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# STATE OF NEW HAMPSHIRE

## Intra-Department Communication

**DATE:** May 7, 2015  
**AT (OFFICE):** NHPUC

**FROM:** Barbara Bernstein   
Sustainable Energy Analyst

**SUBJECT:** DE 14-182 Littleton Regional Healthcare  
Request for a Waiver to Continue to Produce Thermal RECs While Meters  
are Installed

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

**CC:** Karen Cramton, Director of the Sustainable Energy Division   
Michael Sheehan, Staff Attorney

### *Summary*

On April 27, 2015, the Commission received a request from Yeaton Associates, Inc., (Yeaton Associates) of behalf of Littleton Regional Healthcare for a waiver of Puc 2506.04 to continue to qualify for interim thermal renewable energy certificate (REC) eligibility until new equipment can be installed to meter the facility's 3.433 megawatt equivalent biomass boilers. Staff recommends that the Commission grant a waiver for the Littleton Regional Healthcare thermal biomass facility to continue to generate RECs as a Class I Thermal renewable energy source for a period of no longer than four months from the date of the secretarial letter, conditioned upon completion of the following:

- Installation of the meters necessary to meet the requirements of Puc 2506.04; and,
- Submittal of an application for final approval under Puc 2506.04.

### *Analysis - Waiver of Puc 2505.02(e)*

On October 6, 2014, the Commission approved Littleton Regional Healthcare as an interim Class I Thermal facility under the requirements of RSA 362-F:4, I(e), and New Hampshire Code of Administrative Rules Puc 2500 effective as of January 15, 2014.<sup>1</sup> The interim approval was based on a process to calculate useful thermal energy without meters because the metering rules were not final. The application for interim certification stated that once the 2500 rules were finalized<sup>2</sup> Littleton Regional Healthcare intended to purchase appropriate meters and obtain Commission final approval to generate thermal RECs. Under

<sup>1</sup> The facility began operation January 15, 2014.

<sup>2</sup> Puc 2500 was adopted December 5, 2015.

the provisions of Puc 2505.02(g), thermal sources requesting permanent REC eligibility have 90 days from the date the rule was adopted to submit an application for final REC certification, which application must comply with the final metering rules.

Littleton Regional Healthcare submitted an application for final approval on February 24, 2015 requesting approval under Puc 2505.06 Request for Alternative Method for Measuring Thermal Energy. The alternative method described would have not utilized the meters required in Puc, 2506.04, but would instead continue with the methods allowed under the interim rule. Staff reviewed the application and requested explanations and clarifications on the following issues:

- Why the decision was made to not follow the provisions of Puc 2506.04:
- How negating the installation of meters would meet the requirements of Puc 2506.04;
- How the proposed alternative plan to do a daily manual recording would be as accurate as the hourly reporting required in Puc 2506.04; and,
- How the proposed alternative method is equivalent to the requirements of Puc 2506.04.

Representatives from Yeaton Associates responded with a letter to the Commission received April 27, 2015, requesting a Waiver for Littleton Regional Hospital to continue to generate thermal RECs under the interim rule while they install the meters necessary to meet the requirements of Puc 2506.04.

The Littleton Regional Healthcare thermal biomass project is registered as account number 15514 in the NEPOOL-GIS system. The NEPOOL-GIS unit identification code for the Littleton Regional Healthcare useful thermal capacity has been verified as NON 41354. The New Hampshire Renewable Portfolio Standard certification code for the Littleton Regional Healthcare thermal biomass project is NH-IT-14-094.

### ***Recommendation***

Puc 201.05 authorizes the Commission to waive any rule if it finds a waiver serves the public interest and does not disrupt the orderly and efficient resolution of matters before the Commission. A waiver request requires consideration of whether compliance with the rule would be onerous given the circumstances or whether the purpose of the rule is satisfied by the alternative method proposed.

Staff recommends the Commission grant a waiver for the Littleton Regional Healthcare thermal biomass facility to continue to generate RECs as a Class I Thermal renewable energy source while the facility installs the meters and other equipment necessary to comply with Puc 2506.04. Staff further recommends that Littleton Regional Healthcare be allowed a period of no longer than four months from the date of the secretary letter to complete the following:

- Installation of the meters necessary to meet the requirements of Puc 2506.04; and,
- Submittal of an application for final approval under Puc 2506.04.

**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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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 #: 14-182-1      Printed: May 07, 2015

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- 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.