

STATE OF NEW HAMPSHIRE

Intra-Department Communication

DATE: January 28, 2013
AT (OFFICE): NHPUC

FROM: Barbara Bernstein *JB* *BB*
Sustainable Energy Analyst

SUBJECT: **DE 12-029**, Durham Boat Company, Inc.'s Request for Recognition of Class II Renewable Energy Certificates (RECs) Intended for Banking in Quarter One and Quarter Two 2012
Staff Recommends Approval

TO: Chairman Amy L. Ignatius
Commissioner Robert R. Scott
Commissioner Michael Harrington
Debra A. Howland, Executive Director and Secretary

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

Analysis

On January 18, 2013, the Commission received a letter from Coleen M. Fuerst, President, Durham Boat Company, Inc. (Durham Boat Co.) requesting that the Commission reinstate 12 RECs generated by the Durham Boat Co. facility into Durham Boat Co.'s banked account so that they can be transferred during the 2012 trading period.

Ms. Fuerst's letter states that there was a miscommunication between Durham Boat Co. and the facility's independent monitor regarding who was responsible for banking the RECs generated by the Durham Boat Co.'s PV array during February and March of Quarter One (Q1)¹ and April and May of Quarter Two (Q2)²; therefore, the RECs generated by the Durham Boat Co.'s PV array were not entered into the GIS system prior to the end of the Q1 and Q2 trading periods. This caused the RECs to be retired towards the Residual Mix.³ To resolve this discrepancy, the Commission has the authority to issue a secretarial letter approving the reinstatement of these RECs into the Durham Boat Co.'s banked account. This will enable the RECs in question to be transferred during the 2012 trading period even though the NEPOOL GIS does not display currently display them as NH RPS eligible.

The GIS Administrator submitted the following table that provides a summary of the RECs in question:

¹ Q1 includes January 1 through March 31, 2012.

² Q2 includes April 1 through June 30, 2012.

³ Mr. Webb, the NEPOOL GIS Administrator, verified the unbanked RECs.

Quarter	Month of Generation	NH Certification #	Unit ID	Unit Name	Fuel Type	Certificate Numbers	Quantity	NH Class
1	2012/Feb	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	343614 – 1 to 2	2	II
1	2012/Mar	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	34615 – 1 to 3	3	II
2	2012/Apr	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	348718 1 to 4	4	II
2	2012/May	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	348719 1 to 3	3	II

Staff Recommendation

Staff recommends that the Commission grant Durham Boat Co.’s request and issue a secretarial letter stating that even though the NEPOOL GIS does not display their February, March, April and May RECs as NH RPS eligible, the NH PUC will still accept them for RPS compliance when the end user retires them at the end of the year. Staff recommends the secretarial letter request the following:

- A notarized statement by the Authorized Representative of Durham Boat Co., attesting that the GIS certificates listed in the statement 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 New Hampshire;
- That a notarized statement and a copy of the secretarial letter shall be provided to the Retail Electricity Supplier to which the certificates are transferred; and,
- That the Supplier shall submit a copy of the notarized statement and the secretarial letter to the Commission as part of its 2012 RPS Class II annual compliance filing.

In addition, staff recommends the Commission note that this decision regarding the 2012 Q2 certificates shall not be regarded as establishing a precedent, and the Commission may deny any similar Durham Boat Co. request for a waiver in the future.

Staff finds that Durham Boat Co.’s error was inadvertent, and that correcting the mistake will not adversely affect the RPS program. Further, Staff finds that it is in the best interest of the RPS that the certificates at issue be honored for 2012 RPS Class II compliance.