

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION DOCKET NO. 4292
AS ELIGIBLE RENEWABLE ENERGY RESOURCE
ORIGINALLY FILED BY NORTH AMERICAN ALLIANCE, LLC
PUTTS BRIDGE PROJECT – REVISED NEW AND EXISTING
GENERATION PERCENTAGES

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 October 13, 2011, North American Energy Alliance, LLC ("Company", Authorized Representative: William P. Short III, consultant) filed with the Commission an application seeking certification for its Putts Bridge Project Generation Unit, a 3.9 MW Small Hydro energy Generation Unit located in Ludlow, 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, Effective February 16, 2012 pursuant to an Open Meeting Decision, with Written Order issued also on February 16, 2012, the Commission approved the Putts Bridge Project Generation Unit as meeting the requirements for eligibility as both a New and Existing, Small Hydro Renewable Energy Resource – with

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.

19.19% designated eligible as a New Generating Unit (Order #20,646 – Unique Certification Number RI-4292-N12) and 80.81% designated eligible as an Existing Generating unit (Order #20,647 – Unique Certification Number RI-4292-E12); and

WHEREAS, by letter dated March 20, 2012, among other items, the Company notified the Commission that Effective January 1, 2012, the name of North American Energy Alliance, LLC (“NAEA”) changed to Essential Power, LLC with no change in the ownership of NAEA or its corporate status; and

WHEREAS, As part of the Commission’s responsibilities under Section 6.3 of the State’s RES Regulation, on January 15, 2013 the Commission issued a request to Essential Power, LLC for assistance in verifying the calculation of percent New and Existing allocations, and revising them if necessary; and

WHEREAS, On June 14, 2013, following discussions with the Commission’s application review consultant, and review of proposed revisions to the previously approved New and Existing allocation percentages for the Putts Bridge Project Generation Unit, Essential Power, LLC requested revised certification by the Commission of the Putts Bridge Project Generation Unit as a 16% Rhode Island New Renewable Energy Resources and 84% Rhode Island Existing Renewable Energy Resource (a change from 19.19% and 80.81% respectively); and

WHEREAS, in their June 14, 2013 submittal, Essential Power, LLC requested that the change in percent New and Existing allocations be implemented effective with the 2014 NEPOOL GIS Compliance Year given that Essential Power is making and/or has made commitments to sell its 2013 NEPOOL GIS Certifications and that any mid-

year change in percentage allocations could have a material adverse effect on the ability of Essential Power to market the Certificates from the Project to buyers; and

WHEREAS, On July 9, 2013, the Commission's consultant submitted a Memorandum to the Commission explaining the review process and providing documentation to support the recommended changes to the allocations.

WHEREAS, After examination, the Commission is of the opinion that the revised percentage New allocation is accurate, reasonable and in compliance with the RES Regulations, and hereby grants these changes to become effective for the NEPOOL GIS 2014 Compliance Year; 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

(21101) ORDERED:

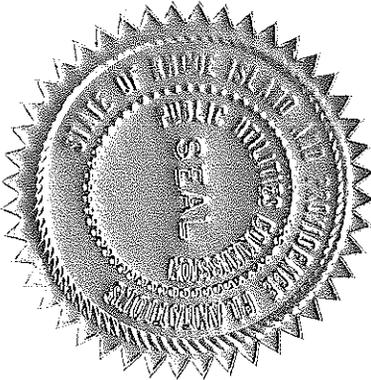
- 1) That effective for the NEPOOL GIS 2014 Compliance Year, the percentage New allocation of monthly generation from the Putts Bridge Project Generation Unit be changed from 19.19% to 16%.
- 2) That effective for the NEPOOL GIS 2014 Compliance Year, the percentage Existing allocation of monthly generation from the Putts Bridge Project Generation Unit be changed from 80.81% to 84%.
- 3) 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.

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

EFFECTIVE AT WARWICK, RHODE ISLAND ON JANUARY 1, 2014
PURSUANT TO AN OPEN MEETING DECISION ON JULY 11, 2013.
WRITTEN ORDER ISSUED JULY 12, 2013.

PUBLIC UTILITIES COMMISSION




Margaret E. Cufra, Chairperson


Paul J. Roberti, Commissioner


Mary E. Bray, 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.