

STATE OF NEW HAMPSHIRE



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PUBLIC UTILITIES COMMISSION
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October 2, 2017

Pierre Plante, President
Plant-E Corp
740 Saint-Maurice Street, Suite 209
Montreal, Quebec, H3C 1L5 CANADA

Re: RREC 17-90044 Ayers Ltee Application for Certification as a Class IV REC Eligible Facility

Dear Mr. Plante:

On September 5, 2017, the Commission received an application prepared by Plant-E Corp requesting Class IV renewable energy certificate (REC) eligibility for the two Ayers Ltee (Ayers) run of river hydro plants totaling 4.8 megawatts (MW). Pursuant to New Hampshire statute:

Certificates issued for purposes of complying with this chapter shall come from sources within the New England control area unless the source is located in a synchronous control area adjacent to the New England control area and the energy produced by the source is actually delivered into the New England control area for consumption by New England customers.

RSA 362-F:6, IV(a) (West Supp. 2016).

In its cover letter, Plant-E Corp acknowledges that Ayres is physically located in an asynchronous control area but argues that energy produced by Ayres should be considered as coming from a New England source because the energy produced by Ayres is delivered to an existing DC converter, the New England ISO recognizes Capability Credits on the Hydro-Quebec Interconnection, and because the New England ISO considers that energy delivered at this point qualifies as "capacity."

Commission Staff is required to follow New Hampshire state law on this issue. RSA 362-F:6, IV(a) requires the source, which Commission staff interprets to mean the facility, not the delivery path or point at which energy is delivered, to be located in the New England control area or an adjacent and synchronous control area. The application is denied on that statutory basis.

Pursuant to Puc 2505.12 (b), any applicant, source, or other party aggrieved by a decision under Puc Part 2505 may file a petition for the Commission to conduct an adjudicative proceeding pursuant to RSA 541-A and Puc 200. Failure to file within 30 days of the date of this decision constitutes a waiver of the right to hearing. Should you have any questions, please do not hesitate to contact Barbara Bernstein, Utility Analyst, Sustainable Energy Division at 603-271-6011 or Barbara.bernstein@puc.nh.gov.

Sincerely,



Barbara Bernstein
Utility Analyst, Sustainable Energy Division
New Hampshire Public Utilities Commission