

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION DOCKET NO. 3919-B
AS ELIGIBLE RENEWABLE ENERGY RESOURCE
FILED BY PEPPERELL HYDRO COMPANY, LLC
NEW GENERATION

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 Regulations¹ pursuant to the Renewable Energy Act, Section 39-26-1 et. seq. of the General Laws of Rhode Island; and

WHEREAS, On January 29, 2008, Pepperell Hydro Company, LLC ("Company", Authorized Representative: Peter B. Clark, Manager, P.O. Box 149, 823 Bay Road, Hamilton, MA. 01936 (T) (978) 468-3999 (F) (978) 468-1210 pclark@swiftriverhydro.com) filed with the Commission an application seeking certification for its Pepperell Hydro Generation Unit, a 1.92 MW Small Hydro energy Generation Unit located in Pepperell, MA, as a resource capable of producing as both a New and Existing Renewable Energy Resource under the State of Rhode Island RES Regulations; 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

¹ 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, On September 25, 2008, supplemental and clarifying information was provided to Commission Staff and their application review consultant in response to the application review consultant's April 25, 2008 request for said information, and

WHEREAS, Said supplemental and clarifying information included: detailed descriptions of the efficiency and capacity improvements; Excel spreadsheets of expenditures and specific output increases due to each efficiency or capacity improvement; explanation of what improvements should be considered efficiency and capacity improvements as opposed to regular repair and maintenance; recalculated New Generation vs. Existing Generation percentage based on USGS historical river flow data and the RI PUC defined Historical Generation Baseline; a clarifying statement of the portion of generation to be considered as New Generation vs. Existing Generation; simulation of expected output and the USGS historical data, and

WHEREAS, After examination, the Commission is of the opinion that the application, including said supplemental information is proper, reasonable and in compliance with the RES Regulations, and hereby grants the Company certification as an eligible renewable energy resource pursuant to the Renewable Energy Act, Section 39-26-1 et. seq. of the General Laws of Rhode Island; and

WHEREAS, The Commission's determination in this docket is based on the information submitted by the Company, and the Commission may reverse its ruling or revoke the Applicant's certification if any material information provided by the Applicant proves to be false or misleading.

Accordingly, it is

(19490) ORDERED:

1) That fifty-three and two tenths of a percent (53.2%) of the monthly generation from the Pepperell Hydro Generation Unit, meets the requirements for eligibility as a

New, Small Hydro Renewable Energy Resource with its 1.92 MW, Incremental Intermittent, Grid-Connected Generation Unit having a Commercial Operation Date of 1917 and located within the NEPOOL Control Area in Pepperell, MA.

2) That the Generation Unit's NEPOOL-GIS Identification Number is MSS 948.

3) That the Company's Generation Unit as identified above is hereby assigned unique certification number RI-3919-N08.

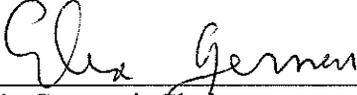
4) That, although the Commission will rely upon the NEPOOL GIS for verification of production of energy from the Company's Generation Unit certified as eligible in this Order, the Company will provide information and access as necessary to the Commission, or persons acting at its behest, to conduct audits or site visits to assist in verification of continued eligibility for and compliance with RI RES Certification at any time at the Commission's discretion.

5) That the Company shall notify the Commission in the event of a change in the facility's eligibility status.

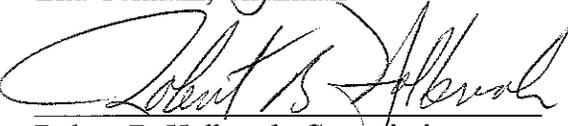
DATED AND EFFECTIVE AT WARWICK, RHODE ISLAND ON OCTOBER 30, 2008 PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED NOVEMBER 12, 2008.



PUBLIC UTILITIES COMMISSION



Elia Germani, Chairman



Robert B. Holbrook, Commissioner

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Mary E. Bray, Commissioner

*Commissioner Bray concurs but is unavailable for signature.