

EXHIBIT 1



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

DOCKET NO. 07-12-24 APPLICATION OF SUEZ ENERGY NA FOR
QUALIFICATION OF PINETREE POWER, INC. -
TAMWORTH, INC. AS A CLASS II RENEWABLE
GENERATOR

June 25, 2008

By the following Commissioners:

Anne C. George
Donald W. Downes
John W. Betkoski, III

DECISION

I. INTRODUCTION

A. SUMMARY

In this Decision, the Department of Public Utility Control reopens the instant proceeding and determines that the Pinetree Tamworth generating facility qualifies as a Class I renewable energy source as a facility in any calendar quarter in which it achieves NOx emissions less than 0.075 lb/mmBTU, beginning with the calendar quarter commencing April 1, 2008. The facility's Connecticut Renewable Portfolio Standard (RPS) Registration Number continues to be CT00236-07.

B. BACKGROUND OF THE PROCEEDING

In the Decision dated March 13, 2008 in the instant docket, the Department issued a Connecticut Renewable Portfolio Standard Registration Number CT00218-07

after finding that the Pinetree Power – Tamworth, Inc. (Pinetree) generating facility qualifies as a Class II renewable energy source as a biomass facility.

By correspondence dated March 17, 2008, Pinetree requested the Department to reopen this proceeding. Pinetree included information on new emissions control systems and emissions data for the Department's consideration for its Class I determination.

C. CONDUCT OF THE PROCEEDING

A hearing in this matter is not required; and none was held.

D. PARTICIPANTS

The Department recognized Pinetree Power, Inc., 1241 Whitefield Road, Bethlehem, NH 03574; and the Office of Consumer Counsel (OCC), Ten Franklin Square, New Britain, Connecticut 06051, as Participants to this proceeding.

II. ANALYSIS

Pinetree requests the Department reopen this proceeding and consider whether the Tamworth facility qualifies as a Class I renewable energy source. The Department hereby reopens the instant docket to consider Pinetree's request. Therefore, pursuant to Section 16-9 of the General Statutes of Connecticut, the Department hereby reopens these proceedings to consider Pinetree's request.

Pursuant to Connecticut General Statutes (Conn. Gen. Stat.) §16-1(a)(26), "Class I renewable energy source" Conn. Gen. Stat. §16-1(a)(26) defines "Class I renewable energy source" to include a sustainable biomass facility with an average emission rate of equal to or less than 0.075 pounds of nitrogen oxides per million BTU of heat input for the previous calendar quarter. In addition, Conn. Gen. Stat. § 16-1(a)(45) defines "sustainable biomass" as biomass that is cultivated and harvested in a sustainable manner but does not include construction and demolition waste, finished biomass products from sawmills, paper mills, organic refuse fuel derived separately from municipal solid waste, or biomass from old growth timber stands.

In its most recent compliance filing in response to Order No. 1 in Docket No. 07-12-24, Pinetree provided documentation or showing that it achieved an average NOx emissions rate of approximately 0.16 lbs/mmBTU in the fourth quarter of 2007.

Pinetree provided data on new emissions controls and monitoring systems that are being installed at the facility. The Applicant is employing four separate emission control strategies to reduce NOx emissions to less than the statutory Class I NOx emission criterion of 0.075 lb/mmBTU. These technologies are: overfire air, flue gas recirculation, selective non-catalytic reduction and selective catalytic reduction. Application, pp. 3-4. Pinetree also provided the results of testing on its emissions monitoring system. The test results, in part, show that NOx emissions levels of 0.064 lb/mmBTU were achieved during the test period. Continuous Emissions Monitoring Report dated April, 2008, p. 3. Therefore, the Department concludes that evidence

indicates that the facility is capable of meeting the Class I NOx statutory limit of 0.075 lb/mmBTU.

The Department finds that the Pinetree Tamworth facility qualifies as a Class I renewable energy source during any calendar quarter in which it achieves NOx emissions less than 0.075 lb/mmBTU.

III. FINDINGS OF FACT

1. In its most recent compliance filing in response to Order No. 1 in Docket No. 07-12-24, Pinetree provided documentation or showing that it achieved an average NOx emissions rate of approximately 0.16 lbs/mmBTU in the fourth quarter of 2007.
2. Pinetree is employing four separate emission control strategies to reduce NOx emissions.
3. The test results, in part, show that NOx emissions levels of 0.064 lb/mmBTU were achieved during the test period.

IV. CONCLUSION AND ORDER

A. CONCLUSION

Based on the evidence submitted, the Department finds that Pinetree Facility qualifies as a Class I renewable energy source pursuant to Conn. Gen. Stat. § 16-1(a)(26) in any calendar quarter in which it achieves NOx emissions less than 0.075 lb/mmBTU. The Pinetree Facility is eligible to receive Class I Renewable Energy Credits as of the calendar quarter beginning April 1, 2008.

The Department assigns each renewable generation source a unique Connecticut RPS registration number. Pinetree Facility's Connecticut RPS registration number continues as CT00236-07, however, it is now designated as a Class I Connecticut RPS registration number.

The Department's determination in this docket is based on the information submitted by Pinetree. The Department may reverse its ruling or revoke the Applicant's registration if any material information provided by the Applicant proves to be false or misleading. The Department reminds Pinetree that it is obligated to notify the Department within 10 days of any changes to any of the information it has provided to the Department.

B. ORDER

1. Within 45 days after the end of each calendar quarter, Pinetree shall file with the Department an affidavit and supporting documentation showing that the average emission rate of its facility is equal to or less than the threshold level for Class I renewable qualification.

DOCKET NO. 07-12-24 APPLICATION OF SUEZ ENERGY NA FOR
QUALIFICATION OF PINETREE POWER, INC. -
TAMWORTH, INC. AS A CLASS II RENEWABLE
GENERATOR

This Decision is adopted by the following Commissioners:

Anne C. George

Donald W. Downes

John W. Betkoski, III

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Department of Public Utility Control, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.

Louise E. Rickard

Louise E. Rickard
Acting Executive Secretary
Department of Public Utility Control

June 26, 2008

Date