

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: July 16, 2014

AT (OFFICE): NHPUC

NHPUC 21 JUL '14 AM 10:32

FROM: Barbara Bernstein 
Sustainable Energy Analyst

SUBJECT: DE 14-163, Stony Creek Energy, LLC/Invenergy LLC, Application for Certification of Orangeville Wind Farm as a REC Eligible Facility
Staff Recommends that Eligibility be Granted.

TO: Amy L. Ignatius, Chairman
Commissioner Robert R. Scott
Commissioner Martin P. Honigberg
Debra A. Howland, Executive Director and Secretary

CC: Jack K. Ruderman, Director of the Sustainable Energy Division 
David K. Wiesner, Staff Attorney

Summary

On June 11, 2014, the Commission received an application filed by Invenergy, LLC (Invenergy) on behalf of Stony Creek Energy, LLC for the Orangeville Wind Farm facility. The applicant is requesting Class I New Hampshire Renewable Energy Certificate (REC) eligibility for the 94.4 megawatt (MW) Orangeville Wind Farm facility located in Warsaw, New York.¹ The Commission, in a non-adjudicative process, is required to issue a determination of whether a facility meets a particular classification within 45 days of receipt of a completed application. The above-named facility meets the Class I eligibility requirements under RSA 362-F:4, I. Based on review of the application Staff recommends Commission approval for the Orangeville Wind Farm as an eligible Class I facility, effective as of June 11, 2014, provided that verification and certification of its eligibility to produce Class I RECs is submitted on a quarterly basis.

Analysis

To qualify Orangeville Wind Farm's electrical production as eligible to acquire RECs, Puc 2505.02 (b) requires the source to demonstrate its eligibility by providing the following information:

- 1.) *The name and address of the applicant:* The application was filed by Invenergy, LLC, One South Wacker Drive, Suite 1900, Chicago, Illinois, for Stony Creek Energy, LLC (Stony Creek Energy), an indirect subsidiary of Invenergy. The

¹ Class I eligibility requires a facility to produce electricity from sources that began operation after January 1, 2006. See RSA 362-F:4, I, New Hampshire's Electric Renewable Portfolio Standard law.

application was prepared by John King, REC Portfolio Manager, Stony Creek Energy.

- 2.) *The name and location of the facility:* The name of the facility is Orangeville Wind Farm. The facility is located at 3650 Centerline Road, Warsaw, New York.
- 3.) *The ISO-New England asset identification number (if available).* The ISO New England asset identification number will be assigned after power has been scheduled and settled in to the ISO New England regional electric market.
- 4.) *The GIS facility code if available.* The NEPOOL-GIS facility code will be assigned after power generated by the Orangeville Wind Farm has been scheduled and settled in to the ISO New England regional electric market.
- 5.) *A description of the facility including fuel type, gross nameplate generation capacity, the initial commercial operation date, and the date it began operation, if different.* The Orangeville Wind Farm facility consists of 59 GE Model 1.6-100, 1.6MW wind turbines. The turbines are powered by wind and no other fuel is used in the production of electric energy at the facility. The facility's gross nameplate capacity is 94.4 MW. The initial date of commercial operation was January 2014.
- 6.) *(N/A – pertains to biomass sources).*
- 7.) *All other necessary regulatory approvals, including any reviews, approvals or permits granted by the department.* Stony Creek Energy provided pages 1 and 2 of the New York State Department of Environmental Conservation (NYSDEC) Permit, Facility DEC ID 9-5640-00044. The NYSDEC permit includes authorizations for freshwater wetlands, stream disturbance and water quality certification. The NYSDEC permit was approved May 10, 2013 and authorized by John J. Ferguson, Chief Permit Administrator.
- 8.) *Proof that the applicant either 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.* Pertinent pages of the Standard Large Generator Interconnection Agreement by and among Stony Creek Energy, LLC, New York Independent System Operator, Inc., and New York State Electric & Gas Corporation (NYSEG), effective as of June 27, 2012,² were provided with the application.
- 9.) *(N/A – pertains to biomass sources).*
- 10.) *A description of how the generation facility is connected to the distribution utility.* According to the application, the facility is electrically interconnected to a transmission line owned by NYSEG at the Stony Creek Substation.

² Verified in an email from John King on July 10, 2014.

- 11.) *A statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standard and proof thereof.* The Orangeville Wind Farm facility has met the requirements for Operational Certification under the State of New York Renewable Portfolio Standard.
- 12.) *A statement as to whether the facility's output has been verified by ISO New England.* The Orangeville Wind Farm facility is located in New York, which is a synchronous control area adjacent to the New England control area. Therefore, the facility geographically qualifies to import power into the New England control area.³

Because the Orangeville Wind Farm facility is located in an adjacent control area, the applicant must provide proof that the electricity produced by the facility was settled within the New England control area to receive New Hampshire Class I RECs associated with that electricity. Pursuant to Puc 2504.01(a)(2), a facility in an adjacent control area may be eligible to produce RECs, provided that the electricity is delivered within the New England control area and is verified by submitting to the Commission the following:

- a) Documentation of a unit-specific bilateral contract that is executed between the source owner, operator, or authorized agent and an electric energy purchaser located within the New England control area;
 - b) Proof of associated transmission rights for delivery of the source's electric energy to the New England control area;
 - c) Documentation that the electrical energy delivered was settled in the ISO New England wholesale market system;
 - d) Documentation that the source produced the amount of megawatt-hours claimed per hour, as verified by the GIS administrator (if the originating control area utilizes a generation information system comparable to the GIS, this system may be used to support this required documentation); and
 - e) Confirmation that the electricity delivered received a North American Electric Reliability Corporation tag from the originating control area to the New England control area.
- 13.) *A description of how the facility's output is reported to the GIS if not verified by ISO New England.* The Orangeville Wind Farm facility is located in the New York ISO balancing authority control area. Electric energy can be wheeled into the New England control area through an ISO New England Market Participant, and verified as required by Puc 2504.01(a)(2).
- 14.) *An affidavit by the owner attesting to the accuracy of the contents of the application.* An affidavit signed by John King, REC Portfolio Manager, Stony Creek Energy, LLC, was provided with the application.

³ Pursuant to the NEPOOL-GIS Operating Rules 2.7(c).

- 15.) *The name and telephone number of the facility's operator, if different from the owner.* The facility is operated by Invenergy, LLC, One South Wacker Drive, Suite 1900, Chicago, Illinois, for Stony Creek Energy, LLC, an indirect subsidiary of Invenergy, LLC. The phone number provided is 312-582-1280.
- 16.) *Such other information as the applicant wishes to provide to assist in classification of the generating facility.* The application for the Orangeville Wind Farm facility was complete as submitted.

Recommendation

Because the Orangeville Wind Farm facility is geographically located within the New York ISO control area, certification of its eligibility for Class I RECs is a two-step process. The first step requires the Commission to certify that the facility meets the eligibility criteria for a Class I source. Staff has reviewed the application for certification of the 94.4 MW of electrical production generated by the Orangeville Wind Farm facility and can affirm it is complete pursuant to New Hampshire Code of Administrative Rules Puc 2500. Staff recommends that the Commission certify the Orangeville Wind Farm facility for eligibility as a Class I source, effective as of June 11, 2014, the date that all information required to complete the review was received.

The second step is on-going and requires the submission of additional information on a quarterly basis. Stony Creek Energy is required to verify that a unit-specific bilateral contract for the Orangeville Wind Farm facility was in effect and that the electricity it produced during the prior quarter was actually settled within the ISO New England market system, as required by Puc 2504.01(a)(2). The nature of the documentation requires that Stony Creek Energy provide written verification immediately following the end of each quarter for which the Orangeville Wind Farm facility desires certification of its RECs as eligible for the New Hampshire RPS.

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.

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Docket #: 14-163-1 Printed: July 21, 2014

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
EXECUTIVE 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.**