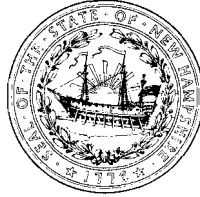


THE STATE OF NEW HAMPSHIRE

CHAIRMAN  
Thomas B. Getz

COMMISSIONERS  
Clifton C. Below  
Amy L. Ignatius

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)

December 6, 2010

Paul R. MacGregor, Ph.D.  
Senior Vice President  
Nexant, Inc.  
1805 Old Alabama Road, Suite 315  
Roswell, GA 30076

Re: DE 09-150, Nexant, Inc.  
Request to Reinstate NH Class III RECs Generated during the First Quarter 2010

Dear Mr. MacGregor:

On October 26, 2010, you submitted a letter on behalf of Nexant, Inc. (Nexant) requesting that the Commission provide its approval to the New England Power Pool Generation Information System (NEPOOL GIS) Administrator to allow the credit of 1,655 New Hampshire Class III Renewable Energy Certificates (RECs) into Nexant's NEPOOL GIS banked RECs subaccount. According to the request, these RECs are associated with electricity generated in January and February 2010 from the Johnston landfill methane gas facility, which received Class III eligibility on October 2, 2009 (facility code: NH-III-09-042), and were purchased but not banked into Nexant's account during the first quarter of the 2010 trading period. In your letter to the Commission, you stated that Nexant was not aware that the above-mentioned RECs were not transferred into its banked RECs subaccount until the opening of the second quarter 2010 trading period, thereby causing the GIS to automatically delete these RECs.

Pursuant to the NEPOOL GIS Operating Rule 3.8 (d) RECs may be credited back to an account or subaccount if a state regulatory agency states in writing that it will permit those certificates to be used for purposes of establishing compliance with a state's mandatory Renewable Portfolio Standard. Furthermore, Rule 3.8 (d) (ii) states that these RECs may be credited to the account holder's account or subaccount no later than the expiration of the fourth quarter trading period relating to the year in which the RECs were generated.

On November 18, 2010, Staff filed a memorandum noting, among other things, that it had reviewed a supporting attestation stating that the Class III RECs have not been used for any other program or purpose<sup>1</sup> and, therefore, recommended approval of Nexant's requests.

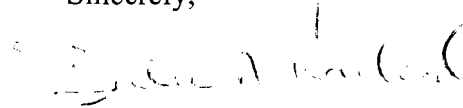
---

<sup>1</sup> In response to Staff's request, Nexant submitted the attestation on November 12, 2010.

December 6, 2010  
Page two

Based on the foregoing, the Commission has approved your request and will advise APX that that the Commission will permit the aforementioned RECs be used for purposes of establishing compliance with New Hampshire's Renewable Portfolio Standard, effective immediately.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra A. Howland", is written over a faint, illegible typed name.

Debra A. Howland  
Executive Director

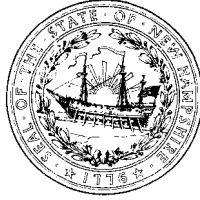
cc: Suzanne G. Amidon, Staff Attorney  
James Webb, Regulatory Administrator  
APX Environmental Markets

THE STATE OF NEW HAMPSHIRE

CHAIRMAN  
Thomas B. Getz

COMMISSIONERS  
Clifton C. Below  
Amy L. Ignatius

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)

December 6, 2010

James Webb  
Registry Administrator  
APX Environmental Markets  
224 Airport Parkway, Suite 600  
San Jose, CA 95110

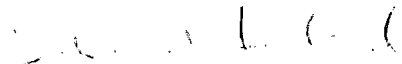
Re: Nexant, Inc's Request to Reinstate NH Class III RECs Generated during the First Quarter 2010

Dear Mr. Webb:

On October 26, 2010, Nexant, Inc. (Nexant) submitted a letter to the Commission requesting that the Commission provide its approval to APX, Inc. (APX), the New England Power Pool (NEPOOL GIS) Administrator, to allow the credit of 1,655 New Hampshire Class III Renewable Energy Certificates (RECs) into Nexant's NEPOOL GIS banked RECs subaccount. These RECs are associated with electricity generated during the first quarter of 2010 from the Johnston landfill methane gas facility, which received New Hampshire Class III eligibility on October 2, 2009 (facility code: NH-III-09-042). According to Nexant, the aforementioned RECs were purchased but not banked into Nexant's subaccount before the end of the first quarter trading period. Nexant did not realize they made an error until after the deadline for entering the REC information.

The NEPOOL GIS Operating Rule 3.8 (d) allows these RECs to be credited back to Nexant's account with the New Hampshire Public Utilities Commission's consent. Furthermore, Rule 3.8 (d) (ii) states that these RECs must be reinstated to Nexant's account or subaccount no later than the expiration of the fourth quarter trading period relating to the year in which the RECs were generated. Therefore, the Commission hereby advises APX that the Commission will permit the aforementioned RECs be used for purposes of establishing compliance with New Hampshire's Renewable Portfolio Standard, effective immediately.

Sincerely,

  
Debra A. Howland  
Executive Director

cc: Paul R. MacGregor, Ph.D.  
Senior Vice President, Nexant, Inc.