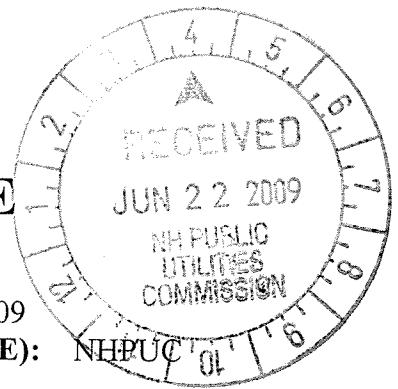


STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: June 17, 2009

AT (OFFICE): NHPUC



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

SUBJECT: DE 09-056, WM Renewable Energy, L.L.C.'s Application for Class I Eligibility of its Crossroads Landfill Facility 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 *JKR*
Suzanne Amidon, Staff Attorney

Summary

On March 19, 2009, WM Renewable Energy, L.L.C. (WMRE) submitted an application requesting the Commission grant approval of its Crossroads landfill methane gas facility (Crossroads 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 Crossroads facility application was completed on May 11, 2009. The Crossroads facility meets the Class I eligibility requirements under RSA 362-F:4, I. 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 Crossroads facility as eligible for Class I RECs effective May 11, 2009.

Analysis

The Crossroads facility is a landfill methane gas facility, has a gross nameplate capacity of 3.2 megawatts and began commercial operation on March 6, 2009. The facility is located at 357 Mercer Road, Norridgewock, Maine. The facility's NEPOOL generation information system facility code is MSS15998.

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." On May 11, 2009, WMRE submitted a letter from the Town of Madison Department of Electric Works, dated April 29, 2009, stating that Madison Electric is currently providing interconnection service to WMRE for the Crossroads facility and is in the process of finalizing an official interconnection agreement. Staff recommends that the Commission find this letter as meeting the requirement set by Puc 2505.02(b)(8).

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 Crossroads facility has been certified in Connecticut and Maine as a Class I source and is pending certification in Massachusetts and Rhode Island.

Recommendation

Staff has reviewed the Crossroads facility application and can affirm it is complete pursuant to N. H. Code Admin. Rule Puc 2500. Staff recommends that the Commission certify the Crossroads facility as being eligible for Class I RECs effective May 11, 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.