



June 5th, 2014

Ms. Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

NHPUC JUN09'14 AM10:04

RE: HDI Associates I's request for certification of the Lochmere Hydroelectric Project (FERC No. 3128) as a Class IV renewable energy source

Dear Ms. Howland,

HDI Associates I is applying for certification of the Lochmere Hydroelectric Facility (FERC No. 3128) as a New Hampshire Class IV renewable energy source. This application is pursuant to New Hampshire Chapter 362-F:4 IV and F:13 and Administrative Code Puc 2502.10 Electric Renewable Portfolio Standard.

As requested, HDI Associates I has submitted the original version of the application along with two (2) paper copies and all required supporting documentation. In addition, an electronic copy of the application and supporting documentation was sent to you ([executive.director@puc.nh.gov](mailto:executive.director@puc.nh.gov)) as well as Barbara Berstein ([Barbara.berstein@puc.nh.gov](mailto:Barbara.berstein@puc.nh.gov)).

Thank you for considering our application. Please contact Adam Straight if you have any additional questions or concerns during the application process. His contact details are as follows:

HDI Associates I  
c/o Eagle Creek Renewable Energy  
65 Madison Ave, Suite 500  
Morristown, NJ 07960  
[adam.straight@eaglecreekre.com](mailto:adam.straight@eaglecreekre.com)  
(973) 998-8397 (Office)  
(303) 324-5094 (Mobile)

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard H. Cherry", is written over a solid horizontal line.

Bernard H. Cherry  
Chief Executive Officer

**Eagle Creek Renewable Energy**  
65 Madison Avenue, Suite 500 – Morristown, NJ 07960, USA  
Tel: (973) 998-8400 – Fax: (973) 998-8401  
[www.eaglecreekre.com](http://www.eaglecreekre.com)



State of New Hampshire  
 Public Utilities Commission  
 21 S. Fruit Street, Suite 10, Concord, NH 03301-2429



**APPLICATION FORM FOR  
 RENEWABLE ENERGY SOURCE ELIGIBILITY FOR CLASS IV**

**HYDRO SOURCES WITH A TOTAL NAMEPLATE CAPACITY OF ONE MEGAWATT OR LESS**

*Pursuant to New Hampshire Administrative Code [Puc 2500](#) Rules, [Puc 2505.02](#) Application Requirements  
 Laws of 2012, Chapter 0272*

- Please submit one (1) original and two (2) paper copies of the completed application and cover letter to:

Debra A. Howland  
 Executive Director  
 New Hampshire Public Utilities Commission  
 21 South Fruit Street, Suite 10  
 Concord, NH 03301-2429

- Send an electronic version of the completed application and the cover letter electronically to [executive.director@puc.nh.gov](mailto:executive.director@puc.nh.gov).

The cover letter must include complete contact information and clearly state that the applicant is seeking certification as a Class IV source. Pursuant to Chapter 362-F:11 I, the Commission is required to render a decision on an application within 45 days upon receiving a completed application.

If you have any questions please contact Barbara Bernstein at (603) 271-6011 or [Barbara.Bernstein@puc.nh.gov](mailto:Barbara.Bernstein@puc.nh.gov).

Please provide the following:

1. Applicant Name: HDI Associates I

Mailing Address: c/o Eagle Creek Renewable Energy

116 State Street

Town/City: Neshkoro State: WI Zip Code: 54960

Primary Contact: Accounting Department

Telephone: (920) 293-4628

Email address: [powersales@eaglecreekre.com](mailto:powersales@eaglecreekre.com)

2. Facility Name: Lochmere Generating Station

Physical Address: Silver Lake Road

Town/City: Lochmere State: NH Zip Code: 03252

(To qualify the electrical production for RECs, the facility must be registered with the NEPOOL – GIS).  
Contact information for the GIS administrator follows:

**James Webb, Registry Administrator, APX Environmental Markets**  
224 Airport Parkway, Suite 600, San Jose, CA 95110  
Office: 408.517.2174, [jwebb@apx.com](mailto:jwebb@apx.com)

3. The facility's ISO-New England asset identification number, if available.

904

4. The facility's GIS facility code, if available.

MSS904

5. A description of the facility including the following:

5.a. The gross nameplate capacity

1.0 MW

5.b. The facility's initial commercial operation date

1986

5.c. The date the facility began operation, if different than the operation date

N/A

5.d. A complete description of the facility **including location, structures and equipment.**

The Lochmere Project is located on the Winnepesaukee River near the community of Lochmere, in the towns of Tilton and Belmont, in Belknap County, New Hampshire. The project consists of a stone and concrete dam spillway, a power canal, a powerhouse, and four generation units. The dam is owned and maintained by the State of New Hampshire.

6. A copy of all necessary state and federal (FERC) regulatory approvals as **Attachment A**.

The facility is exempt from FERC licensing. The original order issuing Exemption from FERC licensing is provided as **Attachment A**.

7. A copy of the title page of the Interconnection Agreement between the applicant and the distribution utility, the page(s) that identifies the nameplate capacity of the facility and the signature pages. *Please provide this information as **Attachment B**.*

The Interconnection Agreement executed 6/1/03 exists between HDI Associates I and the Public Service Company of New Hampshire. The Agreement is provided as **Attachment B**. The Interconnection Agreement provides for a fifth unit with a nameplate capacity of 25 kW. This unit was installed and used at some point in the past, but was removed in 2003. It is not part of the authorized capacity in the Exemption provided in **Attachment A**.

8. Pursuant to 2505.01(c), no generation facility shall be eligible to acquire new certificates under this Chapter while selling its electrical output at long-term rates established before January 1, 2007. Please provide a copy of the facility's long-term rate agreement as **Attachment C**.

The electrical output of the facility is sold under a long-term contract to a load serving entity in New England under the terms of an agreement dated December 26<sup>th</sup>, 2013. The terms of this

agreement are confidential and can be provided separately upon request and with provisions to protect the confidentiality of the agreement. Therefore **Attachment C** has not been provided.

9. A description of how the generation facility is connected to the distribution utility.

The facility is connected to a 34.5 KV transmission line which is owned and operated by the Public Service Company of New Hampshire. The one-line diagram is provided as **Attachment G**. The one-line diagram provides for a fifth unit with a nameplate capacity of 25 kW. This unit was installed and used at some point in the past, but was removed in 2003.

10. A statement as to whether the facility has been certified under another non-federal jurisdiction's renewable portfolio standard and proof thereof. *Provide documentation as **Attachment D**.*

The Lochmere Facility is not currently certified under another non-federal jurisdiction's renewable portfolio standard and, therefore, **Attachment D** has not been provided.

10. A statement as to whether the facility's output has been verified by ISO-New England.

The Facility is verified by ISO-New England. It is the responsibility of ISO-NE to report generation to the NEPOOL GIS.

11. An affidavit by the applicant attesting that the contents of the application are accurate. *Use either the Affidavit at the bottom of this page, or provide a separate document as **Attachment E**.*

Please see the Affidavit below, **Attachment E** has not been provided.

12. The name and telephone number of the facility's operator, **if different from the owner**.

The facility's operator and owner are the same.

13. Other pertinent information that you wish to include to assist in classification of the facility provide as **Attachment F**.

HDI Associates I seeks Class IV status for the Lakeport Generating Station under the New Hampshire Title XXXIV Public Utilities Chapter 362-F:4. Specifically, as defined under the statute 362-F:4 IV (a)(3)(B), Lakeport has a total nameplate capacity of one MW or less as measured by the sum of the nameplate capacities of all generators at the facility (total nameplate capacity is 1.0 MW), is in compliance with applicable Federal Energy Regulatory Commission fish passage restoration requirements, and is interconnected with an electric distribution system located in New Hampshire. There is no **Attachment F**.

<b>CHECK LIST: The following has been included to complete the application:</b>	<b>YES</b>
• All contact information requested in the application.	X
• A copy of all necessary state and federal (FERC) regulatory approvals as <b>Attachment A</b> .	X
• A copy of the title page of the Interconnection Agreement between the applicant and the distribution utility, the page(s) that identifies the nameplate capacity of the facility and the signature pages as <b>Attachment B</b> .	X
• A copy of provide a copy of the facility's long-term rate agreement as <b>Attachment C</b>	N/A**
• <b>If applicable</b> , documentation of the hydro facility's certification(s) in other non-federal jurisdiction's renewable portfolio standard program(s) as <b>Attachment D</b> .	N/A
• A signed and notarized attestation or <b>Attachment E</b> .	X

• A GIS number has been provided or has been requested.	X
• Other pertinent information has been provided (if necessary) as <b>Attachment F</b> .	N/A
• This document has been printed and notarized.	X
• The original and two copies are included in the packet mailed to Debra Howland, Executive Director of the PUC.	X
• An electronic version of the completed application has been sent to <a href="mailto:executive.director@puc.nh.gov">executive.director@puc.nh.gov</a> .	X

\*\* REQUIRES SUBMITTAL UNDER SEPARATE, CONFIDENTIAL COVER

**AFFIDAVIT**

The Undersigned applicant declares under penalty of perjury that contents of this application are accurate.

Applicant's Signature *Bernard H. Cherry* Date 6/5/14  
 Printed Name BERNARD H. CHERRY

Subscribed and sworn before me this 5<sup>th</sup> Day of JUNE (month) in the year 2014

County of MORRIS State of NEW JERSEY

*Debbie C. Patierno*  
 Notary Public/Justice of the Peace



My Commission Expires Sept. 14, 2016

**Attachment A**  
**FERC Exemption**

UFI

706.6A

26 FERC 162,255

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

The New Hampshire Water  
Resources Board

)

Project No. 3128-003

ORDER GRANTING EXEMPTION FROM LICENSING OF A  
SMALL HYDROELECTRIC PROJECT OF 5 MEGAWATTS OR LESS

( Issued March 15, 1984 )

The Applicant 1/ filed an application for exemption from all or part of Part I of the Federal Power Act (Act) pursuant to 18 C.F.R. Part 4 Subpart K (1980) implementing in part Section 408 of the Energy Security Act (ESA) of 1980 for a project as described in the attached public notice. 2/ 3/

Notice of the application was published in accordance with Section 408 of the ESA and the Commission's regulations and comments were requested from interested Federal and State agencies including the U.S. Fish and Wildlife Service and the State Fish and Wildlife Agency. All comments, protests and petitions to intervene that were filed have been considered. No agency has any objection relevant to issuance of this exemption.

Standard Article 2, included in this exemption, requires compliance with any terms and conditions that Federal or State fish and wildlife agencies have determined appropriate to prevent loss of, or damage to, fish and wildlife resources. The terms and conditions referred to in Article 2 are contained in any letters of comment by these agencies which have been forwarded to the Applicant in conjunction with this exemption.

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- 1/ The New Hampshire Water Resources Board, Project No. 3128-003, filed on December 19, 1983.
- 2/ Pub. Law 96-294, 94 Stat. 611. Section 408 of the ESA amends inter alia, Sections 405 and 408 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. §§2705 and 2708).
- 3/ Authority to act on this matter is delegated to the Deputy Director, Office of Electric Power Regulation, under §375.308 of the Commission's regulations, 18 C.F.R. §375.308 (1983). This order may be appealed to the Commission by any party within 30 days of its issuance pursuant to Rule 1902, 18 C.F.R. 385.1902, (1983). Filing an appeal and final Commission action on that appeal are prerequisites for filing an application for rehearing as provided in Section 313(a) of the Act. Filing an appeal does not operate as a stay of the effective date of this order or of any other date specified in this order, except as specifically directed by the Commission.

The project will have an effect on the Lochmere Archeological District (District), a property listed in the National Register of Historic Places. The New Hampshire State Historic Preservation Officer (SHPO) has indicated that the effect should not be adverse if the Cultural Resources Management Plan (Plan) recommended by the SHPO is implemented by the Applicant to avoid and mitigate impacts to the District. The Applicant responded that the Plan would be implemented.

It is concluded, and the Advisory Council on Historic Preservation (Council) has concurred, that the project would not have an adverse effect on the District if the Plan is implemented according to the guidelines in the Council's publication "Treatment of Archeological Properties." Article 7 requires implementation of the Plan in accordance with these guidelines.

Should the Applicant contest any terms or conditions that were proposed by Federal or State agencies in their letters of comment as being outside the scope of Article 2, the Commission shall determine whether the disputed terms or conditions are outside the scope of Article 2.

Based on the terms and conditions required by Federal and State fish and wildlife agencies, the environmental information in the application for exemption, other public comments, and staff's independent analysis, issuance of this order is not a major Federal action significantly affecting the quality of the human environment.

It is ordered that:

(A) Lochmere Dam Project No. 3128 as described and designated in The New Hampshire Water Resources Board's application filed on December 19, 1983, is exempted from all of the requirements of Part I of the Federal Power Act, including licensing, subject to the standard articles in §4.106, of the Commission's regulations attached hereto as Form E-2, 18 C.F.R. §4.106 45 Fed. Reg. 76115 (November 18, 1980), and the following Special Articles.

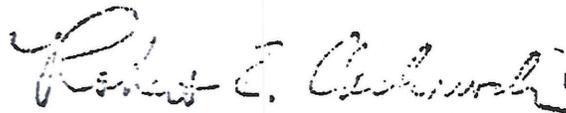
Article 6. Any exempted small hydroelectric power project that utilizes a dam which is more than 33 feet in height above streambed, as defined in 18 CFR 12.31(c) of this chapter, impounds more than 2,000 acre-feet of water, or has a significant or high hazard potential, as defined in 33 CFR Part 222, is subject to the following provisions of 18 CFR Part 12;

27

- (i) Section 12.4(b)(1)(i) and (ii), (2)(i), (iii)(A) and (B), (iv), and (v);
- (ii) Section 12.4(c);
- (iii) Section 12.5;
- (iv) Subpart C; and
- (v) Subpart D.

For the purposes of applying these provisions of 18 CFR Part 12, the exempted project is deemed to be a licensed project development and the owner of the exempted project is deemed to be a licensee.

Article 7. The Exemptee shall, in consultation with the New Hampshire State Historic Preservation Officer (SHPO), and prior to any construction activity at the project, implement the Cultural Resources Management Plan (Plan) contained in the letter from the SHPO to the Exemptee dated November 16, 1983. The Plan shall be implemented in accordance with the guidelines in the Advisory Council on Historic Preservation's publication entitled "Treatment of Archeological Properties." The Exemptee shall make available funds to implement the Plan as required. If any previously unrecorded archeological or historical sites are discovered during the course of construction or development of any project works or other facilities at the project, construction activity shall be halted, a qualified archeologist shall be consulted to determine the significance of the sites, and the Exemptee shall consult with the SHPO to develop and implement a mitigation plan for the protection of significant archeological or historical resources.



Robert E. Cackowski  
Deputy Director, Office of  
Electric Power Regulation

P-3128-003

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Notice of Application Filed with the Commission  
(January 13, 1984)

Take notice that the following hydroelectric application  
has been filed with the Federal Energy Regulatory Commission  
and is available for public inspection:

- a. Type of Application: Exemption
- b. Project No.: 3128-003
- c. Date Filed: December 19, 1983
- d. Applicant: The New Hampshire Water Resources Board
- e. Name of Project: Lochmere Dam Project
- f. Location: On the Winnepesaukee River in Belknap County, New Hampshire.
- g. Filed Pursuant to: Federal Power Act, 16 U.S.C. §§791(a) - 825(r).
- h. Contact Person: Delbert F. Downing, Chairman, New Hampshire Water Resources Board, 37 Pleasant Street, Concord, New Hampshire 03301.
- i. Comment Date: FEB 27 1984
- j. Description of the Project: The project would consist of: (1) The existing Lockmere Dam about 160-feet-long and 11-feet-high; (2) a reservoir with negligible storage capacity; (3) an existing gate structure at the western side of the dam; (4) a new 366-foot-long canal; (5) an existing powerhouse with 4 new turbine-generator units with a total installed capacity of 1,000 kW; (6) an existing tailrace; (7) a short power line to connect the project with the existing 34.5-kV substation adjacent to the project; and (8) other appurtenances. Applicant owns all existing facilities. It estimates an average annual generation of 4,900,000 kWh.
- k. Purpose of Project: Project energy would be sold to the Public Service Company of New Hampshire.
- l. This notice also consists of the following standard paragraphs: A1, A9, B, C, and D3a.
- m. Purpose of Exemption: An exemption, if issued, gives the Exemptee priority of control, development, and operation of the operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

**Attachment B**  
**Interconnection Agreement**

**OPERATING AGREEMENT  
FOR  
PURPOSES OF WHEELING AND POWER SALES**

AGREEMENT, dated **JUNE 1**, 2003 by and between HDI Associates I (hereinafter referred to as the "Interconnector"), and Public Service Company of New Hampshire, a New Hampshire Corporation having its principal place of business in Manchester, New Hampshire (hereinafter referred to as "PSNH").

WHEREAS, Interconnector's 1,025 KW Lochmere Dam electric generating facility (the "Facility"), (SESD # 040) located on the Winnepesaukee River in Belmont, New Hampshire, is interconnected with the electric system of PSNH in accordance with applicable New Hampshire Public Utilities Commission ("NHPUC") Orders and federal law; and

WHEREAS, Interconnector desires to, and PSNH agrees to, provide for the interconnection of the Facility with the electric system of PSNH, its successors and permitted assigns, and Interconnector may have the right to sell the electric output of the Facility to PSNH and/or to such other third party purchasers with which Interconnector may make sales arrangements; and

WHEREAS, to provide for the continued interconnection of the Facility, it is necessary that certain agreements be made to ensure the safety, reliability and integrity of PSNH's electric system and the operation of the Facility; and

WHEREAS, Interconnector and PSNH wish to provide for certain other matters pertaining to discretionary power sales from the Facility;

NOW, THEREFORE, the parties hereby agree as follows:

**Article 1. Interconnection and Voltage Characteristics.**

The interconnection point shall continue to be that point at which the Facility presently interconnects with the 34.5 KV electric system of PSNH. Under this Agreement, the Interconnector shall receive and pay for the services necessary for the purpose of connecting, and providing the continued connection of, the Facility with the PSNH electrical system, including Pool Transmission

Canada L6H7H7  
Attn.: David Kerr  
Telecopy No. (905) 465-4514  
Telephone No. (905) 465-4511

PSNH:

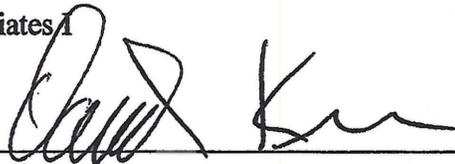
Public Service Company of New Hampshire  
780 North Commercial Street  
P. O. Box 330  
Manchester, NH 03105-0330  
Attn.: Manager, Supplemental Energy Sources Department  
Telecopy No. (603) 634-2449  
Telephone No. (603) 634-2312  
email: psnhesd@psnh.com

Article 19. Confidentiality.

All documents and information provided hereunder by the Interconnector shall be held in confidence by PSNH and shall not be disclosed, unless such document or information is generally available to the public (other than due to a PSNH disclosure) or made available to PSNH on a non-confidential basis by a duly authorized person or entity not acting in violation of any non-disclosure requirement. This Article shall survive the termination of this Agreement.

IN WITNESS WHEREOF, the parties, each by its duly authorized representative, have hereunto caused their names to be subscribed, as of the day and year first above written.

HDI Associates I



By: \_\_\_\_\_

DAVID KERR

Title: \_\_\_\_\_

AUTHORIZED SIGNING OFFICER  
Duly Authorized

Article 19. Confidentiality.

All documents and information provided hereunder by the Interconnector shall be held in confidence by PSNH and shall not be disclosed, unless such document or information is generally available to the public (other than due to a PSNH disclosure) or made available to PSNH on a non-confidential basis by a duly authorized person or entity not acting in violation of any non-disclosure requirement. This Article shall survive the termination of this Agreement.

IN WITNESS WHEREOF, the parties, each by its duly authorized representative, have hereunto caused their names to be subscribed, as of the day and year first above written.

HDI Associates I

\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Duly Authorized

Public Service Company of New Hampshire

  
\_\_\_\_\_

By: Paul E. Ramsey

Its: Vice President Customer Services, Duly Authorized

# **Attachment G**

## **One-Line Diagram**

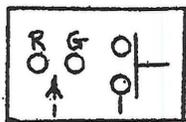
BY PGM DATE 11/7/84  
 CHKD. BY DATE

SUBJECT LOCHMERE HYDRO  
 LEOP # 040  
 SK-PCM-040-1

SHEET NO. 1 OF 1  
 JOB NO.

PSNH 337 LINE 34.5KV

3φ AIRBREAK SWITCH  
 STC 30E (SLOW)  
 SMD-20 34.5 KV



CONTACTOR POSITION

1500 KVA  
 19.9/34.5KV-277/480V  
 1/2 1/2

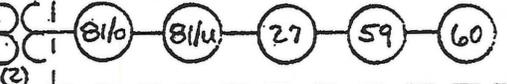
277/480V  
 STATION SERVICE  
 (INCLUDING PC)

3000A BKR

AS AM

480-120V

PRIDE M-0296



(2) 300/120V

(3) 800/5

KWH

800A BKR

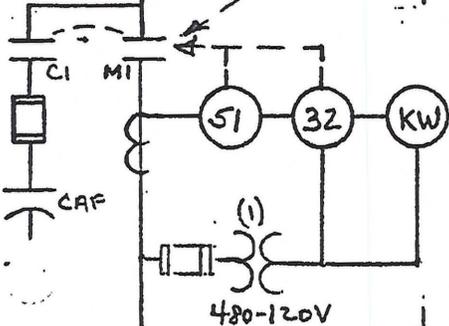
800A BKR

800A BKR

800A BKR

225A BKR

TOTAL OF 5 INDUCTION GENERATORS  
 4-250KW, 1-25 KW  
 TYPICAL CONFIGURATION PER UNIT #1



#1 250KW

#2 250KW

#3 250KW

#4 250KW

#5 25 KW