



GDS Associates, Inc.  
Engineers and Consultants

**RENEWABLE ENERGY RESOURCES ELIGIBILITY**  
**GDS TEAM RECOMMENDATION**  
**For Consideration By The**  
**STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION**  
(Version 6 – August 20<sup>th</sup>, 2013)

**Date:** March 9, 2015

**Docket #:** 4538

**Generation Unit and Contact Information:**

*Unit Name:* Missisquoi River Hydro

*Unit Owner:* Missisquoi River Hydro LLC

*Unit Size (max. MW):* 0.22 *Location (city, state):* North Troy, VT

*Commercial Operation Date:* 08/28/2013

*Contact Name, Numbers and Address:* Hilton H Dier III, Managing Partner, 453 East Hill Rd., Middlesex, VT 05602 Phone: (802) 223-2153 Email: Hiltondier@gmail.com

*Backup:* Robert Porter, Partner, PO Box 65, Adamant, VT 05640 Phone: (802) 223-2153 Email: Robbyportervt@gmail.com

*Authorized Representative Name, Numbers and Address:* Hilton H Dier III, Managing Partner, 453 East Hill Rd., Middlesex, VT 05602 Phone: (802) 223-2153 Email: Hiltondier@gmail.com

**Application Received:**

**Date:** December 3, 2014

*Comments:* An information request sent on 1/22/2015 asked for clarification regarding RER certification of eligibility in other states, method of reporting to NEPOOL GIS, and description and history of facility. This information was received on 2/23/2015. Another supplemental information request was sent on 3/6/2015 as further information was needed to prove the facility was repowered (Section 3.29 of the Rules and Regs). The information was received on 3/7/2015. Their completed appendix C plus supplemental attachments were deemed to meet the three requirements of a repowering: A) The prime mover was completely replaced (proved via list of all improvements and renovations) B) The new equipment is of a higher efficiency (proved through written history provided suggesting material increase in efficiency be 100%; facility output was previously nothing as it had been broken and abandoned for over a decade, and threatening legal sanction would have made the property challenging to renovate for future purchasers had Missisquoi River Hydro LLC not purchased the property immediately and done the necessary work.) C) At least 80% of the tax basis was from capital expenditures made after 12/31/1997 (proved via provided tax return

and breakdown of expenses). Considering the supplemental information we recommend approval of the facility as new repowered generation unit.

**Type of Certification Requested:**

Standard Certification     Prospective Certification (Declaratory Judgment)

**Generation Type and Technology Information:** *(check all that apply)*

Repowered Project     Incremental Generation     Incremental Intermittent  
 Customer-Sited or Off-Grid System (or associated aggregations)  
 Generation Unit Located in Control Area Adjacent to NEPOOL:  
 Solar     Wind     Ocean Thermal     Geothermal     Small Hydro  
 Eligible Biomass     Unlisted Biomass     Biomass (fossil co-fired/multi-fuel)  
 Fuel Cell (using an eligible renewable resource)

**Recommendation:**

Approve (GIS Certification #: NON 38861)     Reject     Public Hearing Needed  
 Existing Renewable Energy Resource     New Renewable Energy Resource  
 Capable of Producing as Both Existing & New Renewable Energy Resource

*Comments:*

**RENEWABLE ENERGY RESOURCES ELIGIBILITY**  
**DETAILED GDS TEAM APPLICATION REVIEW RESULTS**

(Template V5 – 11/15/11)

**Date of Final Review: 3/9/2105**

Note: Depending on the type of application (project vintage, type, location, fuel source, etc.) not all of these data items will be applicable.

A. Renewable Energy Resource – Vintage (*see appropriate Sections of RES Regulations, Application Sections 3.1-3.9 and Appendix C*):  
A.1 Generation Unit meets the definition of an Existing Renewable Energy Resource noted in RES Regulations Section 3.10 (first entering commercial operation before 12/31/1997).  Yes  No  
Comments: Repowered, CO began in August of 2013

A.2 Generation from the Unit meets one of the definitions of New Renewable Energy Resource in RES Regulations Section 3.23.  Yes  No  N/A  
Comments: See Below

A.2.1 If Generation Unit is at a new site, adequate documentation is provided to ensure that it first entered commercial operation after December 31, 1997.  Yes  No  N/A  
Comments: It is an existing site

A.2.2 If Generation Unit is at the site of an Existing Renewable Energy Resource, adequate documentation is provided to ensure that it first entered commercial operation after December 31, 1997 and that the Existing Renewable Energy Resource has been retired and replaced with such new Generation Unit.  Yes  No  N/A  
Comments: The impoundment was not replaced; therefore it is a

repowered generation unit.

A.2.3 If a Repowered Generation Unit (as defined in Section 3.29 of the RES Regulations – complete replacement of Prime Mover, material increase in efficiency or material decrease in air emissions, and demonstration that at least 80% of resulting tax basis of the entire Generation Unit’s plant and equipment is derived from capital expenditures made after December 31, 1997), adequate documentation is provided to ensure that the entire output of said unit first entered commercial operation after December 31, 1997 at the site of existing Generation Unit.  Yes  No  N/A  
Comments:

History: Plant first build in 1854. Plant is renovated and brought online from 1988 to 1999. Plant suffers catastrophic breakdown in 1999 and it abandoned. Plant undergoes extensive renovations in 2011 and goes online in 2013.

Section 3.29 (i) evidence: A detailed description of the renovations made made during the 2011 to 2013 renovations satisfies the repowered definition requirement of the Prime Mover being completely replaced.

Section 3.29 (ii) evidence: Written history provided suggesting material increase in efficiency be 100%; facility output was previously nothing as it had been broken and abandoned for over a decade, and threatening legal sanction would have made the property challenging to renovate for future purchasers had Missisquoi River Hydro LLC not purchased the property immediately and done the necessary work.

Section 3.29 (iii) evidence: proved via provided tax return and breakdown of expenses.

A.2.4 If a multi-fuel facility, adequate documentation is provided to ensure that the renewable energy fraction of output from a Generation Unit in which an Eligible Biomass Fuel is first co-fired with fossil fuels after December 31, 1997.  Yes  No  N/A  
Comments:

A.2.5 If Incremental Output from a non-Intermittent Existing Renewable Energy Resource, adequate documentation is provided to ensure that such output is attributable to capital investments for efficiency improvements or additions of capacity that were demonstrably completed after December 31, 1997 and that are sufficient to, were intended to, and can be demonstrated to increase annual electricity output in excess of ten percent (10%) over a Historical Generation Baseline as determined per Section 3.23.v of the RES Regulations.  Yes  No  N/A  
Comments:

A.2.6 If Incremental Output from an Intermittent Existing Renewable Energy Resource, adequate documentation is provided to ensure that such output is attributable to capital investments for efficiency improvements or additions of capacity that were demonstrably completed after December 31, 1997 and that are sufficient to, were intended to, and can be demonstrated to increase annual electricity output in excess of ten percent (10%) over a Historical Generation Baseline as determined per Section 3.23.vi of the RES Regulations.  Yes  No  N/A  
Comments:

B. Eligible Customer-Sited/Off-Grid Generation Facility:  Yes  No  
(see appropriate Sections of RES Regulations, Application Section 5 and Appendix D)

B.1 Adequate documentation provided to ensure that NEPOOL GIS Certificates are created by way of an aggregation of Generation Units, physically located in the State of Rhode Island, using the same generation technology (see RES Regulations Section 6.8.i).  Yes  No  
Comments: N/A

B.2 Proposed Aggregation Agreement (as specified in Section 6.8.iii of the RES Regulations) is reasonable and complete.  Yes  No  
Comments: N/A

B.2.1 Aggregation Agreement includes name and contact information of the aggregator owner.  Yes  No  
Comments: N/A

B.2.2 Aggregation Agreement includes name and contact information and adequate evidence of qualifications of the Verifier to ensure that the Verifier will accurately and efficiently carry out its duties.  Yes  No  
Comments: N/A

B.2.2.1 Additional evidence of Verifier qualifications requested and provided.  Yes  No  N/A  
Comments: N/A

B.2.3 Aggregation Agreement includes a declaration of any and all business or financial relations between aggregator and Verifier sufficient to ensure the independence of the Verifier in accordance with Section 6.8.iii.c of the RES Regulations (10% or more ownership in voting stock, or family officer/etc).  Yes  No  
Comments: N/A

B.2.3.1 Aggregation Agreement includes statement indicating under what circumstances the Verifier would not be considered sufficiently independent of the individual Generation Unit, and that Generation Units not meeting this independence test would not be allowed to participate in the aggregation.  Yes  No  
Comments: N/A

B.2.4 Aggregation Agreement identifies the type of technology that will be included in the aggregation and provides a statement that the aggregation will include only individual Generation Units that meet all the requirements of the RES Regulations (physical location, vintage, etc.).  Yes  No  
Comments: N/A

B.2.5 Aggregation Agreement provides an adequate description of proposed operating procedures for the aggregation, by which the Verifier shall ensure that individual Generation Units in the aggregation comply with all eligibility requirements and that the NEPOOL GIS Certificates created accurately represent generation (see Section 6.8.iii.e of the RES Regulations).  Yes  No  
Comments: N/A

- B.2.5.1 At a minimum the proposed operating procedures include reasonable and sufficient details for:
- Determining that the Generation Unit exists and is in compliance with RES Regulations and Commission-approved Aggregation Agreement.  Yes  No
  - Meter reading procedure that allows the Verifier to verify these readings (manual or remote, via the aggregators own system or an independent system) in a manner fully compliant with NEPOOL GIS Operating Rules regarding metering.  Yes  No
  - Specifying how generation data will be entered into NEPOOL GIS to create Certificates.  Yes  No
  - Documenting a procedure to verify independently that the GIS Certificates created for the aggregation are consistent with the meter readings.  Yes  No
  - Correcting discrepancies in NEPOOL GIS Certificate generation identified by the Verifier.  Yes  No
- Comments: N/A

B.2.6 Aggregation Agreement provides an adequate description of how the Verifier will be compensated for its services by the aggregator (in no instance is the Verifier is compensated in a manner linked to the number of NEPOOL GIS Certificates created by the aggregation).  Yes  No  
Comments: N/A

C. Generation Unit Location (*see appropriate Sections of RES Regulations, Application Section 5 and Appendix E*):

C.1 Generation Unit is located in NEPOOL Control Area.  Yes  No  
Comments: 9 East Main St., North Troy, VT

C.1.1 Generation Unit is located in Rhode Island.  Yes  No  
Comments: -72.40040 N/ 44.99573W

C.2 Generation Unit is located in a control area adjacent to NEPOOL and, in accordance with Section 5.1.ii of the RES Regulations, will apply the associated Generation Attributes to the RES only to the extent that the

energy produced by the Generation Unit is actually delivered into NEPOOL for consumption by New England customers.  Yes  No  
Comments:

C.2.1 Applicant acknowledges that satisfactory documentation (i.e., a report from neighboring Generation Attribute accounting system or an affidavit) must be provided to verify that Generation Attributes from a Generation Unit located in a control area adjacent to NEPOOL 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)  Yes  No  
Comments: N/A

C.2.2 Applicant acknowledges that energy delivered from such Generation Unit into NEPOOL will be verified by the following:

- A unit-specific bilateral contract for the sale and delivery of such energy into NEPOOL
- Confirmation from ISO that the energy was actually settled in the ISO Market Settlement System, and
- Confirmation through the North American Reliability Council tagging system that the import of the energy into NEPOOL actually occurred, or such other requirements as the Commission deems appropriate

Yes  No  
Comments: N/A

D. Eligible Fuel Source – Solar, Wind, Ocean Thermal, Geothermal, or Fuel Cell (using an eligible renewable resource) (*see appropriate Sections of RES Regulations and Application Section 2.4*):  Yes  No  N/A  
Comments:

E. Eligible Fuel Source – Small Hydro Facilities (*see appropriate Sections of RES Regulations and Application Sections 2.5-2.6*):  Yes  No  N/A

E.1 Aggregate capacity does not exceed 30 MW.  Yes  No  
Comments: Aggregate Capacity is 0.22 MW

E.2 If “New Renewable Energy Resource”, applicant acknowledges that facility does not involve any new impoundment or diversion of water with an average salinity of 20 parts per thousand or less.  Yes  No  
Comments: Existing impoundment

F. Eligible Fuel Source – Biomass Facilities (see appropriate Sections of RES Regulations, Application Sections 2.7 and Appendix F):  Yes  No  N/A

F.1 Generation Unit uses a biomass fuel source listed in RES Regulations Section 3.7.  Yes  No  
Comments: N/A

F.2 If source is other than RES Regulations Section 3.7-listed, said source has been designated as “clean wood”.  Yes  No  
Comments: N/A

F.3 Fuel Source Plan can reasonably be expected to ensure that only Eligible Biomass Fuels will be used, and in the case of co-firing ensure that only that proportion of generation attributable to an Eligible Biomass Fuel be eligible.  Yes  No  
Comments: N/A

F.3.1 Fuel Source Plan specifies the type of Eligible Biomass Fuel to be used.  Yes  No  
Comments: N/A

F.3.2 If proposed fuel is “clean wood”, Fuel Source Plan provides adequate substantiation as to why the fuel source should be considered a clean wood.  Yes  No  N/A  
Comments: N/A

F.3.3 In the case of co-firing with a fossil fuel, Fuel Source Plan includes an adequate description of how such co-firing will occur and how the relative amounts of Eligible Biomass Fuel and fossil fuel will be measured, and how the eligible portion of generation output will be calculated (with such calculations based on the energy content of the proposed fuels used).  Yes  No  N/A  
Comments: N/A

F.3.4 Fuel Source Plan includes an adequate description of what measures will be taken to ensure that only the Eligible Biomass Fuel is used (e.g., standard operating protocols or procedures that will be implemented at the Generating Unit, contracts with fuel suppliers, testing or sampling regimes).  Yes  No  
Comments: N/A

F.3.5 Fuel Source Plan includes adequate assurance that the fuels stored at or brought to the Generation Unit will only be Eligible Biomass Fuels or fossil fuels used for co-firing.  Yes  No  
Comments: N/A



F.3.6 If proposed fuel includes recycled wood waste, Fuel Source Plan provides adequate documentation to ensure that such fuel meets the definition of Eligible Biomass Fuel and also meets material separation, storage, or handling standards acceptable to the Commission and furthermore consistent with the RES Regulations.  Yes  No  N/A  
Comments: N/A

F.3.7 Applicant certifies that it will file all reports and other information necessary to enable the Commission to verify the on-going eligibility of the renewable energy generators pursuant to Section 6.3 of the RES Regulations.  Yes  No  N/A  
Comments: N/A

F.3.8 A copy of the Generation Unit's Valid Air Permit or equivalent authorization has been attached and the effective date and issuing state or jurisdiction has been identified.  Yes  No  N/A  
Comments: N/A

G. Other Comments/Observations: Recommend full certification as a new repowered generation unit.