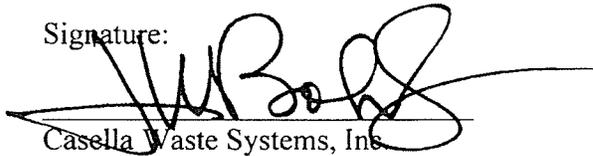


**Certification of Authorized Representative**

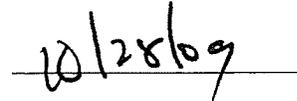
October \_\_, 2009  
Debra A. Howland  
Executive Director & Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

I, James W. Bohlig, Senior Vice President, Casella Waste Systems, Inc. certify that Scott Henningham, Chief Financial Officer of Innovative Energy Systems, Inc., is authorized to execute and submit the New Hampshire Electric Renewable Portfolio Standard Application for the Clinton Landfill Gas Facility, pursuant to Chapter PUC 2500.

Signature:

  
Casella Waste Systems, Inc.

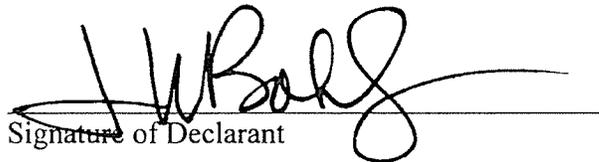
Date:



## General Affidavit under Oath

I, James W. Bohlig, ("Declarant"), Senior Vice President, Casella Waste Systems, Inc., incorporated in the State of Delaware, do hereby certify, swear or affirm, and declare that I am competent to give the following declaration. I have reviewed each section of the Clinton Landfill Gas Facility application and based on my personal knowledge hereby state the facts contained within the New Hampshire facility application for certificate acquisition submitted on my behalf are true and correct to the best of my knowledge.

WITNESS my signature this 28<sup>th</sup> day of October 2009 (month/year).

  
Signature of Declarant

# THE STATE of NEW HAMPSHIRE

## Public Utilities Commission

---

*Facility Application to qualify for Class I certificate acquisition under PUC 2500 of the New Hampshire Electric Renewable Portfolio Standard*

---

### SECTION I: IDENTIFICATION INFORMATION

(1). Name and Address of Applicant:

Innovative Energy Systems, Inc.  
2999 Judge Road, Oakfield, NY 14125  
Scott Henningham,  
CFO Phone: 585-948-8550 phone  
Fax: 585-948-8584  
Email: shennigham@ieslfge.com

(2) Name of Facility Owner:

Casella Waste Systems  
3 Pitkin Court  
Montpelier, VT 05602  
Larry Lackey  
Vice President  
802-223-7221  
802-249-2992  
[larry.lackey@casella.com](mailto:larry.lackey@casella.com)

(3). Name and Location of the applying Facility:

Clinton, 286 Sand Rd., Morrisonville, NY 12962

(4). ISO-New England Asset Identification number:

IMP32730

- (5). GIS Facility Code:

GIS # IMP32730

- (5) Name and Telephone number of the Facility's operator (Applicant), If different from the owner:

Innovative Energy Systems, Inc.  
2999 Judge Road, Oakfield, NY 14125  
Scott Henningham,  
CFO  
Phone: 585-948-8550  
Fax: 585-948-8584  
Email: shennigham@ieslfge.com

## **SECTION II: FACILITY AND FUEL DESCRIPTION**

- (1). Fuel Type:

Landfill Gas

Gross Nameplate Generation Capacity:

4.8 MW

Initial Commercial Operation date:

10/21/2008

Actual Facility Operation date, if different from Initial Commercial Operation date:

\_\_\_\_\_

- (2) If a Biomass source provide –

NOx and particulate matter emission rates:

\_\_\_\_\_

Description of pollution control equipment:

---

Or proposed practices for compliance with such requirements:

---

- (3) Description of how the generation facility is connected to the distribution utility:

\_\_\_\_\_ Kent Falls substation

- (4) Is the Facility's output verified by ISO-New England? If not explain how the output is verified:

Yes

- (5) Description of how the facility's output is reported to the GIS **if not** verified by ISO-New England:

---

### SECTION III: CERTIFICATIONS

- (1). List all other non-federal jurisdiction's renewable portfolio standards the facility has been certified under, if any, **AND** attach proof thereof:

Rhode Island

Massachusetts

### SECTION IV: REGULATORY COMPLIANCE DOCUMENTATION

List all applicable regulatory approvals and permits:

Facility	Permit	Approval/ Permit Issued	Permit Description
Clinton	Part 360 Modification (landfill) to add LFGTE facility	10/23/2007	Permit modified to include the operation of a landfill gas conveyance system for the LFGTE facility.
Clinton	Title V	10/23/2007	Air permit
Clinton	SEQR Short Environmental Assessment Form and Negative Declaration	11/29/2006	Clinton County as lead agency, determined that the LFGTE facility will not have a significant environmental impact

- (2). Confirm whether applicant has an approved interconnection study on file with the commission **or** is a party to a current effective interconnection agreement, **or** is otherwise not required to undertake an interconnection study (explain):

See attached Interconnection agreement material

- (3) **If** a biomass facility, has a copy of the completed application been filed with the New Hampshire department of environmental services (please attach documentation). (Check either “Yes” or “No”)

YES

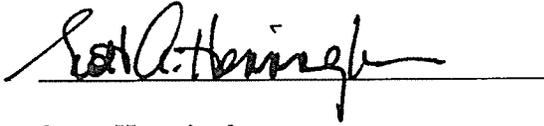
NO

## SECTION V: ADDITIONAL INFORMATION

The Applicant may choose to provide in the space provided or through attached document(s), additional information to assist in classification of the generating facility. If document(s) are attached, provide a descriptive list below:

---

Respectfully Submitted By:

A handwritten signature in black ink, appearing to read "Scott Henningham", is written over a horizontal line.

Scott Henningham  
CFO, Innovative Energy Systems, Inc

**SECTION VI: APPLICATION DOCUMENTATION CHECKLIST**

- Approved interconnection documentation on file with the commission or an agreement or statement and proof of exemption is attached.
- Proof the facility is certified under a non-federal jurisdiction's renewable portfolio standard.
- Attached is an affidavit signed and executed by the owner attesting to the accuracy of the contents of this application.



# STATE OF CONNECTICUT

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

DOCKET NO. 08-12-20 APPLICATION OF CASELLA WASTE SYSTEMS FOR  
QUALIFICATION OF CLINTON LFG AS A CLASS I  
RENEWABLE ENERGY RESOURCE

March 18, 2009

By the following Commissioners:

Anthony J. Palermino  
John W. Betkoski, III  
Donald W. Downes

## DECISION

### I. INTRODUCTION

#### A. SUMMARY

In this Decision, the Department of Public Utility Control determines that Casella Waste System's Clinton generating facility qualifies as a Class I renewable energy source as a methane gas from landfill facility and assigns it Connecticut Renewable Portfolio Standard (RPS) Registration Number CT00297-08 effective October 21, 2008.

#### B. BACKGROUND OF THE PROCEEDING

By application dated December 22, 2008 (Application), Innovative Energy Systems, Inc. (Innovative or Applicant), an authorized agent of Casella Waste Systems, the facility's owner, requested that the Department of Public Utility Control (Department) determine that the Clinton generating facility qualifies as a Class I renewable energy source.

**C. CONDUCT OF THE PROCEEDING**

There is no statutory requirement for a hearing, no person requested a hearing, and none was held.

**D. PARTICIPANTS IN THE PROCEEDING**

The Department recognized Innovative Energy Systems, Inc., 2999 Judge Rd., Oakfield, NY, 14125; and the Office of Consumer Counsel, Ten Franklin Square, New Britain, Connecticut 06051, as participants in this proceeding.

**II. DEPARTMENT ANALYSIS**

Pursuant to the General Statutes of Connecticut (Conn. Gen. Stat.) §16-1a(26), "Class I renewable energy source" includes energy derived from methane gas from landfills.

Conn. Gen. Stat. §16-245a(b), defines geographic eligibility to include energy imported into the control area of the regional independent system operator pursuant to New England Power Pool Generation Information System (NEPOOL GIS) Rule 2.7(c), as in effect on January 1, 2006.

As provided in the Application, Clinton is a methane gas from landfill facility located at 286 Sand Road, Morrisonville, NY. Clinton began commercial operation on October 21, 2008 and has a nameplate capacity of 4.8 MW. Application, pp. 1 and 2. As such, the project produces energy derived from methane gas from a landfill in New York, which is recognized as an adjacent control area by the Independent System Operator of New England (ISO-NE). Therefore, the facility geographically qualifies to import power into the control area pursuant to NEPOOL GIS rule 2.7, and subsequently can receive renewable energy certificates.

Clinton has been granted an Air Pollution Control – Title V Permit (Permit) No. 5-0946-00049/00008 effective August 2, 2004 and modified October 23, 2007 from the New York State Department of Environmental Conservation. Permit, p.1. Further, The New York State Department of Environmental Conservation, Division of Solid & Hazardous Materials, Solid Waste Management Facilities report (SWIMS Report) as of July 2008 lists Clinton Landfill as an active county solid waste landfill operating as a mixed solid waste landfill under permit No. 509460004900005 dated October 23, 2007. SWIMS Report, p. 5. See [www.dec.ny.gov/docs/materials\\_minerals\\_pdf/mswlist.pdf](http://www.dec.ny.gov/docs/materials_minerals_pdf/mswlist.pdf).

Based on the foregoing, the Department determines that Clinton qualifies as a Class I renewable energy facility.

### **III. FINDINGS OF FACT**

1. Clinton is recognized by the NY State Department of Environmental Conservation as an active county solid waste landfill.
2. Clinton began operation on October 21, 2008.
3. Clinton has a nameplate capacity of 4.8 megawatts.
4. Clinton is a generating facility fueled by methane gas produced at the landfill.
5. Clinton is located in Morrisonville, New York.

### **IV. CONCLUSION**

Based on the evidence submitted, the Department finds that Clinton qualifies as a Class I renewable generation source pursuant to Conn. Gen. Stat. § 16-1a(26).

The Department assigns each renewable generation source a unique Connecticut RPS registration number. Clinton's Connecticut RPS registration number is CT00297-08.

The Department's determination in this docket is based on the information submitted by Innovative, an authorized agent of Casella Waste Systems. 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 Innovative 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.

**DOCKET NO. 08-12-20 APPLICATION OF CASELLA WASTE SYSTEMS FOR  
QUALIFICATION OF CLINTON LFG AS A CLASS I  
RENEWABLE ENERGY RESOURCE**

This Decision is adopted by the following Commissioners:

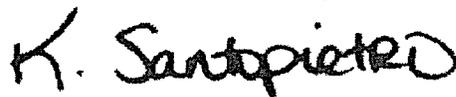
Anthony J. Palermino

John W. Betkoski, III

Donald W. Downes

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.



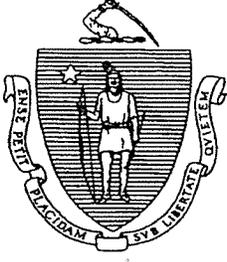
---

Kimberley J. Santopietro  
Executive Secretary  
Department of Public Utility Control

March 19, 2009

---

Date



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF  
ENERGY AND ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENERGY RESOURCES**  
100 CAMBRIDGE ST., SUITE 1020  
BOSTON, MA 02114  
Internet: [www.Mass.Gov/DOER](http://www.Mass.Gov/DOER)  
Email: [Energy@State.MA.US](mailto:Energy@State.MA.US)

**Deval L. Patrick**  
Governor

**Timothy P. Murray**  
Lieutenant Governor

**Ian A. Bowles**  
Secretary, Executive Office of Energy  
and Environmental Affairs

**Philip Giudice**  
Commissioner

TELEPHONE  
617-727-4732

FACSIMILE  
617-727-0030  
617-727-0093

August 18, 2008

Ms. Patricia Stanton  
Vice President, Clean Energy Markets  
Conservation Services Group  
40 Washington, Street  
Westborough, MA 01581

**RE: RPS Eligibility Decision  
Clinton  
4.8 MW in Morrisonville, NY [LG-1095-08]**

Dear Ms. Stanton,

On behalf of the Department of Energy Resources (the Department), I am pleased to inform you that your Statement of Qualification Application for the Clinton landfill project, pursuant to the Massachusetts Renewable Energy Portfolio Standard (RPS) Regulations, 225 CMR 14.00, is hereby approved. The Department finds that the Generation Unit meets the requirements for eligibility as a New Renewable Generation Unit pursuant to 225 CMR 14.05.

Qualification of this Generation Unit is, however, subject to certain conditions that are detailed in the enclosed Statement of Qualification. Those conditions, *which recently were revised*, are based on provisions of the RPS Regulations at 225 CMR 14.05(5) that pertain to any Generation Unit that is located outside of the ISO New England Control Area.

In addition, please note that, when a NEPOOL GIS Import identification number is assigned to the Unit, you must inform the Department's RPS Program Manager of that number (see below).

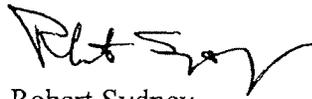
Each Massachusetts New Renewable Generation Unit is also assigned a unique Massachusetts RPS Identification Number (MA RPS ID#). The MA RPS ID # stated on the Statement of Qualification must be included in all correspondence with the Department. Clinton's MA RPS ID# is **LG-1095-08**

The Department wishes to remind you of the notification requirements for changes in eligibility status contained in 225 CMR 14.06(3). The Owner or Operator of the Generation Unit shall submit notification of such changes to the Department no later than five days following the end of the month during which such changes were implemented. Also please inform the Department of any changes in capacity, contact information, and identity of the Owner or Operator.

Finally, the Department wishes to remind you to be cognizant of the Operating Rules and the reporting requirements of the NEPOOL GIS, including emissions reporting, which may be amended from time to time, and compliance with which may affect the RPS qualification of your Generation Unit's GIS certificates.

If you have any questions or concerns about the Statement of Qualification or about any aspect of the RPS program, please contact the RPS Program Manager, Howard Bernstein, at the Department's address, (617) 626-7355 (his direct line), or [howard.bernstein@state.ma.us](mailto:howard.bernstein@state.ma.us). Thank-you.

Sincerely,



Robert Sydney  
General Counsel

Encl: Statement of Qualification

**COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENERGY RESOURCES**

**Statement of Qualification**

**Pursuant to the Renewable Energy Portfolio Standard  
225 CMR 14.00**

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 dated May 6, 2008, meets the requirements for eligibility as a New Renewable Generation Unit, pursuant to the Renewable Energy Portfolio Standard 225 CMR 14.05, as of the approval date of the Application for Statement of Qualification, this 18<sup>th</sup> day of August, 2008.

Generation Unit Name, Capacity, and Location:

<b>Clinton</b> 4.8 MW Morrisonville, NY
---

Authorized Representative's Name and Address:

Ms. Patricia Stanton Vice President, Clean Energy Markets Conservation Services Group 40 Washington, Street Westborough, MA 01581
---

Qualification of this Generation Unit is subject to the following provisions:

1. Prior to commencing exports of electrical energy to the ISO New England (ISO-NE) Control Area pursuant to this Statement of Qualification, the Generation Unit Owner, Operator, or authorized agent shall submit for the Division's review any and all contracts executed between the Generation Unit Owner or Operator and an electrical energy purchaser located in the ISO-NE Control Area for delivery of the Unit's electrical energy to the ISO-NE Control Area. Such contracts shall include provisions that provide for associated transmission rights for delivery of the Unit's electrical energy over the ties from the New York control area to the ISO-NE Control Area. Upon the Division's determination that such contracts are consistent with applicable provisions of 225 CMR 14.00, the Division will instruct the NEPOOL GIS Administrator to treat as Massachusetts New Renewable Generation any imports of electrical energy from the Unit that are documented in such contracts and in accordance with the other provisions of this Statement of Qualification.
2. The Generation Unit Owner, Operator, or authorized agent shall provide to the Division by July 1st of each year a certification that the Generation Unit's New Renewable Generation Attributes used for compliance with the Massachusetts Renewable Energy Portfolio Standard during the previous Compliance Year have not otherwise been, nor will be, sold, retired, claimed or represented as part of electricity output or sales, or used to satisfy obligations in jurisdictions other than Massachusetts.
3. The portion of the total electrical energy output that qualifies as New Renewable Generation in a given time period shall meet the requirements of Rule 2.7 (c) of the

NEPOOL GIS Operating Rules, or any successor rule; and the Generation Unit Owner, Operator, or authorized agent must provide documentation, satisfactory to the Division, that:

- a. the electrical energy delivered pursuant to the Legal Obligation was settled in the ISO-NE Settlement Market System;
- b. the Generation Unit produced, during each hour of the applicable month, the amount of MWhs claimed, as verified by the NEPOOL GIS administrator; if the originating Control Area employs a Generation Information System that is comparable to the NEPOOL GIS, such system may be used to support such documentation;
- c. the electrical energy delivered under the Legal Obligation received a North American Electric Reliability Council Tag (NERC Tag) confirming transmission from the originating Control Area to the ISO-NE Control Area; and
- d. the New Renewable Generation Attributes have not otherwise been, nor will be, sold, retired, claimed, used or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Massachusetts.

This Unit's NEPOOL GIS Identification Number is:

(pending)

*The Owner, Operator, or authorized agent of the New Renewable Generation Unit is responsible for expeditiously informing the Division of the NEPOOL GIS Identification Number upon its assignment by the NEPOOL GIS Administrator.*

This New 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 ID #: LG-1095-08**

Pursuant to 225 CMR 14.06, the Owner or Operator of the New Renewable Generation Unit is responsible for notifying DOER of any changes in the characteristics of the Generation Unit that could affect its eligibility status. The Owner or Operator of the Generation Unit is also responsible for notifying DOER of any changes in the Unit's ownership, generation capacity, or contact information. DOER may suspend or revoke this Statement of Qualification if the Owner or Operator of a New Renewable Generation Unit fails to comply with 225 CMR 14.00, including the provisions of this Statement of Qualification.

  
Philip Giudice  
Commissioner  
Department of Energy Resources

Date: 8/18/08

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2008-516

January 26, 2009

INNOVATIVE ENERGY SYSTEMS, INC.  
Request for Certification for RPS Eligibility

ORDER GRANTING NEW  
RENEWABLE RESOURCE  
CERTIFICATION

REISHUS, Chairman; VAFIADES and CASHMAN, Commissioners

---

## I. SUMMARY

The Clinton Landfill Gas Facility (Clinton) is certified as a Class I new renewable resource that is eligible to satisfy Maine's new renewable resource portfolio requirement pursuant to Chapter 311, § 3(B) of the Commission rules.

## II. BACKGROUND

### A. New Renewable Resource Portfolio Requirement

During its 2007 session, the Legislature enacted an Act To Stimulate Demand for Renewable Energy (Act). P.L. 2007, ch. 403 (codified at 35-A M.R.S.A. § 3210(3-A)). The Act added a mandate that specified percentages of electricity that supply Maine's consumers come from "new" renewable resources.<sup>1</sup> Generally, new renewable resources are renewable facilities that have an in-service date, resumed operation or were refurbished after September 1, 2005. The percentage requirement starts at one percent in 2008 and increases in annual one percent increments to ten percent in 2017, unless the Commission suspends the requirement pursuant to the provisions of the Act.

As required by the Act, the Commission modified its portfolio requirement rule (Chapter 311) to implement the "new" renewable resource requirement. *Order Adopting Rule and Statement of Factual and Policy Basis*, Docket No. 2007-391 (Oct. 22, 2007). The implementing rules designated the "new" renewable resource

---

<sup>1</sup> Maine's electric restructuring law, which became effective in March 2000, contained a portfolio requirement that mandated that at least 30% of the electricity to supply retail customers in the State come from eligible resources, which are either renewable or efficient resources. 35-A M.R.S.A. § 3210(3). The Act did not modify this 30% requirement.

requirement as "Class I"<sup>2</sup> and incorporated the resource type, capacity limit and the vintage requirements as specified in the Act. The rules thus state that a new renewable resource used to satisfy the Class I portfolio requirement must be of the following types:

- fuel cells;
- tidal power;
- solar arrays and installations;
- wind power installations;
- geothermal installations;
- hydroelectric generators that meet all state and federal fish passage requirement; or
- biomass generators, including generators fueled by landfill gas.

In addition, except for wind power installations, the generating resource must not have a nameplate capacity that exceeds 100 MW. Finally, the resource must satisfy one of four vintage requirements. These are:

- 1) renewable capacity with an in-service date after September 1, 2005;
- 2) renewable capacity that has been added to an existing facility after September 1, 2005;
- 3) renewable capacity that has not operated for two years or was not recognized as a capacity resource by the ISO-NE or the NMISA and has resumed operation or has been recognized by the ISO-NE or NMISA after September 1, 2005; or
- 4) renewable capacity that has been refurbished after September 1, 2005 and is operating beyond its useful life or employing an alternate technology that significantly increases the efficiency of the generation process.

The implementing rules (Chapter 311, § 3(B)(4)) establish a certification process that requires generators to pre-certify facilities as a new renewable resource under the requirements of the rule and provides for a Commission determination of resource eligibility on a case-by-case basis.<sup>3</sup> The rule contains the information that must be included in a petition for certification and specifies that the Commission shall provide an opportunity for public comment if a petitioner seeks certification under

---

<sup>2</sup> The "new" renewable resource requirement was designated as Class I because the requirement is similar to portfolio requirements in other New England states that are referred to as "Class I." Maine's pre-existing "eligible" resource portfolio requirement is designated as Class II.

<sup>3</sup> In the *Order Adopting Rule* at 6, the Commission noted that a request for certification can be made at any time so that a ruling can be obtained before a capital investment is made in a generation facility.

vintage categories 2, 3 and 4. Finally, the rule specifies that the Commission may revoke a certification if there is a material change in circumstance that renders the generation facility ineligible as a new renewable resource.

B. Petition for Certification

On December 15, 2008, Innovative Energy Systems (IES) filed a petition to certify the Clinton facility as a Class I renewable resource. The Clinton facility is a 4.8 MW landfill gas facility located in Morrisonville, New York. The petition states that the Clinton facility came online October 21, 2008.

III. **DECISION**

The Commission has delegated to the Director of Technical Analysis the authority to certify generation facilities as Class I new renewable resources pursuant to Chapter 311, § 3(B) of the Commission rules. *Delegation Order*, Docket No. 2008-184 (April 23, 2008). Based on the information provided by IES, I conclude that the Clinton facility satisfies the resource type, capacity limit and vintage requirements of the rule. The Clinton facility is fueled solely by landfill gas, its capacity is less than 100 MW, and it was constructed and began operations after September 1, 2005. Accordingly, the Clinton Landfill Gas Facility is hereby certified as a Class I new renewable resource that is eligible to satisfy Maine's new renewable resource portfolio requirement pursuant to Chapter 311, § 3 of the Commission rules. IES shall provide timely notice to the Commission of any material change in the operation of the facility from that described in the petition filed in this proceeding, including changes to the type of fuel used in the electricity generation process.

BY ORDER OF THE DIRECTOR OF TECHNICAL ANALYSIS

---

Faith Huntington

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION DOCKET NO. 3947  
AS ELIGIBLE RENEWABLE ENERGY RESOURCE FILED  
BY CONSERVATION SERVICES GROUP AS THE AUTHORIZED  
REPRESENTATIVE FOR CASELLA WASTE SYSTEMS, NEW GENERATION

ORDER

WHEREAS, Effective January 1, 2006, the Rhode Island Public Utilities Commission ("Commission") adopted Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations) including requirements for applicants seeking certification as an Eligible Renewable Energy Resource under the RES Regulations<sup>1</sup> pursuant to the Renewable Energy Act, Section 39-26-1 et. seq. of the General Laws of Rhode Island; and

WHEREAS, On April 25, 2008, Casella Waste Systems ("Company", Authorized Representative: Stephanie Hamilton, Contracts Administrator, Conservation Services Group, 40 Washington St. Westborough, MA 01581, (T) 508-836-9500 x 13285; (F) 508-836-3181 Stephanie.Hamilton@csgroup.com) filed with the Commission an application seeking certification for its Clinton Generation Unit, a 4.8 MW biomass (landfill methane gas) energy Generation Unit located in Morrisonville, NY, as an eligible New Renewable Energy Resource under the State of Rhode Island RES Regulations; and

WHEREAS, Pursuant to Section 6.0 and other relevant Sections of the RES Regulations, a thirty (30) day period for public comment was provided during which time no comments were received, and

WHEREAS, After examination, the Commission is of the opinion that the application is proper, reasonable and in compliance with the RES Regulations, and

---

<sup>1</sup> State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard – Date of Public Notice: September 23, 2005, Date of Public Hearing: October 12, 2005, Effective Date: January 1, 2006.

hereby grants the Company certification as an eligible renewable energy resource pursuant to the Renewable Energy Act, Section 39-26-1 et. seq. of the General Laws of Rhode Island; and

WHEREAS, The Commission's determination in this docket is based on the information submitted by the Company, and the Commission may reverse its ruling or revoke the Applicant's certification if any material information provided by the Applicant proves to be false or misleading.

Accordingly, it is

(19363) ORDERED:

1) That the Clinton Generation Unit, meets the requirements for eligibility as a New, Eligible Biomass Renewable Energy Resource with its 4.8 MW, Grid-Connected Generation Unit having a Commercial Operation Date of September, 2008 and located within a Control Area adjacent to NEPOOL in Morrisonville, NY.

2) That, as a Generation Unit which has not yet achieved Commercial Operation, eligibility is granted with a conditional requirement that the Company provide the Commission with written documentation verifying Commercial Operation and that the Company provide the Generation Unit's NEPOOL-GIS Asset Identification Number when assigned by NEPOOL following achievement of Commercial Operation.

3) That, following receipt from the Company of acceptable written documentation supporting the Generation Unit's Commercial Operation Date and provision of the NEPOOL-GIS asset identification number, Commission Staff is hereby authorized to assign a unique Rhode Island Public Utilities Commission Eligible Renewable Energy Resource Facility Certification Number for the Company's Generation Unit.

4) That, as a Generation Unit located in a control area adjacent to NEPOOL, eligibility is granted only to the extent that the energy produced by the Generation Unit is

actually delivered into NEPOOL for consumption by New England customers where delivery of such energy from the Generation Unit into NEPOOL is verified in accordance with Sections 5.1(ii) and 5.1(iii) of the RES regulations.

5) That, although the Commission will rely upon the documentation specified in Sections 5.1(ii) and 5.1(iii) of the RES Regulations and the NEPOOL GIS for verification of production of energy from the Company's Generation Unit certified as eligible in this Order, the Company will provide information and access as necessary to the Commission, or persons acting at its behest, to conduct audits or site visits to assist in verification of continued eligibility for and compliance with RI RES Certification at any time at the Commission's discretion. Such continuing verification shall include a quarterly affidavit and supporting documentation of use of eligible fuels.

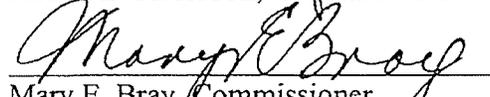
6) That the Company shall notify the Commission in the event of a change in the facility's eligibility status.

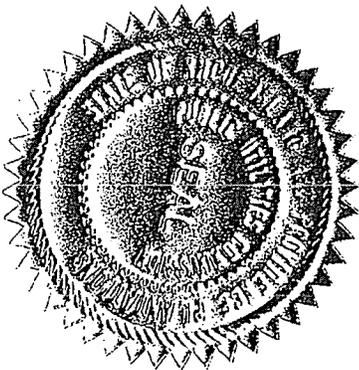
DATED AND EFFECTIVE AT WARWICK, RHODE ISLAND ON JULY 30, 2008 PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED AUGUST 6, 2008.

PUBLIC UTILITIES COMMISSION

  
\_\_\_\_\_  
Elia Germani, Chairman

  
\_\_\_\_\_  
Robert B. Holbrook, Commissioner

  
\_\_\_\_\_  
Mary E. Bray, Commissioner



New York Independent System Operator, Inc.  
FERC Electric Tariff  
Service Agreement No.

Original Sheet No. 1

**STANDARD SMALL GENERATOR  
INTERCONNECTION AGREEMENT (SGIA)**

**(Applicable To Generating Facilities No Larger Than 20 MW)**

**by and among**

**NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.,  
NEW YORK STATE ELECTRIC & GAS CORPORATION,**

**and**

**CASELLA WASTE SYSTEMS, INC.**

**(CLINTON COUNTY LANDFILL GAS TO ENERGY PROJECT)**

**Dated as of September 19, 2008**

Issued by: Stephen G. Whitley, President  
Issued on:

Effective:

**TABLE OF CONTENTS**

	<u>Page</u>
Article 1. Scope and Limitations of Agreement .....	6
1.1 Applicability .....	6
1.2 Purpose .....	6
1.3 No Agreement to Purchase or Deliver Power .....	6
1.4 Limitations .....	6
1.5 Responsibilities of the Parties .....	7
1.6 Parallel Operation Obligations .....	8
1.7 Metering .....	8
1.8 Reactive Power .....	8
Article 2. Inspection, Testing, Authorization, and Right of Access .....	9
2.1 Equipment Testing and Inspection .....	9
2.2 Authorization Required Prior to Parallel Operation .....	9
2.3 Right of Access .....	10
Article 3. Effective Date, Term, Termination, and Disconnection .....	10
3.1 Effective Date .....	10
3.2 Terms of Agreement .....	10
3.3 Termination .....	11
3.4 Temporary Disconnection .....	11
Article 4. Cost Responsibility for Interconnection Facilities and Distribution Upgrades .....	14
4.1 Interconnection Facilities .....	14
4.2 Distribution Upgrades .....	14
Article 5. Cost Responsibility for System Upgrade Facilities .....	14
5.1 Applicability .....	14
5.2 System Upgrade Facilities .....	15
5.3 Special Provisions for Affected Systems .....	15
Article 6. Billing, Payment, Milestone, and Financial Security .....	15
6.1 Billing and Payment Procedures and Financial Accounting .....	15
6.2 Milestones .....	16
6.3 Financial Security Arrangements .....	16

Issued by: Stephen G. Whitley, President  
Issued on:

Effective:

Article 7	Assignment, Liability, Indemnity, Force Majeure, Consequential Damages, and Default.....	17
7.1	Assignment .....	17
7.2	Limitation of Liability .....	18
7.3	Indemnity.....	18
7.4	Consequential Damages .....	19
7.5	Force Majeure.....	19
7.6	Breach and Default .....	20
Article 8	Insurance.....	20
Article 9.	Confidentiality.....	21
Article 10.	Disputes .....	22
Article 11.	Taxes.....	23
Article 12.	Miscellaneous .....	24
12.1	Governing Law, Regulatory Authority, and Rules.....	24
12.2	Amendment .....	24
12.3	No Third-Party Beneficiaries.....	24
12.4	Waiver .....	24
12.5	Entire Agreement.....	25
12.6	Multiple Counterparts.....	25
12.7	No Partnership .....	25
12.8	Severability .....	25
12.9	Security Arrangements .....	25
12.10	Environmental Releases .....	26
12.11	Subcontractors .....	26
12.12	Reservation of Rights .....	26
Article 13.	Notices .....	27
13.1	General.....	27
13.2	Billing and Payment .....	28
13.3	Alternative Forms of Notice.....	29
13.4	Designated Operating Representative .....	30
13.5	Changes to the Notice Information.....	31
Article 14.	Signatures .....	31

Issued by: Stephen G. Whitley, President  
Issued on:

Effective:

Attachment 1	Glossary of Terms .....	32
Attachment 2	Description and Costs of the Small Generating Facility, Interconnection Facilities, and Metering Equipment .....	36
Attachment 3	One-line Diagram Depicting the Small Generating Facility, Interconnection Facilities, Metering Equipment, and Upgrades .....	44
Attachment 4	Milestones.....	45
Attachment 5	Additional Operating Requirements for the New York State Transmission System, the Distribution System and Affected Systems Needed to Support the Interconnection Customer's Needs.....	47
Attachment 6	Transmission Owner's Description of its Upgrades and Best Estimate of Upgrade Costs .....	48
Attachment 7	Insurance Coverage .....	49

Issued by: Stephen G. Whitley, President  
Issued on:

Effective:

## STANDARD SMALL GENERATOR INTERCONNECTION AGREEMENT

This Interconnection Agreement ("Agreement") is made and entered into this \_\_\_\_ day of September, 2008, by and among the New York Independent System Operator, Inc., a not-for-profit corporation organized and existing under the laws of the State of New York ("NYISO") and New York State Electric & Gas Corporation, a corporation existing under the laws of the State of New York ("Transmission Owner"), and Casella Waste Systems, Inc., a corporation organized and existing under the laws of the State of Delaware ("Interconnection Customer") each hereinafter sometimes referred to individually as "Party" or referred to collectively as the "Parties."

### NYISO Information

#### Before Commercial Operation of the Small Generating Facility:

New York Independent System Operator, Inc.  
Attention: Director of System and Resource Planning  
10 Krey Boulevard  
Rensselaer, NY 12144  
Phone: (518) 356-6000  
Fax: (518) 356-6118

#### After Commercial Operation of the Small Generating Facility:

New York Independent System Operator, Inc.  
Attention: Vice President, Operations  
3890 Carman Road  
Schenectady, NY 12303  
Phone: (518) 356-6000  
Fax: (518) 356-6118

### Transmission Owner Information

New York State Electric & Gas Corporation  
Attention: Manager Programs/Projects  
Electric Transmission Services  
18 Link Drive  
Binghamton, NY 13902-5224  
Phone: (607) 762-7606  
Fax: (607) 762-8666

Issued by: Stephen G. Whitley, President  
Issued on:

Effective:

**Interconnection Customer Information**

Casella Waste Systems, Inc.  
Attention: Chief Development Officer  
25 Greens Hill Lane  
Rutland, VT 05701  
Phone: (802) 775-0325  
Fax: (802) 775-6198

Interconnection Customer Application No:     N/A    

In consideration of the mutual covenants set forth herein, the Parties agree as follows:

**Article 1 Scope and Limitations of Agreement**

- 1.1 This Small Generator Interconnection Agreement (“SGIA”) shall be used for all Interconnection Requests submitted under the Small Generator Interconnection Procedures (SGIP) except for those submitted under the 10 kW Inverter Process contained in SGIP Attachment 5.
- 1.2 This Agreement governs the terms and conditions under which the Interconnection Customer’s Small Generating Facility will interconnect with, and operate in parallel with, the New York State Transmission System or the Distribution System.
- 1.3 This Agreement does not constitute an agreement to purchase or deliver the Interconnection Customer’s power. The purchase or delivery of power and other services that the Interconnection Customer may require will be covered under separate agreements, if any, or applicable provisions of NYISO’s or Transmission Owner’s tariffs. The Interconnection Customer will be responsible for separately making all necessary arrangements (including scheduling) for delivery of electricity in accordance with the applicable provisions of the NYISO OATT and Transmission Owner’s tariff. The execution of this Agreement does not constitute a request for, nor agreement to, provide energy, any Ancillary Services or Installed Capacity under the NYISO Services Tariff or any Transmission Owner’s tariff. If Interconnection Customer wishes to supply or purchase energy, Installed Capacity or Ancillary Services, then Interconnection Customer will make application to do so in accordance with the NYISO Services Tariff or Transmission Owner’s tariff.
- 1.4 Nothing in this Agreement is intended to affect any other agreement by and among the NYISO, Transmission Owner and the Interconnection Customer, except as otherwise expressly provided herein.

Issued by: Stephen G. Whitley, President  
Issued on:

Effective:

New York Independent System Operator, Inc.  
FERC Electric Tariff  
Service Agreement No.

Original Sheet No.

13.5 Changes to the Notice Information

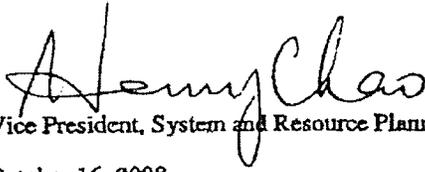
Either Party may change this information by giving five Business Days written notice prior to the effective date of the change.

**Article 14. Signatures**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

For the NYISO

Name:



Title: Vice President, System and Resource Planning

Date: October 16, 2008

For the Transmission Owner

Name:

Title:

Date:

For the Interconnection Customer

Name:

Title:

Date:

Issued by: Stephen G. Whitley, President  
Issued on:

Effective:

13.5 Changes to the Notice Information

Either Party may change this information by giving five Business Days written notice prior to the effective date of the change.

**Article 14. Signatures**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

For the NYISO

Name:

Title:

Date:

For the Transmission Owner

Name:

Title:

Date:

For the Interconnection Customer

  
Name: JOHN W. CASELLA

Title: CHAIRMAN + CEO

Date: 1/17/2008

Issued by: Stephen G. Whitley, President  
Issued on:

Effective:

13.5 Changes to the Notice Information

Either Party may change this information by giving five Business Days written notice prior to the effective date of the change.

**Article 14. Signatures**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

For the NYISO

Name:

Title:

Date:

For the Transmission Owner

Name: *W. J. Moran*

Title: DIRECTOR TRANSMISSION SERVICES

Date: 9/19/2008

For the Interconnection Customer

Name:

Title:

Date: