

THE STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION

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EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland

May 11, 2010

Scott D. Hall
Manager, Environmental Services
Black Bear Hydro Partners, LLC
Davenport Street
P.O. Box 276
Milford, ME 04461

Re: DE 10-080, Black Bear Hydro Partners, LLC's Application for Class IV
Eligibility of its Medway Hydroelectric Facility pursuant to RSA 362-F

Dear Mr. Hall:

On April 1, 2010, Black Bear Hydro Partners, LLC's submitted an application requesting certification for its Medway hydroelectric facility (Medway facility) as a Class IV facility pursuant to RSA 362-F, New Hampshire's Renewable Portfolio Standard law. Staff has reviewed the application and recommends approval noting that the Medway facility application was completed on April 1, 2010 in accordance with New Hampshire Code of Administrative Rules Puc 2500.

Pursuant to RSA 362-F:4, IV, Class IV eligibility requires that a facility began operation prior to January 1, 2006, has a nameplate capacity of five megawatts or less, has installed upstream and downstream diadromous fish passages, and when required, has documented applicable state water quality certification pursuant to section 401 of the Clean Water Act.

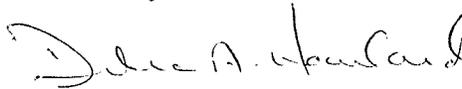
Your application indicates that the Medway facility is a run-of-river hydroelectric facility located on the West Branch on the Penobscot River, Route 116, Medway, Maine. The facility began commercial operation in 1923 and has a gross nameplate capacity of 3.44 megawatts. Your application included proof that the facility's downstream and upstream fish passages have been in operation since 2000 and 2004, respectively, thus demonstrating that the facility meets the requirements of RSA 362-F. Your application also provided support that the water quality certification for the facility was issued by the Maine Department of Environmental Protection on December 23, 1998. The facility's NEPOOL generation information system (GIS) facility code is MSS 16525.

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The Commission has reviewed the Medway facility application and determined that Black Bear Hydro has provided all the necessary documentation to demonstrate that the Medway facility is eligible for certification as a Class IV facility. Therefore, the Commission hereby certifies that the Medway facility is a Class IV renewable energy source effective on April 1, 2010 and is eligible to be issued New Hampshire Class IV Renewable Energy Certificates.

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 Medway facility is NH-IV-10-044.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra A. Howland". The signature is written in a cursive style with a large initial "D".

Debra A. Howland
Executive Director

Encl.

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May 11, 2010

James Webb
Registry Administrator
APX Environmental Markets
224 Airport Parkway, Suite 600
San Jose, CA 95110

Re: DE 10-080, Black Bear Hydro Partners, LLC's Certification of its Medway Hydroelectric Facility as a New Hampshire RPS Class IV Facility pursuant to RSA 362-F
New Hampshire Certification Code NH-IV-10-044

Dear Mr. Webb:

Please be advised that, pursuant to NH RSA 362-F, the New Hampshire Public Utilities Commission has certified the Medway hydroelectric facility as eligible for Class IV Renewable Energy Certificates (RECs) effective April 1, 2010. Accordingly, the Medway hydroelectric facility is eligible to be issued New Hampshire Class IV RECs.

The Medway facility is a run-of-river hydroelectric facility located on the West Branch on the Penobscot River, Route 116, Medway, Maine and has a gross nameplate capacity of 3.44 megawatts. The facility began operation in 1923. The facility's NEPOOL generation information system (GIS) facility code is MSS 16525. The New Hampshire Renewable Portfolio Standard certification code is NH-IV-10-044.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Scott D. Hall
Black Bear Hydro Partners, LLC