

EXHIBIT A

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2010-42

February 8, 2010

STETSON WIND, LLC
Request for Certification for RPS Eligibility

ORDER GRANTING NEW
RENEWABLE RESOURCE
CERTIFICATION

REISHUS, Chairman; VAFIADES and CASHMAN, Commissioners

I. SUMMARY

The Stetson Wind II Wind Farm is certified as a Class I new renewable resource that is eligible to satisfy Maine's new renewable resource portfolio requirement pursuant to Chapter 311, § 3(B) of the Commission rules.

II. BACKGROUND

A. New Renewable Resource Portfolio Requirement

During its 2007 session, the Legislature enacted an Act To Stimulate Demand for Renewable Energy (Act). P.L. 2007, ch. 403 (codified at 35-A M.R.S.A. § 3210(3-A)). The Act added a mandate that specified percentages of electricity that supply Maine's consumers come from "new" renewable resources.¹ Generally, new renewable resources are renewable facilities that have an in-service date, resumed operation or were refurbished after September 1, 2005. The percentage requirement starts at one percent in 2008 and increases in annual one percent increments to ten percent in 2017, unless the Commission suspends the requirement pursuant to the provisions of the Act.

As required by the Act, the Commission modified its portfolio requirement rule (Chapter 311) to implement the "new" renewable resource requirement. *Order Adopting Rule and Statement of Factual and Policy Basis*, Docket No. 2007-391 (Oct. 22, 2007). The implementing rules designated the "new" renewable resource

¹ Maine's electric restructuring law, which became effective in March 2000, contained a portfolio requirement that mandated that at least 30% of the electricity to supply retail customers in the State come from eligible resources, which are either renewable or efficient resources. 35-A M.R.S.A. § 3210(3). The Act did not modify this 30% requirement.

requirement as “Class I”² and incorporated the resource type, capacity limit and the vintage requirements as specified in the Act. The rules thus state that a new renewable resource used to satisfy the Class I portfolio requirement must be of the following types:

- fuel cells;
- tidal power;
- solar arrays and installations;
- wind power installations;
- geothermal installations;
- hydroelectric generators that meet all state and federal fish passage requirement; or
- biomass generators, including generators fueled by landfill gas.

In addition, except for wind power installations, the generating resource must not have a nameplate capacity that exceeds 100 MW. Finally, the resource must satisfy one of four vintage requirements. These are:

- 1) renewable capacity with an in-service date after September 1, 2005;
- 2) renewable capacity that has been added to an existing facility after September 1, 2005;
- 3) renewable capacity that has not operated for two years or was not recognized as a capacity resource by the ISO-NE or the NMISA and has resumed operation or has been recognized by the ISO-NE or NMISA after September 1, 2005; or
- 4) renewable capacity that has been refurbished after September 1, 2005 and is operating beyond its useful life or employing an alternate technology that significantly increases the efficiency of the generation process.

The implementing rules (Chapter 311, § 3(B)(4)) establish a certification process that requires generators to pre-certify facilities as a new renewable resource under the requirements of the rule and provides for a Commission determination of resource eligibility on a case-by-case basis.³ The rule contains the information that must be included in a petition for certification and specifies that the Commission shall provide an opportunity for public comment if a petitioner seeks certification under

² The “new” renewable resource requirement was designated as Class I because the requirement is similar to portfolio requirements in other New England states that are referred to as “Class I.” Maine’s pre-existing “eligible” resource portfolio requirement is designated as Class II.

³ In the *Order Adopting Rule* at 6, the Commission noted that a request for certification can be made at any time so that a ruling can be obtained before a capital investment is made in a generation facility.

vintage categories 2, 3 and 4. Finally, the rule specifies that the Commission may revoke a certification if there is a material change in circumstance that renders the generation facility ineligible as a new renewable resource.

B. Petition for Certification

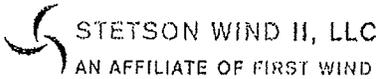
On January 29, 2010, Stetson Wind LLC filed a petition to certify its Stetson II Wind Farm as a Class I renewable resource. The Stetson II Wind Farm is a 25.5 MW wind power facility located in Washington County, Maine. The petition states that construction on the Stetson II Wind Farm began in October, 2009 and it will begin commercial operation in March, 2010..

III. DECISION

The Commission has delegated to the Director of the Electric and Gas Division the authority to certify generation facilities as Class I new renewable resources pursuant to Chapter 311, § 3(B) of the Commission rules. *Delegation Order*, Docket No. 2008-184 (April 23, 2008). Based on the information provided by Stetson Wind LLC, I conclude that the Stetson II Wind Farm satisfies the resource type, capacity limit and vintage requirements of the rule. The Stetson II Wind Farm is a wind power facility, and it will begin operations after September 1, 2005. Accordingly, the Stetson II Wind Farm is hereby certified as a Class I new renewable resource that is eligible to satisfy Maine's new renewable resource portfolio requirement pursuant to Chapter 311, § 3 of the Commission rules. Stetson Wind LLC shall provide timely notice to the Commission of any material change in the operation of the facility from that described in the petition filed in this proceeding.

BY ORDER OF THE DIRECTOR OF THE ELECTRIC AND GAS
UTILILITY INDUSTRIES

Faith Huntington



March 16, 2010

VIA OVERNIGHT MAIL

Legal Notices
Bangor-Hydro Electric Co.
970 Illinois Ave.
Bangor, ME 04401

Generator Interconnections
Transmission Planning Department
ISO New England Inc.
One Sullivan Road
Holyoke, MA 01040-2841
Facsimile: 413.540.4203
E-mail: geniterconn@iso-ne.com

Re: Stetson Wind II, LLC Large Generating Facility

Ladies and Gentlemen:

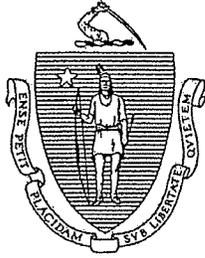
On March 11, 2010 the Stetson Wind II, LLC Large Generating Facility completed Trial Operation. This letter confirms that the Stetson Wind II, LLC commenced commercial operation at the Large Generating Facility, effective as of March 12, 2010.

Sincerely,

STETSON WIND II, LLC

By: 
Name: Evelyn Lim
Title: Secretary

EXHIBIT B



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
100 CAMBRIDGE ST., SUITE 1020
BOSTON, MA 02114
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Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Ian A. Bowles
Secretary, Executive Office of Energy
and Environmental Affairs

Philip Giudice
Commissioner

TELEPHONE
617-626-7300

FACSIMILE
617-727-0030
617-727-0093

March 31, 2010

Evelyn Lim
Secretary
Stetson Wind II, LLC
179 Lincoln Street, Suite 500
Boston, MA 02111

**RE: RPS Class I Eligibility Decision
Stetson II Wind Farm,
25.5 MW in Washington County (WD-1138-10)**

Dear Ms. Lim,

On behalf of the Department of Energy Resources (the Department or DOER), I am pleased to inform you that the Statement of Qualification Application for your Generation Unit pursuant to the Massachusetts Renewable Energy Portfolio Standard (RPS) – Class I Regulations is hereby approved. The Department finds that the Generation Unit meets the requirements for eligibility as an RPS Class I Renewable Generation Unit pursuant to 225 CMR 14.05. The NEPOOL GIS certificates for the Unit will be qualified for MA RPS Class I as of the RPS Effective Date of March 12, 2010.

Each Massachusetts Class I Renewable Generation Unit is assigned a unique Massachusetts RPS Class I Identification Number (MA RPS Class I ID#). The MA RPS Class I ID# stated on the Statement of Qualification must be included in all correspondence with the Department. Your Unit's MA RPS Class I ID# is **WD-1138-10**.

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
DEPARTMENT OF ENERGY RESOURCES
STATEMENT OF QUALIFICATION

Pursuant to the Renewable Energy Portfolio Standard – Class I
225 CMR 14.00

This Statement of Qualification, provided by the Massachusetts Department of Energy Resources (DOER or the Department), signifies that the Generation Unit identified below, as described in a Statement of Qualification Application dated December 30, 2009, meets the requirements for eligibility as an RPS Class I Renewable Generation Unit, pursuant to the Renewable Energy Portfolio Standard – Class I, 225 CMR 14.05. Therefore, this Generation Unit is duly qualified as an RPS Class I Renewable Generation Unit, as of this 30th day of March, 2010. The RPS Effective Date of this Generation Unit is March 12, 2010.

Generation Unit Name, Capacity,
and Location:

Stetson II Wind Farm
25.5 MW, Washington County, ME

Authorized Representative's Name
and Address:

Evelyn Lim
Secretary
Stetson Wind II, LLC
179 Lincoln Street, Suite 500
Boston, MA 02111

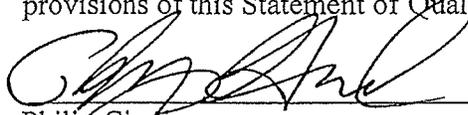
This RPS Class I Renewable Generation Unit is assigned a unique Massachusetts RPS Identification Number, listed below. Please include the ID number on all correspondence with DOER.

MA RPS Class I ID #: WD-1138-10

This Unit's NEPOOL GIS Generation Unit Asset Identification Number is:

MSS-16612

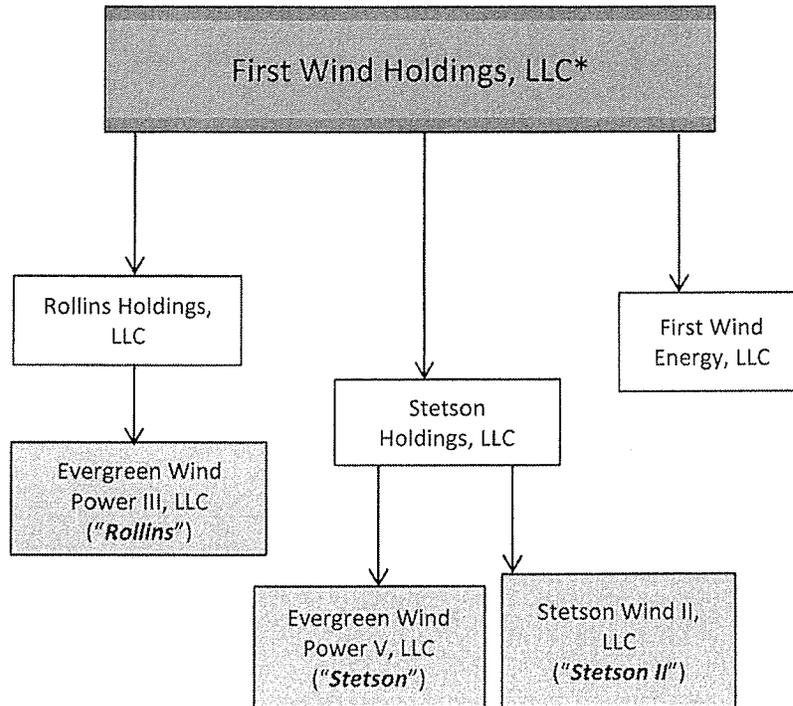
The Qualification of this Generation Unit is subject to all applicable provisions in 225 CMR 14.00, including but not limited to the following. Pursuant to 225 CMR 14.06(5) and (6), the Owner or Operator of the Unit is obligated to notify DOER of any changes in the characteristics of the Unit that could affect its eligibility status, as well as any changes in the Unit's ownership, generation capacity, or contact information. DOER may suspend or revoke this Statement of Qualification if the Owner or Operator fails to comply with 225 CMR 14.00, including the provisions of this Statement of Qualification.



Philip Giudice
Commissioner
Department of Energy Resources

Date: 3/30/2010

EXHIBIT C



*Intermediate holding companies not shown.

EXHIBIT D

Stetson Wind II, LLC is a wind generator (identification number MSS16612) and its output is verified by the ISO New England.