

DE12-313

## VERMONT PUBLIC POWER SUPPLY AUTHORITY

5195 Waterbury-Stowe Road • Waterbury Ctr., VT 05677  
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**ELECTRONICALLY FILED ON 10/22/2012**

Ms. Debra A Howland  
Executive Director and Secretary  
State of New Hampshire  
Public Utilities Commission  
21 S. Fruit St, Suite 10  
Concord, NH 03301-2429

October 22, 2012

Re: Independent Monitor Application for New Hampshire Renewable Portfolio Standard

Ms. Howland,

Vermont Public Power Supply Authority ("VPPSA") is pleased to submit the attached independent monitor application and request that the New Hampshire Public Utilities Commission certify it as an independent monitor under PUC section 2505.09(c)(6) which allows entities "certified as an independent monitor under a renewable portfolio standard program in another state" to receive reciprocal certification in New Hampshire.

VPPSA is certified as a third party monitor under the Massachusetts and Maine renewable portfolio standards. Per PUC section 2505.09(d)(3) a list of certified third party monitors published by the State of Massachusetts has been included as Attachment A. This document can be accessed directly and independently on the website for Massachusetts Department of Environmental Protection via the following URL:

<http://www.mass.gov/eea/docs/doer/rps-aps/rps-independent-verifiers.xls>

Currently the only Massachusetts qualified units VPPSA reports are wind however VPPSA is qualified to read meters of any generation technology.

Additionally included is the statement of qualification for Highgate Falls Unit #5 from the Maine Public Utilities Commission in which VPPSA's role as an independent verifier is affirmed under the Maine Renewable Portfolio Standard. This document is included as Attachment B.

Should any additional information be required you may contact me directly at [gmorse@vppsa.com](mailto:gmorse@vppsa.com) or 802-882-8508.

Sincerely,



Gregory E Morse, ERP  
Sr. Power Analyst  
Vermont Public Power Supply Authority



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– VPPSA –



State of New Hampshire  
Public Utilities Commission



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

APPLICATION TO QUALIFY AS AN INDEPENDENT MONITOR FOR  
CUSTOMER-SITED SOURCES

Pursuant to New Hampshire Administrative Code [Puc 2506.09](#)

Pursuant to Puc 202, this independent monitor application must be filed with the Executive Director of the New Hampshire Public Utilities Commission (Commission).

*Any omissions and/or deficiencies which need to be corrected must be completed in a timely manner or the Commission may close the application process without prejudice.*

**Please complete the following:**

Applicant Name:	Vermont Public Power Supply Authority						
Business Name:	Vermont Public Power Supply Authority						
Mailing Address 1:	5195 Waterbury-Stowe Rd						
Mailing Address 2:							
Town/ City:	Waterbury Center	State:	VT	Zip Code:	05677		
Telephone:	802-224-7678	Cell:	802-595-1660				
email	directorpowersupply@vppsa.com						

2505.09(d)(3)	As <b>ATTACHMENT A</b> , please provide a copy of the license issued by the state of New Hampshire or such other qualifying certification as may be applicable.
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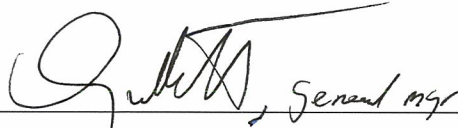
2505.09(c)	<i>To qualify as an independent monitor, you must be one of the following. Please indicate which of the following apply.</i>	
2505.09(c)(1)	An electrician licensed by the state of New Hampshire and in good standing.	<input type="checkbox"/>
2505.09(c)(2)	A professional engineer licensed by the state of New Hampshire and in good standing.	<input type="checkbox"/>
2505.09(c)(3)	A certified building analyst professional or a certified mechanical professional as certified by the Building Performance Institute, Inc. of Malta, New York.	<input type="checkbox"/>
2505.09(c)(4)	A certified energy manager as certified by the Association of Energy Engineers.	<input type="checkbox"/>
2505.09(c)(5)	A home energy rater as certified by Residential Energy Services Network (RESNET)	<input type="checkbox"/>
2505.09(c)(6)	Certified as an independent monitor under a renewable portfolio standard program in another state.	<input checked="" type="checkbox"/>

<i>Please provide your initials as an indication that you have read the following as it pertains to Independent Monitors and agree to uphold the rule.</i>		<b>Initials</b>
2505.09(a)	An independent monitor shall verify the production of electricity of a customer-sited source acquiring certificates pursuant to this part. Such a customer-sited source shall either retain the services of an independent monitor directly or, if participating in aggregation pursuant to Puc 2506, through an aggregator.	gm
2505.09(b)	A public utility that is a distribution company pursuant to RSA 362-F:2, XIV shall be eligible to serve as an independent monitor for customer-sited sources within its service territory, provided that the utility employs one or more persons to perform monitoring tasks who meet the qualifications specified in paragraph (c).	gm
2505.09(f)	No customer-sited source shall use an independent monitor who is a member of the immediate family of the owner of the source or who sold or installed the equipment used by the source	gm
2505.09(h)	<i>The duties of the independent monitor shall be:</i>	<b>Initials</b>
2505.09(h)(1)	To perform an initial inspection of source's meter for accuracy and capability to measure the power produced, unless the meter is owned by a distribution company that has already inspected it pursuant to <u>Puc 305</u> .	gm
2505.09(h)(2)	To measure annually the source's electricity production or displacement used to qualify for certificates pursuant to Puc 2505.10 or Puc 2505.11.	gm
2505.09(h)(3)	To report the production or displacement of electricity service to the customer and the commission annually, no later than January 31 for the preceding year.	gm
2505.09(h)(4)	The inspection of customer-sited projects pursuant to Puc 2507.04(h).	gm

2505.09(i)	An independent monitor shall not receive compensation for monitoring services that is a function of the number of certificates issued to any source using the monitor.	
2505.09(j)	A monitor shall provide the commission with the notice prior to discontinuing services as a monitor.	

**AFFIDAVIT**

The undersigned applicant declares under penalty of perjury that contents of this application are accurate.

Applicant's Signature  Date 10-22-2012

Applicant's Typed Name VERMONT PUBLIC POWER SUPPLY AUTHORITY

Subscribed and sworn before me this 22nd Day of Oct. (month) in the year 2012

County of Washington State of Vermont

Crystal Currier

Notary Public/Justice of the Peace

My Commission Expires 2/10/2015

The completed original application, as well as two copies and a cover letter requesting certification should be sent to:

Ms. Debra A. Howland  
 Executive Director and Secretary  
 State of New Hampshire  
 Public Utilities Commission  
 21 S. Fruit St, Suite 10  
 Concord, NH 03301-2429

The electronic version of the docket filing should be submitted to [executive.director@puc.nh.gov](mailto:executive.director@puc.nh.gov).

Contact Barbara Bernstein, 603-271-6011 or [barbara.bernstein@puc.nh.gov](mailto:barbara.bernstein@puc.nh.gov) with questions.

### Massachusetts RPS/APS Qualified Independent Verifiers as of 6/7/12

Company/Organization	Contact Name	Phone Number	Contact Email	Technologies for Which Approved as Verifier (to date)
Axsess Group	Douglas Langdon	603-664-9527	langdond@axsessgroup.com	Landfill Gas
DECK Monitoring	N/A	503-224-5546	info@deckmonitoring.com	Photovoltaic
Eaton Energy Solutions, Inc.	Doug Gray	678-254-1214	dgray@emcengineersinc.com	Anaerobic Digester, CHP, Hydroelectric, Photovoltaic, Wind
	Corey Kuck	678-254-1226	ckuck@emcengineers.com	
John Stover, P.E.	John Stover	508-325-0204	sea@stoverengineering.com	Wind
La Capra Associates	Alvaro E. Pereira	617-778-5515	apereira@lacapra.com	Landfill Gas, Wind
Locus Energy, Inc.	N/A	877-LOCUS-EN	reporting@locusenergy.com	Anaerobic Digester
Massachusetts Municipal Wholesale Electric Company	Kim Boas	413-308-1369	kboas@mmwec.org	Wind
MassCEC's Production Tracking System (PTS)	Brian Hebeisen	617-315-9329	bhebeisen@masscec.com	Photovoltaic (Verifier exclusively for Solar Carve-Out qualified units)
Mind Your Meter, LLC	Rebecca Bennett	508-918-8330	mindyourmeter@verizon.net	Photovoltaic
New Hampshire Electric Cooperative, Inc.	Heather Manypenny		manypennyh@nhec.com	Landfill Gas
Oak Point Energy Associates, LLC	George Wood	781-729-1854	george4wood@verizon.net	Hydroelectric, Landfill Gas
O'Donnell Electrical Contractors	Kevin O'Donnell	508-573-9587	kevin@odonnellelectric.com	Hydroelectric
Peregrine Energy Group, Inc.	N/A	617-367-0777	info@peregrinegroup.com	CHP, Photovoltaic
Peter Reed	Peter Reed	401-849-5656	Costa.coastalelectric@verizon.net	Wind
Power Dash, Inc.	Stephen Lapointe	617-864-0770	stephen@powerdash.com	Anaerobic Digester, Biomass, CHP, Hydroelectric, Photovoltaic, Wind
Power-One	Lani Grein	408-279-5262	Lani.Grein@power-one.com	Photovoltaic, Wind
A. Quincy Vale	A. Quincy Vale	617-694-5181	aqvale@aquvee.com	CHP, Hydro, Photovoltaic, Wind
SolarMagic by National Semiconductor	David Seiler	408-823-6361	david.seiler@nsc.com	Photovoltaic
Solectria Renewables, LLC	Flo Yee	978-683-9700	flo@solren.com	Photovoltaic
Sustainable Energy Developments Inc. (SED)	Dave Strong	585-265-2384	dave.strong@sed-net.com	Wind
The Cadmus Group	David Beavers	617-673-7103	david.beavers@cadmusgroup.com	Biomass, Flywheel Storage
Titan Electric Company	John Gill	978-836-6679	kgill@titan-electric.com	Wind
Vermont Electric Power Company (VELCO)	Thad Omand	802-770-6380	tomand@velco.com	Photovoltaic
Vermont Electric Power Producers, Inc. (VEPPI)	John Spencer	802-362-0748	www.veppi.org	Landfill Gas, Photovoltaic
Vermont Public Power Supply Authority (VPPSA)	Ken St. Amour	802-244-7678	kstamour@vppsa.com	Wind
William P. Short III	William P. Short III	917-206-0001	w.shortiii@verizon.net	CHP, Hydroelectric, Photovoltaic, Wind

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2012-00240

September 10, 2012

VERMONT PUBLIC POWER SUPPLY AUTHORITY. ORDER GRANTING NEW  
ON BEHALF OF SWANTON VILLAGE ELECTRIC RENEWABLE RESOURCE  
DEPARTMENT CERTIFICATION  
Request for Certification for RPS Eligibility

WELCH, Chairman; LITTELL and VANNOY, Commissioners

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## I. SUMMARY

Swanton Village Electric Department's ("Swanton Village") new 800 kW hydro-electric generation unit ("Highgate Falls Unit #5") located on the Missisquoi River in the town of Highgate, Franklin County, Vermont 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)(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.<sup>1</sup> 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*

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<sup>1</sup> 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.

*Adopting Rule and Statement of Factual and Policy Basis*, Docket No. 2007-391 (Oct. 22, 2007). The implementing rules designated the “new” renewable resource requirement as “Class I”<sup>2</sup> 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.<sup>3</sup> The rule contains the information that

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<sup>2</sup> 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.

<sup>3</sup> 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.

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 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 May 24, 2012, Vermont Public Power Supply Authority (“VPPSA”) filed a petition on behalf of Swanton Village to certify its new 800 kW Highgate Falls Unit #5 (“Facility”) as a Class I New Renewable Resource under Chapter 311, § 3(B)(3)(b) of the Commission rules (added capacity vintage category). The Facility is located in the spillway of the existing Highgate Falls hydroelectric generating station on the Missisquoi River in the town of Highgate, county of Franklin, Vermont. The petition states the Facility began operations on March 13, 2012. According to the petition, while the output of the Facility is separately metered from the pre-existing Highgate Falls generating station, the Facility is a load reducer (i.e., “behind-the-meter”). The petitioner, VPPSA, proposes to be the registered third party meter reader on behalf of the owner of the Facility, Swanton Village.

An opportunity for comment was issued on June 19, 2012. No comments were received. The Commission Staff issued follow-up questions on July 20, 2012 seeking clarification on the total nameplate capacity of the entire Highgate Falls generating station and requesting documentation and explanation on how the Facility meets fish passage requirements. VPPSA filed its response on August 16, 2012.

**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 VPPSA on behalf of Swanton Village, I conclude that the Facility satisfies the resource type, capacity limit and vintage requirements of the rule. The Facility is a hydroelectric generator that meets all fish passage requirements, the total Highgate Falls generating station capacity does not exceed 100 MW, and the Facility commenced commercial operations after September 1, 2005. While the electricity from the Facility is behind-the-meter, the Commission has found that self-delivery of electricity can qualify for Maine Class I certification if it is located in the ISO-NE control area (see *Order (Part I) Granting New Renewable Resource Certification*, Docket No. 2012-87 (April 10, 2012)).

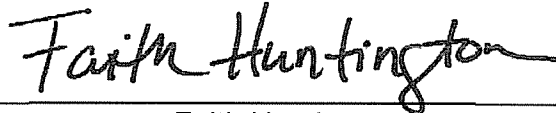
Accordingly, the Facility is hereby certified as a Class I New Renewable Resource eligible to satisfy Maine’s New Renewable Resource portfolio requirement pursuant to Chapter 311, § 3(B)(3)(b) of the Commission rules.



As we have required in other certifications regarding behind-the-meter facilities, the Facility must be in compliance with GIS NEPOOL Rules. VPPSA may be the 3<sup>rd</sup> party meter reader as long as they are in accordance with these Rules.

Finally, Swanton Village, or the Facility's successive owner, shall provide timely notice to the Commission of any material change in the operation of the facility, including the type of fuel used in the generation process, from that described in the petition filed in this proceeding.

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

A handwritten signature in black ink that reads "Faith Huntington". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Faith Huntington

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within **20** days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought. Any petition not granted within 20 days from the date of filing is denied.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21** days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.