

RIPUC Use Only

Date Application Received: ___/___/___
Date Review Completed: ___/___/___
Date Commission Action: ___/___/___
Date Commission Approved: ___/___/___

GIS Certification #:

NON88610

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. 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.

- 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.
- 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.

SECTION I: Identification Information

1.1 Name of Generation Unit (sufficient for full and unique identification):
Ball Mountain

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

1.3 This Application includes: (Check all that apply)¹

- 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: Matt Ocwieja, Vice President Asset Management

1.5 Primary Contact Person address and contact information:
Address: 65 Madison Avenue, Suite 500
Morristown, NJ 07960

Phone: 973-998-8409 Fax: 973-998-8401
Email: matt.ocwieja@eaglecreekre.com

1.6 Backup Contact Person name and title: Lauren Keyes, Technical Assistant

1.7 Backup Contact Person address and contact information:
Address: P.O. Box 1938
Manchester Center, VT 05255

Phone: 802-362-0748 Fax: 802-362-5496
Email: lkeyes@veppi.org

¹ 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):

Eli Smith, Vice President

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

1.9 Authorized Representative address and contact information:

Address: 65 Madison Avenue, Suite 500
Morristown, NJ 07960

Phone: 973-998-8410

Fax: 973-998-8401

Email: eli.smith@eaglecreekre.com

1.10 Owner name and title: Blue Heron Hydro, LLC

1.11 Owner address and contact information:

Address: 65 Madison Avenue, Suite 500
Morristown, NJ 07960

Phone: 973-998-8400

Fax: 973-998-8401

Email: powersales@eaglecreekre.com

1.12 Owner business organization type (check one):

Individual

Partnership*

Corporation

Other: functions as a corporation, LLC in name only. See attached Certificate.

1.13 Operator name and title: Eagle Creek RE Management, LLC

1.14 Operator address and contact information:

Address: 65 Madison Avenue, Suite 500
Morristown, NJ 07960

Phone: 973-998-8400

Fax: 973-998-8401

Email: powersales@eaglecreekre.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): NON88610

2.2 Generation Unit Nameplate Capacity: 2.2 AC MW

2.3 Maximum Demonstrated Capacity: ≤ 2.2 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: 04 / 28 / 16 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):

Additional information per PUC request: This project is the only project at the Ball Mountain impoundment. There has never been a prior powerhouse at the Ball Mountain impoundment.

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):
Generation Unit will be reported by VEPP Inc. acting as Rhode Island approved Independent Verifier.

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: 88 Ball Mountain Lane, Jamaica, VT 05343

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

A. Universal Transverse Mercator Coordinates: 18 N 680909 4777206

B. Longitude/Latitude: 43.12598 / -72.77597

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.

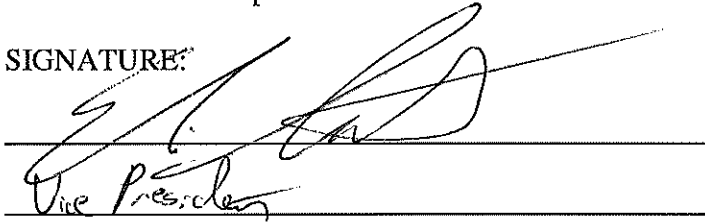
Appendix B completed and attached? Yes No N/A

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:



(Title)

DATE:

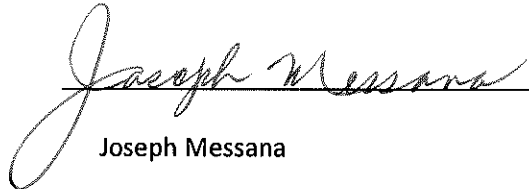
3/22/18



SECRETARY'S CERTIFICATE

I, Joseph Messana, being the Corporate Secretary of Blue Heron Hydro, LLC, (the "Company"), do hereby certify that the Board of Directors of the Company has granted certain executory powers to the Officers of the Company. I further certify that Eli Smith is Vice President of the Company and, as part of the executory powers granted to him as an Officer, he is authorized to execute the Rhode Island Renewable Energy Resources Eligibility Form.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of March, 2018.


Joseph Messana

VEPP Inc.

4.100 Purchasing Agent
Standard Offer Facilitator

April 28, 2016

Diana Kunde
Blue Heron Hydro, LLC
c/o Eagle Creek Renewable Energy, LLC
P.O. Box 167
Neshkoro, WI 54960

Re: Standard Offer Commissioning Milestone - Ball Mountain Hydro

Dear Ms. Kunde:

Congratulations! You have satisfied your Standard Offer Commissioning Milestone as of April 28, 2016. I will direct the bank to return your refundable deposit in the amount of \$22,000.

Thank you,
VEPP Inc.



Carolyn M.X. Alderman, Esq.
Executive Director

cc: Dave Youlen, Eagle Creek Renewable Energy, LLC;
Vermont Public Service Board

VEPP Inc.

P.O. BOX 1938 • MANCHESTER CENTER, VT 05255 • 802-362-0748 • FAX 802-362-5496

WWW.VEPL.ORG • WWW.VERMONTSPBED.COM



STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

**DOCKET NO. 16-09-40 APPLICATION OF BLUE HERON HYDRO, LLC FOR
QUALIFICATION OF BALL MOUNTAIN HYDRO AS A
CLASS I RENEWABLE ENERGY SOURCE**

December 7, 2016

DECISION APPROVING
CLASS I CERTIFICATION

On September 29, 2016, the Public Utilities Regulatory Authority (Authority) received an application from Blue Heron Hydro, LLC (Company) requesting that the Authority determine that the Ball Mountain Hydro facility (Ball Mountain or Facility) located at 88 Ball Mountain Lane in Jamaica, Vermont qualifies as a Class I renewable energy source.

The Facility generates electricity using hydropower. Ball Mountain began commercial operation on April 28, 2016, and has a nameplate capacity of 2.2 MW. The Facility's New England Power Pool Generation Information System (NEPOOL GIS) Identification Number is NON88610. Ball Mountain is a behind-the-meter generation facility located in Vermont, which is within the control area of the Independent System Operator of New England. VEPP, Inc. from Manchester, Vermont will be the 3rd party verifier of the electricity produced by the Facility.

Ball Mountain is operated in a true run-of-the-river mode except when the U.S. Army Corps of Engineers (Corps) takes control of the Facility for flood control or special maintenance operations. The Facility is not based on a new dam or a dam identified as a candidate for removal, as Ball Mountain uses the existing dam that has been owned and operated by the Corps since the dam's construction in 1961. Ball Mountain meets all applicable requirements, including applicable site-specific standards for water quality and fish passage.

The Authority reviewed all of the information in the record and finds that pursuant to §16-1(a)(20) of the General Statutes of Connecticut, the Facility qualifies as a Class I renewable energy source, effective July 1, 2016. The Authority assigns the Facility

Connecticut Renewable Portfolio Standard Registration No. CT160940. The Authority's determination in this docket is based on the information submitted by the Company. The Authority may reverse its ruling or revoke the Company's registration if any material information provided proves to be false or misleading. The Company is reminded that it is obligated to notify the Authority within 10 days of any changes to any of the information it has provided.

ORDER FOR COMPANY

To comply with the Order below, the Company shall submit one original of the required documentation to the Executive Secretary, Ten Franklin Square, New Britain, CT 06051, and file an electronic version through the Authority's website at www.ct.gov/pura. Submissions filed in compliance with the Authority's Orders must be identified by all three of the following: Docket Number, Title and Order Number.

1. Each Quarter, the Company shall file with the Authority, by the Report Due Date indicated in the table below: (a) date-stamped pictures or snapshots of the Facility's meter showing the meter read on the first and last day or each corresponding Class I Activity Calendar Quarter; and (b) the Quarterly Generation Report from the NEPOOL GIS that shows the number of renewable energy credits (RECs) created by the NEPOOL GIS Administrator based on the Class I activities of the Facility on the Creation Date [as defined in Section 2.1(b) of the NEPOOL GIS Operating Rules, as amended from time to time] for said quarter.

The first report is due February 15, 2017, with subsequent due dates as shown below:

Class I Activity Calendar Quarter	GIS REC Creation Date	Report Due Date
1. (Jan 01-Mar 31)	Jul 15	Aug 15
2. (Apr 01-Jun 30)	Oct 15	Nov 15
3. (Jul 01-Sep 30)	Jan 15	Feb 15
4. (Oct 01-Dec 31)	Apr 15	May 15

**DOCKET NO. 16-09-40 APPLICATION OF BLUE HERON HYDRO, LLC FOR
QUALIFICATION OF BALL MOUNTAIN HYDRO AS A
CLASS I RENEWABLE ENERGY SOURCE**

This Decision is adopted by the following Commissioners:

Michael A. Caron

John W. Betkoski, III

Katherine S. Dykes

CERTIFICATE OF SERVICE

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



Jeffrey R. Gaudiosi, Esq.
Executive Secretary
Public Utilities Regulatory Authority

December 7, 2016

Date

Meghan vonBallmoos

From: Meghan vonBallmoos
Sent: Wednesday, October 4, 2017 11:59 AM
To: 'michael.woods@gdsassociates.com'
Cc: Lauren Keyes; Carolyn Alderman
Subject: Vermont Standard Offer program PUC Order and Vermont Statute
Attachments: PUC Order 9_30_2009.pdf

Michael,

Thank you for the call today to address the RI-RES Certification applications for RI PUC Docket No. 4722-4731 and 4733-4744, as well as subsequent applications from VEPP Inc. for Vermont Standard Offer Program projects. We want to confirm for you that the Standard Offer Program projects are NOT net metered projects. The entire output from these facilities goes to the grid and is distributed pro rata to the Vermont utilities pursuant to the Vermont statute governing the Standard Offer Program referenced below.

Firstly, I have attached the Vermont Public Utility Commission Order in Docket No. 7533, which established the Standard Offer Program in 2009 and describes it at length.

Secondly, please follow the following link to 30 V.S.A. § 8005a (k)(2) the Vermont statute governing the Standard Offer Program <http://legislature.vermont.gov/statutes/section/30/089/08005a>.

Please let me know, if you have any questions. I can be reached today at 802-362-0748, but will be out of the office from 10/5 to 10/13. During that time, please contact Lauren Keyes at 802-362-0748 or lkeyes@veppi.org and she will be happy to assist.

Thank you so much!

Best regards,
Meghan von Ballmoos



802-362-0748
meghan@veppi.org