

# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

**DATE:** July 9, 2009

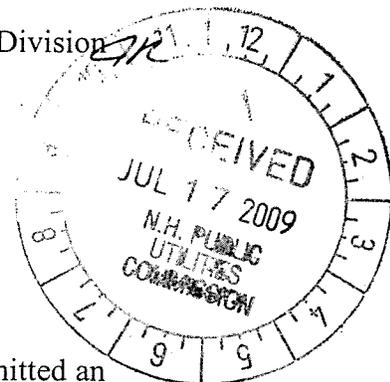
**AT (OFFICE):** NHPUC

**FROM:** Maureen L. Reno *MLR*  
Utility Analyst III

**SUBJECT:** DE 09-084, WM Renewable Energy, L.L.C.'s Application for Class III Eligibility of its Turnkey II Landfill facility Pursuant to RSA 362-F Staff Recommendation

**TO:** Chairman Thomas B. Getz  
Commissioner Clifton C. Below  
Debra A. Howland, Executive Director and Secretary

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



### *Summary*

On April 30, 2009, WM Renewable Energy, L.L.C. (WMRE) submitted an application requesting the Commission grant approval of its Turnkey II landfill methane gas facility (Turnkey II facility) to produce Class III renewable energy certificates (RECs) pursuant to RSA 362-F, New Hampshire's Electric Renewable Portfolio Standard law. Pursuant to RSA 362-F:4, III, Class III eligibility requires a facility to have begun the production of electricity prior to January 1, 2006 using either eligible biomass technologies having a gross nameplate capacity of 25 megawatts (MW) or less or methane gas.

Pursuant to RSA 362-F, the Commission, in a non-adjudicative process, must issue a determination of whether a facility meets a particular classification within 45 days of a completed application. The Turnkey II facility application was completed on June 17, 2009. The Turnkey II facility meets the Class III eligibility requirements under RSA 362-F:4, III. WMRE has complied with the N. H. Code Admin. Rule Puc 2500 and has provided all the necessary information. Based on its review of the application, Staff recommends that the Commission approve the Turnkey II facility as eligible for Class III RECs effective June 17, 2009.

## *Analysis*

The Turnkey II facility is a landfill methane gas facility, with a gross nameplate capacity of 6.6 MW and entered commercial operation in January 1998.<sup>1</sup> The facility is located at 30 Rochester Neck Road, Rochester, New Hampshire. The facility's NEPOOL generation information system facility code is MSS715.

Pursuant to Puc 2505.02 (b) (8), the applicant must submit proof that it 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." WMRE submitted and Staff verified the facility's interconnection agreement with Public Service Company of New Hampshire titled "Operating Agreement for Purposes of Wheeling and Power Sales" and dated June 28, 1999.

Pursuant to Puc 2505.02 (b) (11), the applicant shall include a statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standards and proof thereof. The Turnkey II facility has been certified in Connecticut as a Class I source, in Massachusetts as a New Renewable Energy Generator and in Maine as a Class II source.

## *Recommendation*

Staff has reviewed the Turnkey II facility application and can affirm it is complete pursuant to N. H. Code Admin. Rule Puc 2500. Staff recommends that the Commission certify the Turnkey II facility as being eligible for Class III RECs effective June 17, 2009, the date on which Staff was able to make a determination that the facility met the requirements for certification as a Class III renewable energy source.

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<sup>1</sup> The initial application states that the facility's gross nameplate capacity is 6.2 megawatts. On June 17, 2009, the applicant responded to Staff's deficiency letter stating that the correct gross nameplate capacity is 6.6 megawatts.