

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION DOCKET NO. 4433
AS ELIGIBLE RENEWABLE ENERGY RESOURCE
FILED BY NORTHBROOK LYONS FALLS 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 Regulations¹ pursuant to the Renewable Energy Act, §§ 39-26-1, 39-26-6 of the General Laws of Rhode Island; and

WHEREAS, On August 13, 2013, Northbrook Lyons Falls ("Company", Authorized Representative: Guy J. Paquette, Vice President, Corporate and Legal Affairs, 3285 chemin Bedford, Montreal, Québec, H3S 1G5 Phone: (514) 343-3100 #2109 Fax: (514) 343-3124 Email: stephane.cohen@kruger.com) filed with the PUC an application seeking certification for its Gouldtown Development Generation Unit, a 2.0 MW small hydro energy generation unit located at 3908 Shibley Road in Lyonsdale, New York, as an eligible New 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 day period for public comment was provided, during which time no such comment was received;

WHEREAS, On November 11, 2013, supplemental and clarifying information was provided to PUC staff and their application review consultant in response to the application review consultant's November 4, 2013 request for said information; and

WHEREAS, Said supplemental and clarifying information included: confidential information detailing the complete replacement of the facility's prime mover as well as details and evidence regarding the facility's unit-specific bilateral contract and NEPOOL import procedures; 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, §§ 39-26-1, 39-26-6 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.

Accordingly, it is

(21274) ORDERED:

1) The Gouldtown Development Generation Unit meets the requirements for eligibility as a New, Small Hydro Renewable Energy Resource with its Repowered 2.0

MW, Grid-Connected Generation Unit having a Commercial Operation Date of May 6, 1986 and located in a Control Area Adjacent to NEPOOL in Lyonsdale, New York.

2) The Generation Unit's NEPOOL-GIS Identification Number is IMP37936.

3) The Company's Generation Unit as identified above is hereby assigned unique certification number RI-4433-N13.

4) As a Generation Unit located in a control area adjacent to NEPOOL, eligibility is granted only to the extent that the energy produced by the Generation Unit is actually delivered into NEPOOL for consumption by New England customers where delivery of such energy from the Generation Unit into NEPOOL is verified in accordance with Sections 5.1(ii) and 5.1(iii) of the RES regulations.

5) The facility's Renewable Energy Certificates ("RECs") become Rhode Island-eligible effective on the first day on 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.

6) Although the PUC will rely upon the documentation specified in Sections 5.1(ii) and 5.1(iii) of the RES Regulations and 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.

7) The Company's Request for Protection of Privileged Information is granted. The PUC finds the information for which confidential treatment is requested would be exempt from public disclosure under Rhode Island General Laws § 38-2-2(4)(B).

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

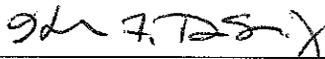
EFFECTIVE AT WARWICK, RHODE ISLAND ON DECEMBER 6, 2013
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED
DECEMBER 10, 2013.

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 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.