



**BROWN BEAR II**  
HYDRO, INC.

*Worumbo Hydroelectric Project (FERC No. 3428-ME)*

P.O. Box 267  
Orono, ME 04473

8 July 2016

Luly E. Massaro, Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Blvd.  
Warwick, RI 02888  
Attn: Renewable Energy Resources Eligibility

**RE: BROWN BEAR II HYDRO, INC. APPLICATION FOR CERTIFICATION OF  
ITS WORUMBO HYDROELECTRIC PROJECT AS A RENEWABLE ENERGY  
RESOURCE**

Dear Ms. Massaro:

Pursuant to the State of Rhode Island's Renewable Energy Act and the Commission's regulations, Brown Bear II Hydro, Inc. (Brown Bear II) hereby submits the enclosed completed Renewable Energy Resources Eligibility Form and associated appendices requesting that the Commission review and approve Brown Bear II's Worumbo Hydroelectric Project as a renewable energy resource.

The Worumbo Hydroelectric Project (Federal Energy Regulatory Commission Project No. 3428-ME) is a 19.4 MW (nameplate) run-of-river hydroelectric project located in Lisbon Falls, Maine.

As required we are submitting an original and three copies of the completed application form. Please be advised that we have also sent the same completed application form and appendices to you via email at [lmassaro@puc.state.ri.us](mailto:lmassaro@puc.state.ri.us), and to [Res.filings@puc.ri.gov](mailto:Res.filings@puc.ri.gov). Furthermore, we have sent the completed application form and appendices to the Division of Public Utilities and Carriers, and to all interested parties listed on the Commission's website.

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Luly E. Massaro, Commission Clerk

8 July 2016

We appreciate the Commission's prompt review of Brown Bear II's enclosed application. Please don't hesitate to contact me at 207-461-3617, or [shall@worumbohydro.com](mailto:shall@worumbohydro.com) with any questions.

Sincerely,



Scott D. Hall

Vice President

Enclosures

Xc: J. Chadbourne

**RIPUC Use Only**

Date Application Received: \_\_\_/\_\_\_/\_\_\_  
Date Review Completed: \_\_\_/\_\_\_/\_\_\_  
Date Commission Action: \_\_\_/\_\_\_/\_\_\_  
Date Commission Approved: \_\_\_/\_\_\_/\_\_\_

GIS Certification #:  
\_\_\_\_\_

## 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

**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.filings@puc.ri.gov](mailto:Res.filings@puc.ri.gov).

- 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.filings@puc.ri.gov](mailto:Res.filings@puc.ri.gov).

**SECTION I: Identification Information**

1.1 Name of Generation Unit (sufficient for full and unique identification): ***Worumbo Hydroelectric Project***

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 D. Hall - Vice President***

1.5 Primary Contact Person address and contact information:

Address: ***Brown Bear II Hydro, Inc.; PO Box 267, Orono, ME 04473***

Phone: ***207-461-3617***      Fax: \_\_\_\_\_

Email: ***shall@worumbohydro.com***

1.6 Backup Contact Person name and title: ***Jon Chadbourne - Director, Risk Management***

1.7 Backup Contact Person address and contact information:

Address: ***c/o ArcLight Capital Partners, LLC; 200 Clarendon Street, 55<sup>th</sup> Floor, Boston, MA 02116***

Phone: ***617-531-6397***      Fax: ***617-867-4698***

Email: ***jchadbourne@arlightcapital.com***

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): ***Daniel R. Revers - President***

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

<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.

- 1.9 Authorized Representative address and contact information:  
Address: *c/o ArcLight Capital Partners, LLC; 200 Clarendon Street, 55<sup>th</sup> Floor, Boston, MA 02116*  
Phone: *617-531-6300* Fax: *617-867-4698*  
Email: *drevers@arlightcapital.com*
- 1.10 Owner name and title: *Brown Bear II Hydro, Inc.*
- 1.11 Owner address and contact information:  
Address: *c/o ArcLight Capital Partners, LLC; 200 Clarendon Street, 55<sup>th</sup> Floor, Boston, MA 02116*  
Phone: *617-531-6397* Fax: *617-867-4698*  
Email: *jchadbourne@arlightcapital.com*
- 1.12 Owner business organization type (check one):  
 Individual  
 Partnership  
 Corporation  
 Other: \_\_\_\_\_
- 1.13 Operator name and title: *Brown Bear II Hydro, Inc.*
- 1.14 Operator address and contact information:  
Address: *Brown Bear II Hydro, Inc.; PO Box 267, Orono, ME 04473*  
Phone: *207-461-3617* Fax: \_\_\_\_\_  
Email: *shall@worumbohydro.com*
- 1.15 Operator business organization type (check one):  
 Individual  
 Partnership  
 Corporation  
 Other: \_\_\_\_\_

## 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): **ISO-NE Resource ID # 487; NEPOOL GIS # MSS487**
- 2.2 Generation Unit Nameplate Capacity: **19.4 MW**
- 2.3 Maximum Demonstrated Capacity: **19.4 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



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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: **31 Canal Street, Lisbon Falls, ME 04252**

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

A. Universal Transverse Mercator Coordinates: \_\_\_\_\_

B. Longitude/Latitude: **43°59'40.2"N 70°03'41.4"W**

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:

X 

6/21/16

President  
(Title)

**ACTION BY WRITTEN CONSENT  
OF THE SOLE DIRECTOR  
OF  
BROWN BEAR II HYDRO, INC.**

**JUNE 16, 2016**

Daniel R. Revers (the "Director"), being the sole director of Brown Bear II Hydro, Inc. (formerly known as Miller Hydro Group), a Maine corporation ("Company"), in accordance with the Maine Business Corporation Act, does hereby consent to the taking of the following actions and the adoption of the following resolutions (the "Written Consent"), such actions and resolutions to have the same force and effect as though duly taken and adopted at a meeting of the board of directors of the Company duly called and legally held:

**WHEREAS**, the Director finds that it is advisable, fair to, and in the best interest of the Company to file a Renewable Energy Resources Eligibility Form with the State of Rhode Island Public Utilities Commission (the "RI REC Application") with respect to the Worumbo Hydroelectric Project.

**AUTHORIZATION OF RI REC APPLICATION**

**NOW THEREFORE, BE IT RESOLVED**, that the Company, execute, and deliver the RI REC Application and all applicable appendices and supporting documentation; and be it further

**RESOLVED**, that the President and each Vice President and Secretary of the Company, and any other representative of the Company designated by any of the foregoing named officers (each such named officer and other officers being hereinafter referred to as an "Officer" and collectively, the "Officers") are, and each hereby is, authorized and directed to execute and deliver the RI REC Application in the Company's name and on its behalf, in such form and with such other modifications thereto as the Officer executing the same may approve, such approval to be conclusively evidenced by his or her execution thereof; and be it

**FURTHER RESOLVED**, that the Officers are, and each hereby is, authorized and directed to do and perform all such acts and things, and to execute and deliver on the Company's behalf and in its name, any and all certificates, instruments, documents, reports and statements as may be required by or otherwise provided for in the RI REC Application, or as shall otherwise be necessary or appropriate in order to consummate the transactions contemplated thereby.

**AUTHORIZATION OF ADDITIONAL ACTION**

**BE IT RESOLVED**, that any Officer is authorized and directed to prepare, execute, deliver, record and file such agreements, documents, assignments, certificates and other instruments and to take such other action as may be necessary, advisable, convenient or proper to carry out the intent of these resolutions and to fully perform the provisions of any and all agreements, documents, assignments, certificates and instruments executed on behalf of the

Company pursuant to these resolutions.

**RATIFICATION OF PRIOR ACTIONS**

**BE IT RESOLVED**, that any and all actions by or on behalf of the Company taken prior to the date hereof consistent with the purposes of the foregoing resolutions are hereby ratified, approved and confirmed in all respects.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

IN WITNESS WHEREOF, this Written Consent is executed by the undersigned on the date first written above.

BROWN BEAR II HYDRO, INC.

By: 

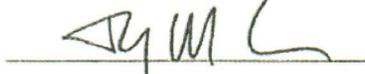
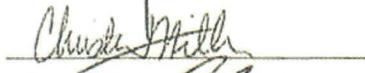
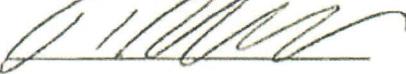
Name: Daniel R. Revers

Title: Director

**ANNEX A  
(INCUMBENCY CERTIFICATE)**

### INCUMBENCY CERTIFICATE

The below-listed persons are officers of Brown Bear II Hydro, Inc. and hold the offices set forth opposite their name:

NAME	TITLE	SPECIMEN SIGNATURE
Daniel R. Revers	President	
Timothy M. Evans	Vice President	
Christine M. Miller	Secretary	
Theodore D. Burke	Assistant Secretary	

I, Christine M. Miller, the duly appointed, qualified and acting Secretary of Brown Bear II Hydro, Inc., hereby certify that the above named officers have been duly elected, are duly qualified, and on this day hold the respective positions set forth above, and that their signatures above-subscribed are their genuine signatures.

IN WITNESS WHEREOF, I have hereunto set my hand this 16<sup>th</sup> day of June, 2016

By:   
Name: Christine M. Miller  
Title: Secretary