

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: March 23, 2009

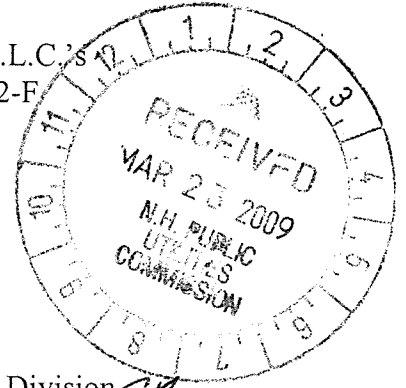
AT (OFFICE): NHPUC

FROM: Maureen L. Reno *MLR*
Utility Analyst III

SUBJECT: DE 09-026, Waste Management Renewable Energy, L.L.C.'s
Application for Class I Eligibility Pursuant to RSA 362-F
Staff Recommendation

TO: Chairman Thomas B. Getz
Commissioner Graham J. Morrison
Commissioner Clifton C. Below
Debra A. Howland, Executive Director and Secretary

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



Summary

On February 13, 2009, Waste Management Renewable Energy, L.L.C. (WMRE) submitted an application requesting the Commission grant approval of its Fitchburg landfill methane gas facility (Fitchburg facility) to produce Class I Renewable Energy Certificates (RECs) pursuant to RSA 362-F, New Hampshire's Electric Renewable Portfolio Standard law. Pursuant to RSA 362-F:4, I, 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.

Pursuant to RSA 362-F, the Commission, in a non-adjudicative process, must issue a determination of whether a facility meets a particular classification within 45 days of a completed application. The WMRE Fitchburg facility is a landfill methane gas facility that began commercial operation in September 2007. The facility meets the Class I eligibility requirements under RSA 362-F:4, I and WMRE has complied with the N. H. Code Admin. Rule Puc 2500 and has provided all the necessary information. Based on its review of the application, Staff recommends that the Commission approve the Fitchburg facility as eligible for Class I RECs.

Analysis

The Fitchburg facility is located at Fitchburg Road Route 31, Westminster, Massachusetts. The facility's initial commercial operation date was September 2007. It has a gross nameplate capacity of 4.8 megawatts and its NEPOOL GIS facility code is MSS 14098.

Pursuant to Puc 2505.02 (b) (8), the applicant must submit proof that it has "an approved interconnection study on file with the commission, is a party to a currently effective interconnection agreement, or is otherwise not required to undertake an interconnection study." The applicant submitted a copy of its interconnection agreement titled "Standard Small Generator Interconnection Agreement by and between WM Renewable Energy, L.L.C., ISO New England Inc., and New England Power Company for the Fitchburg Renewable Energy Project" dated August 28, 2006. Staff verified with National Grid, the parent company of New England Power Company, that the interconnection agreement is in place.

Pursuant to Puc 2505.02 (b) (11), the applicant shall include a statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standards and proof thereof. The applicant stated that the facility has been certified under the Massachusetts renewable portfolio standard program. Staff verified with the Massachusetts Department of Energy Resources that the facility is a qualified new renewable generation unit.

Recommendation

Staff has reviewed WMSE's application for its Fitchburg facility and can affirm it is complete pursuant to N. H. Code Admin. Rule Puc 2500. Staff recommends that the Commission certify the Fitchburg facility as being eligible for Class I RECs effective February 13, 2009, the date on which Staff was able to make a determination that the facility met the requirements for certification as a Class I renewable energy source.