

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION DOCKET NO. 4423  
AS ELIGIBLE RENEWABLE ENERGY RESOURCE  
FILED BY INDECK ENERGY-ALEXANDRIA, LLC – NEW GENERATION

ORDER

WHEREAS, Effective January 1, 2006, the Rhode Island Public Utilities Commission ("PUC") 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 June 25, 2013, Indeck Energy-Alexandria, LLC ("Company", Authorized Representative: Mike Ferguson, VP Operations and Asset Management, Indeck Energy Services, 600 North Buffalo Grove Road, Suite 300, Buffalo Grove, IL 60089. Phone: (847) 520-3212 Fax: (847) 520-9883 Email: MFerguson@indeck-energy.com) filed with the PUC an application seeking certification for its Pemigwas-Indeck Alexandria Generation Unit, a 15.2 MW eligible biomass energy generation unit located in Alexandria, New Hampshire, as an eligible New Renewable Energy Resource under the State of Rhode Island RES Regulations; 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, 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, The application documents that the facility first became operational in January, 1988 and that the facility completely ceased operations in November 1994, at which time the facility was closed, decommissioned, and disconnected from the electrical grid; and

WHEREAS, Starting in November 1994, evidence was provided to verify the facility ceased to exist as a viable, physically operable plant that, for approximately the next 13 years produced no electrical output, no air emissions, and was not included in the State of New Hampshire's emissions inventory nor recognized by ISO-NE as capacity; and

WHEREAS, Indeck commenced active power plant redevelopment at the site in 2007, including capital investments, equipment development, and acquisition of an entirely new air permit from the New Hampshire Department of Environmental Services; and

WHEREAS, The facility returned to commercial operation in November 2008, and

WHEREAS, On September 18, 2013, supplemental and clarifying information was provided to PUC Staff and their application review consultant in response to the application review consultant's September 17, 2013 request for said information; and

WHEREAS, Said supplemental and clarifying information included: confirmation that the facility's capacity was 15.2 MW and evidence of the ongoing validity of the facility's New Hampshire air permit; and

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

It is hereby

(21174) ORDERED:

1) The Pemigwas-Indeck Alexandria Generation Unit meets the requirements for eligibility as a New, Eligible Biomass Renewable Energy Resource with its incremental 15.2 MW, Grid-Connected Generation Unit located within the NEPOOL control area in Alexandria, NH, having an initial period of Commercial Operation from January 1988 through November 1994, followed by approximately 13 years of non-operation, and then a return to Commercial Operation starting again in November 2008.

2) The Generation Unit's NEPOOL-GIS Identification Number is MSS14211.

3) The Company's Generation Unit as identified above is hereby assigned unique certification number RI-4423-N13.

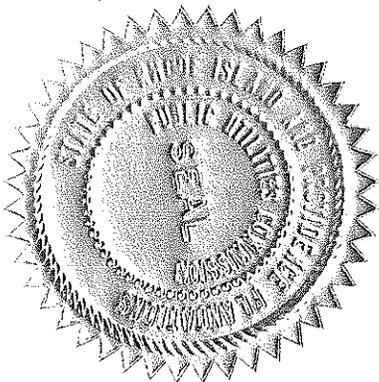
4) The facility's Renewable Energy Certificates ("RECs") become Rhode Island-eligible effective on the date of this Order (the first day which the Rhode Island certification number is issued). Only RECs associated with the production of eligible energy that are minted on or after the Effective Date are eligible for the RES.

5) Although the PUC 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 PUC, or persons acting at its behest, to conduct audits or site visits to assist in verification of continued eligibility for and compliance with Rhode Island RES Certification at any time at the PUC's discretion and such continuing verification shall include a quarterly affidavit and supporting documentation of use of eligible fuels.

6) The Company shall notify the PUC in the event of a change in the facility's eligibility status.

EFFECTIVE AT WARWICK, RHODE ISLAND ON SEPTEMBER 30, 2013  
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED  
OCTOBER 1, 2013.

PUBLIC UTILITIES COMMISSION



  
Margaret E. Curran, Chairperson

  
Paul J. Roberti, Commissioner

  
Herbert F. DeSimone, 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 PUC may, within seven days (7) 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.