

THE STATE OF NEW HAMPSHIRE



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PUBLIC UTILITIES COMMISSION

21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

FAX (603) 271-3878

Website:
www.puc.nh.gov

July 12, 2012

Robert Desrosiers
VP Compliance
Berlin Station, LLC
Cate Street Capital, Inc.
One Cate Street
Portsmouth, NH 03801

Re: DE 12-091, Berlin Station LLC – Burgess BioPower
Application for Class I, New Hampshire Renewable Energy Certificates, for the
Electrical Production from the Berlin Station Biomass Plant Currently Under
Construction Pursuant to RSA 362-F

Dear Mr. Desrosiers:

On April 11, 2012, the Commission received an application from Burgess BioPower requesting that the proposed Berlin Station, located in Berlin, NH, be certified to produce New Hampshire Class I RECs. Staff has reviewed the application and recommends conditional certification noting that the Berlin Station application was completed on May 25, 2012 with the exception of the Department of Environmental Services' (DES) approval of emission test results that would qualify the Berlin Station as a Class 1 renewable energy source.

Berlin Station is converting and upgrading the existing facility equipment and infrastructure located at the former Fraser Pulp Mill in Berlin, NH, in order to develop a biomass fueled energy generating facility. The facility will be a base loaded electric generating facility with a nominal gross electrical output of 75 MW. It will utilize only clean biomass as a fuel.

RSA 362-F:11, III provides that the Commission may certify a biomass facility on a conditional basis subject to compliance with the applicable nitrogen oxides (NO_x) and particulate matter (PM) emission standards. On May 18, 2012, the Commission received a Conditional Certification as a Class I Renewable Energy Source for the Berlin Station from DES. Prior to final approval to produce RECs, DES recommends the following conditions:

- a) Berlin station shall emit NO_x at a quarterly average rate less than or equal to 0.075 lb/MMBtu; and,
- b) Berlin Station shall emit PM at an average rate less than or equal to 0.02 lb/MMBtu.

The ISO-New England asset identification number has not yet been assigned because the Berlin Station facility is under construction. All the process steps for obtaining a GIS number have been completed, and the Lead Participant number of 51176 has been assigned. Burgess shall provide these codes to the Commission as soon as they are obtained from NEPOOL and the GIS Administrator.

The Commission has reviewed Burgess BioPower's application in conjunction with the information received from DES and determined that Burgess BioPower has provided all the necessary documentation to demonstrate that the Berlin Station is eligible for conditional certification as a Class I facility. Upon receipt of verification of compliance with emissions standards from DES, the Commission will designate the Berlin Station as eligible to produce Class I renewable energy certificates. Please be advised, however, that the Commission is aware of project amendments that will be taken up by the Site Evaluation Committee and the outcome of that proceeding could affect this certificate.

Finally, attached please find a copy of the notice of this conditional certification provided to the GIS administrator. The New Hampshire Renewable Portfolio Standard certification code for the Berlin Station is NH-I-12-019.

Sincerely,



Debra A. Howland
Executive Director

Enclosure

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

Executive.Director@puc.nh.gov
amanda.noonan@puc.nh.gov
barbara.bernstein@puc.nh.gov
Christina.Martin@oca.nh.gov
Jack.ruderman@puc.nh.gov
rdesrosiers@catecapital.com
Rorie.E.P.Hollenberg@oca.nh.gov
steve.mullen@puc.nh.gov
suzanne.amidon@puc.nh.gov
tom.frantz@puc.nh.gov

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FILING INSTRUCTIONS:

- a) **Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:** DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) **Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) **Serve a written copy on each person on the service list not able to receive electronic mail.**