

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
**PUBLIC UTILITIES COMMISSION**

IN RE: APPLICATION FOR STANDARD CERTIFICATION : DOCKET NO. 4541  
AS ELIGIBLE RENEWABLE ENERGY RESOURCE FILED :  
BY KEI (MAINE) POWER MANAGEMENT (III), LLC :  
BARKER MILLS LOWER PROJECT – NEW GENERATION :

ORDER

WHEREAS, On December 22, 2014, KEI (Maine) Power Management (III) LLC<sup>1</sup> (Company), filed with the PUC an application seeking prospective certification for its Barker Mills Lower Project Generation Unit, a 1.2 MW to 1.6 MW repowered small hydro energy generation unit located in Auburn, Maine, as an eligible New Renewable Energy Resource in accordance with the PUC’s Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations) and R.I. Gen. Laws §39-26-1; and

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 comments were received; and

WHEREAS, On March 10, March 20, and March 23, 2015, supplemental and clarifying information was provided to PUC Staff and their application review consultant in response to the application review consultant’s March 5, 2015 request for said information; and

WHEREAS, Said supplemental and clarifying information included: an electronic spreadsheet version, documentation of data sources associated with the production

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<sup>1</sup> The authorized representative was identified as Stéphane Cohen, Jr. Engineer c/o Kruger Energy Inc., 3285 chemin Bedford, Montreal, Quebec H3S 1G5, Canada, Phone (514-343-3100, Email: [stephane.cohen@kruger.com](mailto:stephane.cohen@kruger.com).

calculations included in the original application's Attachment 4, and confirmation regarding the range of nameplate capacities potentially to be procured for the repowered generation unit; and

WHEREAS, After examination, the PUC is of the opinion that the application, along with said supplemental information is proper, reasonable and verifies compliance with the RES Regulations, including the Section 3.29 requirements that (1) the Prime Mover of the facility's existing generation unit was completely replaced with a new Prime Mover, (2) a material increase in the existing generation unit's efficiency was achieved, and (3) the capital expenditures made after December 31, 1997 to complete the repowered generation unit exceeded 80 percent of its resulting tax basis of the entire generation unit's plant and equipment, and hereby grants the Company certification as an eligible renewable energy resource pursuant to R.I. Gen. Laws §39-26-1; 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

(21862) ORDERED:

1) The Barker Mills Lower Project Generation Unit meets the requirements for eligibility as a New, Small Hydro Renewable Energy Resource with its Repowered 1.2 MW to 1.6 MW, Grid-Connected Generation Unit having an expected Commercial Operation Date in early 2016 and located within the NEPOOL Control Area in Auburn, Maine.

2) The Generation Unit's current NEPOOL-GIS Identification Number MSS 2278 will remain unchanged but the Generation Unit Capacity associated with this current number will be updated coincident with the Commercial Operation Date of the Company's new, repowered Generation Unit, to reflect the actual capacity of the new, repowered Generation Unit.

3) As a new repowered Generation Unit which has not yet achieved Commercial Operation, eligibility is granted with conditional requirements that the Company provide the PUC with written documentation: (1) verifying the Commercial Operation Date of the new, repowered Generation Unit, (2) specifying the nameplate capacity of the new, repowered Generation Unit, and (3) verifying that the nameplate capacity has been updated on the NEPOOL-GIS to be consistent with the actual capacity of the new, repowered Generation Unit.

4) Following receipt from the Company of acceptable written documentation required to meet the three conditions specified in the paragraph above, PUC staff is hereby authorized to assign a unique Rhode Island Public Utilities PUC Eligible Renewable Energy Resource Facility Certification Number for the Company's Generation Unit.

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

6) 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 RI RES Certification at any time at the PUC's discretion.

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

EFFECTIVE AT WARWICK, RHODE ISLAND ON MARCH 31, 2015  
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED  
APRIL 1, 2015.

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 § 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.