

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION

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_____)	
In the Matter of)	
)	
Seneca Falls)	Docket No. 3878
)	
Petition for Designation as an)	
Eligible Renewable Energy Resource)	
_____)	

MOTION FOR WAIVER OF BILATERAL CONTRACT

Seneca Energy II, LLC ("SE"), pursuant to Rule 1.10(b) of the State of Rhode Island Public Utilities Commission's Rules ("Commission") Rules of Practice and Procedure, hereby petitions the Commission for waiver of certain rules. Specifically, SE requests that the Commission waive Section 5.1(ii)(a) of the Rhode Island RES Rules and Regulations which requires a unit-specific bilateral contract for the sale and delivery of energy into NEPOOL.

SE, on September 19, 2007, filed with the Commission its Application for Certification of Eligibility of Renewable Energy Resources ("Application"). In its Application SE requested standard certification as an eligible renewable energy resource biomass facility using methane gas from the Seneca Meadows Landfill, located in Waterloo, New York.

As supplemental information to our Application filing, we want to supply the following information,

GIS Registration Number	IMP32528-MA/IMP32513-CT
Start Date for Seneca's generated energy into ISO-NE	Phase I - March 1996
	Phase II - March 1998
	Phase III - January 2007
Status of other New England state REC Registrations	Approved in CT, NH, ME, & MA

The process for moving energy in ISO-NE is described below:

The energy management team is currently performing weekly scheduling into the ISO-NE Day Ahead and Real Time Markets. This entails scheduling into the hourly, Day Ahead, Real Time markets within the NYISO and ISO-NE, and linking the schedules from the NYISO to the schedules done in the ISO-NE through a NERC Web Tagging Procedure. On a monthly basis utilizing settlement data from the NYISO and ISO-NE, hourly generation and exports are determined/reviewed and REC claims are performed in the NEPOOL GIS. This supporting data is then sent to the GIS Administrator for final review/approval prior to the GIS Administrator's issuance of Seneca's RECs.

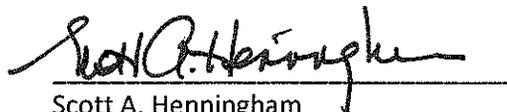
Based on the foregoing, SE respectfully requests that the Commission grant this Petition and waive application of Section 5.1(ii)(a) of the Rhode Island RES Rules and Regulations.

Respectfully submitted,

Seneca Energy II, LLC

By

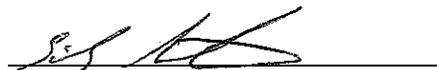
Dated: 5/15/2013



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing petition was served on the service list for this Docket on the 16 day of May, 2013.



Emily Zambuto
Manager of Environmental Programs

APPENDIX E
(Revised 6/11/10)

(Required of all Applicants Located in a Control Area Adjacent to NEPOOL)

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

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Please complete the following and attach documentation, as necessary to support all responses:

E.1 Please indicate in which Control Area adjacent to NEPOOL the Generation Unit is located:

- New York
- Hydro Quebec
- Maritimes (including Northern Maine Independent System Administrator)

E.2 Applicant must provide to the Commission by July 1st of each year assurances that the Generation Unit's New Renewable Energy Resources used for compliance with the Rhode Island's Renewable Energy Act during the previous Compliance Year have not otherwise been, nor will be, sold, retired, claimed or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Rhode Island. Such assurances may consist of a report from a neighboring Generation Attribute accounting system or an affidavit from the Generation Unit.

- ← please check this box to acknowledge this requirement
- N/A or other (please explain) _____

E.3 Applicant must acknowledge and provide evidence to support that, in accordance with Section 5.1.(ii) of the RES Regulations, the Generation Attributes associated with the Generation Unit shall be applied to the Rhode Island Renewable Energy Standard only to the extent of the energy produced by the Generation Unit that is or will be actually delivered into NEPOOL for consumption by New England customers. Verification of the delivery of such energy from the Generation Unit into NEPOOL will be performed in accordance with subparagraphs (a), (b) and (c) of RES Regulations Section 5.1.(ii)

- ← please check this box to acknowledge this requirement.

(a) Under subparagraph 5.1.(ii)(a), Applicant must verify that the energy produced by the Generation Unit is actually delivered into NEPOOL via "a unit-specific bilateral contract for the sale and delivery of such energy into NEPOOL".

(a) Under subparagraph 5.1.(ii)(a), Applicant must verify that the energy produced by the Generation Unit is actually delivered into NEPOOL via “a unit-specific bilateral contract for the sale and delivery of such energy into NEPOOL”.

← please check this box to acknowledge the requirement for Applicant to provide ongoing evidence of one or more unit-specific bilateral contract(s) for all energy delivery into NEPOOL for which Applicant seeks RI RES certification, prior to creation of certificates in each quarter, and:

i. Please describe the type of evidence to be provided to the GIS Administrator to demonstrate the existence of such unit-specific bilateral contract(s) for the sale and delivery of such energy into NEPOOL, including duration, quantity and counter-party in NEPOOL:

(attach more detail if the space provided is not sufficient)

✓ N/A or other (please explain): **Please refer to the enclosed Motion for Waiver of Bilateral Contract**

Seneca Energy II, LLC –Application for Certification as Eligible Renewable Energy Resource

Service List updated 5/15/13

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