

THE STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION
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Website:
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January 28, 2013

Coleen M. Fuerst
President
Durham Boat Company, Inc.
220 Newmarket Road
Durham, NH 03824

Re: **DE 12-029**, Durham Boat Company, Inc.'s Request for Recognition of Class II Renewable Energy Certificates (RECs) Intended for Banking in Quarter One and Quarter Two 2012

Dear Ms. Fuerst:

On January 18, 2013, the Commission received a letter from Durham Boat Company, Inc. (Durham Boat Co.) requesting that the Commission reinstate 12 RECs generated by the Durham Boat Co. facility back into Durham Boat Co.'s banked account so that they can be made available for future trading periods. Your letter states that there was a miscommunication between Durham Boat Co. and the facility's independent monitor regarding who was responsible for banking the RECs generated by the Durham Boat Co.'s PV array during February and March of Quarter One (Q1) and April and May of Quarter Two (Q2); therefore, the RECs generated by the Durham Boat Co.'s PV array were not entered into the GIS system prior to the end of the Q1 and Q2 trading periods. This caused the RECs to be retired towards the Residual Mix.

As a result of this error, production from the Durham Boat Co. facility is not eligible for Renewable Energy Certificates (RECs) inasmuch as NEPOOL GIS operating rules do not provide for certificate adjustment when the account holder commits the error. According to communication from James Webb, NEPOOL GIS Administrator, the GIS in this instance and in other similar situations, has advised managers to contact the appropriate state regulatory agency and request that the agency recognize the production as "RPS compliant" during the annual filing process. The Commission therefore, has the discretion to issue a secretarial letter approving the reinstatement of the RECs back into

Durham Boat Co.'s banked account to allow for these RECs to be transferred during the 2012 trading period.

Pursuant to RSA 362-F:6, the RPS program utilizes the GIS administered by ISO-New England and NEPOOL. Facility certification to produce New Hampshire RECs is assigned to the Commission pursuant to RSA 362-F:11. This authority is consistent with the GIS which, by design, relies on state agencies to certify REC-compliant facilities. The Commission certified the Durham Boat Co.'s photovoltaic facility as eligible to produce Class II RECs on December 23, 2010. The RECs in question are summarized on the following table:

Quarter	Month of Generation	NH Certification #	Unit ID	Unit Name	Fuel Type	Certificate Numbers	Quantity	NH Class
1	2012/Feb	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	343614 – 1 to 2	2	II
1	2012/Mar	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	34615 – 1 to 3	3	II
2	2012/Apr	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	348718 1 to 4	4	II
2	2012/May	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	348719 1 to 3	3	II

The Commission has determined that it is consistent with its statutory authority and GIS rules to recognize the Q1 and Q2 production from the Durham Boat Co. photovoltaic facility as eligible for Class II RECs, subject to the following conditions:

1. A notarized statement on company letterhead shall be made/signed by whomever is now the Authorized Representative of Durham Boat Co., 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. Such statement must be accompanied by documentation that said individual has been duly authorized by Durham Boat Co. to serve as its Authorized Representative.
2. The notarized statement and a copy of this letter shall be provided to the Retail Electricity Supplier to which the certificates are transferred, and that Supplier shall submit a copy of the statement and this letter to the Commission as part of its 2012 RPS Class II annual compliance filing.

This decision regarding the aforementioned Q1 and Q2 certificates shall not be regarded as establishing a precedent, and the Commission may deny any similar Durham Boat Co.

requests for a waiver in the future. Attached please find a copy of the notice of this letter provided to the GIS administrator.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director

cc: James Webb, Registry Administrator, APX Environmental Markets

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January 28, 2013

James Webb
Registry Administrator
APX Environmental Markets
224 Airport Parkway, Suite 600
San Jose, CA 95110

Re: **DE 12-029**, Durham Boat Company, Inc.'s Request for Recognition of Class II Renewable Energy Certificates (RECs) Intended for Banking in Quarter One and Quarter Two 2012

Dear Mr. Webb:

On January 18, 2013, the Commission received a letter from Coleen Fuerst, President, Durham Boat Company, Inc. (Durham Boat Co.) requesting that the Commission permit certain RECs generated from the Durham Boat Co.'s photovoltaic (PV) facility to be banked and made available for future trading periods. Ms. Fuerst's letter states that there was a miscommunication between Durham Boat Co. and the facility's independent monitor regarding who was responsible for banking the RECs generated by the Durham Boat Co.'s PV array during February and March of Quarter One (Q1) and April and May of Quarter Two (Q2) trading periods; therefore, the RECs generated by the Durham Boat Co.'s PV array were not entered into the GIS system prior to the end of the Q1 and Q2 trading periods. This caused the RECs to be retired towards the Residual Mix.

If generators fail to enter the required data before the deadline, the GIS locks out the generator from entering data relating to the relevant quarter and there is no mechanism for the RPS eligibility to be added back. To resolve this discrepancy, the Commission has issued a secretarial letter stating that even though the NEPOOL GIS does not display Durham Boat Co.'s February, March, April & May RECs as NH RPS eligible, the NH PUC approves the reinstatement of these RECs back into their respective banked accounts so that they can be transferred again during the 2012 trading period.

The unsettled RECs in question are summarized on the following table:

Quarter	Month of Generation	NH Certification #	Unit ID	Unit Name	Fuel Type	Certificate Numbers	Quantity	NH Class
1	2012/Feb	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	343614 – 1 to 2	2	II
1	2012/Mar	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	34615 – 1 to 3	3	II
2	2012/Apr	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	348718 1 to 4	4	II
2	2012/May	NH-II-12-002	NON33828	Durham Boat Co.	Solar PV	348719 1 to 3	3	II

The Commission has reviewed Durham Boat Co.'s request, supporting documentation and the GIS Operating Rules and determined that the above referenced Q1 and Q2, 2012 RECs will be accepted for RPS compliance when the end user retires them at the end of the year.

Sincerely,



Debra A. Howland
Executive Director

cc: Coleen M. Fuerst, President, Durham Boat Company, Inc.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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tom.frantz@puc.nh.gov

Docket #: 12-029-1 Printed: January 30, 2013

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.