

Brennan Punderson, PLLC

ATTORNEYS AT LAW

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NHPUC 26FEB'14AM11:12

February 24, 2014

Ms. Debra A. Howland
Executive Director and Secretary
State of New Hampshire
Public Utilities Commission
21 S. Fruit St., Suite 10
Concord, NH 03301-2429

Re: Four Hills Farm Partnership, Bristol, Vermont

Dear Ms. Howland:

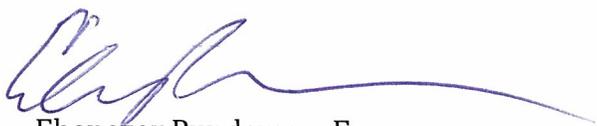
I have enclosed for filing an original and three copies of an application for Renewable Energy Source Eligibility being filed on behalf of Four Hills Farm Partnership in Bristol, Vermont.

If you have any questions or comments with regard to the application you may contact either Brian Hill at the contact information provided in the application, or you may contact me.

Very truly yours,

BRENNAN PUNDERSON, PLLC

By:



Ebenezer Punderson, Esq.

EP/t
Enclosures
cc: Mr. Brian Hill – letter only

Reply to Middlebury Office

Monkton P.O. Box 8, 1317 Davis Road, Monkton, Vermont 05469 Phone 802.453.8400 Fax 802.453.8411

Middlebury The Marbleworks, 99 Maple Street, Suite 10B, Middlebury, Vermont 05753 Phone 802.989.7342 Fax 802.989.7441



(2)

Bristol VT 05743
(City) (State) (Zip code)

9. Latitude: -73.10365 Longitude: 44.14181

10. The name and telephone number of the facility's operator, if different from the owner: Same

(Name) (Telephone number)

11. The ISO-New England asset identification number, if applicable: _____ or N/A:

12. The GIS facility code, if applicable: NON 37210 or N/A:

13. A description of the facility, including fuel type, gross nameplate generation capacity, the initial commercial operation date, and the date it began operation, if different.
see attached

14. If Class I certification is sought for a generation facility that uses biomass, the applicant shall submit:
- (a) quarterly average NOx emission rates over the past rolling year,
 - (b) the most recent average particulate matter emission rates as required by the New Hampshire Department of Environmental Services (NHDES),
 - (c) a description of the pollution control equipment or proposed practices for compliance with such requirements,
 - (d) proof that a copy of the completed application has been filed with the NHDES, and
 - (e) conduct a stack test to verify compliance with the emission standard for particulate matter no later than 12 months prior to the end of the subject calendar quarter except as provided for in RSA 362-F:12, II.
 - (f) N/A: Class I certification is NOT being sought for a generation facility that uses biomass.

15. If Class I certification is sought for the incremental new production of electricity by a generation facility that uses biomass, methane or hydroelectric technologies to produce energy, the applicant shall:
- (a) demonstrate that it has made capital investments after January 1, 2006 with the successful purpose of improving the efficiency or increasing the output of renewable energy from the facility, and
 - (b) supply the historical generation baseline as defined in RSA 362-F:2, X.
 - (c) N/A: Class I certification is NOT being sought for the incremental new production of electricity by a generation facility that uses biomass, methane or hydroelectric technologies.

16. If Class I certification is sought for repowered Class III or Class IV sources, the applicant shall:
- (a) demonstrate that it has made new capital investments for the purpose of restoring unusable generation capacity or adding to the existing capacity, in light of the NHDES environmental permitting requirements or otherwise, and

- (b) provide documentation that eighty percent of its tax basis in the resulting plant and equipment of the eligible generation capacity, including the NHDES permitting requirements for new plants, but exclusive of any tax basis in real property and intangible assets, is derived from the new capital investments.
- (c) N/A: Class I certification is NOT being sought for repowered Class III or Class IV sources.
17. If Class I certification is sought for formerly nonrenewable energy electric generation facilities, the applicant shall:
- (a) demonstrate that it has made new capital investments for the purpose of repowering with eligible biomass technologies or methane gas and complies with the certification requirements of Puc 2505.04, if using biomass fuels, and
- (b) provide documentation that eighty percent of its tax basis in the resulting generation unit, including NHDES permitting requirements for new plants, but exclusive of any tax basis in real property and intangible assets, is derived from the new capital investments.
- (c) N/A: Class I certification is NOT being sought for formerly nonrenewable energy electric generation facilities.
18. If Class IV certification is sought for an existing small hydroelectric facility, the applicant shall submit proof that:
- (a) it has installed upstream and downstream diadromous fish passages that have been required and approved under the terms of its license or exemption from the Federal Energy Regulatory Commission, and
- (b) when required, has documented applicable state water quality certification pursuant to section 401 of the Clean Water Act for hydroelectric projects.
- (c) N/A: Class IV certification is NOT being sought for existing small hydroelectric facilities.
19. If the source is located in a control area adjacent to the New England control area, the applicant shall submit proof that the energy is delivered within the New England control area and such delivery is verified using the documentation required in Puc 2504.01(a)(2) a. to e.
20. All other necessary regulatory approvals, including any reviews, approvals or permits required by the NHDES or the environmental protection agency in the facility's state.
see attached
21. Proof that the applicant either has an approved interconnection study on file with the commission, is a party to a currently effective interconnection agreement, or is otherwise not required to undertake an interconnection study.
see attached
22. A description of how the generation facility is connected to the regional power pool of the local electric distribution utility.
see attached
23. A statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standard and proof thereof.
see attached
24. A statement as to whether the facility's output has been verified by ISO-New England.

- 25. A description of how the facility's output is reported to the GIS if not verified by ISO-New England.
- 26. An affidavit by the owner attesting to the accuracy of the contents of the application.
- 27. Such other information as the applicant wishes to provide to assist in classification of the generating facility.

28. This application and all future correspondence should be sent to:

Ms. Debra A. Howland
Executive Director and Secretary
State of New Hampshire
Public Utilities Commission
21 S. Fruit St, Suite 10
Concord, NH 03301-2429

29. Preparer's information:

Name: _____

Title: _____

Address: (1) _____

(2) _____

(3) _____

(City)

(State)

(Zip code)

30. Preparer's signature: _____

AFFIDAVIT

Four Hills Farm
722 Burpee Road
Bristol, VT 05443

To: State of New Hampshire
Public Utilities Commission

I, Brian Hill, duly authorized agent of Four Hills Farm, hereby certify that the information given in this application is true, accurate and complete to the best of my knowledge.

Dated: 24, Feb, 2014



Brian Hill

13. A description of the facility, including fuel type, gross nameplate generation capacity, the initial commercial operation date, and the date it began operation, if different:

Applicant operates a farm-methane electrical generating facility which uses methane gas derived principally from processed cow manure and secondarily from other farm-based feedstocks to fuel a biogas generator. The manure is processed in an on-site methane digester, and the methane gas is piped directly to the generator. The gross nameplate generation capacity is 450 kilowatts. The initial commercial operation date is September 9, 2012.

20. All other necessary regulatory approvals, including any reviews, approvals or permits required by the NHDES or the environmental protection agency in the facility's state:

A State of Vermont, Public Service Board Certificate of Public Good ("CPG") was issued pursuant to 30 V.S.A. Section 248 on April 9, 2012, approving the facility, with subsequent Amendment dated May 18, 2012. A copy of the CPG and amendment is attached hereto. The Air Pollution Control Division of the Vermont Agency of Natural Resources issued a letter dated October 26, 2010 determining that an air-pollution control permit is not required and a subsequent letter dated May 8, 2012, affirming this decision with regard to a larger engine. A copy of this letter is attached hereto. This approval is referenced in the Certificate of Public Good at paragraph I(vi).

21. Proof that the applicant either has an approved interconnection study on file with the commission, is a party to a currently effective interconnection agreement, or is otherwise not required to undertake an interconnection study.

Applicant is party to a Generation Interconnection Agreement Between Central Vermont Public Service Corporation and Four Hill Farms dated April 30, 2012. A System Impact Study was also performed on November 22, 2010 and referenced in the attached Certificate of Public Good.

22. A description of how the generation facility is connected to the regional power pool of the local electrical distribution utility:

Applicant's facility is interconnected at 12.47 kV with Central Vermont Public Service's distribution system originating at the Hewitt Road substation circuit 37 distribution circuit.

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

The facility has been approved by the State of Connecticut Public Utilities Regulatory Authority as a Class I renewable energy source by decision dated June 13, 2013 in Docket No. 13-2-19. Applicant has a pending application with State of Rhode Island as a Class I Renewable Energy Source as defined in Rhode Island General Statutes Section 39-26-1 et.seq.

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

The facility's output is not verified by ISO-New England.

25. A description of how the facility's output is reported to the GIS if not verified by ISA-New England:

The electrical energy output of Four Hills Farm methane fueled generation facility is reported to the GIS by Vermont Electric Power Company. (VELCO), a certified third party meter reader. The generation facility is not a customer-sited source because its electrical output does not displace any consumption of the end-use customer.

26. An affidavit by the owner attesting to the accuracy of the contents of the application:

See attached Affidavit of Brian Hill.

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7845

Petition of Four Hills Farm Partnership for a)
certificate of public good, pursuant to 30 V.S.A.)
§ 248(j), authorizing the installation and operation of)
a 525 kW farm-based methane-fueled electric)
generating facility at the Four Hills Farm located at)
722 Burpee Road in Bristol, Vermont)

Entered:

4/9/2012

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. SECTION 248

IT IS HEREBY CERTIFIED that the Public Service Board of the State of Vermont this day found and adjudged that:

1. The proposed installation and operation of a farm-based methane-fueled electric generating facility at Four Hills Farm located at 722 Burpee Road in Bristol, Vermont ("the Project") by the Four Hills Farm Partnership ("Four Hills"), in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State, subject to the following conditions:

(i) The Project shall be constructed in accordance with the evidence and plans submitted in these proceedings. Any material deviation from these plans must be approved by the Public Service Board ("Board").

(ii) Four Hills shall comply with the recommendations contained in the November 22, 2010, System Impact Study ("SIS"). Four Hills shall pay for all costs associated with the recommendations in the SIS and all interconnection costs.

(iii) Prior to operation of the Project, Four Hills shall enter into an interconnection agreement with Central Vermont Public Service Corporation ("CVPS") and file the agreement with the Board and the Department of Public Service ("Department").

(iv) Prior to interconnection of the generator with the CVPS system, Four Hills shall provide the Board and the Department with written documentation that the Project meets the applicable codes and standards listed in PSB Rule 5.510.

(v) Prior to proceeding with construction, Four Hills shall obtain all necessary permits and approvals. Construction, operation, and maintenance of the Project shall be in accordance with such permits and approvals, and with all other applicable regulations.

(vi) Four Hills shall construct and operate the Project in accordance with the following conditions contained in the October 26, 2010, letter from ANR:

(a) Four Hills shall only install and operate a Guascor Model SFGLD 360 biogas-fired engine-generator, as approved by ANR. Four Hills shall not install an alternative engine-generator set without written approval from ANR, which Four Hills must file with the Board;

(b) Four Hills shall design and operate the Project in such a manner that any biogas that is not combusted in the engine is routed to a flare that is designed and operated in accordance with 40 C.F.R. Part 60, Subpart A, Section 60.18. The flare shall also be equipped with a properly sized windscreen to prevent blowout of the flame. All elements of the flare system shall be maintained in good working order at all times and operated and maintained in accordance with the manufacturer's operation and maintenance recommendations;

(c) The flare shall be equipped and operated with an automatic ignition system, such as a spark ignition system or a continuous pilot light, to ensure immediate and continuous combustion of any biogas that is routed to it. Spark igniters may be powered by the grid or an acceptable alternative power source; and

(d) Four Hills shall register its air emissions with ANR annually in accordance with Subchapter VIII of the Vermont Air Pollution Control Regulations.

(vii) Four Hills shall obtain written approval for the 525 kW engine-generator set from ANR and submit the approval to the Board within 30 days of the Order herein and before starting construction of the Project.

(viii) If Four Hills intends to use or store any off-farm feedstock for the Project, it shall notify both the Agency of Agriculture, Food and Markets ("AAF") and the Agency of Natural Resources ("ANR") and obtain all necessary permits or approvals required by both the AAFM and ANR.



State of Vermont
Department of Environmental Conservation
Air Pollution Control Division
103 South Main Street/Bldg 3 South
Waterbury, VT 05671-0402
(802) 241-3840
FAX (802) 241-2590

AGENCY OF NATURAL RESOURCES

May 8, 2012

Ebenezer Punderson, Esq.
Deppman & Foley, P.C.
P.O. Box 569
7 Washington Street
Middlebury, VT 05753

SUBJECT: Biogas to Energy Project, Four Hills Farm – Generator Set Size Increase Approval

Dear Mr. Punderson:

The letter is to verify our recent communication in regard to the size of the proposed engine at Four Hills Farm located in Bristol, Vermont. You have stated that the proposed generator set is 570 kW as opposed to 500 kW reflected in the Air Pollution Control approval letter dated October 26, 2010. The Agency has made note of the change and this letter serves as approval for installation and operation of a 570 kW generator set. Please keep in mind that the conditions and requirements of the October 26, 2010 letter are still valid and apply to the 570 kW generator set. If you need any additional information or have any questions, feel free to contact me anytime.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay S. Hollingsworth".

Jay S. Hollingsworth
Engineering Services Section
Air Pollution Control Division

CC: Brian Hill, Four Hills Farm, 722 Burpee Road, Bristol, Vermont 05443

JH:jh
A1: Bristol

RECEIVED
MAY 09 2012
DEPPMAN & FOLEY, PC



STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7845

Petition of Four Hills Farm Partnership for an)
Amended Certificate of Public Good, pursuant to)
30 V.S.A. § 248(j), authorizing the installation and)
operation of a 450 kW farm-based methane-fueled)
electric generating facility at the Four Hills Farm)
located at 722 Burpee Road in Bristol, Vermont)

Entered:

5/18/2012

AMENDED CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. SECTION 248

IT IS HEREBY CERTIFIED that the Public Service Board of the State of Vermont this day found and adjudged that:

1. The proposed installation and operation of a 450 kW farm-based methane-fueled electric generating facility at Four Hills Farm located at 722 Burpee Road in Bristol, Vermont, ("the Project") by the Four Hills Farm Partnership ("Four Hills"), in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State, subject to the following conditions:

(i) The Project shall be constructed in accordance with the evidence and plans submitted in these proceedings. Any material deviation from these plans must be approved by the Public Service Board ("Board").

(ii) Four Hills shall comply with the recommendations contained in the November 22, 2010, System Impact Study ("SIS"). Four Hills shall pay for all costs associated with the recommendations in the SIS and all interconnection costs.

(iii) Prior to operation of the Project, Four Hills shall enter into an interconnection agreement with Central Vermont Public Service Corporation ("CVPS") and file the agreement with the Board and the Department of Public Service ("Department").

(iv) Prior to interconnection of the generator with the CVPS system, Four Hills shall provide the Board and the Department with written documentation that the Project meets the applicable codes and standards listed in PSB Rule 5.510.

(v) Prior to proceeding with construction, Four Hills shall obtain all necessary permits and approvals. Construction, operation, and maintenance of the Project shall be in accordance with such permits and approvals, and with all other applicable regulations.

(vi) Four Hills shall construct and operate the Project in accordance with the following conditions contained in the October 26, 2010, letter from the Agency of Natural Resources ("ANR"):

(a) Four Hills shall only install and operate a Guascor Model SFGLD 360 biogas-fired engine-generator, as approved by ANR. Four Hills shall not install an alternative engine-generator set without written approval from ANR, which Four Hills must file with the Board;

(b) Four Hills shall design and operate the Project in such a manner that any biogas that is not combusted in the engine is routed to a flare that is designed and operated in accordance with 40 C.F.R. Part 60, Subpart A, Section 60.18. The flare shall also be equipped with a properly sized windscreen to prevent blowout of the flame. All elements of the flare system shall be maintained in good working order at all times and operated and maintained in accordance with the manufacturer's operation and maintenance recommendations;

(c) The flare shall be equipped and operated with an automatic ignition system, such as a spark ignition system or a continuous pilot light, to ensure immediate and continuous combustion of any biogas that is routed to it. Spark igniters may be powered by the grid or an acceptable alternative power source; and

(d) Four Hills shall register its air emissions with ANR annually in accordance with Subchapter VIII of the Vermont Air Pollution Control Regulations.

(viii) Four Hills shall obtain written approval for the engine-generator set from ANR and submit the approval to the Board within 30 days of the issuance of this Certificate of Public Good and before starting construction of the Project.

(ix) If Four Hills intends to use or store any off-farm feedstock for the Project, it shall notify both the Agency of Agriculture, Food and Markets ("AAF") and the ANR and obtain all necessary permits or approvals required by both the AAFM and ANR.

(x) At least fifty-one percent of feedstock shall be derived from agricultural operations.

(xi) If Four Hills utilizes off-farm feedstock, all semi-solid feedstock shall be loaded into the digester hopper and fed it into the digester tanks on the same day as delivery in order to eliminate the need for on-site storage and minimize potential odors.

(xii) Four Hills shall not import more than ten truckloads per month of off-site feedstock.

(xiii) Four Hills is required to spread, topsoil and seed all excess soil in conformance with the *Vermont Standards and Specifications for Erosion and Sediment Control* ("Standards") within seven days of completing construction. If construction concludes after the growing season for grass, Four Hills shall, in addition to topsoil and seed, apply mulch or a rolled erosion control product to protect the seed until the next growing season. Four Hills shall discuss this condition with any construction contractors before starting construction of the Project.

2. This Certificate of Public Good shall not be transferred without prior approval of the Board.

Dated at Montpelier, Vermont, this 18th day of May 2012.

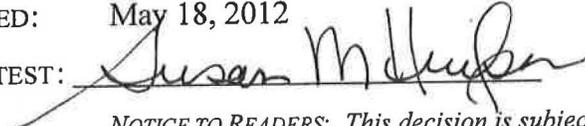
)	
)	<u>s/James Volz</u>
)	
)	
)	
)	
)	<u>s/John D. Burke</u>

PUBLIC SERVICE
BOARD
OF VERMONT

A TRUE COPY

OFFICE OF THE CLERK

FILED: May 18, 2012

ATTEST: 

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us).



STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

DOCKET NO. 13-02-19 APPLICATION OF FOUR HILLS FARM, INC. FOR
QUALIFICATION OF FOUR HILLS FARM AS A CLASS I
RENEWABLE ENERGY SOURCE

JUNE 13, 2013

DECISION APPROVING CLASS I CERTIFICATION

On February 28, 2013, the Public Utilities Regulatory Authority (Authority or PURA) received an application from Four Hills Farm, Inc. (Applicant or Company) requesting that the Authority determine that the Four Hills Farm landfill methane gas generation facility (Four Hills or Facility) located in Bristol, Vermont qualifies as a Class I renewable energy source.

The Authority reviewed all of the information in the record and finds that pursuant to §16-1(a)(26) of the General Statutes of Connecticut, the electricity generated by the Applicant's landfill methane gas facility qualifies as a Class I renewable energy source, effective October 1, 2012. The Facility began commercial operation on September 10, 2012, and has a nameplate capacity of 450 kW. The Facility's Independent System Operator of New England's Generation Unit Asset Identification Number, New England Power Pool Generation Information System (NEPOOL-GIS) Identification Number or Other Number is NON37210. Four Hills is a grid-connected generation facility located in Vermont and the Vermont Electric Power Company is the entity with competent jurisdiction that will be responsible for auditing and verification of the facility's generation output. The Authority assigns Four Hills Connecticut Renewable Portfolio Standard Registration No. CT130219.

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

ORDER FOR COMPANY

To comply with the Order below, the Company shall submit one original of the required documentation to the Executive Secretary, Ten Franklin Square, New Britain, CT 06051, and file an electronic version through the Authority's website at www.ct.gov/pura. Submissions filed in compliance with the PURA Orders must be identified by all three of the following: Docket Number, Title and Order Number.

1. Each Quarter, the Company shall file with the Authority, by the date indicated in the table below, the Quarterly Generation Report from the NEPOOL-GIS that shows the number of renewable energy credits (RECs) created by the NEPOOL-GIS Administrator based on the Class I activities of the Facility on the Creation Date [as defined in Section 2.1(b) of the NEPOOL GIS Operating Rules, as amended from time to time] for said quarter.

The first report, to include the Class I activity for the fourth quarter of 2012 as well as the first quarter of 2013, is due August 15, 2013, with subsequent due dates as shown below:

Class I Activity Calendar Quarter	GIS REC Creation Date	Report Due Date
1. (Jan 01-Mar 31)	Jul 15	Aug 15
2. (Apr 01-Jun 30)	Oct 15	Nov 15
3. (Jul 01-Sep 30)	Jan 15	Feb 15
4. (Oct 01-Dec 31)	Apr 15	May 15

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to requirements of the Americans with Disabilities Act. Any person with a disability who may need information in an alternative format may contact the agency's ADA Coordinator at 860-424-3194 or at deep.hrmed@ct.gov. Any person with limited proficiency in English, who may need information in another language, may contact the agency's Title VI Coordinator at 860-424-3035 or at deep.aoffice@ct.gov. Any person with a hearing impairment may call the State of Connecticut relay number – 711. Discrimination complaints may be filed with DEEP's Title VI Coordinator. Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.

**DOCKET NO. 13-02-19 APPLICATION OF FOUR HILLS FARM, INC. FOR
QUALIFICATION OF FOUR HILLS FARM AS A CLASS I
RENEWABLE ENERGY SOURCE**

This Decision is adopted by the following Directors:

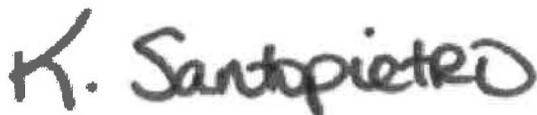
John W. Betkoski, III

Arthur H. House

Michael A. Caron

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Public Utilities Regulatory Authority, 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
Public Utilities Regulatory Authority

June 17, 2013

Date