

THE STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION

21 S. Fruit Street, Suite 10

Concord, N.H. 03301-2429

August 5, 2019

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

Tel. (603) 271-2431

FAX (603) 271-3878

Website:
www.puc.nh.gov

CHAIRMAN
Martin P. Honigberg

COMMISSIONERS
Kathryn M. Bailey
Michael S. Giaimo

EXECUTIVE DIRECTOR
Debra A. Howland

Douglas York, Plant Manager
DG Whitefield LLC
260 Airport Road
Whitefield, NH 03598

Re: DE 19-122 and RREC 17-90015, DG Whitefield LLC
Request for Waiver of Puc 2505.04(h)(1)
Grant of Waiver

Dear Mr. York:

On July 17, 2019, DG Whitefield LLC (DG Whitefield) filed a letter with the Commission requesting a waiver of N.H. Code Admin. Rules Puc 2505.04(h)(1). Puc 2505.04(h)(1) requires biomass electric generation facilities to conduct a relative accuracy test audit (RATA) of their continuous emission monitors to verify compliance with NOx emissions standards "at least once every 4 calendar quarters, and prior to the quarter for which the facility first wishes to produce RECs [renewable energy certificates]."

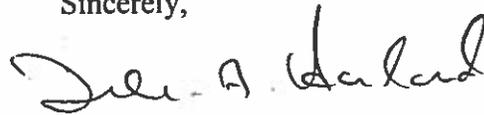
In its letter, DG Whitefield explained that the last time it conducted a RATA was in the second quarter of 2018. Unexpectedly, and for financial reasons, it had removed its biomass facility from service early in the second quarter of 2019, which is the quarter in which it otherwise would have performed its RATA. It stated that it anticipated resuming operations during the third quarter of 2019 and planned to complete a RATA no later than 30 days after the date the facility returned to service. DG Whitefield requested a waiver of Puc 2505.04(h)(1) so that its facility would be eligible to produce RECs for all generation during the third quarter of 2019.

Commission Staff (Staff) filed a memorandum on July 31, 2019, recommending that the Commission grant a one-time waiver of Puc 2505.04(h)(1), contingent upon DG Whitefield completing a RATA that is accepted by the New Hampshire Department of Environmental Services (NHDES) within 60 days following the date that facility operations resume. Staff opined that Puc 2505.04(h)(1) was not intended to render a facility ineligible to produce RECs when the delay in conducting a RATA is due to its operational status and not neglect, as long as the facility successfully completes a RATA and meets all other emissions criteria. Staff recommended a 60-day period for completion of a RATA based on a recommendation by NHDES.

DE 19-122
August 5, 2019
Page 2

The Commission has reviewed DG Whitefield's request and, based on Staff's recommendation, determined that the standards for waiver contained in Puc 201.05 have been satisfied. Accordingly, DG Whitefield's request to waive the requirements of Puc 2505.04(h)(1) is granted on a one-time basis, subject to the following condition: DG Whitefield must complete a RATA that is accepted by NHDES within 60 days following the date that its facility resumes operations. DG Whitefield's facility will be eligible to produce RECs for all generation beginning on the date that its operations resume, provided it complies with the foregoing condition and it continues to meet all other criteria for REC eligibility.

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

cc: Service List (Electronically)
Docket File

Executive.Director@puc.nh.gov

amanda.noonan@puc.nh.gov

Mary.Schwarzer@puc.nh.gov

ocalitigation@oca.nh.gov

richard.chagnon@puc.nh.gov

tom.frantz@puc.nh.gov

York-d@ewprc.com