

Precertified Eligible for California's Renewables Portfolio Standard

This is to officially state that beginning on **August 26, 2010**, the proposed facility,

SPGCA-1, LLC

Owned by **Genergy LLC**,

To be Located in the Pacific Ocean at **35° 9' 36.04" N, 120° 58' 28.08" W**

And Anticipating the Commencement of Commercial Operations on:

January 1, 2014

Has been precertified by the California Energy Commission as eligible for California's Renewables Portfolio Standard under the criteria established in the **Renewables Portfolio Standard Eligibility Guidebook, Third Edition**, publication number CEC-300-2007-006-ED3-CMF, January 2008, and the **Overall Program Guidebook, Second Edition**, publication number CEC-300-2007-003-ED2-CMF, January 2008, and assigned CEC-RPS-ID number:

61230C

RECEIPT OF PRECERTIFICATION STATUS DOES NOT GUARANTEE THAT THIS FACILITY WILL BE ELIGIBLE FOR RPS CERTIFICATION IN THE FUTURE.

The application for this proposed facility was submitted by **Kurt Grossman**, of **SPGCA, LLC**, on behalf of the facility owner, **Genergy LLC**. The accuracy of the information in the submitted application for RPS precertification and all supplemental documentation was attested to by **Kurt Grossman**, holding the position of **Inventor** at **SPGCA, LLC**.

The proposed facility has an identified total nameplate capacity, measured in alternating current, of **25 MW**,

And will be using the following energy resource(s):

	Energy Resource	Anticipated Annual Percent*	Renewable**
1	Small Hydroelectric	100 %	Yes

* Anticipated annual percent contribution to the electrical output of the facility is based on the **use of separate meters for each generating unit**

**California RPS eligible Renewable Energy Credits will not be created for any electricity resulting from the use of nonrenewable energy resources, except in the cases where the use of nonrenewable energy resources does not exceed a de minimis quantity or other allowance described in the Renewables Portfolio Standard Eligibility Guidebook, in place at the time an application for RPS certification is submitted for the proposed facility, and sufficient evidence has been submitted in support of compliance with those requirements. This includes the use of grid supplied electricity to power processes essential to the generation of electricity by the identified renewable energy resource.

The Genergy technology to be implemented at the proposed SPGCA-1, LLC facility was determined to meet the definition of "hydroelectric" in the Overall Program Guidebook, Second Edition, by the Energy Commission's Renewables Committee in its decision dated April 25, 2011 under the docket 11-KGA-1. Hydroelectric is defined in the Overall Program Guidebook, Second Edition, as:

"a technology that produces electricity by using falling water to turn a turbine generator, referred to as hydro. See also 'small hydro'."

The Renewables Committee Decision does not consider the use of linear generators or generation of electricity through any means that do not involve the falling water that is used to turn a turbine generator. Thus any generation, or proposed generation, of electricity at the proposed SPGCA-1, LLC facility that is a result of a linear generator or from kinetic energy resulting from the buoyancy of an object compared to the surrounding medium is not covered in this precertification. The eligibility of any portion of the proposed SPGCA-1, LLC facility generating electricity through one of these methods will be addressed in the review of the RPS certification application submitted to the Energy Commission upon the commencement of commercial operations by the SPGCA-1, LLC facility.

This facility has conditionally satisfied the RPS eligibility requirement for new hydroelectric facilities specified in PUC §399.12 and §399.12.5 and in the Renewables Portfolio Standard Eligibility Guidebook, Third Edition, pending submission of the information identified as unavailable to the developer when the precertification application was submitted to the Energy Commission. This missing information must be provided when an application for RPS certification is submitted to the Energy Commission.

This precertification is based on an evaluation of the potential RPS-eligibility of the proposed facility, as described in the submitted application and supporting documentation, under the Renewables Portfolio Standard Eligibility Guidebook, Third Edition, and the Overall Program Guidebook, Second Edition. The RPS-eligibility of this facility will be evaluated pursuant to the Renewables Portfolio Standard Eligibility Guidebook in place at the time a complete application for certification has been submitted to the California Energy Commission.

The precertification of the SPGCA-1, LLC facility may be in jeopardy if any of the information presented in the precertification application, or supporting documentation, submitted to the California Energy Commission is deemed to be false or inaccurate.

The California Energy Commission must be notified of any changes to the proposed facility's operations, ownership, or representation that could impact the precertification of the facility on an amended precertification application.


Tony Gonçalves

April 9, 2012

Date Issued