

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION DOCKET NO. 3842  
AS ELIGIBLE RENEWABLE ENERGY RESOURCE  
FILED BY ENERGY CONSUMERS ALLIANCE OF  
NEW ENGLAND – MASS ENERGY AGGREGATE  
PV (RI) PROJECT

ORDER

WHEREAS, Effective January 1, 2006, the Rhode Island Public Utilities Commission ("Commission") adopted Rules and Regulations Governing the Implementation of a Renewable Energy Standard ("RES Regulations") including requirements for applicants seeking certification as an Eligible Renewable Energy Resource under the RES Regulations<sup>1</sup> pursuant to the Renewable Energy Act, Section 39-26-1 et. seq. of the General Laws of Rhode Island; and

WHEREAS, On May 16, 2007, Mass Energy Aggregate PV (RI), ("Applicant"), Authorized Representative: Omay Elphick, Deputy Director, 17 Gordon Ave #201A, Providence, RI 02905, omay@ripower.org, filed with the Commission an application seeking certification for its Mass Energy Aggregate PV (RI) project, a 0.305 MW photovoltaic project, as a New Renewable Energy Resource under the State of Rhode Island RES Regulations ("Application"); and

WHEREAS, Pursuant to Section 6.0 and other relevant Sections of the RES Regulations, a thirty (30) day period for public comment was provided during which time, no such comments were received; and

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<sup>1</sup> State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard – Date of Public Notice: September 23, 2005, Date of Public Hearing: October 12, 2005, Effective Date: January 1, 2006.

WHEREAS, The Application has been on hold while the Commission and its consultant have been awaiting documentation regarding Aggregation Agreement(s) as this project included multiple sites in Rhode Island; and

WHEREAS, It has been over six (6) years since the submission of the Application; and

WHEREAS, Commission Staff attempted to contact the Applicant in May 2013 but received no response from the person identified as the new contact person; and

WHEREAS, On June 13, 2013, at a duly noticed Open Meeting, the Commission considered the Application, determined that it has been pending for more than two years without approval based on an outstanding request from the Commission/its consultant for more information. The Commission found that the Applicant had been contacted more than thirty (30) days prior to the Open Meeting and has not responded to Commission inquiries. Therefore, the Commission rejected the pending Application on the basis that the Applicant has not complied with the application process. However, the Commission found that such a determination does not address the merits of the application nor does it preclude the Applicant or a subsequent project owner from submitting a new Renewable Energy Resource application for the project.

Accordingly, it is hereby

(21072) ORDERED:

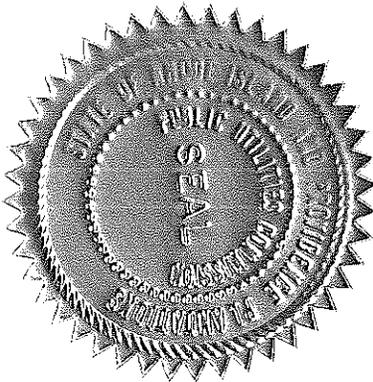
- 1) That the Application for Certification as an eligible New Renewable Energy Resource under the State of Rhode Island RES Regulations submitted by Mass Energy Aggregate PV (RI) located at multiple sites in RI (GIS # NON 32510), is hereby denied without prejudice on the basis that the Applicant did

not complete the application process in a timely manner and that ownership has changed.

- 2) This Order does not make a determination of whether the Project would meet the eligibility requirements under the State of Rhode Island Renewable Energy Standard and therefore, the Applicant or a new project owner may submit a new application for Commission review in the future.

DATED AND EFFECTIVE AT WARWICK, RHODE ISLAND ON JUNE 13, 2013 PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED JUNE 20, 2013.

PUBLIC UTILITIES COMMISSION



*Elia Germani*

Elia Germani, Chairman

*Mary E. Bray*

Mary E. Bray, Commissioner

*Paul J. Roberti*

Paul J. Roberti, 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 COMMISSION MAY, WITHIN SEVEN DAYS (7) DAYS 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.