

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: APPLICATION FOR CERTIFICATION AS : DOCKET NO. 5052
ELIGIBLE RENEWABLE ENERGY RESOURCE FILED :
BY KEARSARGE FOGLAND, LLC – NEW GENERATION :

ORDER

On July 22, 2020, Kearsarge Fogland, LLC¹ (Company) filed with the Rhode Island Public Utilities Commission (PUC) an application seeking certification for its Kearsarge Fogland, a 2.376 MW AC solar energy Generation Unit located in Tiverton, Rhode Island, as an eligible New Renewable Energy Resource in accordance with the PUC’s Rules and Regulations Governing the Implementation of a Renewable Energy Standard (Rules) and R.I. Gen. Laws § 39-26-1.

The Company provided supplemental and clarifying information to PUC staff and their application review consultant on August 31, 2020 in response to the application review consultant’s request for said information from August 27, 2020. The supplemental and clarifying information included: a) clarification regarding the nameplate capacity of the Generation Unit, b) submission of updated Appendix B signed by officer other than intended Authorized Representative, c) confirmation regarding anticipated commercial operation date, and d) verification of output reporting.

After examination, the PUC is of the opinion that the application is proper, reasonable, and in compliance with the Rules and hereby grants the Company certification as an eligible renewable energy resource pursuant to R.I. Gen. Laws § 39-26-1.² The

¹ The authorized representative was identified as Andrew Bernstein, 1380 Soldiers Field Road, Suite 3-1, Boston, MA 02135, Ph. (617) 393-1222, E. aberstein@kearsargeenergy.com.

² Pursuant to Section 2.6 and other relevant Sections of the Rules, a thirty-day period for public comment was provided during which time no such comments were received.

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

(23901) ORDERED:

1) The Kearsarge Fogland, LLC Generation Unit meets the requirements for eligibility as a New Solar Renewable Energy Resource with its 2.376 MW AC, Grid-Connected Generation Unit having an Anticipated Commercial Operation Date of October 15, 2020, not yet reached, and located within the NEPOOL control area in Tiverton, Rhode Island.

2) The Company shall provide the PUC with written documentation verifying Commercial Operation and provide evidence of the Generation Unit's NEPOOL GIS Asset Identification Number designation, when assigned by NEPOOL following achievement of Commercial Operation.

3) Following receipt from the Company of acceptable written documentation supporting the Generation Unit's Commercial Operation Date and GIS Number, PUC staff is hereby authorized to assign a unique Rhode Island Public Utilities Commission Eligible Renewable Energy Resource Facility Certification Number for the Company's Generation Unit.

4) The facility's Renewable Energy Certificates (RECs) shall become Rhode Island-eligible effective on the first day when 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 Renewable Energy Standard.

5) 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 on its behalf, to conduct audits or site visits to assist in verification of continued eligibility for and compliance with Rhode Island Renewable Energy Standard Certification at any time, at the PUC's discretion.

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

EFFECTIVE AT WARWICK, RHODE ISLAND ON SEPTEMBER 9, 2020
PURSUANT TO AN OPEN MEETING DECISION ON SEPTEMBER 9, 2020.
WRITTEN ORDER ISSUED SEPTEMBER 10, 2020.

PUBLIC UTILITIES COMMISSION



Ronald T. Gerwatowski, Chairman



Marion S. Gold, Commissioner



Abigail Anthony, 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 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.