

# 4476

# Invenergy

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December 23, 2013

Via Overnight Mail

Luly E. Massaro, Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Blvd  
Warwick, RI 02888

RECEIVED  
2013 DEC 24 AM 10:38  
PUBLIC UTILITIES COMMISSION

RE: Application for Certification of Eligibility of Renewable Energy Resource  
for the Rhode Island Renewable Energy Standard

Dear Ms. Massaro:

Enclosed please find an original and three (3) copies of the Renewable Energy Resources Eligibility Form for the Rhode Island Renewable Energy Standard for Sheldon Energy LLC. An electronic version of all documents has also been filed.

If you have any questions or require further information, please do not hesitate to contact me at (312) 582-1419.

Respectfully Submitted,

  
\_\_\_\_\_  
Scott Ebner

Enclosures

# 4476

<b>RIPUC Use Only</b>	
Date Application Received:	___/___/___
Date Review Completed:	___/___/___
Date Commission Action:	___/___/___
Date Commission Approved:	___/___/___

GIS Certification #: _____
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# RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

## The Standard Application Form

Required of all Applicants for Certification of Eligibility of Renewable Energy Resource  
(Version 8 – December 5, 2012)

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION

Pursuant to the Renewable Energy Act

Section 39-26-1 et. seq. of the General Laws of Rhode Island

RECEIVED  
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 PUBLIC UTILITIES COMMISSION

**NOTICE:**

When completing this Renewable Energy Resources Eligibility Form and any applicable Appendices, please refer to the State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations, Effective Date: January 1, 2006), and the associated RES Certification Filing Methodology Guide. All applicable regulations, procedures and guidelines are available on the Commission's web site: [www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html). Also, all filings must be in conformance with the Commission's Rules of Practice and Procedure, in particular, Rule 1.5, or its successor regulation, entitled "Formal Requirements as to Filings."

- Please complete the Renewable Energy Resources Eligibility Form and Appendices using a typewriter or black ink.
- Please submit one original and three copies of the completed Application Form, applicable Appendices and all supporting documentation to the Commission at the following address:  
 Rhode Island Public Utilities Commission  
 Attn: Luly E. Massaro, Commission Clerk  
 89 Jefferson Blvd  
 Warwick, RI 02888

In addition to the paper copies, electronic/email submittals are required under Commission regulations. Such electronic submittals should be sent to [res@puc.state.ri.us](mailto:res@puc.state.ri.us).

- In addition to filing with the Commission, Applicants are required to send, electronically or electronically and in paper format, a copy of the completed Application including all attachments and supporting documentation, to the Division of Public Utilities and Carriers and to all interested parties. A list of interested parties can be obtained from the Commission's website at [www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html).
- Keep a copy of the completed Application for your records.
- The Commission will notify the Authorized Representative if the Application is incomplete.
- Pursuant to Section 6.0 of the RES Regulations, the Commission shall provide a thirty (30) day period for public comment following posting of any administratively complete Application.
- Please note that all information submitted on or attached to the Application is considered to be a public record unless the Commission agrees to deem some portion of the application confidential after consideration under section 1.2(g) of the Commission's Rules of Practice and Procedure.
- In accordance with Section 6.2 of the RES Regulations, the Commission will provide prospective reviews for Applicants seeking a preliminary determination as to whether a facility would be eligible prior to the formal certification process described in Section 6.1 of the RES Regulations. Please note that space is provided on the Form for applicant to designate the type of review being requested.
- Questions related to this Renewable Energy Resources Eligibility Form should be submitted in writing, preferably via email and directed to: Luly E. Massaro, Commission Clerk at [res@puc.state.ri.us](mailto:res@puc.state.ri.us).

**SECTION I: Identification Information**

1.1 Name of Generation Unit (sufficient for full and unique identification):  
High Sheldon Wind Farm

1.2 Type of Certification being requested (check one):  
 Standard Certification     Prospective Certification (Declaratory Judgment)

1.3 This Application includes: (Check all that apply)<sup>1</sup>

- APPENDIX A: Authorized Representative Certification for Individual Owner or Operator
- APPENDIX B: Authorized Representative Certification for Non-Corporate Entities Other Than Individuals
- APPENDIX C: Existing Renewable Energy Resources
- APPENDIX D: Special Provisions for Aggregators of Customer-sited or Off-grid Generation Facilities
- APPENDIX E: Special Provisions for a Generation Unit Located in a Control Area Adjacent to NEPOOL
- APPENDIX F: Fuel Source Plan for Eligible Biomass Fuels

1.4 Primary Contact Person name and title: Scott Ebner, Energy Manager

1.5 Primary Contact Person address and contact information:  
Address: One South Wacker Drive, Suite 1900  
Chicago, IL 60606

Phone: (312) 582-1419                      Fax: (312) 224-1444  
Email: sebner@invenergy llc.com

1.6 Backup Contact Person name and title: Michael Goldstein

1.7 Backup Contact Person address and contact information:  
Address: One South Wacker Drive, Suite 1900  
Chicago, IL 60606

Phone: (312) 582-1499                      Fax: (312) 582-1444  
Email: mgoldstein@invenergyllc.com

<sup>1</sup> Please note that all Applicants are required to complete the Renewable Energy Resources Eligibility Standard Application Form and all of the Appendices that apply to the Generation Unit or Owner or Operator that is the subject of this Form. Please omit Appendices that do not apply.

1.8 Name and Title of Authorized Representative (*i.e.*, the individual responsible for certifying the accuracy of all information contained in this form and associated appendices, and whose signature will appear on the application):  
Alex C. George, Vice President

Appendix A or B (as appropriate) completed and attached?  Yes  No  N/A

1.9 Authorized Representative address and contact information:  
Address: One South Wacker Drive, Suite 1900  
Chicago, IL 60606  
Phone: (312) 582-1415 Fax: (312) 224-1444  
Email: ageorge@invenergyllc.com

1.10 Owner name and title: Sheldon Wind Energy LLC

1.11 Owner address and contact information:  
Address: One South Wacker Drive, Suite 1900  
Chicago, IL 60606  
Attn: Asset Manager  
Phone: (312) 224-1400 Fax: (312) 224-1444  
Email: sbystriansky@invenergyllc.com

1.12 Owner business organization type (check one):  
 Individual  
 Partnership  
 Corporation  
 Other: Limited Liability Company

1.13 Operator name and title: Invenergy Services, LLC

1.14 Operator address and contact information:  
Address: One South Wacker Drive, Suite 1900  
Chicago, IL 60606  
Phone: (312) 224-1400 Fax: (312) 224-1444  
Email: ageorge@invenergyllc.com

1.15 Operator business organization type (check one):  
 Individual  
 Partnership  
 Corporation  
 Other: Limited Liability Company

**SECTION II: Generation Unit Information, Fuels, Energy Resources and Technologies**

2.1 ISO-NE Generation Unit Asset Identification Number or NEPOOL GIS Identification Number (either or both as applicable): IMP32813

2.2 Generation Unit Nameplate Capacity: 112.5 MW

2.3 Maximum Demonstrated Capacity: 112.896 MW

2.4 Please indicate which of the following Eligible Renewable Energy Resources are used by the Generation Unit: (Check ALL that apply) – *per RES Regulations Section 5.0*

- Direct solar radiation
- The wind
- Movement of or the latent heat of the ocean
- The heat of the earth
- Small hydro facilities
- Biomass facilities using Eligible Biomass Fuels and maintaining compliance with all aspects of current air permits; Eligible Biomass Fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible.
- Biomass facilities using unlisted biomass fuel
- Biomass facilities, multi-fueled or using fossil fuel co-firing
- Fuel cells using a renewable resource referenced in this section

2.5 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility’s aggregate capacity does not exceed 30 MW. – *per RES Regulations Section 3.32*

- ← check this box to certify that the above statement is true
- N/A or other (please explain) \_\_\_\_\_

2.6 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility does not involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less. – *per RES Regulations Section 3.32*

- ← check this box to certify that the above statement is true
- N/A or other (please explain) \_\_\_\_\_

2.7 If you checked one of the Biomass facilities boxes in Section 2.4 above, please respond to the following:

A. Please specify the fuel or fuels used or to be used in the Unit: \_\_\_\_\_

B. Please complete and attach Appendix F, Eligible Biomass Fuel Source Plan.  
Appendix F completed and attached?  Yes  No  N/A

- 2.8 Has the Generation Unit been certified as a Renewable Energy Resource for eligibility in another state's renewable portfolio standard?
- Yes       No      If yes, please attach a copy of that state's certifying order.
- Copy of State's certifying order attached?       Yes     No     N/A

**SECTION III: Commercial Operation Date**

Please provide documentation to support all claims and responses to the following questions:

- 3.1 Date Generation Unit first entered Commercial Operation: 03/13/09 at the site.

If the commercial operation date is after December 31, 1997, please provide independent verification, such as the utility log or metering data, showing that the meter first spun after December 31, 1997. This is needed in order to verify that the facility qualifies as a New Renewable Energy Resource.

Documentation attached?       Yes     No     N/A

- 3.2 Is there an Existing Renewable Energy Resource located at the site of Generation Unit?

Yes  
 No

- 3.3 If the date entered in response to question 3.1 is earlier than December 31, 1997 or if you checked "Yes" in response to question 3.2 above, please complete Appendix C.

Appendix C completed and attached?       Yes     No     N/A

- 3.4 Was all or any part of the Generation Unit used on or before December 31, 1997 to generate electricity at any other site?

Yes  
 No

- 3.5 If you checked "Yes" to question 3.4 above, please specify the power production equipment used and the address where such power production equipment produced electricity (attach more detail if the space provided is not sufficient):

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**SECTION IV: Metering**

- 4.1 Please indicate how the Generation Unit's electrical energy output is verified (check all that apply):

ISO-NE Market Settlement System  
 Self-reported to the NEPOOL GIS Administrator

Other (please specify below and see Appendix D: Eligibility for Aggregations):

Appendix D completed and attached?

Yes  No  N/A

## SECTION V: Location

5.1 Please check one of the following that apply to the Generation Unit:

- Grid Connected Generation
- Off-Grid Generation (not connected to a utility transmission or distribution system)
- Customer Sited Generation (interconnected on the end-use customer side of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the end-use customer)

5.2 Generation Unit address: 2363 N. Sheldon Road  
Strykersville, NY 14145

5.3 Please provide the Generation Unit's geographic location information:

A. Universal Transverse Mercator Coordinates: 711259.26 / 473875.40 / 17T

B. Longitude/Latitude: -78.418044 / 42.764309

5.4 The Generation Unit located: (please check the appropriate box)

- In the NEPOOL control area
- In a control area adjacent to the NEPOOL control area
- In a control area other than NEPOOL which is not adjacent to the NEPOOL control area ← *If you checked this box, then the generator does not qualify for the RI RES – therefore, please do not complete/submit this form.*

5.5 If you checked “In a control area adjacent to the NEPOOL control area” in Section 5.4 above, please complete Appendix E.

Appendix E completed and attached?

Yes  No  N/A

**SECTION VI: Certification**

6.1 Please attach documentation, using one of the applicable forms below, demonstrating the authority of the Authorized Representative indicated in Section 1.8 to certify and submit this Application.

**Corporations**

If the Owner or Operator is a corporation, the Authorized Representative shall provide **either**:

- (a) Evidence of a board of directors vote granting authority to the Authorized Representative to execute the Renewable Energy Resources Eligibility Form, **or**
- (b) A certification from the Corporate Clerk or Secretary of the Corporation that the Authorized Representative is authorized to execute the Renewable Energy Resources Eligibility Form or is otherwise authorized to legally bind the corporation in like matters.

Evidence of Board Vote provided?  Yes  No  N/A

Corporate Certification provided?  Yes  No  N/A

**Individuals**

If the Owner or Operator is an individual, that individual shall complete and attach APPENDIX A, or a similar form of certification from the Owner or Operator, duly notarized, that certifies that the Authorized Representative has authority to execute the Renewable Energy Resources Eligibility Form.

Appendix A completed and attached?  Yes  No  N/A

**Non-Corporate Entities**

(Proprietorships, Partnerships, Cooperatives, etc.) If the Owner or Operator is not an individual or a corporation, it shall complete and attach APPENDIX B or execute a resolution indicating that the Authorized Representative named in Section 1.8 has authority to execute the Renewable Energy Resources Eligibility Form or to otherwise legally bind the non-corporate entity in like matters.

Appendix B completed and attached?  Yes  No  N/A

6.2 Authorized Representative Certification and Signature:

I hereby certify, under pains and penalties of perjury, that I have personally examined and am familiar with the information submitted herein and based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties, both civil and criminal, for submitting false information, including possible fines and punishment. My signature below certifies all information submitted on this Renewable Energy Resources Eligibility Form. The Renewable Energy Resources Eligibility Form includes the Standard Application Form and all required Appendices and attachments. I acknowledge that the Generation Unit is obligated to and will notify the Commission promptly in the event of a change in a generator's eligibility status (including, without limitation, the status of the air permits) and that when and if, in the Commission's opinion, after due consideration, there is a material change in the characteristics of a Generation Unit or its fuel stream that could alter its eligibility, such Generation Unit must be re-certified in accordance with Section 9.0 of the RES Regulations. I further acknowledge that the Generation Unit is obligated to and will file such quarterly or other reports as required by the Regulations and the Commission in its certification order. I understand that the Generation Unit will be immediately de-certified if it fails to file such reports.

Signature of Authorized Representative:

SIGNATURE:

  
\_\_\_\_\_

DATE:

12/19/13

Vice President

\_\_\_\_\_  
(Title)

GIS Certification #:  
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**APPENDIX B**  
**(Required When Owner or Operator is a Non-Corporate Entity**  
**Other Than An Individual)**

**STATE OF RHODE ISLAND**  
**PUBLIC UTILITIES COMMISSION**

**RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM**

Pursuant to the Renewable Energy Act  
Section 39-26-1 et. seq. of the General Laws of Rhode Island

**RESOLUTION OF AUTHORIZATION**

**Resolved:** that Alex C. George, named in  
Section 1.8 of the Renewable Energy Resources Eligibility Form as Authorized Representative,  
is authorized to execute the Application on the behalf of Sheldon Energy LLC,  
the Owner or Operator of the Generation Unit named in section 1.1 of the Application.

SIGNATURE:

*Michael Polsky*

DATE:

12/19/13

State: Illinois

County: Cook

(TO BE COMPLETED BY NOTARY) I, Hannah Hertlein as a  
notary public, certify that I witnessed the signature of the above named Michael Polsky,  
and that said person stated that he/she is authorized to execute this resolution, and the individual  
verified his/her identity to me, on this date: Dec. 19, 2013.

SIGNATURE:

*Hannah Hertlein*

DATE:

12/19/2013

My commission expires on: 02/29/2016

NOTARY SEAL:



**APPENDIX E**  
**(Revised 6/11/10)**

**(Required of all Applicants Located in a Control Area Adjacent to NEPOOL)**

**STATE OF RHODE ISLAND**  
**PUBLIC UTILITIES COMMISSION**

**RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM**

**Pursuant to the Renewable Energy Act**  
**Section 39-26-1 et. seq. of the General Laws of Rhode Island**

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Please complete the following and attach documentation, as necessary to support all responses:

E.1 Please indicate in which Control Area adjacent to NEPOOL the Generation Unit is located:

- New York  
 Hydro Quebec  
 Maritimes (including Northern Maine Independent System Administrator)

E.2 Applicant must provide to the Commission by July 1<sup>st</sup> of each year assurances that the Generation Unit's New Renewable Energy Resources used for compliance with the Rhode Island's Renewable Energy Act during the previous Compliance Year have not otherwise been, nor will be, sold, retired, claimed or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Rhode Island. Such assurances may consist of a report from a neighboring Generation Attribute accounting system or an affidavit from the Generation Unit.

- ← please check this box to acknowledge this requirement  
 N/A or other (please explain) \_\_\_\_\_

E.3 Applicant must acknowledge and provide evidence to support that, in accordance with Section 5.1.(ii) of the RES Regulations, the Generation Attributes associated with the Generation Unit shall be applied to the Rhode Island Renewable Energy Standard only to the extent of the energy produced by the Generation Unit that is or will be actually delivered into NEPOOL for consumption by New England customers. Verification of the delivery of such energy from the Generation Unit into NEPOOL will be performed in accordance with subparagraphs (a), (b) and (c) of RES Regulations Section 5.1.(ii)

- ← please check this box to acknowledge this requirement.

(a) Under subparagraph 5.1.(ii)(a), Applicant must verify that the energy produced by the Generation Unit is actually delivered into NEPOOL via “a unit-specific bilateral contract for the sale and delivery of such energy into NEPOOL”.

← please check this box to acknowledge the requirement for Applicant to provide ongoing evidence of one or more unit-specific bilateral contract(s) for all energy delivery into NEPOOL for which Applicant seeks RI RES certification, prior to creation of certificates in each quarter, and:

i. Please describe the type of evidence to be provided to the GIS Administrator to demonstrate the existence of such unit-specific bilateral contract(s) for the sale and delivery of such energy into NEPOOL, including duration, quantity and counter-party in NEPOOL:

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(attach more detail if the space provided is not sufficient)

N/A or other (please explain): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL  
TEN FRANKLIN SQUARE  
NEW BRITAIN, CT 06051

DOCKET NO. 09-04-28 APPLICATION OF SHELDON ENERGY, LLC FOR  
QUALIFICATION OF HIGH SHELDON WIND ENERGY  
CENTER AS A CLASS I RENEWABLE ENERGY SOURCE

October 7, 2009

By the following Commissioners:

John W. Betkoski, III  
Kevin M. DeIGobbo  
Anthony J. Palermino

## DECISION

### I. INTRODUCTION

#### A. SUMMARY

In this Decision, the Department of Public Utility Control determines that the wind generation facility at High Sheldon Wind Energy Center in Strykersville, New York qualifies as a Class I renewable energy source and assigns it Connecticut Renewable Portfolio Standard (RPS) Registration Number CT00344-09.

#### B. BACKGROUND OF THE PROCEEDING

By application received April 21, 2009, Sheldon Energy, LLC requested that the Department of Public Utility Control (Department) determine that the High Sheldon Wind Energy Center (High Sheldon) wind generation facility qualifies as a Class I renewable energy source. High Sheldon is a wind-turbine generation facility located at 2362 N.

Sheldon Road, Strykersville in New York. The High Sheldon wind generation facility system began commercial operation on March 13, 2009, and has a nameplate capacity of 112.5MW. Application, p. 2.

#### **C. CONDUCT OF THE PROCEEDING**

There is no statutory requirement for a hearing, no person requested a hearing, and none was held.

#### **D. PARTICIPANTS IN THE PROCEEDING**

The Department recognized Sheldon Energy, LLC, One South Wacker Drive, Suite 1900, Chicago, Illinois 60606, and the Office of Consumer Counsel, Ten Franklin Square, New Britain, Connecticut 06051, as participants in this proceeding.

### **II. DEPARTMENT ANALYSIS**

Pursuant to the General Statutes of Connecticut (Conn. Gen. Stat.) §16-1(a) (26), "Class I renewable energy source" means energy derived from wind power.

As provided in the Application, High Sheldon is a wind power facility located at 2362 N. Sheldon Road in Strykersville, NY 14145. Application, p. 1. High Sheldon is currently not registered in the New England Power Pool Generation Information System (NEPOOL GIS) as a wind facility but will be expected to register and be assigned a GIS Unit ID Number. High Sheldon is currently owned by Sheldon Energy, LLC. Sheldon Energy indicates that the commercial operation date of High Sheldon Wind Energy Center is March 13, 2009 with a nameplate capacity of 112.5 MW. Application, p. 2.

Under Conn Gen. Stat. §16-245a(b) a company may satisfy the Connecticut renewable energy portfolio standards by purchasing certificates issued by the NEPOOL GIS if the certificates are for energy imported into the control area of the regional independent system operator pursuant to NEPOOL GIS Rule 2.7(c), as in effect on January 1, 2006.

High Sheldon is located in Strykersville, NY, which is recognized as an adjacent control area by the Independent System Operator of New England. Therefore, the facility geographically qualifies to import power into the control area pursuant to NEPOOL GIS rule 2.7(c) and subsequently receive renewable energy certificates.

Upon review of the petitioner's evidence, the Department concludes in this Decision that the High Sheldon generating facility qualifies as a Class I renewable energy source pursuant to Conn. Gen. Stat. 16-1(a) (26). The facility must register in the NEPOOL GIS and comply with NEPOOL GIS Operating Rule 2.7 regarding imports.

### **III. FINDINGS OF FACT**

1. High Sheldon is a wind power facility located in Strykersville, NY.
2. High Sheldon is currently owned by Sheldon Energy, LLC.

3. High Sheldon began operation on March 13, 2009.
4. High Sheldon has a total combined nameplate capacity of 112.5 MW.
5. High Sheldon is located in an eligible adjacent control area.
6. High Sheldon is not registered in the NEPOOL GIS.

### **III. CONCLUSION**

Based on the evidence submitted, the Department finds that the High Sheldon wind generation facility qualifies as a Class I renewable generation source pursuant to Conn. Gen. Stat. §16-1(a)(26).

The Department assigns each renewable generation source a unique Connecticut RPS registration number. The High Sheldon wind generation facility Connecticut RPS registration number is CT00344-09.

The Department's determination in this docket is based on the information submitted by Sheldon Energy, LLC, High Sheldon's authorized representative. The Department may reverse its ruling or revoke the Applicant's registration if any material information provided by the Applicant proves to be false or misleading. The Department reminds CCEF that it is obligated to notify the Department within 10 days of any changes to any of the information it has provided to the Department.

### **IV. ORDER**

1. On or before February 1 of each year, Sheldon Energy, LLC shall certify to the Department the High Sheldon's wind generation output for the previous calendar year.

DOCKET NO. 09-04-28 APPLICATION OF SHELDON ENERGY, LLC FOR  
QUALIFICATION OF HIGH SHELDON WIND ENERGY  
CENTER AS A CLASS I RENEWABLE ENERGY SOURCE

This Decision is adopted by the following Commissioners:

John W. Betkoski, III

Kevin M. DelGobbo

Anthony J. Palermino

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Department of Public Utility Control, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.



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Kimberley J. Santopietro  
Executive Secretary  
Department of Public Utility Control

October 8, 2009

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Date

