

STATE OF NEW HAMPSHIRE

Intra-Department Communication

DATE: August 21, 2015


AT (OFFICE): NHPUC

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FROM: Barbara Bernstein 
Sustainable Energy Analyst

SUBJECT: REC 15-081 Warwick Mills, Request for a Waiver to Produce Interim
Class I Thermal RECs

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

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

Summary

On July 15, 2015, the Commission received a request from WES Energy & Environment, LLC, (WES) of behalf of Warwick Mills for a waiver of Puc 2506.04 to qualify for interim thermal renewable energy certificate (REC) eligibility for the time period between June 25, 2014 and July 9, 2015.¹ Staff recommends that the Commission grant a waiver that will enable Warwick Mills to generate Class I thermal RECs for this interim period.

Analysis - Waiver of Puc 2505.02(e)

Previous dockets that successfully requested interim REC certification did so before their metering was installed. In this case, WES and Warwick Mills decided to wait until their meters were installed before requesting interim status. This decision allowed Warwick Mills to base its interim calculations on the actual metering data received since its installation. That is, Warwick Mills can use current metered data to more accurately calculate the thermal energy produced during the interim time before the meters were installed.

Warwick Mills submitted its application to be qualified as a REC generator on the interim deadline of March 5, 2015. Staff responded with a letter on April 30, 2015, stating:

PUC 2505.02(g) limits the ability to be issued RECs to the period from January 1, 2014, until 90 days after the rule's effective date, which is March 5, 2015. Since March 5 has passed and Warwick Mills has not updated its application pursuant to PUC 2505.02(g) to be issued RECs after March 5, 2015, Warwick Mills cannot

¹ The facility's 1.99 megawatt equivalent biomass boiler began operation June 25, 2014. WES submitted a complete application on behalf of Warwick Mills for Class I Thermal REC eligibility on July 10, 2015.

eligible to be issued RECs under the interim provisions of PUC 2505.02(e) past March 5 unless the Commission grants a waiver. Therefore, Warwick Mills should request a waiver from the Commission for authority to continue to produce Class I-T RECs until the facility can meet the requirements of PUC 2506.04 and permanent certification. See PUC 201.05 (Waiver of Rules).

Based on this guidance, Warwick waited to submit the request for a waiver and the final application demonstrating compliance with PUC 2506.04 until all metering systems were in place, commissioned, confirmed, and approved by the contracted professional engineer.

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 Warwick Mills thermal biomass facility to be credited for the thermal RECs generated during its interim process for the period of June 25, 2014, when the thermal biomass facility began operation through July 9, 2015, the date of its application. Staff makes this recommendation because Warwick Mills' calculation of thermal energy produced during the interim period is more accurate as it is based on actual data obtained during its operation since the meters were installed. The interim operation by Warwick Mills otherwise complied with the requirements to be eligible for thermal RECs.

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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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.**