

# STATE OF NEW HAMPSHIRE

## Intra-Department Communication

DATE: December 26, 2012

AT (OFFICE): NHPUC

**FROM:** Barbara Bernstein   
Sustainable Energy Analyst

**SUBJECT:** DE 11-266, TJM Enterprises, Inc., Request for Recognition of  
Class II Renewable Energy Certificates 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  
Suzanne Amidon, Staff Attorney



### *Analysis*

On December 21, 2012, the Commission received a letter from Thomas J. Mills, President, TJM Enterprises, Inc., (TJM) requesting that the Commission reinstate certain RECs generated from the TJM facility back in to TJM's banked account so that they can be transferred again during the 2012 trading period.

Mr. Mills' letter states that he was unaware of the GIS reporting process and therefore RECs were not banked into the GIS system prior to the end of the Quarter One (Q1) and Quarter Two (Q2) trading periods; this caused the RECs to be retired towards the Residual Mix.<sup>1</sup> To resolve this discrepancy, the Commission has the authority to issue a secretarial letter approving the reinstatement of the RECs back in to TJM's banked account so that they can be transferred again during the 2012 trading period even though the NEPOOL GIS does not display TJM's Q1, (January 1 through March 31, 2012) and Q2 (April 1 through June 30, 2012) RECs as NH RPS eligible.

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

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<sup>1</sup> Mr. Webb, the NEPOOL GIS Administrator, informed Mr. Mills that the process was not automated, as Mr. Mills assumed, and that the Commission has the authority to have the RECs in question reinstated.

Quarter	Month of Generation	NH Certification #	Unit ID	Unit Name	Fuel Type	Certificate Numbers	Quantity	NH Class
1	2012/Jan	NH-II-11-041	NON33773	TJM	Solar Photovoltaic	343546 – 1 to 2	2	II
1	2012/Feb	NH-II-11-041	NON33773	TJM	Solar Photovoltaic	343547 – 1 to 4	4	II
1	2012/Mar	NH-II-11-041	NON33773	TJM	Solar Photovoltaic	343545 – 1 to 5	5	II
2	2012/Apr	NH-II-11-041	NON33773	TJM	Solar Photovoltaic	348615 1 to 7	7	II
2	2012/May	NH-II-11-041	NON33773	TJM	Solar Photovoltaic	348613 1 to 3	3	II
2	2012/Jun	NH-II-11-041	NON33773	TJM	Solar Photovoltaic	348614 1 to 6	6	II

***Staff Recommendation***

Staff recommends that the Commission grant Mr. Mills’ request and issue a secretarial letter stating that even though the NEPOOL GIS does not display TJM’s Q1 and Q2 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 TJM, 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 Q1 and Q2 certificates shall not be regarded as establishing a precedent, and the Commission may deny any similar TJM request for a waiver in the future.

Staff finds that TJM’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 interests of the RPS that the certificates at issue be honored for 2012 RPS Class II compliance.