

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: August 22, 2013

AT (OFFICE): NHPUC

FROM: Barbara Bernstein *BB*
Sustainable Energy AnalystSUBJECT: DE 13-193, Eagle Creek Renewable Energy's Eligibility Request for Lakeport Hydroelectric One's Lakeport Hydroelectric Facility to Produce Class IV New Hampshire Renewable Energy Certificates (RECs) Pursuant to RSA 362-F
Staff Recommends that Eligibility be GrantedTO: Chairman Amy L. Ignatius
Commissioner Robert R. Scott
Commissioner Michael Harrington
Debra A. Howland, Executive Director and SecretaryCC: Jack K. Ruderman, Director of the Sustainable Energy Division *JKR*
David Wiesner, Staff Attorney**Summary**

On July 15, 2013, Eagle Creek Renewable Energy (Eagle Creek) submitted an application for Lakeport Hydroelectric One, LLC (Lakeport Hydro One) requesting Class IV certification for the Lakeport Hydroelectric (Lakeport Hydro) facility, pursuant to RSA 362-F, New Hampshire's Renewable Portfolio Standard law. Staff has reviewed the Eagle Creek certification request for Lakeport Hydro's 0.6 megawatt (MW) hydro facility and has determined that it meets the eligibility requirements under RSA 362-F:4, as a Class IV hydro facility and complies with the New Hampshire Code of Administrative Rules Puc 2500. Staff has determined that the application was complete as submitted and recommends Commission approval.

Analysis

Pursuant to RSA 362-F:4, Class IV existing small hydroelectric facilities of one megawatt or less may apply for RECs if they are in compliance with applicable Federal Energy Regulatory Commission (FERC) fish passage restoration requirements and interconnected with an electric distribution system located in New Hampshire.

To qualify as a facility eligible to produce RECs, Puc 2505.02 (b) requires the source to provide the following:

- 1) *The name and address of the applicant.* The application was filed by Bernard H. Cherry, CEO, Eagle Creek, 65 Madison Avenue, Suite 500, Morristown, NJ 07960. Lakeport Hydro One is owned by Eagle Creek. The Lakeport Hydro facility is owned

by the State of New Hampshire, Department of Environmental Services (DES), and is leased, for purposes of hydro power generation to Lakeport Hydroelectric One. Under the terms of the lease agreement with DES, Lakeport Hydro One's rent payment is 4% of the gross revenue from power produced at the leased facility.¹

- 2) *The name and location of the facility.* Lakeport Hydro is located on the Winnepesaukee River near the community of Lakeport, in Laconia, NH.
- 3) *The ISO-New England asset identification number (if available).* The facility's asset identification number is 892.
- 4) *The GIS facility code if available.* The NEPOOL GIS facility code has been verified as MSS 892.
- 5) *A description of the facility including fuel type, gross nameplate generation capacity, the initial commercial operation date, and the date it began operation, if different.* The Lakeport Hydro project consists of a concrete dam, three penstocks, a power house, three generation units and other appurtenances. The facility has a gross nameplate generation capacity of 0.6 MW. The existing dam was built in 1951 and reconstructed in 1958. The current interconnection agreement between Lakeport Hydroelectric Associates and Public Service Company of New Hampshire (PSNH) is dated September 08, 1983.
- 6) *(N/A – pertains to biomass sources).*
- 7) *All other necessary regulatory approvals, including any reviews, approvals or permits granted by the department.* A FERC Order Issuing License (Project #6440-000), qualifying Lakeport Hydro was issued September 08, 1983; therefore, the facility is in compliance with applicable FERC requirements including those related to fish passage restoration.
- 8) *Proof that the applicant either 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.* A copy of the Operating Agreement for Purposes of Wheeling between PSNH and Lakeport Hydroelectric Associates was provided.
- 9) *(N/A – pertains to biomass sources).*
- 10) *A description of how the generation facility is connected to the distribution utility.* Lakeport Hydro is interconnected with the PSNH electric distribution system.
- 11) *A statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standard and proof thereof.* Lakeport Hydro is not

¹ Per James W. Gallagher, Jr. PE, Chief Engineer, DES.

currently certified under another non-federal jurisdiction's renewable portfolio standard.

- 12) *A statement as to whether the facility's output has been verified by ISO New England.*
The facility's output has been verified by ISO New England and the facility is listed in the GIS database.
- 13) *A description of how the facility's output is reported to the GIS if not verified by ISO-New England.* Not applicable.
- 14) *An affidavit by the owner attesting to the accuracy of the contents of the application.*
An affidavit signed by Bernard H. Cherry, CEO, Eagle Creek, was provided with the application.
- 15) *The name and telephone number of the facility's operator, if different from the owner.* The facility owner is the State of New Hampshire; the operator is Lakeport Hydro One. The contact is Adam Straight, Eagle Creek Renewable Energy; his telephone number is 303-324-5094.
- 16) *Such other information as the applicant wishes to provide to assist in classification of the generating facility.* All information required to complete the application was provided.

Recommendation

Staff has reviewed the Lakeport Hydro application for Class IV certification and can affirm it is complete pursuant to New Hampshire Code of Administrative Rules Puc 2500. Staff recommends that the Commission certify Lakeport Hydro as a Class IV renewable energy source effective July 15, 2013.