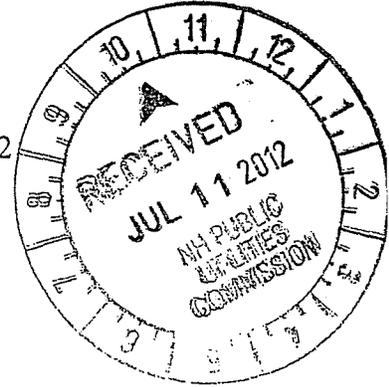


ASH 12-207
Copy 1

ASHUELOT RIVER HYDRO, INC.

42 Hurricane Road
Keene, NH 03431
(603) 352-3444

July 10, 2012



Ms. Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

RE: Lower Robertson Hydro Project, FERC Exemption No. 8235
Ashuelot Hydro Project, FERC Exemption No. 7791

Application for New Hampshire RPS Class IV, Small Hydro

Dear Director:

Please find enclosed an original and two copies of our application for NH Class IV Renewable Portfolio Standard for both the Lower Robertson and Ashuelot hydro projects. We have also made this submittal electronically.

We look forward to any questions by phone or email.

Kind regards,



Bob King, PE, President



State of New Hampshire Public Utilities Commission

21 S. Fruit Street, Suite 10, Concord, NH 03301-2429



APPLICATION FORM FOR RENEWABLE ENERGY SOURCE ELIGIBILITY FOR CLASS IV

HYDRO SOURCES WITH A TOTAL NAMEPLATE CAPACITY OF ONE MEGAWATT OR LESS

Pursuant to New Hampshire Administrative Code [Puc 2500](#) Rules, Puc 2505.02 Application Requirements
Laws of 2012, Chapter 0272

- Please submit one (1) original and two (2) paper copies of the completed application and cover letter to:

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429



- Send an electronic version of the completed application and the cover letter electronically to executive.director@puc.nh.gov.

The cover letter must include complete contact information and clearly state that the applicant is seeking certification as a Class IV source. Pursuant to Chapter 362-F:11 I, the Commission is required to render a decision on an application within 45 days upon receiving a completed application.

If you have any questions please contact Barbara Bernstein at (603)271-6011 or Barbara.Bernstein@puc.nh.gov.

Please provide the following:

1. Applicant Name: Ashuelot River Hydro, Inc.

Mailing Address: 42 Hurricane Rd.

Town/City: Keene State: NH Zip Code: 03431

Primary Contact: Robert E. King

Telephone: 603 352 3444 Cell: 603 903 5348

Email address: bking@gaw.com

2. Facility Name: Lower Robertson

(physical address) 230 Lower Main St.

Town/City: Winchester State: NH Zip Code: 03470

If the facility does not have a physical address, the Latitude _____ & Longitude _____

(To qualify the electrical production for RECs, the facility must be registered with the NEPOOL – GIS).
Contact information for the GIS administrator follows:

James Webb, Registry Administrator, APX Environmental Markets
224 Airport Parkway, Suite 600, San Jose, CA 95110
Office: 408.517.2174, jwebb@apx.com

3. The facility's ISO-New England asset identification number, if available. MSS895

4. The facility's GIS facility code, if available. MSS895

5. A description of the facility including the following:
 - 5.a. The gross nameplate capacity 900 kw
 - 5.b. The facility's initial commercial operation date May 1987
 - 5.c. The date the facility began operation, if different than the operation date _____
 - 5.d. A complete description of the facility including related equipment

This small, low head hydro facility features three Flygt turbine/generators, each of 300 kw nameplate capacity, installed at a centuries old paper mill site. They are situated in open flumes, next to the concrete dam and spillway.

6. A copy of all necessary state and federal (FERC) regulatory approvals as **Attachment A**.

7. A copy of the title page of the Interconnection Agreement between the applicant and the distribution utility, the page(s) that identifies the nameplate capacity of the facility and the signature pages. *Please provide this information as **Attachment B**.*

8. A description of how the generation facility is connected to the distribution utility.

There is a padmount transformer and a short transmission line connecting the station to PSNH at 4160 volts. There is a three phase gang operated disconnect on our last pole, with three cut outs on PSNH's next pole.

9. A statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standard and proof thereof.

The facility is certified as Massachusetts Class II renewable. See **Attachment E**.

10. A statement as to whether the facility's output has been verified by ISO-New England.

The facility has been connected to the grid since 1987 and has been registered with the NEPOOL GIS and the ISO at least since the time our company took ownership (late 2007).

11. An affidavit by the applicant attesting that the contents of the application are accurate. *Use either the Affidavit at the bottom of this page, or provide a separate document as **Attachment C**.*

12. The name and telephone number of the facility's operator, **if different from the owner**.

Facility Operator Name: same as applicant/owner

Phone: _____

13. Other pertinent information that you wish to include to assist in classification of the facility provide as **Attachment D**.

CHECK LIST: The following has been included to complete the application:	YES
• All contact information requested in the application.	Yes
• A copy of all necessary state and federal (FERC) regulatory approvals as Attachment A .	Yes
• A copy of the title page of the Interconnection Agreement between the applicant and the distribution utility, the page(s) that identifies the nameplate capacity of the facility and the signature pages as Attachment B .	Yes
• A signed and notarized attestation or Attachment C .	Yes
• A GIS number has been provided or has been requested.	Yes
• Other pertinent information has been provided (if necessary) as Attachment D .	n/a
• This document has been printed and notarized.	Yes
• The original and two copies are included in the packet mailed to Debra Howland, Executive Director of the PUC.	Yes
• An electronic version of the completed application has been sent to executive.director@puc.nh.gov .	Yes

AFFIDAVIT

The Undersigned applicant declares under penalty of perjury that contents of this application are accurate.

Applicant's Signature  Date July 10, 2012

Subscribed and sworn before me this 10th Day of July (month) in the year 2012

County of Cheshire State of New Hampshire


 Notary Public/Justice of the Peace
LAURA E. TOBIN, Notary Public
 My Commission Expires August 19, 2014

My Commission Expires _____

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Hydroelectric Development, Inc.

Project No. 8235-001

ORDER GRANTING EXEMPTION FROM LICENSING
(5 MW OR LESS)

(Issued July 31, 1986)

On January 30, 1985, Hydroelectric Development, Inc. filed an application to exempt the Lower Robertson Dam Project from the licensing requirements set forth in Part I of the Federal Power Act. The proposed small hydropower project is described in the attached public notice. The comments of interested agencies and individuals, including the U.S. Fish and Wildlife Service and the state fish and wildlife agency, have been fully considered in determining whether to issue this exemption from licensing.

Article 2 of this exemption requires compliance with the terms and conditions prepared by federal or state fish and wildlife agencies to protect fish and wildlife resources. These mandatory terms and conditions are contained in the attached letters commenting on the exemption application. If contested, the Commission will determine whether any mandatory term or condition is outside the scope of article 2.

After considering the mandatory terms and conditions designed to protect fish and wildlife resources, the environmental information in the exemption application, the staff's independent assessment ^{1/}, and other public comments, the Director finds that issuance of this order is not a major federal action significantly affecting the quality of the human environment.

The Director orders:

(A) The Lower Robertson Dam Project is exempted from the licensing requirements of Part I of the Federal Power Act, subject to the attached standard articles and the special articles included below. See section 4.106 of the Commission's regulations.

^{1/} Environmental Assessment, Lower Robertson Dam, FERC Project No. 8235-001, Federal Energy Regulatory Commission, February 27, 1986. This document is available in the Commission's public file associated with this proceeding.

Article 9. Before commencing any ground-disturbing or spoil-producing activities, the exemptee, in consultation and cooperation with the appropriate Federal, state, and local agencies (including the Soil Conservation Service and any Federal agency with managerial authority over any part of the project lands), shall prepare a plan to control erosion and dust, stabilize slopes, and minimize the quantity of sediment or other potential water pollutants resulting from construction and operation of the project. The plan shall identify critical areas, include functional design drawings and map locations of control measures, and establish schedules for implementation, monitoring, maintenance, and periodic review.

The exemptee may commence ground-disturbing or spoil-producing activities 30 days after submitting the final plan to the consulted agencies, or sooner if the plan is approved by the Soil Conservation Service and any Federal agency with managerial authority over any part of project lands. Any consulted agency that objects to the exemptee's final plan should notify the Commission, specify the objection, and recommend alternative measures. The Commission reserves the right to modify the final plan.

Article 10. The exemptee, after consultation with the New Hampshire State Historic Preservation Officer (SHPO), shall implement a cultural resources management plan to: (1) construct project facilities in accordance with the Secretary of the Interior's Standards for Historic Preservation Projects so as to be consistent with the historical character of Ashuelot Village, and (2) photo-document the historical features of Lower Robertson Dam that will be affected by project construction. Documentation shall be filed with the SHPO to indicate that the plan has been implemented in a manner satisfactory to the SHPO. The photo-documentation of Lower Robertson Dam shall be determined acceptable by the SHPO prior to any construction that will affect recorded features. The exemptee shall make available funds in a reasonable amount for any required work. If any previously unrecorded archeological or historic sites are discovered during the course of the construction or development of any project works or associated facilities, construction activity in the vicinity shall be halted, a qualified archeologist shall be consulted to determine the significance of the sites, and the exemptee shall consult with the SHPO to develop a mitigative plan for the protection of significant archeological or historic resources.

(B) This order is issued under authority delegated to the Director and is final unless appealed to the Commission within 30 days from the date of this order.

Richard T. Hunt

Richard T. Hunt
Director, Office of
Hydropower Licensing

§ 4.106 Standard terms and conditions of exemption from licensing

Any exemption from licensing granted under this subpart for a small hydroelectric power project is subject to the following standard terms and conditions:

(a) Article 1. The Commission reserves the right to conduct investigations under sections 4(g), 306, 307, and 311 of the Federal Power Act with respect to any acts, complaints, facts, conditions, practices, or other matters related to the construction, operation, or maintenance of the exempt project. If any term or condition of the exemption is violated, the Commission may revoke the exemption, issue a suitable order under section 4(g) of the Federal Power Act, or take appropriate action for enforcement, forfeiture, or penalties under Part III of the Federal Power Act.

(b) Article 2. The construction, operation, and maintenance of the exempt project must comply with any terms and conditions that the United States Fish and Wildlife Service any state fish and wildlife agencies have determined are appropriate to prevent loss of, or damage to, fish or wildlife resources or to otherwise to carry out the purposes of the Fish and Wildlife Coordination Act, as specified in Exhibit E of the application for exemption from licensing or in the comments submitted in response to the notice of the exemption application.

(c) Article 3. The Commission may revoke this exemption if actual construction or any proposed generating facilities has not begun within two years, or has not been completed within four years from the date on which this exemption was granted. If an exemption is revoked under this article, the Commission will not accept from the prior exemption holder a subsequent application for exemption from licensing or a notice of exemption from licensing for the same project within two years of the revocation.

(d) Article 4. This exemption is subject to the navigation servitude of the United States if the project is located on navigable waters of the United States.

(e) Article 5. This exemption does not confer any right to use or occupy any Federal lands that may be necessary for the development or operation of the project. Any right to use or occupy any Federal lands for those purposes must be obtained from the administering Federal land agencies. The Commission may accept a license application by any qualified license applicant and revoke this exemption, if any necessary right to use or occupy Federal lands for those purposes has not been obtained within one year from the date on which this exemption was granted.

(f) Article 6. In order to best develop, conserve, and utilize in the public interest the water resources of the region, the Commission may require that the exempt facilities be modified in structure or operation or may revoke this exemption.

(g) Article 7. The Commission may revoke this exemption if, in the application process, material discrepancies, inaccuracies, or falsehoods were made by or on behalf of the applicant.

(h) Article 8. Any exempted small hydroelectric power project that utilizes a dam that is more than 33 feet in height above streambed, as defined in 18 CFR 12.31(c) of this chapter, impounds more than 2,000 acre-feet of water, or has a significant or high hazard potential, as defined in 33 CFR Part 222, is subject to the following provisions of 18 CFR Part 12, as it may be amended:

- (1) Section 12.4(b)(1)(i) and (ii), (b)(2)(i) and (iii), (b)(iv), and (b)(v);
- (2) Section 12.4(c);
- (3) Section 12.5;
- (4) Subpart C; and
- (5) Subpart D.

For the purposes of applying these provisions of 18 CFR Part 12, the exempted project is deemed to be a licensed project development and the owner of the exempted project is deemed to be a licensee.

(i) Before transferring any property interests in the exempt project, the exemption holder must inform the transferee of the terms and conditions of the exemption. Within 30 days of transferring the property interests, the exemption holder must inform the Commission of the identity and address of the transferee.

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Notice of Application Filed with the Commission
(May 30, 1985)

Take notice that the following hydroelectric application has been filed with the Federal Energy Regulatory Commission and is available for public inspection:

- a. Type of Application: Exemption (5 MW or Less)
- b. Project No: 8235-001
- c. Date Filed: January 30, 1985
- d. Applicant: Hydroelectric Development, Inc.
- e. Name of Project: Lower Robertson Dam
- f. Location: On the Ashuelot River in Cheshire County, New Hampshire
- g. Filed Pursuant to: Energy Security Act of 1980, Section 408, 16 U.S.C. §§2705 and 2708 as amended.
- h. Contact Person: James C. Katsekas, River Engineering Corporation, 217 Rockingham Road, Londonderry, New Hampshire 03053
- i. Comment Date: JUL 16 1985
- j. Description of Project: The proposed run-of-river project would consist of: (1) the existing 18-foot-high and 125-foot-long Lower Robertson Dam with a spillway crest elevation of 383.6 feet mean sea level (msl) which would be raised 1 foot to elevation 384.6 feet msl; (2) new 1.5-foot-high flashboards to raise the normal maximum pool elevation to its historical elevation of 386.1 feet msl; (3) an impoundment with a surface area of 8.6 acres; (4) a new intake structure and powerhouse at the north end of the dam with 3 turbine-generator units with a total installed capacity of 840 kW; (5) a short tailrace; and (6) other appurtenances. Interconnection facilities are available at the site. Flashboards were last used in 1950 to create a maximum pool elevation of 386.1 feet msl. Applicant owns all existing facilities. Applicant estimates an average annual generation of 3,200,000 kWh. The Applicant filed this application within its preliminary permit term for Project No. 8235.
- k. Purpose of Project: Project energy would be sold to the Public Service Company of New Hampshire.
- l. This notice also consists of the following standard paragraphs: A1, A9, B, C, & D3a.
- m. Purpose of Exemption: An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

A1. Exemption for Small Hydroelectric Power Project under SMW Capacity -- Any qualified license or conduit exemption applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing license or conduit exemption application that proposes to develop at least 7.3 megawatts in that project, or a notice of intent to file such an application. Any qualified small hydroelectric exemption applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing small hydroelectric exemption application or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing license, conduit exemption, or small hydroelectric exemption application no later than 120 days after the specified comment date for the particular application. Applications for preliminary permit will not be accepted in response to this notice.

A9. Notice of intent -- A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, include an unequivocal statement of intent to submit, if such an application may be filed, either (1) a preliminary permit application or (2) a license, small hydroelectric exemption, or conduit exemption application, and be served on the applicant(s) named in this public notice.

D3a. Agency Comments - The U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the State Fish and Game agency(ies) are requested, for the purposes set forth in Section 408 of the Energy Security Act of 1980, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**OPERATING AGREEMENT
FOR
PURPOSES OF WHEELING AND POWER SALES**

AGREEMENT, dated *DECEMBER 29*, 2007 by and between Ashuelot River Hydro, Inc. (hereinafter referred to as the "Interconnector"), and Public Service Company of New Hampshire, a New Hampshire corporation having its principal place of business in Manchester, New Hampshire (hereinafter referred to as "PSNH").

WHEREAS, Interconnector's Lower Robertson hydroelectric generating facility (the "Facility"), (SESD #026) located on the Ashuelot River in Winchester, New Hampshire, is interconnected with the electric system of PSNH in accordance with applicable New Hampshire Public Utilities Commission ("NHPUC") Orders and federal law; and

WHEREAS, Interconnector intends to certify its generator as a Qualifying Facility ("QF") as defined by the Public Utilities Regulatory Policies Act ("PURPA") as it may be amended from time to time; and

WHEREAS, Interconnector desires to, and PSNH agrees to, provide for the interconnection of the Facility with the electric system of PSNH, its successors and permitted assigns, and Interconnector may have the right to sell the electric output of the Facility to PSNH and/or to such other third party purchasers with which Interconnector may make sales arrangements; and

WHEREAS, to provide for the continued interconnection of the Facility, it is necessary that certain agreements be made to ensure the safety, reliability and integrity of PSNH's electric system and the operation of the Facility; and

WHEREAS, Interconnector and PSNH wish to provide for certain other matters pertaining to discretionary power sales from the Facility;

NOW, THEREFORE, the parties hereby agree as follows:

IN WITNESS WHEREOF, the parties, each by its duly authorized representative, have hereunto caused their names to be subscribed, as of the day and year first above written.

Ashuelot River Hydro, Inc.

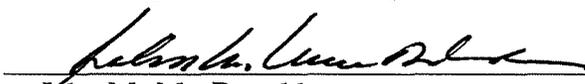
By: 

Title: _____

President

Duly Authorized

Public Service Company of New Hampshire

By: 

John M. MacDonald

Title: Vice President - Energy Delivery & Generation

Duly Authorized

**PSNH INTERCONNECTION REPORT
FOR
CUSTOMER GENERATION**

LOWER ROBERTSON DAM

FINAL REPORT

SESD SITE NO. 026

D. J. MacDonald
Revised

July 8, 1985
March 26, 1987

C. Electrical Components

1. Generators (3)
 - Mfr. - Flygt
 - Type - Three phase Induction
 - Rated Output - 300 KW
 - Voltage - 480 V. 60 Hz
 - Rated current - Not stated
 - Power factor - 0.83 at rated output
2. Generator Contactors (3)
 - Mfr. - Mitsubishi Electric Corp.
 - Type - Vacuum
 - Rated current - 400 Amps.
 - Rated voltage - 600 VAC
 - Interrupting Rating - 4 KA
3. Generator Stepup Transformer
 - Rated Capacity - 1000 KVA @ 65°C.
 - Voltage Ratio - 19.9/34.5X 2.4/4.16 KV to 277/480 V. dual ratio
 - Winding Config. - Gnd. Wye/Gnd. Wye
 - Impedance - Not stated
 - BIL - To be determined
4. Power Factor Correction Capacitors
 - Mfr. - Square D
 - Voltage Rating - 480 V. 60 Hz
 - Size - 125 KVAR (3 phase)
5. Primary Disconnect Switch
 - Mfr. - ~~Westinghouse~~ Electric *see RSP*
 - Type - Three pole, gang operated, pole mounted, load break
 - Voltage Rating - ~~7.8/13.8 KV~~ *35 KV*
 - Current Rating - ~~400 Amp~~ *100 AMP* *RSP*
 - Max. Interrupting Rating - ~~400 amp.~~ *100 AMP*

III. PSNH REQUIREMENTS - GENERALA. Safety Considerations

1. The connection of the facility to the PSNH system must not compromise the safety of PSNH's customers, personnel, or the owner's personnel.
2. The generating facility must not have the capability of energizing a de-energized PSNH circuit.
3. An emergency shutdown switch with facility status indicator lights, and a disconnecting device with a visible open shall be made available for unrestricted use by PSNH personnel. The operation of the switch shall cause all of the facility's generation to be removed from service, and shall block all

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
DEPARTMENT OF ENERGY RESOURCES
STATEMENT OF QUALIFICATION

Pursuant to the Renewable Energy Portfolio Standard – Class II
225 CMR 15.00

This Statement of Qualification, provided by the Massachusetts Department of Energy Resources (DOER or the Department), signifies that the Generation Unit identified below, as described in a Statement of Qualification Application (SQA) dated November 2, 2009, meets the requirements for eligibility as an RPS Class II Renewable Generation Unit, pursuant to the Renewable Energy Portfolio Standard – Class II, 225 CMR 15.05. Therefore, this Generation Unit is duly qualified as an RPS Class II Renewable Generation Unit, as of this 19th day of February 2010.

Generation Unit Name, Capacity,
and Location:

Lower Robertson Dam
0.900 MW
Winchester, NH

Authorized Representative's Name
and Address:

Robert E. King
President
Ashuelot River Hydro, Inc.
42 Hurricane Road
Keene, NH 03431

This RPS Class II Renewable Generation Unit is assigned a unique Massachusetts RPS Identification Number, listed below. Please include the ID number on all correspondence with DOER.

MA RPS Class II ID #: HY-4012-10

This Unit's NEPOOL GIS Identification Number is:

MSS 895

The RPS Effective Date for this Unit is deemed to be July 1, 2009, pursuant to 225 CMR 15.06(4), that date being the earliest date for which the electrical energy generation could reasonably have resulted in the creation of RPS Class II qualified Certificates following DOER's receipt of the SQA in early November of 2009. GIS Certificates for July through September of 2009 were created on January 15, 2009.

Qualification of this Generation Unit as an RPS Class II Renewable Generation Unit is subject to all applicable provisions in 225 CMR 15.00, including but not limited to the following.

Pursuant to 225 CMR 15.05(1)(a)6.d, the Unit shall remain certified by the Low Impact Hydropower Institute, and the Owner or Operator of the Unit shall inform DOER within thirty calendar days of any suspension or revocation of that certification or of any denial of an application to renew that certification.

Pursuant to 225 CMR 15.05(1)(e)1, the amount of the generation capacity of the Unit whose electrical energy output is claimed as RPS Class II Renewable Generation shall not be committed to any Control Area other than the ISO-NE Control Area.

Pursuant to 225 CMR 15.06(5) and (6), the Unit's Owner or Operator is obligated to notify DOER of any changes in the characteristics of the Unit that could affect its eligibility status, as well as any changes in the Unit's ownership, generation capacity, or contact information.

Pursuant to 225 CMR 15.11, DOER may conduct site visits, as well as audits and inspections of documents related to the Unit's compliance with 225 CMR 15.00, including the provisions of this Statement of Qualification.

DOER may suspend or revoke this Statement of Qualification if the Owner or Operator fails to comply with 225 CMR 15.00, including the provisions of this Statement of Qualification.



Philip Giudice
Commissioner
Department of Energy Resources

Date: 2/19/2010