-0474.\*\***

**Filings pertaining to these matters shall be received by noon on the Monday before the Administrative Meeting.**

**The Administrative Agenda with the corresponding Technical Staff Comments can be obtained by accessing the Commission's Home Page at <http://www.psc.state.md.us/psc/>.**

**Reasonable accommodations will be made at Public Service Commission proceedings for qualified persons with disabilities, if requested 5 days in advance of the proceeding. (Dial 410-767-8000 or 1-800-492-0474 or access the prior numbers through the Maryland Relay Service at 7-1-1.)**

**Certification of Authorized Representative**

August 1, 2008  
Debra A. Howland  
Executive Director & Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

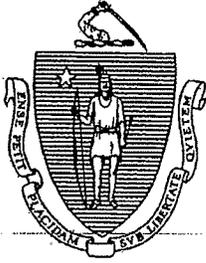
I, Scott A. Henningham, CFO of Seneca Energy II, LLC.,  
certify that Patricia Stanton, the Vice President of Clean Energy Markets of Conservation  
Services Group, Inc. is authorized to execute and submit the New Hampshire Electric  
Renewable Portfolio Standard Application for the Seneca Landfill Gas Facility, pursuant  
to Chapter PUC 2500.

Signature:

Scott A. Henningham  
Seneca Energy II, LLC

Date:

8/4/08



COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CONSUMER AFFAIRS  
AND BUSINESS REGULATION  
**DIVISION OF ENERGY RESOURCES**

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July 30, 2004

Mr. Stephen L. Cowell  
CEO & Chairman  
CSGServices, Inc  
40 Washington Street  
Westborough, MA 01581

**RE: RPS Eligibility Decision**  
**Seneca Falls Landfill Gas Project [LG-1030-04]**

Dear Mr. Cowell,

On behalf of the Division of Energy Resources (the Division), I am pleased to inform you that your Application for a Statement of Qualification pursuant to the Massachusetts Renewable Energy Portfolio Standard (RPS) Regulations, 225 CMR 14.00, is hereby approved. The Division finds that the Generation Unit meets the requirements for eligibility as a New Renewable Generation Unit pursuant to 225 CMR 14.05.

Qualification of this Generation Unit is, however, subject to the following two conditions that are detailed in the enclosed Statement of Qualification:

1. Annual certification and documentation of the date on which the electrical energy output of the Unit exceeds the Unit's Historical Generation Rate, which has been determined to be **48,130 MWh**.
2. Provisions of the RPS Regulations at 225 CMR 14.05(5) that pertain to any Generation Unit that is located outside of the ISO-New England Control Area.

**COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION  
DIVISION OF ENERGY RESOURCES**

**Statement of Qualification**

**Pursuant to the Renewable Energy Portfolio Standard  
225 CMR 14.00**

This Statement of Qualification, provided by the Massachusetts Division of Energy Resources, signifies that the Generation Unit identified below meets the requirements for eligibility as a New Renewable Generation Unit, pursuant to the Renewable Energy Portfolio Standard (RPS) Regulations at 225 CMR 14.05, as of the approval date of the Application for Statement of Qualification, this 30<sup>th</sup> day of July, 2004.

Authorized Representative's Name and  
Address:

Mr. Stephen L. Cowell CEO & Chairman CSGServices, Inc 40 Washington Street Westborough, MA 01581
--

Name of Generation Unit:

<b>Seneca Falls Landfill Gas Project</b>
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Qualification of this Generation Unit is subject to the following provisions:

1. The Unit's Historical Generation Rate is determined to be **48,130 MWh**. Only that portion of the electrical energy output of the Generation Unit in each calendar year that exceeds the Unit's Historical Generation Rate will qualify as New Renewable Generation under the RPS Regulations at 225 CMR 14.05(2). During each calendar year, the Unit's Owner or Operator shall inform the Division of the date on which the Unit's electrical energy output has exceeded its Historical Generation Rate, and shall provide thereof certification and documentation satisfactory to the Division.
2. The portion of the total electrical energy output that qualifies as New Renewable Generation in a given time period shall meet requirements that include, but are not limited to, the following provisions of 225 CMR 14.05(5):
  - (a) An External Unit Contract shall be executed between the Generation Unit Owner or Operator and an electrical energy purchaser located in the ISO-NE Control Area for delivery of the Unit's electrical energy to the ISO-NE Control Area. The External Unit Contract shall include associated transmission rights for delivery of the Unit's electrical energy over the ties from an adjacent control area to the ISO-NE Control Area; and