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PUBLIC UTILITIES COMMISSION

21 S. Fruit St., Suite 10
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May 28, 2020

Stuart Eng
Supply Manager
ENGIE Resources LLC
stuart.eng@engie.com

Re: REC 20-079, Ryegate Associates and ENGIE Resources LLC
Request for Waiver of Puc 2503.03(d)

Dear Mr. Eng:

On May 19, 2020, you filed on behalf of ENGIE Resources LLC (ENGIE), a request that the Commission waive N.H. Admin. R., Puc 2503.03(d), in order to permit 20,468 Class III renewable energy certificates (RECs) to be used to meet ENGIE's 2019 Renewable Portfolio Standard (RPS) Class III compliance obligation even though those RECs will not be listed on its "My Settled Certificates Disposition" Report issued by NEPOOL-GIS (New England Power Pool Generator Information System).

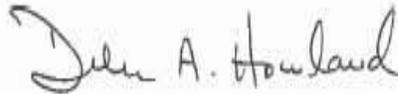
On May 26, 2020, Commission Staff (Staff) filed a memorandum summarizing its review and analysis of ENGIE's rule waiver request, and recommending that the Commission grant a waiver of Puc 2503.03(d) to allow ENGIE to use for 2019 RPS compliance 20,468 New Hampshire Class III RECs to be acquired from its affiliated New Hampshire Class III-registered generation facility, Ryegate Associates (Ryegate) (NH-III-14-006), which RECs were inadvertently retired into Ryegate's NEPOOL-GIS subaccount.

Staff further recommended that the waiver and subsequent acceptance of those RECs be made contingent upon confirmation from the Connecticut Public Utilities Regulatory Authority (CT PURA) that the RECs will not be used toward that state's compliance obligations and inclusion with ENGIE's 2019 RPS compliance filing of both certification and documentation that the referenced RECs have not been accounted in the RPS compliance obligations of any other jurisdiction.

The Commission has reviewed ENGIE's rule waiver request and Staff's recommendation, and has determined that a rule waiver may be granted in this instance under Puc 201.05, because the limited waiver requested would not disrupt the orderly and efficient resolution of matters before the Commission and would serve the public interest, inasmuch as the purpose of the rules would be satisfied by the alternative method proposed.

Accordingly, the Commission has granted a limited waiver of the otherwise applicable RPS compliance documentation requirement set forth in Puc 2503.03(d) to allow ENGIE to acquire and use 20,468 Class III RECs generated by Ryegate toward ENGIE's 2019 RPS Class III compliance obligation, even though those RECs will not be listed in its NEPOOL-GIS "My Settled Certificates Disposition" Report. The limited rule waiver is granted contingent upon the Commission's receipt of (1) written confirmation from CT PURA that the RECs will not be used toward that state's RPS compliance obligations, and (2) written certification and documentation from ENGIE at the time of filing its RPS compliance submission due by July 1, 2020 that those RECs have been retired and used to meet RPS obligations only in New Hampshire and have not been accounted for the RPS compliance obligations of any other jurisdiction.

Sincerely,

A handwritten signature in black ink that reads "Debra A. Howland". The signature is written in a cursive style with a large initial 'D'.

Debra A. Howland
Executive Director

cc: Service List
Docket File

Service List - Docket Related

Docket# : 20-079

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