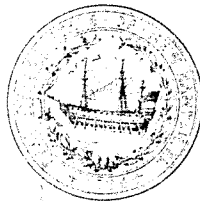


THE STATE OF NEW HAMPSHIRE



CHAIRMAN
Thomas B. Getz

COMMISSIONERS
Graham J. Morrison
Clifton C. Below

EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland

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1-800-735-2964

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PUBLIC UTILITIES COMMISSION
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

February 11, 2009

Patricia Stanton
Conservation Services Group
40 Washington Street
Westborough, MA 01581

Re: DE 08-174 Conservation Services Group's
Certification Application for Class I Eligibility pursuant to RSA 362-F

Dear Ms. Stanton:

On December 30, 2008, Conservation Services Group submitted an application on behalf of Modern Innovative Energy, LLC requesting certification of the Modern landfill gas facility (Modern facility) as eligible to produce Class I renewable energy certificates (RECs) pursuant to RSA 362-F, New Hampshire's Electric Renewable Portfolio Standard law. Staff has reviewed the application and recommended approval noting that the Conservation Services Group application was complete on December 30, 2008.

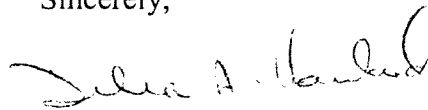
Class I eligibility requires that a facility began operation after January 1, 2006 and that it produces electricity from certain renewable sources, one of which is methane gas. The application indicates that the Modern facility has a gross nameplate capacity of 6.4 megawatts, is fueled with methane gas and is located at 1455 Pletcher Road, Youngstown, New York. The facility began commercial operation in February 2006. The facility's NEPOOL generation information system facility code is IMP 32580.

The Commission has reviewed the Conservation Services Group application and determined that it has provided all the necessary information to demonstrate that the Modern facility is eligible for certification as a Class I facility. Therefore, the Commission hereby certifies that the Modern facility is a Class I renewable energy source effective December 30, 2008 and is eligible to be issued New Hampshire Class I renewable energy certificates. For the issuance of any renewable energy certificates, please be aware that since the facility is located in an adjacent control area, the applicant will need to provide to the Commission proof pursuant to Puc 2504.01 (a)(2) that the associated electricity produced by the facility was imported into the New England control area.

February 11, 2009
Page two

Attached please find a copy of the notice of this certification provided to the GIS administrator. The New Hampshire Renewable Portfolio Standard certification code for the Modern landfill methane gas facility is NH-I-09-007.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debra A. Howland". The signature is fluid and cursive, with a large, stylized initial 'D'.

Debra A. Howland
Executive Director

Encl.

cc: Stephanie Lovejoy Hamilton
Conservation Services Group

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February 11, 2009

James Webb
Registry Administrator
APX Environmental Markets
5201 Great America Parkway, Suite #522
Santa Clara, CA 95054

Re: DE 08-174 Modern Innovative Energy, LLC's Modern Facility
Certification as a New Hampshire RPS Class I Facility pursuant to RSA 362-F
New Hampshire Certification Code NH-I-09-007

Dear Mr. Webb:

Please be advised that, pursuant to NH RSA 362-F, the New Hampshire Public Utilities Commission has certified Modern Innovative Energy, LLC's Modern landfill methane gas facility as a Class I renewable energy source effective December 30, 2008. Accordingly, Modern Innovative Energy, LLC's Modern facility is eligible to be issued New Hampshire Class I renewable energy certificates.

The Modern facility has a gross nameplate capacity of 6.4 megawatts, is fueled with methane gas and is located at 1455 Pletcher Road, Youngstown, New York. The facility's initial commercial operation date was February, 2006. Its NEPOOL GIS facility code is IMP 32580. The New Hampshire RPS certification code is NH-I-09-007.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Patricia Stanton
Conservation Services Group