

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION      DOCKET NO. 3785  
AS ELIGIBLE RENEWABLE ENERGY RESOURCE FILED  
FOR INNOVATIVE ENERGY SYSTEMS – DANC GENERATION UNIT

ORDER ON REQUEST FOR CAPACITY INCREASE

WHEREAS, On October 27, 2006, Conservation Services Group, Inc., as authorized representative for Innovative Energy Systems, LLC (“Company”)<sup>1</sup>, filed with the Public Utilities Commission (“PUC”) an application seeking certification for its Development Authority of the North Country (“DANC”) Generation Unit, a 4.8 MW biomass (landfill methane gas) energy Generation Unit located in Rodman, New York, as an eligible New Renewable Energy Resource under the State of Rhode Island RES Regulations; and

WHEREAS, On February 5, 2007, the PUC issued Order No. 18850 finding that the DANC Generation Unit meets the requirements for eligibility as a New Eligible Biomass Renewable Energy Resource; and

WHEREAS, As the Generation Unit had not achieved Commercial Operation, eligibility was granted with the conditional requirement that the Company provide the PUC with written documentation verifying Commercial Operation, and that the Company provide the Generation Unit’s NEPOOL-GIS Asset Identification Number when assigned by NEPOOL, following achievement of Commercial Operation; and

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<sup>1</sup> The Company’s authorized representative at the time of application was Stephanie Hamilton, Contracts Administrator, Conservation Services Group. However, by letter dated February 22, 2011, the PUC was informed through a co-signed document by Conservation Services Group and Innovative Energy Systems, LLC (the DANC Generation Unit’s designated operator) that Conservation Services Group was removed as the Authorized Agent and replaced with Emily Zambuto, Innovative Energy Systems, LLC, 2999 Judge Road, Oakfield, NY 14125, (585) 948-8580; [ezambuto@aeslfge.com](mailto:ezambuto@aeslfge.com).

WHEREAS, On November 19, 2008, the Company provided the PUC with meter reading data verifying the Generation Unit's Commercial Operation date of October 7, 2008 and that the NEPOOL-GIS Asset Identification Number is IMP32723; and

WHEREAS, On December 10, 2008, the PUC assigned unique Renewable Energy Resource certification number RI-3785-N08; and

WHEREAS, On May 20, 2013, with supplemental and supporting information provided by letter dated August 29, 2013, including a NYISO screenshot evidencing the demonstrated increased nameplate capacity and the current Title V Air Permit issued by the New York State Department of Environmental Conservation, the Company requested that the PUC accept/approve the DANC Generation Unit's nameplate capacity increase from 4.8 MW to 6.4 MW; and

WHEREAS, After examination of the supplemental information and review of original information provided as part of Innovative Energy System's initial application for certification for its DANC Generation Unit, the PUC is of the opinion that the supplemental information is proper, reasonable, and in compliance with the RES Regulations and the PUC's earlier Order No. 18850.

It is hereby

(21175) ORDERED:

1) The DANC Generation Unit, previously approved by the PUC as meeting the requirements for eligibility as a 4.8 MW, Grid-Connected Generation Unit having a Commercial Operation Date of October 7, 2008 and located in a Control Area adjacent to NEPOOL in Rodman, New York, shall be recognized to have increased its capacity to 6.4 MW.

2) All other notices and obligations specified in the PUC's original Order No. 18850 remain valid and in full force, including:

a) The Generation Unit's NEPOOL-GIS Identification Number, IMP32723;

b) The unique certification number, RI-3785-N08;

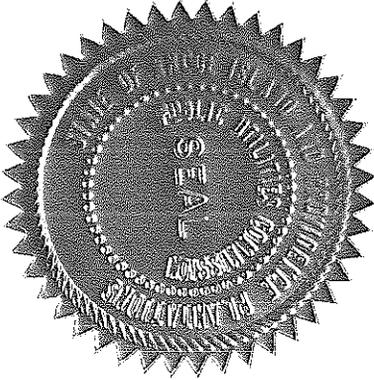
c) The requirement that as a Generation Unit located in a control area adjacent to NEPOOL, eligibility is granted only to the extent that the energy produced by the Generation Unit is actually delivered into NEPOOL for consumption by New England customers where delivery of such energy from the Generation Unit into NEPOOL is verified in accordance with Sections 5.1(ii) and 5.1(iii) of the RES regulations;

d) The requirement that, although the PUC will rely upon the documentation specified in Sections 5.1(ii) and 5.1(iii) of the RES Regulations and the NEPOOL GIS for verification of production of energy from the Company's Generation Unit certified as eligible in this Order, the Company will provide information and access as necessary to the PUC, or persons acting at its behest, to conduct audits or site visits to assist in verification of continued eligibility for and compliance with Rhode Island RES Certification at any time at the PUC's discretion. Such continuing verification shall include a quarterly affidavit and supporting documentation of use of eligible fuels;

e) The requirement that the Company shall notify the PUC in the event of a change in the facility's eligibility status.

EFFECTIVE AT WARWICK, RHODE ISLAND ON SEPTEMBER 30, 2013  
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED  
OCTOBER 3, 2013.

PUBLIC UTILITIES COMMISSION



  
Margaret E. Curran, Chairperson

  
Paul J. Roberti, Commissioner

  
Herbert F. DeSimone, Commissioner

**NOTICE OF RIGHT OF APPEAL:** Pursuant to R.I.G.L. Section 39-5-1, any person aggrieved by a decision or order of the PUC may, within seven days (7) from the date of the order, petition the Supreme Court for a Writ of Certiorari to review the legality and reasonableness of the decision or order.