

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATIONS FOR ELIGIBILITY OF CERTAIN	:	
FACILITIES AS RENEWABLE ENERGY RESOURCES	:	
AMENDED EFFECTIVE DATES OF	:	
NARRAGANSETT BAY COMMISSION FIELD'S	:	DOCKET NO. 4376
POINT WIND TURBINE	:	
CAMELOT WIND	:	DOCKET NO. 4403
HIGHGATE FALLS UNIT #5	:	DOCKET NO. 4370
NEWPORT HYDRO	:	DOCKET NO. 4400
WEST GREENWICH SOLAR	:	DOCKET NO. 4409
HIGHGATE FALLS	:	DOCKET NO. 4413
ENOSBURG HYDRO	:	DOCKET NO. 4415
BARTON HYDRO	:	DOCKET NO. 4416
NORTH HARTLAND BYPASS FLOW TURBINE	:	DOCKET NO. 4395
COVANTA WEST ENFIELD	:	DOCKET NO. 4340
WYRE WYND HYDROELECTRIC PROJECT	:	DOCKET NO. 4418
CMS SOLAR	:	DOCKET NO. 4420

ORDER AMENDING EFFECTIVE DATES OF ELIGIBILITY

On September 26, 2013, the Public Utilities Commission (“PUC”), after public notice and an opportunity for comment, issued Order No. 21165 in which the PUC adopted a new interpretation of the appropriate effective date of eligibility of facilities found to qualify as renewable energy resources under its Rules and Regulations Governing the Implementation of a Renewable Energy Standard (“RES Rules”). Whereas the previous interpretation allowed only energy produced on or after notification to the PUC of the commercial operation date, the new interpretation allows certification of the facilities to be complete earlier, thus allowing test energy to qualify. Specifically, the new interpretation states that:

Certification of an Eligible Renewable Energy Resources is complete upon notification of the facility’s first date of delivery of eligible energy to the ISO-NE grid, or if a Customer-sited or off-grid facility, first date of production of eligible energy verified by a PUC-approved independent Verifier, and assignment of a NEPOOL-GIS Asset Identification Number, at which time the PUC issues a unique, Rhode Island-specific certification number. The facility’s Renewable Energy Certificates (“RECs”) become Rhode Island-eligible on the first day which the Rhode Island certification number is issued. All RECs

associated with the production of eligible energy that are minted on or after the Effective Date are eligible for the RES.<sup>1</sup>

The 2013 second quarter RECs will be minted on October 15, 2013. There are thirteen facilities that were certified as renewable energy resources under the RES Rules during the second and third quarters of 2013 and which may have delivered energy to the ISO-NE grid during the second quarter of 2013.<sup>2</sup> These facilities were approved under the prior policy which did not recognize the delivery of energy to the NEPOOL-GIS prior to the facility's commercial operation date. Therefore, as a result of the policy change, the PUC finds it necessary to formally amend the effective date for each of the affected facilities.

Accordingly, it is hereby

(21187) ORDERED:

1. The effective dates of certification of renewable generation facilities eligible under the PUC Rules and Regulations Governing the Implementation of a Renewable Energy Standard approved by the PUC during the second and third quarters of 2013, prior to the issuance of Order No. 21165, are hereby amended pursuant to Order No. 21165 (Issued September 26, 2013) such that the eligibility is expanded to include the production of all eligible energy from the units minted on or after the certification date.
2. Ordering paragraph number one of Order No. 21033 (Docket No. 4376, In re: Narragansett Bay Commission Field's Point Wind Turbine) is hereby amended as follows: That the Narragansett Bay Commission Field's Point Wind Turbines Generation Unit meets the requirements for eligibility as a New, Wind Renewable Energy Resource with its 4.5 MW, Customer-Sited Generation Unit having a Commercial Operation Date of October 24, 2012 and located within the NEPOOL control area in Providence, RI. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after May 10, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such RECs has not yet closed.**
3. Ordering paragraph number one of Order No. 21034 (Docket No. 4403, In re: Camelot Wind, LLC) is hereby amended as follows: That the Camelot Wind Generation Unit meets the requirements for eligibility as a New Wind Renewable

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<sup>1</sup> Order No. 21165 (issued September 26, 2013) at 4.

<sup>2</sup> Twelve of the facilities are addressed in this Order. The remaining, ACP Solar I (Docket No. 4414), is addressed in a separate Order.

Energy Resource with its 1.5 MW, Grid-Connected Generation Unit having a Commercial Operation Date of October 19, 2012 and located within the NEPOOL control area in Plymouth, MA. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after May 10, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**

4. Ordering paragraph number one of Order No. 21065 (Docket No. 4370, In re: Highgate Falls Unit #5) is hereby amended as follows: That the Highgate Falls Unit #5 Generation Unit meets the requirements for eligibility as an Existing, Small Hydro Renewable Energy Resource with its 0.572 MW, Grid-Connected Generation Unit having a Commercial Operation Date of 03/13/12 and located within the NEPOOL control area in Highgate, VT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after June 13, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**
5. Ordering paragraph number one of Order No. 21082 (Docket No. 4400, In re: Newport Hydro) is hereby amended as follows: That twenty-two percent (22%) of the monthly generation from the Newport Hydro Generation Unit meets the requirements for eligibility as a New, Small Hydro Renewable Energy Resource with its 4.0 MW, Incremental Intermittent, Grid-Connected Generation Unit having a Commercial Operation Date of January 1, 1940 and located within the NEPOOL control area in Newport, VT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after June 28, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**
6. Ordering paragraph number one of Order No. 21083 (Docket No. 4400, In re: Newport Hydro) is hereby amended as follows: That seventy-eight percent (78%) of the monthly generation from the Newport Hydro Generation Unit meets the requirements for eligibility as an Existing, Small Hydro Renewable Energy Resource with its 4.0 MW, Incremental Intermittent, Grid-Connected Generation Unit having a Commercial Operation Date of January 1, 1940 and located within the NEPOOL control area in Newport, VT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after June 28, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**
7. Ordering paragraph number two of Oder No. 21139 (Docket No. 4409, In re: West Greenwich Solar) is hereby amended as follows: That NEPOOL-GIS Certificates Associated with production of energy from the Company's Generation Unit will be deemed eligible as Rhode Island New Renewable Energy Certificates in accordance with Order No. 21109 (issued July 26, 2013). **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after July 26, 2013 will be eligible for the Rhode Island Renewable Energy**

**Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**

8. Ordering paragraph number one of Order No. 21110 (Docket No. 4413, In re: Highgate Falls) is hereby amended as follows: That the Highgate Falls Generation Unit meets the requirements for eligibility as an Existing Small Hydro Renewable Energy Resource with its 11.392 MW, Grid-Connected Generation Unit having an Approximate Commercial Operation Date of August 1, 1894 and located within the NEPOOL control area in Highgate, VT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after July 26, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**
9. Ordering paragraph number one of Order No. 21111 (Docket No. 4415, In re: Enosburg Hydro) is hereby amended as follows: That the Enosburg Hydro Generation Unit meets the requirements for eligibility as an Existing Small Hydro Renewable Energy Resource with its 0.975 MW, Grid-Connected Generation Unit having an approximate Commercial Operation Date of June 1, 1944 and located within the NEPOOL control area in Enosburg Falls, VT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after July 26, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**
10. Ordering paragraph number one of Order No. 21112 (Docket No. 4416, In re: Barton Hydro) is hereby amended as follows: That the Barton Hydro Generation Unit meets the requirements for eligibility as an Existing Small Hydro Renewable Energy Resource with its 1.4 MW, Grid-Connected Generation Unit having an approximate Commercial Operation Date of August 1, 1948 and located within the NEPOOL control area in Barton, VT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after July 26, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**
11. Ordering paragraph number one of Order No. 21113 (Docket No. 4395, In re: North Hartland Bypass Flow Turbine) is hereby amended as follows: That the North Hartland Bypass Flow Turbine Generation Unit meets the requirements for eligibility as a New Small Hydro Renewable Energy Resource with its 0.138 MW, Grid-Connected Generation Unit having a Commercial Operation Date of January 9, 2012 and located within the NEPOOL control area in North Hartland, VT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after July 26, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**

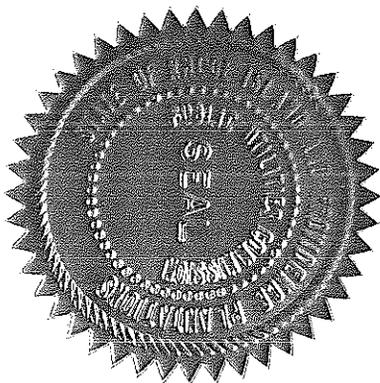
12. Ordering paragraph number one of Order No. 21137 (Docket No. 4340, In re: Covanta West Enfield) is hereby amended as follows: That twenty percent (20%) of the monthly generation from the Covanta West Enfield Generation Unit meets the requirements for eligibility as an Existing Biomass Renewable Energy 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. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after August 22, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.** Ordering paragraph number three of Order No. 21137 is hereby amended as follows: 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. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after August 22, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**
13. Ordering paragraph number one of Order No. 21138 (Docket No. 4418, In re: Wyre Wynd Hydroelectric Project) is hereby amended as follows: That eighty percent 80% of the generation from the Wyre Wynd Hydroelectric Project Generation Unit meets the requirements for eligibility as an Existing Small Hydro Renewable Energy Resource with its 2.78 MW, Intermittent, Grid-Connected Generation Unit having a Commercial Operation Date of February 1, 1984 and located within the NEPOOL Control Area in Jewett City, CT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after August 22, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.** Ordering paragraph number three of Order No. 21138 is hereby amended as follows: That twenty percent (20%) of the generation from the Wyre Wynd Hydroelectric Project Generation Unit meets the requirements for eligibility as a New Small Hydro Renewable Energy Resource with its 2.78 MW, Intermittent, Grid-Connected Generation Unit having a Commercial Operation Date of February 1, 1984 and located within the NEPOOL Control Area in Jewett City, CT. **Renewable Energy Certificates associated with the production of eligible energy from this unit minted on or after August 22, 2013 will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**
14. Ordering paragraph number two of Order No. 21147 (Docket No. 4420 In re: CMS Solar) is hereby amended from: "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," to: 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 **the first date of production of eligible energy** and that the Company provide the Generation Unit's NEPOOL-GIS Asset Identification Number when assigned by NEPOOL following achievement of Commercial Operation.

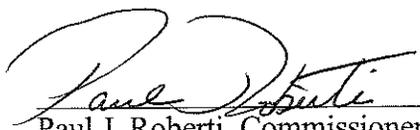
Ordering paragraph number four of Order No. 21147 is hereby amended as follows: That, coincident with PUC Staff's assignment of a unique Rhode Island Public Utilities Commission Eligible Renewable Resource Facility Certification Number for the Company's Generation Unit, PUC Staff will notify the GIS Administrator that NEPOOL-GIS Certificates Associated with production of **eligible energy from this unit minted on or after the date of the PUC Staff's letter will be eligible for the Rhode Island Renewable Energy Standard provided that the trading period for such Renewable Energy Certificates has not yet closed.**

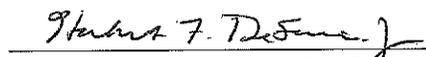
EFFECTIVE AT WARWICK, RHODE ISLAND PURSUANT TO AN OPEN MEETING DECISION ON SEPTEMBER 30, 2013. WRITTEN ORDER ISSUED OCTOBER 3, 2013.

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.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.