

February 5, 2013

REVISION ENERGY, LLC / UNITY
SOLAR, LLC
Request for Certification of a Community-
Based Renewable Energy Project

ORDER APPROVING
CERTIFICATION OF A
COMMUNITY-BASED
RENEWABLE ENERGY
PROJECT

I. SUMMARY

In this Order, the Commission certifies the 37.4 kilowatt (kW) photovoltaic solar energy array at Unity College in Unity, Maine as a Community-Based Renewable Energy Project pursuant to the provisions of Chapter 325, section 4(B) of the Commission rules.¹

II. BACKGROUND

A. Community-Based Renewable Energy Pilot Program

During the 2009 session, the Legislature enacted An Act to Establish the Community-based Renewable Energy Pilot Program (Act), P.L. 2009, ch. 329. Part A of the Act establishes a community-based renewable energy pilot program, to be administered by the Commission, to encourage the sustainable development of community-based renewable energy. 35-A M.R.S.A. § 3602. In summary, the Act provides incentives, on a pilot program basis, for the development of community-based renewable projects. The projects must generate electricity from an eligible renewable resource, which includes fuel cells; tidal power; solar, wind and geothermal installations; hydroelectric generators; generators fueled by landfill gas; and biomass generators whose fuel includes anaerobic digestion of agricultural products, byproducts or wastes. These projects must be “locally owned electricity generating facilities,” which means that 51% or more of the facility must be owned by “qualifying local owners.” The facilities must not exceed 10 MW.

The implementing rules (Chapter 325, § 4(B)) establish a certification process that allows an owner or developer of a generating project to seek Commission certification through the submission of a petition for certification as a community-based renewable energy project. The rules contain the information that must be submitted in a

¹ A separate petition for certification as Maine Class 1 Renewable Resource is currently pending in Docket No. 2012-574.

petition for certification, including documentation as to whether the owners are qualifying local owners, documentation of a resolution of support passed by the local municipal legislative body and documentation of control of the site on which the project is located. Additionally, the Commission may certify a project only upon a finding that the project is reasonably likely to be in-service within three years of certification.

In its petition for certification, the project must indicate which incentive mechanism it is electing: 1) a long-term contract for the output of the facility with a transmission and distribution (T&D) utility; or 2) a renewable energy credit (REC) multiplier (in which the value of the REC is 150% of the amount of the produced electricity). Projects electing the REC multiplier are responsible for negotiating their own transactions for energy, capacity or RECs. Certified projects of less than 1 MW that elect a long-term contract can complete a standard form contract with the T&D utility at a price per kWh that has been established by the Commission. For certified projects with generating capacity of 1 MW and larger, the Commission shall periodically conduct a competitive solicitation to select projects that will be awarded a long-term contract with the T&D utility.

B. Petition for Certification

On November 25, 2012, ReVision Energy, LLC and Unity Solar LLC (together as "ReVision") filed a petition to certify a 37.4 kW photovoltaic solar energy array, located on the Dorothy Webb Quimby Library, Thomashow Learning Laboratories and Koons Hall at Unity College, 90 Quaker Hill Road, Unity, Maine (the Project) as a Community-Based Renewable Energy Project. The Project consists of 144 Suniva 260 watt OPT260-60-4-100 panels; 3 Fronius IG Plus 11.4 Inverters; and associated system components and will interconnect to the Central Maine Power distribution system. Estimated annual production of electricity is 45,800 kWh. The interconnection point is a 3-pole 100 amp circuit breaker in the main AC disconnect panel.

The Project is owned by Unity Solar, LLC, a wholly owned subsidiary of ReVision Energy, LLC. Both Unity Solar and Revision Energy are Maine limited liability companies with a primary business address of 91 W. Main St., Liberty, ME 04949. ReVision Energy is owned by four individuals who are all Maine residents: William Behrens of Camden, Phillip B. Coupe of Cape Elizabeth, Fortunat Mueller of North Yarmouth and Patrick James Coon of South Portland. Unity Solar has provided a copy of a Power Purchase Agreement dated as of September 14, 2012 between Unity College and Unity Solar, LLC ("PPA"). The PPA contains a 20-year lease of approximately 3,300 square feet on the Unity College Library and adjacent buildings.

The Project was installed and commissioned in September 2012 by Unity Solar/ReVision Energy. ReVision Energy is northern New England's largest solar installation company. Since 2003, ReVision has installed more than 3,000 solar systems for commercial, residential, municipal, educational, and non-profit clients. Because the Project has a generating capacity of less than 100 kilowatts it is exempt

from the requirement to obtain a resolution of support from the municipal legislative body where it is located.

The petition states that the Project intends to select the renewable energy credit multiplier as the incentive mechanism.

III. DECISION

The Commission has delegated to the Director of the Electric and Gas Utility Industries the authority to certify projects as community-based renewable energy projects pursuant to the provisions of Chapter 325, section 4(B) of the Commission rules. *Delegation Order*, Docket No. 2012-605 (Jan. 10, 2013). Based on the information provided by Unity Solar, LLC, I conclude that the Project satisfies the requirements of a community-based renewable energy project and is eligible for the 150% renewable energy credit multiplier pursuant to 35-A M.R.S.A. § 3605.

The Project is owned by Unity Solar, LLC, a wholly owned subsidiary of ReVision Energy, LLC. Both are Maine limited liability companies and ReVision Energy is owned by four Maine residents, all qualifying local owners. The Project is exempt from the requirement to demonstrate support of the municipal legislative body because it has a generating capacity of less than 100 kilowatts. The PPA between Unity College and Unity Solar contains a long-term lease of approximately 3,300 square feet of real property for the installation of the Project. The Project was placed in service in September 2012.

Accordingly, the solar array owned by Unity Solar, LCC and located on the Dorothy Webb Quimby Library, Thomashow Learning Laboratories and Koons Hall at Unity College, 90 Quaker Hill Road, Unity, Maine is hereby certified as a Community-Based Renewable Energy Project pursuant to Chapter 325, § 4(B) of the Commission rules. ReVision Energy, LLC and/or Unity Solar, LLC shall provide timely notice to the Commission of any material change in the ownership structure or operation of the Project or any change in the election or utilization of the renewable energy credit multiplier from that described in the petition filed in this proceeding.

BY ORDER OF THE DIRECTOR OF THE ELECTRIC AND GAS UTILITY INDUSTRIES



Faith Huntington

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought. Any petition not granted within **20** days from the date of filing is denied.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21** days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.