

STATE OF NEW HAMPSHIRE

Intra-Department Communication

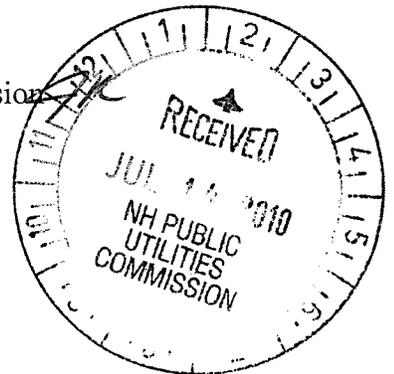
DATE: July 8, 2010
AT (OFFICE): NHPUC

FROM: Maureen L. Reno *MUR*
Utility Analyst

SUBJECT: Staff Recommendation Re: DE 10-157, Conservation Services
Group's Application for Class II Eligibility of the Kirwan Enterprises
Photovoltaic Facility Pursuant to RSA 362-F on behalf of Kirwan
Enterprises, LLC

TO: Chairman Thomas B. Getz
Commissioner Clifton C. Below
Commissioner Amy L. Ignatius
Debra A. Howland, Executive Director

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



Summary

On June 2, 2010, Conservation Services Group (CSG) submitted an application on behalf of Kirwan Enterprises, LLC (Kirwan Enterprises) requesting that the Commission grant approval of the Kirwan Enterprises customer-sited photovoltaic rooftop array (Kirwan facility) to produce Class II Renewable Energy Certificates (RECs) pursuant to RSA 362-F, New Hampshire's Renewable Portfolio Standard law. Class II eligibility requires that a facility produce electricity from solar technologies and that it began operation after January 1, 2006.

Pursuant to RSA 362-F, the Commission, in a non-adjudicative process, is required to issue a determination of whether a facility meets a particular classification within 45 days of receipt of a completed application. The Kirwan facility application was completed on June 30, 2010.¹ The Kirwan facility meets the eligibility requirements under RSA 362-F:4, II as a Class II facility and complies with the New Hampshire Code of Administrative Rules Puc 2500. Based on its review of the application, Staff recommends that the Commission approve the Kirwan photovoltaic facility as eligible for Class II RECs effective June 30, 2010.

¹ On June 10, 2010, Staff issued a deficiency letter requesting additional information that the applicant provided on June 30, 2010.

Analysis

The Kirwan facility is a 151.05 kilowatt customer-sited photovoltaic rooftop array located at 180 Enterprise Drive, Marshfield, Massachusetts that began operation on September 14, 2009. Since the facility is a customer-sited source, its output is not recorded in the New England Power Pool (NEPOOL) Market Settlement System and, as a result, the facility's output must be monitored and verified by an independent monitor pursuant to Puc 2505.09. The application identifies PowerDash LLC (PowerDash) as the independent monitor.² The facility's NEPOOL Generation Information System facility code is NON 32920.

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." The applicant submitted and Staff verified that the facility's interconnection agreement between NSTAR Electric Company and Kirwan Surgical Products, Inc. became effective on June 29, 2009.³

Pursuant to Puc 2505.02 (b) (11), the applicant is required to include a statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standard and provide proof thereof. The applicant stated and Staff verified that the Kirwan facility qualifies as a Class I renewable energy source in the State of Massachusetts.

Recommendation

Staff has reviewed the Kirwan facility application and can affirm it is complete pursuant to Puc 2505.02. Staff recommends that the Commission certify the Kirwan facility as being eligible for Class II RECs effective June 30, 2010, the date on which Staff was able to make a determination that the facility meets the requirements for certification as a Class II renewable energy source.

² In October 2009, the Massachusetts Department of Energy Resources approved PowerDash as an independent third party meter reader pursuant to the NEPOOL GIS Operating Rule 2.5 (j).

³ According to the applicant, although Kirwan Surgical Products, Inc. is listed as the customer in the interconnection agreement, Kirwan Enterprises, LLC owns the building and the photovoltaic facility.