

**RIPUC Use Only**

Date Application Received: \_\_\_/\_\_\_/\_\_\_  
 Date Review Completed: \_\_\_/\_\_\_/\_\_\_  
 Date Commission Action: \_\_\_/\_\_\_/\_\_\_  
 Date Commission Approved: \_\_\_/\_\_\_/\_\_\_

GIS Certification #:

MSS2280

**RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM****The Standard Application Form**

**Required of all Applicants for Certification of Eligibility of Renewable Energy Resource  
 (Version 5 – January 5, 2007)**

**STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION****Pursuant to the Renewable Energy Act****Section 39-26-1 et. seq. of the General Laws of Rhode Island****NOTICE:**

When completing this Renewable Energy Resources Eligibility Form and any applicable Appendices, please refer to the State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations, Effective Date: January 1, 2006), and the associated RES Certification Filing Methodology Guide. All applicable regulations, procedures and guidelines are available on the Commission's web site: [www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html). Also, all filings must be in conformance with the Commission's Rules of Practice and Procedure, in particular, Rule 1.5, or its successor regulation, entitled "Formal Requirements as to Filings."

• Please complete the Renewable Energy Resources Eligibility Form and Appendices using a typewriter or black ink.

• Please submit one original and three copies of the completed Application Form, applicable Appendices and all supporting documentation to the Commission at the following address:

Rhode Island Public Utilities Commission  
 89 Jefferson Blvd  
 Warwick, RI 02888

Attn: Renewable Energy Resources Eligibility

In addition to the paper copies, electronic/email submittals are required under Commission regulations. Such electronic submittals should be sent to: Luly E. Massaro, Commission Clerk at [lmassaro@puc.state.ri.us](mailto:lmassaro@puc.state.ri.us)

• In addition to filing with the Commission, Applicants are required to send, electronically or electronically and in paper format, a copy of the completed Application including all attachments and supporting documentation, to the Division of Public Utilities and Carriers and to all interested parties. A list of interested parties can be obtained from the Commission's website at [www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html).

• Keep a copy of the completed Application for your records.

• The Commission will notify the Authorized Representative if the Application is incomplete.

• Pursuant to Section 6.0 of the RES Regulations, the Commission shall provide a thirty (30) day period for public comment following posting of any administratively complete Application.

• Please note that all information submitted on or attached to the Application is considered to be a public record unless the Commission agrees to deem some portion of the application confidential after consideration under section 1.2(g) of the Commission's Rules of Practice and Procedure.

• In accordance with Section 6.2 of the RES Regulations, the Commission will provide prospective reviews for Applicants seeking a preliminary determination as to whether a facility would be eligible prior to the formal certification process described in Section 6.1 of the RES Regulations. Please note that space is provided on the Form for applicant to designate the type of review being requested.

• Questions related to this Renewable Energy Resources Eligibility Form should be submitted in writing, preferably via email and directed to: Luly E. Massaro, Commission Clerk at [lmassaro@puc.state.ri.us](mailto:lmassaro@puc.state.ri.us)

---

**SECTION I: Identification Information**

1.1 Name of Generation Unit (sufficient for full and unique identification): Benton Falls Associates

1.2 Type of Certification being requested (check one):  
 Standard Certification       Prospective Certification (Declaratory Judgment)

1.3 This Application includes: (Check all that apply)<sup>1</sup>

- APPENDIX A: Authorized Representative Certification for Individual Owner or Operator
- APPENDIX B: Authorized Representative Certification for Non-Corporate Entities Other Than Individuals
- APPENDIX C: Existing Renewable Energy Resources
- APPENDIX D: Special Provisions for Aggregators of Customer-sited or Off-grid Generation Facilities
- APPENDIX E: Special Provisions for a Generation Unit Located in a Control Area Adjacent to NEPOOL
- APPENDIX F: Fuel Source Plan for Eligible Biomass Fuels

1.4 Primary Contact Person name and title: Richard A. Norman, President, Essex Hydro Associates, L.L.C., General Partner

1.5 Primary Contact Person address and contact information:

Address: c/o Essex Hydro Associates, L.L.C.  
55 Union Street, 4<sup>th</sup> Fl.  
Boston, MA 02108  
Phone: 617-367-0032 Fax: 617-367-3796  
Email: benton@essexhydro.com

1.6 Backup Contact Person name and title: Harry Wolf, Vice President

1.7 Backup Contact Person address and contact information:

Address: c/o Essex Hydro Associates, L.L.C.  
55 Union Street, 4<sup>th</sup> Fl.  
Boston, MA 02108  
Phone: 617-367-0032 Fax: 617-367-3796  
Email: hw@essexhydro.com

---

<sup>1</sup> Please note that all Applicants are required to complete the Renewable Energy Resources Eligibility Standard Application Form and all of the Appendices that apply to the Generation Unit or Owner or Operator that is the subject of this Form. Please omit Appendices that do not apply.

1.8 Name and Title of Authorized Representative (*i.e.*, the individual responsible for certifying the accuracy of all information contained in this form and associated appendices, and whose signature will appear on the application): Richard A. Norman, President, Essex Hydro Associates, L.L.C.

Appendix A or B (as appropriate) completed and attached?  Yes  No  N/A

1.9 Authorized Representative address and contact information:

Address: c/o Essex Hydro Associates, L.L.C.  
55 Union Street, 4<sup>th</sup> Fl.  
Boston, MA 02108  
Phone: 617-367-0032 Fax: 617-367-3796  
Email: benton@essexhydro.com

1.10 Owner name and title: Benton Falls Associates, Concord Hydro Associates, Managing Member, Essex Hydro Associates, L.L.C., General Partner

1.11 Owner address and contact information:

Address: c/o Essex Hydro Associates, L.L.C.  
55 Union Street, 4<sup>th</sup> Fl.  
Boston, MA 02108  
Phone: 617-367-0032 Fax: 617-367-3796  
Email: benton@essexhydro.com

1.12 Owner business organization type (check one):

- Individual  
 Partnership  
 Corporation  
 Other: \_\_\_\_\_

1.13 Operator name and title: Benton Falls Associates, Concord Hydro Associates, Managing Member, Essex Hydro Associates, L.L.C., General Partner

1.14 Operator address and contact information:

Address: c/o Essex Hydro Associates, L.L.C.  
55 Union Street, 4<sup>th</sup> Fl.  
Boston, MA 02108  
Phone: 617-367-0032 Fax: 617-367-3796  
Email: benton@essexhydro.com

1.15 Operator business organization type (check one):

- Individual  
 Partnership  
 Corporation  
 Other: \_\_\_\_\_

**SECTION II: Generation Unit Information, Fuels, Energy Resources and Technologies**

2.1 ISO-NE Generation Unit Asset Identification Number or NEPOOL GIS Identification Number (either or both as applicable): MSS2280

2.2 Generation Unit Nameplate Capacity: 4.468 MW

2.3 Maximum Demonstrated Capacity: 4.29 MW

2.4 Please indicate which of the following Eligible Renewable Energy Resources are used by the Generation Unit: (Check ALL that apply) – *per RES Regulations Section 5.0*

- Direct solar radiation
- The wind
- Movement of or the latent heat of the ocean
- The heat of the earth
- Small hydro facilities
- Biomass facilities using Eligible Biomass Fuels and maintaining compliance with all aspects of current air permits; Eligible Biomass Fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible.
- Biomass facilities using unlisted biomass fuel
- Biomass facilities, multi-fueled or using fossil fuel co-firing
- Fuel cells using a renewable resource referenced in this section

2.5 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility’s aggregate capacity does not exceed 30 MW. – *per RES Regulations Section 3.31*

- ← check this box to certify that the above statement is true
- N/A or other (please explain) \_\_\_\_\_

2.6 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility does not involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less. – *per RES Regulations Section 3.31*

- ← check this box to certify that the above statement is true
- N/A or other (please explain) \_\_\_\_\_

2.7 If you checked one of the Biomass facilities boxes in Section 2.1 above, please respond to the following:

A. Please specify the fuel or fuels used or to be used in the Unit: \_\_\_\_\_

B. Please complete and attach Appendix F, Eligible Biomass Fuel Source Plan.  
Appendix F completed and attached?  Yes  No  N/A

- 2.8 Has the Generation Unit been certified as a Renewable Energy Resource for eligibility in another state's renewable portfolio standard?  
 Yes     No    If yes, please attach a copy of that state's certifying order.  
Copy of State's certifying order attached?     Yes     No     N/A

### SECTION III: Commercial Operation Date

Please provide documentation to support all claims and responses to the following questions:

- 3.1 Date Generation Unit first entered Commercial Operation: \_\_\_ / \_\_\_ / 87\_ at the site.
- 3.2 Is there an Existing Renewable Energy Resource located at the site of Generation Unit?  
 Yes  
 No
- 3.3 If the date entered in response to question 3.1 is earlier than December 31, 1997 or if you checked "Yes" in response to question 3.2 above, please complete Appendix C.  
Appendix C completed and attached?     Yes     No     N/A
- 3.4 Was all or any part of the Generation Unit used on or before December 31, 1997 to generate electricity at any other site?  
 Yes  
 No
- 3.5 If you checked "Yes" to question 3.4 above, please specify the power production equipment used and the address where such power production equipment produced electricity (attach more detail if the space provided is not sufficient):

---

---

---

### SECTION IV: Metering

- 4.1 Please indicate how the Generation Unit's electrical energy output is verified (check all that apply):  
 ISO-NE Market Settlement System  
 Self-reported to the NEPOOL GIS Administrator  
 Other (please specify below and see Appendix D: Eligibility for Aggregations):

---

Appendix D completed and attached?     Yes     No     N/A

### SECTION V: Location

- 5.1 Please check one of the following that apply to the Generation Unit:

- Grid Connected Generation
- Off-Grid Generation (not connected to a utility transmission or distribution system)
- Customer Sited Generation (interconnected on the end-use customer side of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the end-use customer)

5.2 Generation Unit address: 1215 Clinton Ave.  
Benton, ME 04901

---

---

5.3 Please provide the Generation Unit's geographic location information:

- A. Universal Transverse Mercator Coordinates: 455873.180734554/4936284.85561935
- B. Longitude/Latitude: 69.5558167 /44.5785522

5.4 The Generation Unit located: (please check the appropriate box)

- In the NEPOOL control area
- In a control area adjacent to the NEPOOL control area
- In a control area other than NEPOOL which is not adjacent to the NEPOOL control area ← *If you checked this box, then the generator does not qualify for the RI RES – therefore, please do not complete/submit this form.*

5.5 If you checked "In a control area adjacent to the NEPOOL control area" in Section 5.4 above, please complete Appendix E.

Appendix E completed and attached?  Yes  No  N/A

**SECTION VI: Certification**

6.1 Please attach documentation, using one of the applicable forms below, demonstrating the authority of the Authorized Representative indicated in Section 1.8 to certify and submit this Application.

**Corporations**

If the Owner or Operator is a corporation, the Authorized Representative shall provide **either**:

- (a) Evidence of a board of directors vote granting authority to the Authorized Representative to execute the Renewable Energy Resources Eligibility Form, **or**
- (b) A certification from the Corporate Clerk or Secretary of the Corporation that the Authorized Representative is authorized to execute the Renewable Energy Resources Eligibility Form or is otherwise authorized to legally bind the corporation in like matters.

Evidence of Board Vote provided?  Yes  No  N/A

Corporate Certification provided?  Yes  No  N/A

**Individuals**

If the Owner or Operator is an individual, that individual shall complete and attach APPENDIX A, or a similar form of certification from the Owner or Operator, duly notarized, that certifies that the Authorized Representative has authority to execute the Renewable Energy Resources Eligibility Form.

Appendix A completed and attached?  Yes  No  N/A

**Non-Corporate Entities**

(Proprietorships, Partnerships, Cooperatives, etc.) If the Owner or Operator is not an individual or a corporation, it shall complete and attach APPENDIX B or execute a resolution indicating that the Authorized Representative named in Section 1.8 has authority to execute the Renewable Energy Resources Eligibility Form or to otherwise legally bind the non-corporate entity in like matters.

Appendix B completed and attached?  Yes  No  N/A

6.2 Authorized Representative Certification and Signature:

I hereby certify, under pains and penalties of perjury, that I have personally examined and am familiar with the information submitted herein and based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties, both civil and criminal, for submitting false information, including possible fines and punishment. My signature below certifies all information submitted on this Renewable Energy Resources Eligibility Form. The Renewable Energy Resources Eligibility Form includes the Standard Application Form and all required Appendices and attachments. I acknowledge that the Generation Unit is obligated to and will notify the Commission promptly in the event of a change in a generator's eligibility status (including, without limitation, the status of the air permits) and that when and if, in the Commission's opinion, after due consideration, there is a material change in the characteristics of a Generation Unit or its fuel stream that could alter its eligibility, such Generation Unit must be re-certified in accordance with Section 9.0 of the RES Regulations. I further acknowledge that the Generation Unit is obligated to and will file such quarterly or other reports as required by the Regulations and the Commission in its certification order. I understand that the Generation Unit will be immediately de-certified if it fails to file such reports.

Signature of Authorized Representative:

SIGNATURE:

Benton Falls Associates

By: Concord Hydro Associates, Managing Member

By: Essex Hydro Associates, L.L.C., General Partner



Richard A. Norman

President

(Title)

DATE:





**APPENDIX B**  
**(Required When Owner or Operator is a Non-Corporate Entity**  
**Other Than An Individual)**

**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

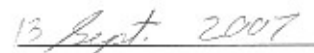
**RESOLUTION OF AUTHORIZATION**

**Resolved:** that Richard A. Norman, named in Section 1.8 of the Renewable Energy Resources Eligibility Form as Authorized Representative, is authorized to execute the Application on the behalf of Benton Falls Associates, the Owner or Operator of the Generation Unit named in section 1.1 of the Application.

SIGNATURE:



DATE:



State: Massachusetts

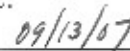
County: Suffolk

(TO BE COMPLETED BY NOTARY) I, Harry Wolf as a notary public, certify that I witnessed the signature of the above named Richard A. Norman, and that said person stated that he/she is authorized to execute this resolution, and the individual verified his/her identity to me, on this date: 09/13/07.

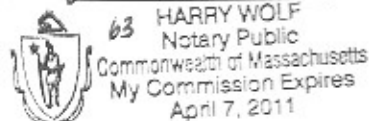
SIGNATURE:



DATE:



My commission expires on:



NOTARY SEAL:

## APPENDIX C

(Required of all Applicants with Generation Units at the Site of Existing Renewable Energy Resources)

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

If the Generation Unit: (1) first entered into commercial operation before December 31, 1997; or (2) is located at the exact site of an Existing Renewable Energy Resource, please complete the following and attach documentation, as necessary to support all responses:

- C.1 Is the Generating Unit seeking certification, either in whole or in part, as a New Renewable Energy Resource?  Yes  No
- C.2 If you answered "Yes" to question C.1, please complete the remainder of Appendix C. If you answered "No" and are seeking certification entirely as an Existing Renewable Energy Resource, you do NOT need to complete the remainder of Appendix C.
- C.3 If an Existing Renewable Energy Resource is/was located at the site, has such Existing Renewable Energy Resource been retired and replaced with the new Generation Unit at the same site?  Yes  No
- C.4 Is the Generation Unit a Repowered Generation Unit (as defined in Section 3.28 of the RES Regulations) which uses Eligible Renewable Energy Resources and which first entered commercial operation after December 31, 1997 at the site of an existing Generation Unit?  Yes  No
- C.5 If you checked "Yes" to question C.4 above, please provide documentation to support that the entire output of the Repowered Generation Unit first entered commercial operation after December 31, 1997.
- C.6 Is the Generation Unit a multi-fuel facility in which an Eligible Biomass Fuel is first co-fired with fossil fuels after December 31, 1997?  Yes  No
- C.7 If you checked "Yes" to question C.6 above, please provide documentation to support that the renewable energy fraction of the energy output first occurred after December 31, 1997.

- C.8 Is the Generation Unit an Existing Renewable Energy Resource other than an Intermittent Resource (as defined in Section 3.9 and 3.14 of the RES Regulations)?  Yes  No
- C.9 If you checked “Yes” to question C.8 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and can be demonstrated to increase annual electricity output in excess of ten percent (10%). As specified in Section 3.22.v of the RES Regulations, the determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity.
- C.10 Is the Generating Unit an Existing Renewable Energy Resource that is an Intermittent Resource?  Yes  No
- C.11 If you checked “Yes” to question C.10 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and have demonstrated on a normalized basis to increase annual electricity output in excess of ten percent (10%). The determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity. In no event shall any production that would have existed during the Historical Generation Baseline period in the absence of the efficiency improvements or additions to capacity be considered incremental production. Please refer to Section 3.22.vi of the RES Regulations for further guidance.
- C.12 If you checked “Yes” to C.10, provide the single proposed percentage of production to be deemed incremental, attributable to the efficiency improvements or additions of capacity placed in service after December 31, 1997. Please provide backup information sufficient for the Commission to make a determination of this incremental production percentage.
- C.13 If you checked “no” to both C.3 and C.4 above, please complete the following:
- a. Was the Existing Renewable Energy Resource located at the exact site at any time during calendar years 1995 through 1997?  Yes  No
  - b. If you checked “yes” in Subsection (a) above, please provide the Generation Unit Asset Identification Number and the average annual electrical production (MWhs) for the three calendar years 1995 through 1997, or for the first 36 months after the Commercial Operation Date if that date is after December 31, 1994, for each such Generation Unit.
  - c. Please attach a copy of the derivation of the average provided in (b) above, along with documentation support (such as ISO reports) for the information provided in Subsection (b) above. Data must be consistent with quantities used for ISO Market Settlement System.

1.04, 02 05



STATE OF CONNECTICUT

RECEIVED  
MAY 3 1 2005

DEPARTMENT OF PUBLIC UTILITY CONTROL  
TEN FRANKLIN SQUARE  
NEW BRITAIN, CT 06051

DOCKET NO. 05-05-06 APPLICATION OF BENTON FALLS ASSOCIATES FOR  
QUALIFICATION OF BENTON FALLS HYDRO AS A  
CLASS II RENEWABLE ENERGY SOURCE

May 25, 2005

By the following Commissioners:

Anne C. George  
Donald W. Downes  
John W. Betkoski, III

DECISION

A. SUMMARY

In this Decision, the Department of Public Utility Control (Department) determines that the Benton Falls Hydro (Benton Falls) generating facility qualifies as a Class II renewable energy source as a run-of-the-river hydroelectric facility and assigns it Connecticut Renewable Portfolio Standard (RPS) Registration Number CT00187-05.

B. BACKGROUND OF THE PROCEEDING

By application dated April 25, 2005 (Application), Benton Falls Associates (BFA) requested that the Department determine that the Benton Falls generation facility qualifies as a Class II renewable energy source. Benton Falls is a hydroelectric facility located at 1215 Clinton Avenue, Benton, ME 04901. The facility began commercial operation prior to July 1, 2003 and has a nameplate capacity of 4.468 MW. Application, pp. 1 and 2; FERC Order Amending License and Revising Annual Charges issued March 12, 1993 (1993 FERC Order).

**C. CONDUCT OF THE PROCEEDING**

There is no statutory requirement for a hearing, no person requested a hearing, and none was held.

**D. PARTICIPANTS IN THE PROCEEDING**

The Department recognized Benton Falls Associates, 1 New Hampshire Avenue, Suite 125, Portsmouth, NH 03801; and the Office of Consumer Counsel, Ten Franklin Square, New Britain, CT 06051, as participants in this proceeding.

**I. DEPARTMENT ANALYSIS**

Pursuant to § 16-1(a)(27) of the General Statutes of Connecticut (Conn. Gen. Stat.), "Class II renewable energy source" includes energy derived from a run-of-the-river hydropower facility provided such facility has a generating capacity of not more than five megawatts, does not cause an appreciable change in the river flow, and began operation prior to July 1, 2003.

In interpreting Conn. Gen. Stat. § 16-1(a)(27), the Department determined that:

(1) "Facility" refers to an entire hydroelectric plant at a single site rather than a turbine generating unit within a hydroelectric plant;

(2) The "generating capacity of not more than five megawatts" refers to a hydroelectric facility's nameplate capacity, not its actual or average generation output;

(3) In order to qualify as "run-of-the-river," a hydroelectric facility must show a current FERC license or exemption that requires the facility to operate in run-of-the-river mode. In addition, a facility can qualify as a Class I or Class II renewable energy facility only to the extent that its FERC license or exemption requires run-of-river operation. Hydroelectric facilities that are not regulated by FERC will be required to show a FERC order or a court decision stating that FERC has no jurisdiction, or has declined to exercise jurisdiction, over such facility. In such cases, the hydroelectric facility must show that its operation allows the river inflow to equal outflow instantaneously and therefore, does not cause an appreciable change in the river flow; and

(4) "Began operations" means (A) the date an existing facility with existing generation began commercial operation as shown in documentation from FERC; (B) the new date given to an abandoned or destroyed facility that comes back into operation as shown in its documentation from FERC or as determined by the Department; (C) the date upon which a facility changes operation from store and release to run-of-the-river as shown in documentation from FERC; or (D) the new date that incremental generation is in operation at an existing facility as shown in its documentation from FERC.

See Docket No. 04-02-07, DPUC Declaratory Ruling Concerning "Run-of-the-River Hydropower" as That Term is Used in the Definitions of Class I and Class II Renewable Energy Source in C.G.S. §16-1(a)(26) &(27).

As provided in the application, Benton Falls is a hydroelectric facility located at 1215 Clinton Avenue, Benton, ME that began operations prior to July 1, 2003. Application, pp. 1 and 2; 1993 FERC Order. Benton Falls is currently owned by BFA. BFA states that the facility's generation assets have a nameplate capacity of 4.468 MW. Application, p. 2 as amended by the 1993 FERC Order. In the FERC Order Amending License Requiring the Project to Be Operated in a Run-of-River Mode issued May 3, 1988, the Benton Falls Hydroelectric Project was ordered to operate in an instantaneous run-of-river mode.

Based on the foregoing, the Department determines that Benton Falls qualifies as a Class II renewable energy facility.

## II. FINDINGS OF FACT

1. Benton Falls is a hydroelectric facility located at 1215 Clinton Avenue, Benton, ME 04901.
2. Benton Falls began operations prior to July 1, 2003.
3. Benton Falls is currently owned by BFA.
4. Benton Falls is operating in a run-of-river mode.
5. Benton Falls has a nameplate capacity of 4.468 MW.

## III. CONCLUSION


Based on the evidence submitted, the Department finds that Benton Falls qualifies as a Class II renewable generation source pursuant to Conn. Gen. Stat. § 16-1(a)(27).


The Department assigns each renewable generation source a unique Connecticut RPS registration number. Benton Falls's Connecticut RPS registration number is CT00187-05.

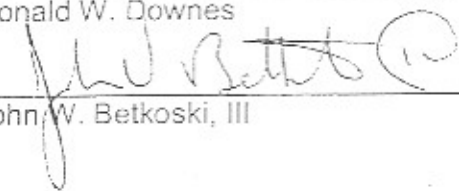
The Department's determination in this docket is based on the information submitted by BFA. The Department may reverse its ruling or revoke the Applicant's registration if any material information provided by the Applicant proves to be false or misleading. The Department reminds BFA that it is obligated to notify the Department within 10 days of any changes to any of the information it has provided to the Department.

DOCKET NO. 05-05-06 APPLICATION OF BENTON FALLS ASSOCIATES FOR  
QUALIFICATION OF BENTON FALLS HYDRO AS A  
CLASS II RENEWABLE ENERGY SOURCE

This Decision is adopted by the following Commissioners:


  
\_\_\_\_\_  
Anne C. George

  
\_\_\_\_\_  
Donald W. Downes

  
\_\_\_\_\_  
John W. Betkoski, III

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Department of Public Utility Control, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.

  
\_\_\_\_\_  
Louise E. Rickard  
Acting Executive Secretary  
Department of Public Utility Control

MAY 27 2005  
Date

Federal Energy Regulatory Commission, FERC Form 556  
Benton Falls Associates, Docket No. QF86-316-\_\_\_\_  
Page 1 of 4

Federal Energy Regulatory Commission  
FERC FORM 556, OMB No. 1902-0075

SELF-RECERTIFICATION OF QUALIFYING FACILITY STATUS  
FOR AN EXISTING SMALL POWER PRODUCTION FACILITY

Benton Falls Associates  
Docket No. QF86-316-\_\_\_\_

**PART A**  
**GENERAL INFORMATION TO BE SUBMITTED BY ALL APPLICANTS**

**1a. Full Name:**

Benton Falls Associates, a New York limited partnership

Docket Number assigned to the immediately preceding submittal filed with the Commission in connection with the instant facility: QF86-316-000

Purpose of Instant Filing: self-recertification of qualifying facility status for an existing small power production facility due to changes in the upstream ownership of the facility

**1b. Full address:**

Benton Falls Associates  
1 New Hampshire Avenue, Suite 125  
Portsmouth, NH 03801

**1c. Ownership of Small Power Production Facility**

Benton Falls Associates ("Applicant") owns 100% of the facility that is the subject of this recertification (the "Facility"). The ownership of Applicant is as follows:

Applicant is a New York limited partnership comprised of (1) a fifty percent general partnership interest owned by Great Bay Hydro Maine, LLC; and (2) a fifty percent limited partnership interest owned by Great Bay Hydro Benton, LLC. Great Bay Hydro Maine's ownership interest in the Applicant is fifty percent and Great Bay Hydro Benton's ownership in the Applicant is fifty percent.

Great Bay Hydro Maine is a wholly owned subsidiary of BayCorp Holdings, Ltd., an unregulated holding company incorporated in Delaware. Great Bay Hydro Benton is a wholly owned subsidiary of Great Bay Hydro Maine.



None of the ownership interests in Great Bay Hydro Maine and Great Bay Hydro Benton is an electric utility, electric utility holding company, or any person owned by either within the meaning of section 292.206 of the Commission's regulations. None of the ownership interests in Great Bay Hydro Maine and Great Bay Hydro Benton are engaged in the generation or sale of electric power, or have any ownership interest in any electric facilities other than qualifying facilities or exempt wholesale generators.

The Facility is operated by Great Bay Hydro Maine, the general partnership interest of Applicant.

**1d. Verification**

The following hereby certifies the authenticity and accuracy of all information provided in this Notice:

March 24, 2005  
Date of Signature

/s/ Anthony Callendrello  
Anthony Callendrello  
Benton Falls Associates  
1 New Hampshire Avenue, Suite 125  
Portsmouth, NH 03801  
Phone (603) 766-4990  
Fax (603) 766-4991

**2. Persons to whom communications regarding the filed information may be addressed:**

William Rodgers  
Benton Falls Associates  
1 New Hampshire Avenue, Suite 125  
Portsmouth, NH 03801  
Phone (603) 766-4990  
Fax (603) 766-4991

**3a. Location of the Facility:**

State: Maine  
County: Kennebec County  
Street Address: 1215 Clinton Avenue  
Benton, Maine 04901

**3b. Identification of the electric utilities contemplated to transact with the qualifying facility and description of services that these utilities are expected to provide:**

The Facility is electrically interconnected with Central Maine Power Company ("CMPC"). CMPC purchases the entire net output of electric energy and capacity from the Facility pursuant to a contract that expires December 31, 2007. In addition, CMPC provides standby electrical services such as backup power and maintenance power to the Facility.

**4a. Principal components of the Facility:**

The facility is a small power production hydroelectric facility located on the Sebasticook River. Electric energy is produced by two turbine generators. The project works consist of: (1) a 500-foot-long dam with a west abutment, an L-shaped powerhouse, a fishway bay, a 72-foot-long gated concrete section, a 50-foot-long concrete gravity spillway, 3-foot-high flashboards on the spillway section, a 175-foot-long non-over flow earth dike; (2) an 83-acre reservoir with a usable storage capacity of 200 acre-feet at the ogee crest; (3) a normal water surface elevation of 85 feet m.s.l. with the 3-foot-high flashboards installed; (4) the powerhouse, constructed integrally with the dam, consisting of two turbine generators with a total generator nameplate capacity of 4,468 kW; (5) a 150-foot-long tailrace channel; (6) a substation; (7) a 170 foot long, 12 kV transmission line; (8) appurtenant facilities.

**4b. Power production capacity:**

Maximum gross electric power production capacity: 4.33 MW

Maximum net electric power production capacity: 4.3 MW

**4c. Installation and operation dates of the Facility:**

The Facility commenced construction in 1985 and commercial operation in 1987.

**4d. Primary energy source:**

The primary energy source is water power, a renewable resource.

**5. Average annual energy input in terms of BTU:**

The Facility does not use fossil fuel energy inputs (such as natural gas, oil, or coal) because the Facility is a hydroelectric facility generating electricity from water power. At the Facility, a small propane-fired generator is used for emergency backup power. Applicant anticipates that no more than 1% of the total energy input to the Facility will be in the form of fossil fuel.

6. **Particular characteristics that bear on the qualifying facility status:**

The facility meets all requirements for a qualifying facility.

**PART B  
DESCRIPTION OF THE SMALL POWER PRODUCTION FACILITY**

7. **Description of fossil fuel use:**

No fossil fuel is used by the Facility in the production of electricity for sale. At the Facility, a small propane-fired generator is used for emergency backup power. Applicant anticipates that no more than 1% of the total energy input to the Facility will be in the form of fossil fuel.

8. **Information on nearby facilities:**

The entities identified in item 1c of Part A above own no other power production facilities that are located within one mile of the Facility.

**PART C  
DESCRIPTION OF THE COGENERATION FACILITY**

Not applicable