

THE STATE OF NEW HAMPSHIRE

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September 24, 2009

Sandra Gillis
Broome Energy Resources, LLC
PO Box 150
Ware, MA 01082

Re: DE 09-103, Broome Energy Resources, LLC's
Certification Application for Class I and Class III Eligibility Pursuant to RSA 362-F

Dear Ms. Gillis:

On May 26, 2009, Broome Energy Resources, LLC (BER) submitted an application requesting certification of the Nanticoke landfill methane gas facility (Nanticoke facility) as eligible to produce Class I and Class III renewable energy certificates (RECs) pursuant to RSA 362-F, New Hampshire's Electric Renewable Portfolio Standard law. Staff has reviewed the application and recommended approval noting that the BER application was complete on August 11, 2009.

Pursuant to RSA 362-F:4, Class III eligibility requires a methane gas facility to have begun operation prior to January 1, 2006. Incremental new production of electricity greater than the historical generation baseline from an eligible methane source qualifies for Class I eligibility if the facility undergoes capital investments in efficiency improvement or capacity additions after January 1, 2006. The application indicates that the Nanticoke facility has a gross nameplate capacity of 2.6 megawatts, is fueled with methane gas and is located at 286 Knapp Road, Binghamton, New York. The Nanticoke facility began commercial operation on March 13, 2004 as a 1.3 megawatt facility and added 0.5 and 0.8 megawatts in capacity for commercial operation on January 17, 2007 and October 19, 2007, respectively. The NEPOOL GIS facility identification number for the facility is IMP 32676.

The average annual electrical production of Nanticoke from 2004 to 2006 was 7,851 megawatt-hours. Any electrical output that exceeds this historical generation baseline is eligible to receive Class I RECs.

The Commission has reviewed your application and determined that it has provided all the necessary information to demonstrate that the Nanticoke facility is eligible for certification as a Class III facility and that generation in excess of its historical generation baseline is eligible to receive Class I RECs. Therefore, the Commission hereby certifies that the Nanticoke facility is a Class III renewable energy source effective August 11, 2009 and is eligible to be issued New

Hampshire Class III RECs. The Commission also certifies generation from Nanticoke that is greater than its historical generation baseline as eligible for New Hampshire Class I renewable energy certificates.

For the issuance of any renewable energy certificates, please be aware that since the facility is located in an adjacent control area, and in accordance with Puc 2504.01 (a)(2), you must provide proof that the associated electricity produced by the facility was imported into the New England control area by submitting to the Commission the following:

- a) Documentation of a unit-specific bilateral contract that is executed between the source owner, operator, or authorized agent and an electric energy purchaser located within the New England control area;
- b) Proof of associated transmission rights for delivery of the source's electricity to the New England control area;
- c) Documentation that the electricity delivered was settled in the ISO-New England wholesale market system;
- d) Documentation that the source produced the amount of megawatt-hours claimed per hour, as verified by the GIS administrator; and
- e) Confirmation that the electricity delivered received a North American Electric Reliability Corporation tag from the originating control area to the New England control area.

You will initially be required to provide to the Commission documentation of a unit-specific contract, item (a), by January 10, 2010, before the GIS administrator creates the certificates associated with electricity produced in the third quarter 2009 and resubmit such documentation when substantial changes are made. Additionally, you will be required to provide to the Commission on a quarterly basis items (b) through (e) when similar information is provided to the GIS administrator as required by GIS Operating Rules 2.7(c).¹

Attached please find a copy of the notice of this certification provided to the GIS administrator. The New Hampshire Renewable Portfolio Standard certification code for the Nanticoke landfill methane gas unit is NH-III-09-038 and the certification code for the generation in excess of the facility's historical generation baseline is NH-I-09-037.

Sincerely,



Debra A. Howland
Executive Director

Encl.

¹ The GIS deadline is the tenth day of the second quarter following the quarter during which the electricity was generated.