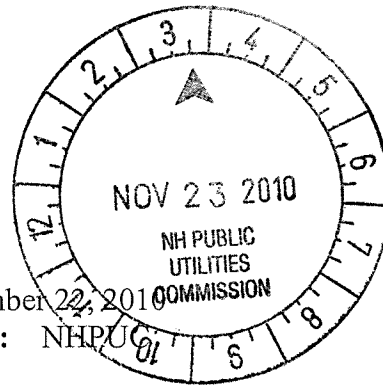


STATE OF NEW HAMPSHIRE

Intra-Department Communication



DATE: November 22, 2010

AT (OFFICE): NHPUC

FROM: Maureen L. Reno *MLR*
Utility Analyst

SUBJECT: Staff Recommendation Re: DE 10-290 Clean Asset Partners Corporation's Application for Class II Eligibility of the Phoenix Park Photovoltaic Facility Pursuant to RSA 362-F on behalf of Phoenix Finance, LLC

TO: Chairman Thomas B. Getz
Commissioner Clifton C. Below
Commissioner Amy L. Ignatius
Debra A. Howland, Executive Director

CC: Jack K. Ruderman, Director, Sustainable Energy Division *JKR*
Suzanne Amidon, Staff Attorney

Summary

On October 28, 2010, Clean Asset Partners Corporation (CAP) submitted an application on behalf of Phoenix Finance, LLC (Phoenix Finance) requesting that the Commission grant approval of the Phoenix Park customer-sited photovoltaic facility (Phoenix Park facility) to produce Class II Renewable Energy Certificates (RECs) pursuant to RSA 362-F, New Hampshire's Renewable Portfolio Standard law. Pursuant to RSA 362-F:4, II, Class II eligibility requires that a facility produce electricity from solar technologies and that it began operation after January 1, 2006.

Pursuant to RSA 362-F, 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 Phoenix Park facility application was completed on October 28, 2010. The facility meets the eligibility requirements under RSA 362-F:4, II as a Class II facility and complies with the New Hampshire Code of Administrative Rules Puc 2505.02. Based on its review of the application, Staff recommends that the Commission approve the Phoenix Park photovoltaic facility as eligible for Class II RECs, effective October 28, 2010.

Analysis

The Phoenix Park facility is a customer-sited photovoltaic facility that is located at 2 Shaker Road, Shirley, Massachusetts. The facility includes five 101.2 kW systems, totaling a gross nameplate capacity of 506 kilowatts. The first three systems began operation on April 9, 2010, and the remaining two systems began operation on September 22, 2010. Since the facility is a customer-sited source, its output is not recorded in the New England Power Pool (NEPOOL) Market Settlement System and, as a result, the facility's output must be monitored and verified by an independent monitor pursuant to Puc 2505. The application identifies Quincy Vale as the independent monitor.¹ The facility's NEPOOL GIS facility code is NON 33063.

Pursuant to Puc 2505.02 (b) (8), the applicant must submit proof that it 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." The applicant submitted and Staff verified the facility's interconnection agreement between Massachusetts Electric Company and Phoenix Finance, effective March 26, 2010.

Pursuant to Puc 2505.02 (b) (11), the applicant is required to include a statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standards and proof thereof. The applicant indicates that the facility is not certified as a renewable energy source in another state's renewable portfolio standard program.

Recommendation

Staff has reviewed the Phoenix Park facility application and can affirm it is complete pursuant to Puc 2505.02. Staff recommends that the Commission certify the Phoenix facility as being eligible for Class II RECs effective October 28, 2010, the date on which Staff was able to make a determination that the facility meets the requirements for certification as a Class II renewable energy source.

¹On September 14, 2010, the Massachusetts Department of Energy Resources approved Quincy Vale as an independent third party meter reader pursuant to the NEPOOL GIS Operating Rule 2.5 (j).