

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR PROSPECTIVE CERTIFICATION : DOCKET NO. 4624
AS ELIGIBLE RENEWABLE ENERGY RESOURCE FILED BY:
NORTHBROOK LYONS FALLS, LLC – NEW GENERATION :

ORDER

WHEREAS, On June 23, 2016, Northbrook Lyons Falls, LLC¹ (Applicant) filed with the Rhode Island Public Utilities Commission (PUC) an application seeking declaratory judgement for its Lyons Falls Mill Facility Generation Unit, a 5.5 MW small hydro Generation Unit located in Lyons Falls, New York, 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 (30) day period for public comment was provided during which time, no such comments were received; and

WHEREAS, On August 10, 2016, supplemental and clarifying information was provided to PUC Staff and their application review consultant in response to the application review consultant's July 29, 2016 request for said information; and

WHEREAS, Said supplemental and clarifying information addressed: facility layout, GIS number clarification, efficiency increase calculation and turbine efficiency curves; and

¹The authorized representative was identified as Pierre Janelle, Vice President, Operations. 3285 Chemin Bedford, Montreal, Quebec, H3S 1G5. Phone: (514) 343-3100 x12042. Fax: (514) 343-3124. Email: Pierre.Janelle@kruger.com.

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 conditional certification as an eligible new renewable energy resource pursuant to the R. I. Gen. Laws §39-26-1; and

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

Accordingly, it is

(22549) ORDERED:

1) The Lyons Falls Mill Facility Generation Unit meets the requirements for eligibility as a New, Repowered Small Hydro Renewable Energy Resource with its 5.5 MW, Grid Connected Generation Unit having a Commercial Operation Date not yet reached and located adjacent to the NEPOOL control area in Lyons Falls, New York.

2) As a Repowered Generation Unit which has not yet achieved Commercial Operation, eligibility is granted with the following conditional requirements: that the Applicant provide the PUC with written documentation verifying Commercial Operation including as-built construction, actual capital costs and efficiency improvement details and confirmation of the NEPOOL-GIS Asset Identification Number. Additionally, a copy of a unit specific bilateral contract for the import of energy into the NEPOOL must be provided.

3) Following receipt from the Company of acceptable written documentation supporting that the conditions of Order Paragraph 2 have been met, PUC staff is hereby authorized to assign a unique Rhode Island Public Utilities Commission Eligible

Renewable Energy Resource Facility Certification Number for the Applicant's Generation Unit.

4) 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.

5) Although the PUC will rely upon the NEPOOL GIS for verification of production of energy from the Applicant's Generation Unit certified as eligible in this Order, the Applicant 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.

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

EFFECTIVE AT WARWICK, RHODE ISLAND ON SEPTEMBER 20, 2016
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED
SEPTEMBER 21, 2016.



PUBLIC UTILITIES COMMISSION

Margaret E. Curran, Chairperson

*Marion S. Gold, Commissioner

Herbert F. DeSimone, Commissioner

*Commissioner Gold did not participate.

NOTICE OF RIGHT OF APPEAL PURSUANT TO R.I.G.L. SECTION 39-5- , 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.