

STATE OF VERMONT
PUBLIC SERVICE BOARD

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Petition of Ampersand Gilman Hydro, LP, for)
approval of a twenty-year power purchase)
agreement between Ampersand Gilman Hydro,)
LP and the Rule 4.100 Purchasing Agent)

Docket No.

8840

PETITION FOR APPROVAL OF RULE 4.100 POWER PURCHASE AGREEMENT

NOW COMES Ampersand Gilman Hydro, LP (“Gilman Hydro”) and files this Petition, pursuant to 30 V.S.A. § 209(a)(8) and Public Service Board (“Board”) Rule 4.104(A), requesting the Board to approve a power purchase agreement between Gilman Hydro and Vermont Electric Power Producers, Inc. (“VEPPI”), the agent designated by the State to purchase energy on behalf of Vermont utilities from in-state renewable energy projects that are “qualifying facilities” under Rule 4.100. In support of its Petition, Gilman Hydro respectfully submits the following:

1. Gilman Hydro is a limited liability company formed in the State of Delaware with a principal business address of 717 Atlantic Avenue, Suite 1A, Boston, MA 02111. Gilman Hydro is registered to do business in the State of Vermont and is in good standing. *See* Goulding pf. at 2.
2. The Gilman Hydro Project is an existing 4.9 MW hydroelectric facility located at Riverside Avenue on the Connecticut River in Gilman, Essex County, Vermont. *See* Goulding pf. at 2.
3. The Project is a qualifying small power production facility under 16 U.S.C. § 796(17)(C), 18 C.F.R. part 292, and PSB Rule 4.103(A)(9) and does not use fossil fuels for generation.
4. The Public Service Board previously approved a one-year Power Purchase Agreement between Gilman Hydro and VEPPI under Rule 4.100. *Petition of Ampersand Gilman Hydro, LP*, Docket No. 8717 (Vt. Pub. Serv. Bd. June 21, 2016).

5. Gilman Hydro has entered into a new Power Purchase Agreement (“the Gilman Hydro PPA”) with VEPPI to sell the Project’s output under 30 V.S.A. § 209(a)(8), 16 U.S.C.A. § 824a-3, and Board Rule 4.104(A). *See* Goulding pf. at 2-3.
6. Under the Gilman Hydro PPA, VEPPI will purchase electricity from the Project for a term of 20 years at the non-levelized rates established by the Board in *Investigation into Establishing Rates for Power*, Docket No. 8010 (Vt. Pub. Serv. Bd. Feb. 9, 2015). The term of the Gilman Hydro PPA will commence at the time the existing one year PPA expires, on April 1, 2018. *See* Goulding pf. at 2-3.
7. Under Board Rule 4.104(A), VEPPI “shall not be empowered to enter into any agreement for purchases from a qualifying facility until such agreement shall have been approved by the Board.” Therefore, Gilman Hydro seeks the Board’s approval of the Gilman Hydro PPA.
8. As set forth in the attached Certificate of Service, Gilman Hydro has served the Vermont Department of Public Service with a copy of this Petition.
9. In support of this Petition, Gilman Hydro submits testimony and exhibits that address the requirements of Board Rule 4.100 with regard to a PPA for long-term, non-levelized rates. *See* Goulding pf. at 3.
10. The testimony and exhibits accompanying this petition demonstrate that the substantive criteria of Section 248(b) are satisfied, to the extent required by Rule 4.104(H) and other applicable law.

Request for Relief

WHEREFORE, Gilman Hydro respectfully requests that the Board:

- A. Hold a prehearing conference as expeditiously as possible on the Petition;
- B. Hold technical hearings, if the Board determines such hearings are necessary;

- C. Render a decision on this Petition as soon as possible;
- D. Approve and authorize VEPPi to execute the PPA with AGH; and
- E. Take such other action as may be required for the expeditious review and approval of this Petition.

Dated at Burlington, Vermont, this 2nd day of September, 2016.

AMPERSAND GILMAN HYDRO, LP



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