

THE STATE OF NEW HAMPSHIRE

CHAIRMAN
Thomas B. Getz

COMMISSIONER
Clifton C. Below

EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland



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PUBLIC UTILITIES COMMISSION

21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

July 31, 2009

Latoya Glenn
WM Renewable Energy, L.L.C.
1001 Fannin, Suite 4000
Houston, TX 77002

Re: DE 09-121, WM Renewable Energy, L.L.C.
Certification Application for Class I Eligibility of its Madison County Landfill Facility
Pursuant to RSA 362-F

Dear Ms. Glenn:

On June 22, 2009, WM Renewable Energy, L.L.C. (WMRE) submitted an application requesting certification of the Madison County landfill methane gas facility (Madison County facility) as eligible to produce Class I 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 WMRE application was complete on June 22, 2009.

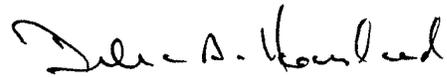
Class I eligibility requires a facility to have begun the production of electricity after January 1, 2006 and to use certain sources to produce electricity, one of which is methane gas. The application indicates that the Madison County facility is powered by landfill methane gas, has a gross nameplate capacity of 1.6 megawatts and began commercial operation on June 11, 2009. The facility is located at 6639 Buyea Road, Canastota, New York. The NEPOOL generation information system (GIS) facility code has not yet been obtained. WMRE will provide the NEPOOL GIS facility code to the Commission as soon as it is obtained from the GIS administrator.

Based on Staff's recommendation, the Commission has determined that WMRE has provided all the necessary information to demonstrate that the Madison County facility is eligible for certification as a Class I facility. Therefore, the Commission hereby certifies that the Madison County facility is a Class I renewable energy source effective June 22, 2009 and is eligible to be issued 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, the applicant must provide proof pursuant to Puc 2504.01 (a)(2) that the associated electricity produced by the facility was imported into the New England control area.

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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 Madison County landfill methane gas facility is NH-I-09-027.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra A. Howland". The signature is fluid and cursive, with a large initial "D" and "H".

Debra A. Howland
Executive Director

Encl.

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July 31, 2009

James Webb
Registry Administrator
APX Environmental Markets
5201 Great America Parkway, Suite #522
Santa Clara, CA 95054

Re: DE 09-121, WM Renewable Energy, L.L.C.
Certification of its Madison County Landfill Facility as a New Hampshire RPS Class I
Facility Pursuant to RSA 362-F
New Hampshire Certification Code NH-I-09-027

Dear Mr. Webb:

Please be advised that, pursuant to RSA 362-F, the New Hampshire Public Utilities Commission has certified WM Renewable Energy, L.L.C. (WMRE) Madison County landfill methane gas facility as a Class I renewable energy source effective June 22, 2009. Accordingly, WMRE's Madison County facility is eligible to be issued New Hampshire Class I renewable energy certificates.

The Madison County facility is powered by landfill methane gas, has a gross nameplate capacity of 1.6 megawatts and began commercial operation on June 11, 2009. The facility is located at 6639 Buyea Road, Canastota, New York. The NEPOOL generation information system (GIS) facility code has not yet been obtained. WMRE will provide the NEPOOL GIS facility code to the Commission as soon as it is obtained from the GIS administrator. The New Hampshire RPS certification code is NH-I-09-027.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Latoya Glenn
WM Renewable Energy, L.L.C.