

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION DOCKET NO. 4340
AS ELIGIBLE RENEWABLE ENERGY RESOURCE
FILED BY COVANTA MAINE, LLC- EXISTING GENERATION AND 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 July 1, 2012, Covanta Maine, LLC ("Company", Authorized Representative: Ken Nydam, Business Manager, Covanta Maine, LLC, 100 Recovery Way, Haverhill, MA 01835, Phone: (978) 241-3030, Fax: (978) 372-4280, Email: KNydam@covantaenergy.com) filed with the Commission an application seeking certification for its Covanta West Enfield Generation Unit, a 27.2 MW Biomass energy Generation Unit located in West Enfield, ME, as a resource capable of producing as both an eligible New and Existing Renewable Energy Resource under the State of Rhode Island RES Regulations; 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, 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 comment was received; and

WHEREAS, On November 14, 2012, June 8, 2013, July 3, 2013 and July 29, 2013 supplemental and clarifying information was provided to Commission Staff and their application review consultant in response to the application review consultant's September 6, 2012, November 30, 2012 and June 26, 2013, respectively, requests for said information; and

WHEREAS, Said supplemental and clarifying information included additional evidence and documentation showing that actual average annual energy generation during the Historical Generation Period can be calculated to be 35,807 MWh, and the actual average annual energy generation during the Covanta West Enfield Generation Unit's post-improvement period (2006-2010) was 174,940 MWh; 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 both an eligible Existing and New 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.

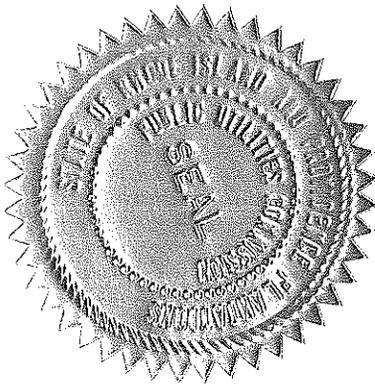
Accordingly, it is

(21137) ORDERED:

- 1) That twenty percent (20%) of the monthly generation from the Covanta West Enfield Generation Unit meets the requirements for eligibility as an Existing Biomass Renewable Energy Resource with its 27.2 MW, Grid-Connected Generation Unit having a Commercial Operation Date of November 1, 1987, with numerous and extensive capital improvements performed on the facility since 1997, principally after 2003, and located within the NEPOOL control area in West Enfield, ME.
- 2) That the designated Existing percentage of the Company's Generation Unit as identified above be assigned unique certification number RI-4340-E13.
- 3) That eighty percent (80%) of the monthly generation from the Covanta West Enfield Generation Unit meets the requirements for eligibility as a New Biomass Renewable Energy Resource with its 27.2 MW, Grid-Connected Generation Unit having a Commercial Operation Date of November 1, 1987 with numerous and extensive capital improvements performed on the facility since 1997, principally after 2003, and located within the NEPOOL control area in West Enfield, ME.
- 4) That the designated New percentage of the Company's Generation Unit as identified above be assigned unique certification number RI-4340-N13.
- 5) That the Generation Unit's NEPOOL-GIS Identification Number is MSS445.
- 6) That NEPOOL-GIS Certificates associated with production of Existing and New energy from the Company's Generation Unit will be deemed eligible as Rhode Island RECs beginning the first day of the calendar month in which the Commission Order has been issued through this open meeting decision.

- 7) 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 such continuing verification shall include a quarterly affidavit and supporting documentation of use of eligible fuels.
- 8) 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 AUGUST 22, 2013
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED
AUGUST 22, 2013.



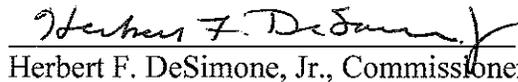
PUBLIC UTILITIES COMMISSION



Margaret E. Curran, Chairperson



Paul J. Roberti, Commissioner



Herbert F. DeSimone, Jr., Commissioner

NOTICE OF RIGHT OF APPEAL PURSUANT TO R.I. GEN. LAWS 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.