

THE STATE OF NEW HAMPSHIRE

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Debra A. Howland



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

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

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October 26, 2012

Stéphane Cohen
KEI (Maine) Power Management (II) LLC
Kruger Energy Inc.
3285 chemin Bedford
Montreal, Quebec, Canada, H3S 1G5

Re: **DE 12-275**, KEI (USA) Power Management, Inc.'s Request for Class IV
Certification for the KEI – Pumpkin Hill (Lowell Tannery) Hydroelectric Facility to
Produce New Hampshire Renewable Energy Certificates (RECs) Pursuant to RSA
362-F and Chapter 272, Laws of 2012

Dear Mr. Cohen:

On September 18, 2012, KEI (Maine) Power Management (II) LLC (KEI), submitted an application requesting certification for its Pumpkin Hill – Lowell Tannery Hydroelectric (Pumpkin Hill – Lowell Tannery Hydro) facility located on the Passadumkeag River, near the Town of Lowell, in Penobscot County, Maine, 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 Pumpkin Hill – Lowell Tannery Hydro application was completed on September 18, 2012 in accordance with New Hampshire Code of Administrative Rules Puc 2500.

Pursuant to Puc 2502.10, and Chapter 272, Laws of 2012, to qualify as a Class IV source, the hydroelectric generation facility must have begun operation on or before January 1, 2006 and when required, have documented applicable state water quality certification pursuant to section 401 of the Clean Water Act for hydroelectric projects. In addition, the generation facility must either:

- (a) Have a total nameplate capacity of 5 MWs or less as measured by the sum of the nameplate capacities of all generators at the facility, and have actually installed both upstream and downstream diadromous fish passages and such installations have been approved by the Federal Energy Regulatory Commission (FERC); or,

- (b) Have a total nameplate capacity of one MW or less as measured by the sum of the nameplate capacities of all generators at the facility, be in compliance the FERC fish passage restoration requirements, and be interconnected with an electric distribution system located in New Hampshire.

Pumpkin Hill – Lowell Tannery Hydro began commercial operation in March 1987 and has a capacity of .999 MW and meets the conditions of Puc 2502.10, and Chapter 272, Laws of 2012, including FERC-required and approved upstream and downstream diadromous fish passages described in the Pumpkin Hill – Lowell Tannery Hydro application as Attachment 1 (FERC Order # 4202) and Attachment 2 (State of Maine DEP Board Order).

The Commission has reviewed the Pumpkin Hill – Lowell Tannery Hydro application and determined that KEI has provided all the necessary documentation to demonstrate that Pumpkin Hill – Lowell Tannery Hydro is eligible for certification as a Class IV facility. Therefore, the Commission hereby certifies that the Pumpkin Hill – Lowell Tannery Hydro facility is a Class IV renewable energy source effective September 18, 2012 and is eligible to be issued New Hampshire Class IV Renewable Energy Certificates.

The facility's NEPOOL generation information system (GIS) facility code is 42114. 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 Pumpkin Hill – Lowell Tannery Hydro facility is NH-IV-12-061.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra A. Howland". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Debra A. Howland
Executive Director

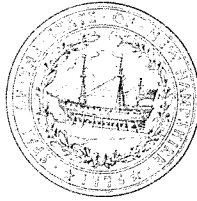
Encl.

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October 26, 2012

James Webb
Registry Administrator
NYSE Blue
224 Airport Parkway, Suite 600
San Jose, CA 95110

Re: **DE 12-275**, KEI (USA) Power Management, Inc.'s Request for Class IV Certification for the KEI – Pumpkin Hill (Lowell Tannery) Hydroelectric Facility to Produce New Hampshire Renewable Energy Certificates (RECs) Pursuant to RSA 362-F and Chapter 272, Laws of 2012
New Hampshire Certification Code NH-IV-12-061

Dear Mr. Webb:

Please be advised that the New Hampshire Public Utilities Commission has certified the Pumpkin Hill – Lowell Tannery Hydroelectric (Pumpkin Hill – Lowell Tannery Hydro) facility as eligible for Class IV Renewable Energy Certificates (RECs) effective September 18, 2012 as required by NH RSA 362-F and Chapter 272, Laws of 2012. Accordingly, Pumpkin Hill – Lowell Tannery Hydro is eligible to be issued New Hampshire Class IV RECs.

Pumpkin Hill – Lowell Tannery Hydro is located on the Passadumkeag River, near the Town of Lowell, in Penobscot County, Maine. The facility began commercial operation in March, 1987. KEI has submitted evidence that Pumpkin Hill – Lowell Tannery Hydro operates in compliance with the Federal Energy Regulatory Commission (Project #4202), and has been approved by the State of Maine's Department of Environmental Protection, and meets the diadromous fish ladder requirements of RSA 362-F and Chapter 272, Laws of 2012. Pumpkin Hill – Lowell Tannery Hydro has a total gross nameplate capacity of .999 megawatts. The facility's NEPOOL generation information system (GIS) facility code is 42114. The New Hampshire Renewable Portfolio Standard certification code is NH-IV-12-061.

Sincerely,

A handwritten signature in cursive script that reads "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Stephane Cohen, KEI (Maine) Power Management, LLC

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 12-275-1 Printed: October 26, 2012

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.