

October 12, 2017

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

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

Dear Ms. Howland,

Please find attached our petition to your response received by letter dated October 2, 2017 denying our application for a Class IV renewable energy certificate for the two Ayers Ltee plants.

A hearing is not requested. We would agree to written pleadings as our attached arguments are pursuant to the interpretation of the New Hampshire's statute language and the definition of the word "source" in the context of renewable energy certification.

Please accept this petition filed for the Commission to conduct an adjudicative proceeding pursuant to PUC 200.

Should you have any questions, please do not hesitate to contact myself at pplante@plantecorp.com or at 514- 297-2522.

Yours truly,



Pierre Plante
President

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

Before the New Hampshire Public Utilities Commission

Docket Number: RREC 17-90044

Petitioner: Plant-E Corp.

President: Pierre Plante

514-297-2522

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740 St-Maurice, Suite 209, Montreal, Qc, H3C 1L5, Canada

Nature of this Document: Petition document in regards to the Application Denial to grant
Ayers Ltee a Certification of a Class IV renewable energy source
("REC")

Date of this Document: October 12, 2017

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

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

Sir:

On September 5, 2017 Plant-E Corp requested a Class IV renewable energy certificate ("REC") eligibility for the two Ayers Ltee ("Ayers") run of the river hydro plants totaling 4.8 megawatts (the "Application").

On October 2, 2017 the Public Utilities Commission Staff interpreted the language of *RSA 326-F:6, IV(a)* that refers to the concept of a "Source" as meaning a "facility" as opposed to a "point" at which energy is delivered from an adjacent control area into the New England control area.

We file the present petition, as provided by *PUC 2505.12 (b) Adjudicative Proceedings*, in order to reverse this interpretation that denies the Application.

The word "Source" is defined in the ISO New England Glossary as being: "the point on the transmission system where electric energy is injected"¹. According to ISO-New England a Source is a "Point on the transmission system", not a "facility", or a "generating facility".

The text of the New Hampshire Section 362-F:2 paragraph XV defines a "source" as :

¹ <https://www.iso-ne.com/participate/support/glossary-acronyms#s>

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XV. "Renewable energy source," "renewable source," or "source" means a class I, II, III, or IV source of electricity or a class I source of useful thermal energy. An electrical generating facility, while selling its electrical output at long-term rates established before January 1, 2007 by orders of the commission under RSA 362-A:4, shall not be considered a renewable source.

This definition does not limit or contradict the definition found in the market rules of ISO-New England.

The ISO-New England market rules recognize that the point referred to as the "Hydro-Quebec Interconnection" is a facility that entitles market participants to use this point in order to meet Capacity Requirements. In a document filed with the Federal Energy Regulatory Commission the ISO-NE specifically identifies this point as providing 953 MW per month in reduction of capacity requirements:

The HQICC value of 953 MW per month is applied to reduce the portion of the Installed Capacity Requirement that is allocated to the Interconnection Rights Holders.²

It appears that because of its nature this point generates capacity credits. It can therefore be considered a generating facility.

The text of Section 362-F:6 IV enables the issuance of certificates not only for sources within the New England control area but also from sources located in a synchronous control area adjacent to New England, if the energy is actually delivered to the New England control area.

² https://www.iso-ne.com/static-assets/documents/2014/11/er15-000_11-6-14_2018-2019_icr_filing.pdf

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We understand this language and more specifically the reference to a "synchronous" control area to entitle a system such as the New Brunswick system and the portion of Quebec that is synchronous with New England on the interconnection Derby³, to be able to qualify facilities. This ensures the same access to adjacent control areas that are not considered as being inside the New England control area through a Direct Current link.

The plants proposed for a certification as Class IV facilities are of the proper size and age. They are "run of the river" and duly authorized. So they are renewable production facilities. We will deliver this production with the appropriate North American Electric Reliability Corporation tagging system for confirmation from ISO-New England that the sale of the renewable energy is actually settled in the ISO-New England market system.

We believe that a "Source" under the ISO-New England market rules is a point on the transmission system where electric energy is injected. We understand that the market rules also recognize that the Hydro-Quebec Interconnection can and is mapped as a generating facility where capacity is recognized. Quebec is an adjacent control area that is both interconnected synchronously and asynchronously with the New England control area.

We trust that the Commission will be agreeable to accept this interpretation couched on the existing market rules and that respects New Hampshire state law. Our interests appear to be aligned, aiming at increasing the available volume of Class IV RECs. We hope to be able to participate in New Hampshire's Renewable Energy Credit program and help serve its citizens.

Pierre Plante
President



³ http://www.oasis.oati.com/HQT/HQTdocs/DER_ENG_2011-08-23.pdf