

REGULATIONS OF CONNECTICUT STATE AGENCIES

Department of Energy and Environmental Protection

Public Utilities Regulatory Authority

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Administration of Renewable Energy Portfolio Requirements**Sec. 16-245a-1. Reporting requirement. Operating rules. Renewable energy portfolio deficiencies**

(a) **Annual Reporting Requirement.** Each electric distribution company and each electric supplier shall submit an annual report demonstrating its compliance with the renewable energy portfolio standard requirements set forth in sections 16-245a and 16-243q of the Connecticut General Statutes. The report shall indicate the percent of total electricity output or services generated from Class I and Class II renewable energy sources and obtained from Class III sources during the previous calendar year. Said report shall include all supporting calculations. The annual compliance report for each calendar year shall be submitted not later than October 15 of the following year.

(b) **Operating Rules.** Certificates for renewable energy power generated within NEPOOL shall be accounted for in accordance with the current operating rules of the NEPOOL GIS.

(c) **Required Documentation.** The annual report submitted pursuant to subsection (a) shall be based exclusively on certificates issued by the NEPOOL GIS, and shall include copies of all quarterly and annual reports issued to the electric distribution company or electric supplier by the NEPOOL GIS during the compliance period.

(d) **Renewable Energy Portfolio Deficiencies.** An electric distribution company or electric supplier that seeks to make up any renewable energy portfolio deficiency within the first three months of the succeeding calendar year shall specifically indicate the amount of renewable energy sources or attributes used within the first three months of the succeeding year to make up the previous year's deficiency. To ensure that such energy sources or attributes are not used to comply with the portfolio requirements of the succeeding calendar year, the electric distribution company or electric supplier's annual report for the succeeding year shall include a calculation, supported by quarterly and annual reports issued by the NEPOOL GIS, demonstrating that such energy sources or attributes are not used to comply with the succeeding calendar year's portfolio requirements.

(e) **Banking of Renewable Energy Certificates.** An electric distribution company or electric supplier may bank Class I, Class II and Class III renewable energy certificates generated in one year to comply with the renewable energy portfolio requirements in either of the two following years, provided the electric distribution company or electric supplier has complied with the renewable energy portfolio requirements each year by means of renewable energy certificates or has made the alternative payment permitted by section 16-245(k), section 16-243q(b) or section 16-243q(d) of the Connecticut General Statutes. In addition, the electric distribution company or electric supplier shall demonstrate to the satisfaction of the Department of Public Utility Control that:

1) The banked renewable energy certificates were in excess of the renewable energy certificates needed for compliance in the year they were generated, and the excess renewable energy certificates have not previously been used for compliance with section 16-245a(a) or section 16-243q(a) of the Connecticut General Statutes;

2) The banked Class I renewable energy certificates do not exceed thirty per cent of the Class I sources needed by the electric distribution company or electric supplier for compliance in the year the certificates were generated;

3) The banked Class II renewable energy certificates do not exceed thirty per cent of the Class II sources needed by the electric distribution company or electric supplier for compliance in the year the certificates were generated;

4) The banked Class III renewable energy certificates do not exceed thirty per cent of the Class III sources needed by the electric distribution company or electric supplier for compliance in the year the certificates were generated; and

5) The banked renewable energy certificates have not otherwise been, nor will be, sold, retired, claimed or represented as part of the total output or services, or used to satisfy obligations in jurisdictions other than Connecticut.

(f) **Renewable Energy Trading Program Emissions Attributes.** Any electric distribution company or electric supplier that seeks to demonstrate renewable energy portfolio standard compliance by participating in a renewable energy trading program shall have exclusive ownership of all renewable energy and environmental attributes from such trading program that are associated with its renewable energy sources.

(Adopted effective October 7, 2004; amended May 2, 2008, December 22, 2009)

Sec. 16-245a-2. Registration of renewable energy electric generating units

(a) **Units located within New England.** The department shall issue registration numbers to electric generation units eligible as Class I or Class II renewable energy sources that have submitted a registration application to the NEPOOL GIS. Such renewable energy electric units shall apply for registration on a form prescribed by the department.

(b) **Facilities located outside New England.** The department shall issue registration numbers to electric generation units eligible as Class I or Class II renewable energy sources located outside NEPOOL as permitted by section 16-245a(a)(2) of the Connecticut General Statutes. Such renewable energy electric generation units shall apply for registration on a form prescribed by the department.

(c) **Facilities subject to emissions limitations.** Each electric generation unit subject to the average nitrogen oxide rate restrictions contained in the definitions of Class I and Class II renewable energy sources shall file with the department within forty-five (45) days of the end of each calendar quarter an affidavit attesting to the unit's average nitrogen oxide emission rate per million BTU of heat input for such quarter. Upon receipt of such information, the department shall notify the applicable generation information system administrator of such unit's eligibility for trading as a renewable energy resource in Connecticut. Failure to file such affidavit may result in the revocation of the renewable energy unit's registration number, rendering energy generated by the unit ineligible for trading as a renewable energy resource in Connecticut.

(d) **Audits.** The department may audit any renewable energy electric generation unit at any time to determine the unit's eligibility as a Class I or Class II renewable energy source.

(e) **Objections to classification.** Any person that objects to the department's classification of an electric generating unit pursuant to this section may request a declaratory ruling from the Department of Public Utility Control pursuant to section 4-176 of the Connecticut General Statutes as to the electric generating unit's eligibility as a Class I or Class II renewable energy source.

(f) **Notification of changed information.** If any of the information provided in a registration application submitted pursuant to this section changes, the department shall be notified of any such changes within 10 days. Failure to notify the department of such changed information within 10 days may result in the revocation of the renewable energy unit's registration number.

(Adopted effective October 7, 2004)