

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION DOCKET NO. 4331  
AS ELIGIBLE RENEWABLE ENERGY RESOURCE  
FILED BY BLACK BEAR DEVELOPMENT HOLDINGS, LLC – ORONO B  
HYDROELECTRIC 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 25, 2012, Black Bear Development Holdings, LLC ("Company"), Authorized Representative: Daniel R. Revers, 200 Clarendon St., 55<sup>th</sup> Floor, Boston, MA 02116, (Phone: (617) 531-6300, Email: drevers@arlightcapital.com) filed with the Commission an application seeking certification for its Orono B Hydroelectric Project Generation Unit, a 3.75 MW Small Hydro energy Generation Unit located in Orono, Maine, as an eligible New 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

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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, On July 6, 2012, and July 31, 2012, supplemental and clarifying information was provided to Commission Staff and their application review consultant in response to the application review consultant's July 3, 2012, and July 25, 2012 requests for said information, 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

(20804) ORDERED:

1) That the Orono B Hydroelectric Project Generation Unit meets the requirements for eligibility as a New, Small Hydro Renewable Energy Resource with its 3.75 MW, Grid-Connected Generation Unit having a projected Commercial Operation Date of before December 31, 2013 and located within the NEPOOL Control Area in Orono, Maine.

2) That, as a Generation Unit which has not yet achieved Commercial Operation, eligibility is granted with a conditional requirement that the Company provide the Commission with written documentation verifying Commercial Operation and that the Company provide the Generation Unit's NEPOOL-GIS Asset Identification Number when assigned by NEPOOL following achievement of Commercial Operation.

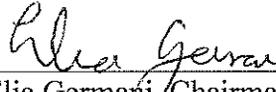
3) That, following receipt from the Company of acceptable written documentation supporting the Generation Unit's Commercial Operation Date and provision of the NEPOOL-GIS asset identification number, Commission staff is hereby authorized to assign a unique Rhode Island Public Utilities Commission Eligible Renewable Energy Resource Facility Certification Number for the Company's Generation Unit.

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 AUGUST 30, 2012 PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED AUGUST 31, 2012.

PUBLIC UTILITIES COMMISSION

  
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Elia Germani, Chairman

  
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Mary E. Bray, Commissioner

  
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Paul J. Roberti, Commissioner

