



Debra A. Howland
Executive Director
State of New Hampshire Public Utility Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

September 17, 2020

Re: Request for Rule Waiver of PUC 2505.04(h)(1)

Dear Ms. Howland,

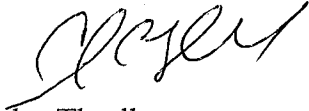
On August 5, 2019, the Commission granted a waiver of N.H. Code Admin. Rules PUC 2505.04(h)(1) to Springfield Power LLC, an 17.5 MW biomass facility located in Springfield, NH. The facility has remained a Class III/I REC Generator in New Hampshire since April 7, 2010, when the facility was initially approved for eligibility by the Commission under NH Certification Number NH-III-10-0291. During the period that the waiver request was submitted, the Springfield Power facility had been removed from service due to extended financial losses and had not been able to perform the annual Relative Accuracy Test Audit (RATA) during the calendar year as required to maintain eligibility to produce New Hampshire Renewable Energy Certificates (RECs). In submitting the earlier waiver request, facility management had anticipated a legislative solution that would have made it economically feasible to resume operations in Q3 2019 and subsequently planned to complete the RATA and compliance testing following the unit's return to commercial operations. Unfortunately, the legislative effort failed, and the facility continues to remain out of service.

Earlier in this calendar year the parent company elected to explore a potential sale of the facility. We are anticipating that a sales transaction may be entered with a prospective buyer sometime in Q4 2020. Because the facility did not resume commercial operations in Q3 2019, complete a RATA within the 60-day period following, and may incur an ownership change in the near future, it was deemed appropriate to submit a new waiver request to the Commission.

We encourage the Commission to take into consideration the fact that the Springfield Power facility remains out of service solely due to financial constraints, but is prepared to resume operations under new ownership and demonstrate continued compliance with applicable NOx and particulate emissions standards within a brief period following restart. In order for the facility to retain its status as a REC Generator in New Hampshire, it is requested that the Commission consider granting a waiver of N.H. Code Admin. Rules PUC 2505.04(h)(1) to any future owner of this facility who resumes site operations, contingent on the successful completion of a RATA and other compliance testing, as necessary and within a 60-day period, to meet NH DES requirements.

I would like to thank you and your staff for consideration of this additional waiver request. I stand ready to provide additional information, relative to this request, as necessary.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Theall', written in a cursive style.

Charles Theall
Plant Manager