STATE OF NEW YORK

DEPARTMENT OF PUBLIC SERVICE

CASE 14-M-0101 – PROCEEDING ON MOTION OF THE COMMISSION IN REGARD TO REFORMING THE ENERGY VISION

DEVELOPING THE REV MARKET IN NEW YORK: DPS STAFF STRAW PROPOSAL ON TRACK ONE ISSUES DATED AUGUST 22, 2014

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FILING COMMENTS ON TRACK ONE STAFF PROPOSAL

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Comments on NY Staff Straw Proposal for Reforming the Energy Vision. Anaerobic Digesters as an Ag/food DER based on Massachusetts experiences.

Introduction

Agreen Energy, LLC (AGE) and Vanguard Renewables, LLC (VR) wish to share, and join in development for NY, the agriculture/food ("ag/food") DER model successfully deployed on MA farms with the Commission as recommendations to stimulate the development of more DERs in NY by attracting the private resources of capital, food companies, farms, supermarkets and others in the ag/food industry eco-system to replicate proven MA success.

The MA model described in these Comments features 2 dairy farms hosting Anaerobic Digester (AD) bioprocessing facilities with the farms providing cow manure as a feedstock, fifteen food companies as feedstock contributors (partners by contract) and a logistics and professional operations partner to deliver the feedstock and support facility operations using state of the art control technology delivered by an i-Phone™.

AGE and VR support the REV goal to stimulate more DERs and want to show how this can be accomplished with the collaboration of the entire food industry.

The digesters in MA were funded by private equity, grants (State and Federal), and bank debt. Having bilateral feedstock supply agreements and bilateral power contracts with food companies the necessary tools were in place to attract private banking support. Virtual Net Metering (VNM) is the market mechanism to create rate choice for all parties in MA through bilateral contracts between farm and food suppliers with the DER. With the collaborative support of the utilities, DER interconnection and safety requirements have been standardized and administration is kept to a minimum – all success factors called for in the REV Straw Proposal and fully supported by us.

The REV recommendations to: allow bilateral sales of power; attract private capital; enable ownership of DERs by non-utilities (but with active utility collaboration); implement immediate phase "no regrets" action to demonstrate value, commitment and gain experience are consistent with our recommendation to use the learnings from the MA experience to speed this DER development process.

A substantial ag/food industry base exists in NY to support both the immediate "no regrets" phase and also longer-term sustained DER development and growth. We seek to participate in both the no regrets market/model phase and longer term major project development phase in NY, and we believe that our proposed adjustments to the REV DER policy structure and rollout process will be helpful to all of the stakeholders affected by the Straw Proposal.

We have over seven years of working with public/private partners in MA in order to develop a proven model for development with the necessary public interest safeguards.

In these comments we share our observations and recommendations based on the experience with two working Anaerobic Digester (AD) plants in Massachusetts which incorporate the committed food industry closed food supply chain model. Please see Figure 1 below for a representation of the ag/food sustainability closed food supply chain from the perspective of the farm as well as the perspective of the food processors.

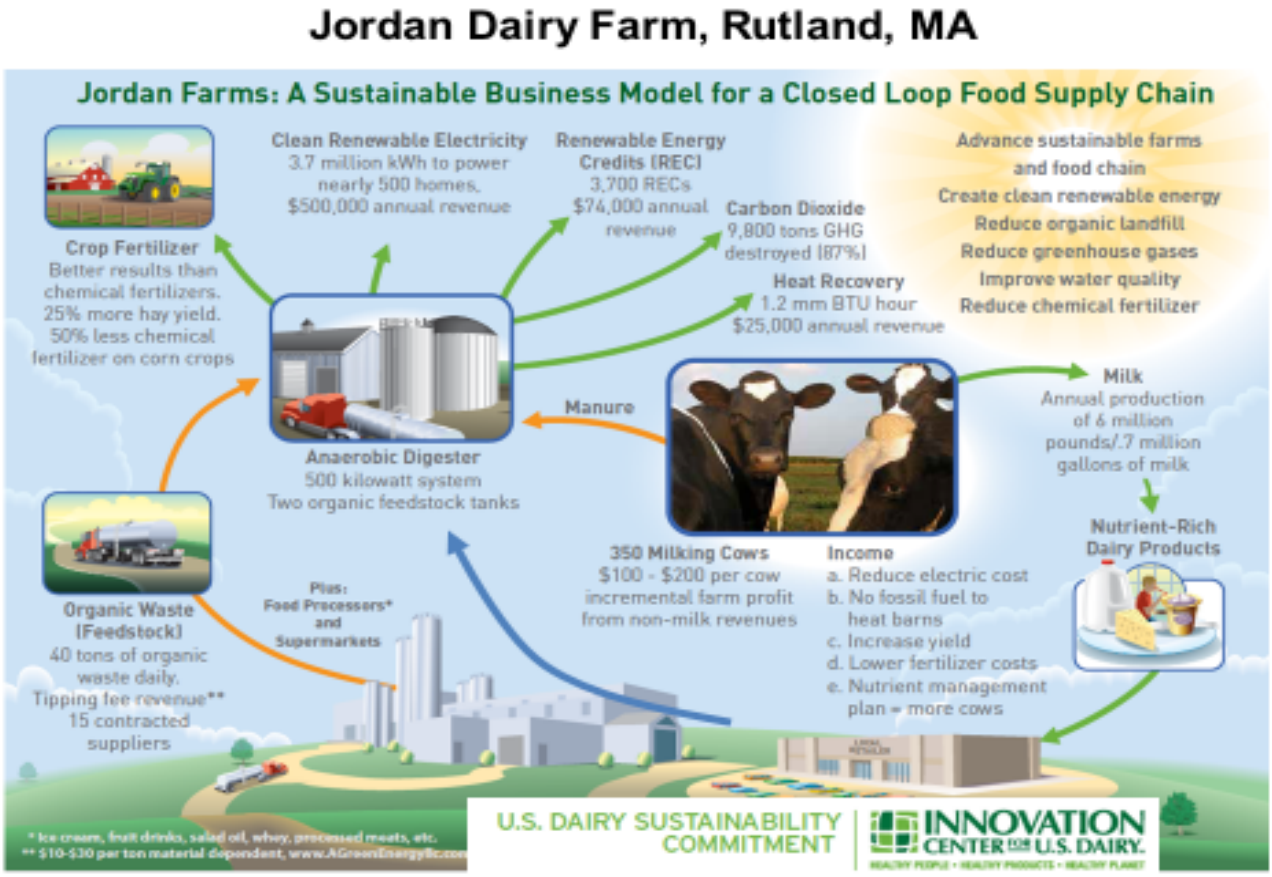

Figure 1: Source – Dairy Management Institute

This model ties dairy farms to food processing and food handling companies to create sustainable businesses built around clean energy, environmental benefits (heavily weighted to GHG reduction), and replicable practices which can be linked to changing consumer habits to use zero organic "waste" and 100% reusable practices in their choice of food products and providers.

The entire food industry nationally is now committed to finding best use for waste to reduce their carbon footprint. Figure 2 below shows how AgriMark with its Cabot brand is working with the farms and the DER AGreen Energy, LLC. As a related matter of

interest, AgriMark (Cabot), one of the US' largest dairy farm co-operatives has over 500 NY members who want to expand this DER program in New York.

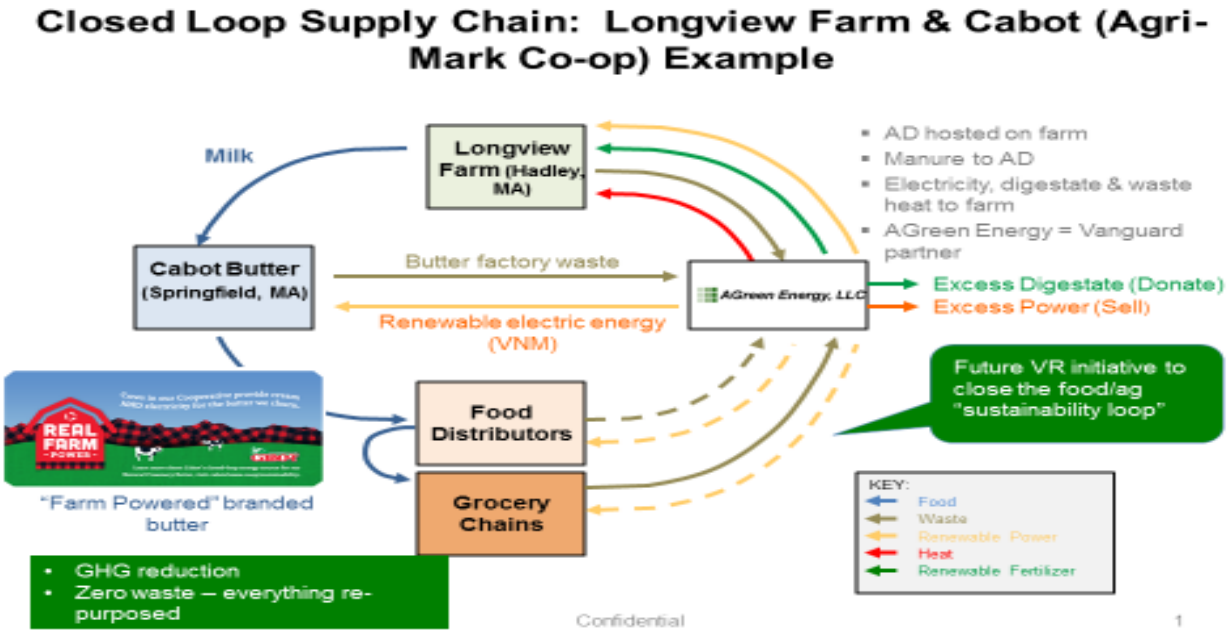

Figure 2: Source – AGreen Energy & Vanguard Renewables

The MA farms have zero waste from processor to farm to processor where all materials are reused to make electricity and fertilizer. The fertilizer enables the host farm to increase crop yields (typically hay and corn) using fewer chemical fertilizers, with the food companies then using the power from the farm-based DERs to make their manufacturing facilities more sustainable. This is the mantra of the supermarkets, who are the food processors' customers. The supermarkets themselves are now also seeking to use their organic food waste to make energy and fertilizer using the digester farms.

The key to attracting investor capital (which the REV straw proposal highlights as critical) to grow farm AD-based DERs is to partner with the food industry to implement the sustainable ag/food closed loop supply chain. The supply of food processing organic waste combined with the farm manure provides a feedstock "recipe" which results in higher renewable energy output and a better nutrient plan for the land. Adding organics increases the amount of gas by a factor of four compared with using only manure as feedstock.

As shown in Figure 2, the renewable electricity produced then goes back to the food company via the MA virtual net metering mechanism via a bilateral contract between the food company and the DER. The entire process sequesters approximately 80% of the Greenhouse Gases (GHG) produced by dairy product manufacturing. Figure 3, based on research and analysis performed by the US Dairy Management Institute in conjunction with Walmart, shows how these factors are key to reducing the combined carbon foot print of the dairy farms and food industry in a major way. A REV objective we fully support tied to NY goals.

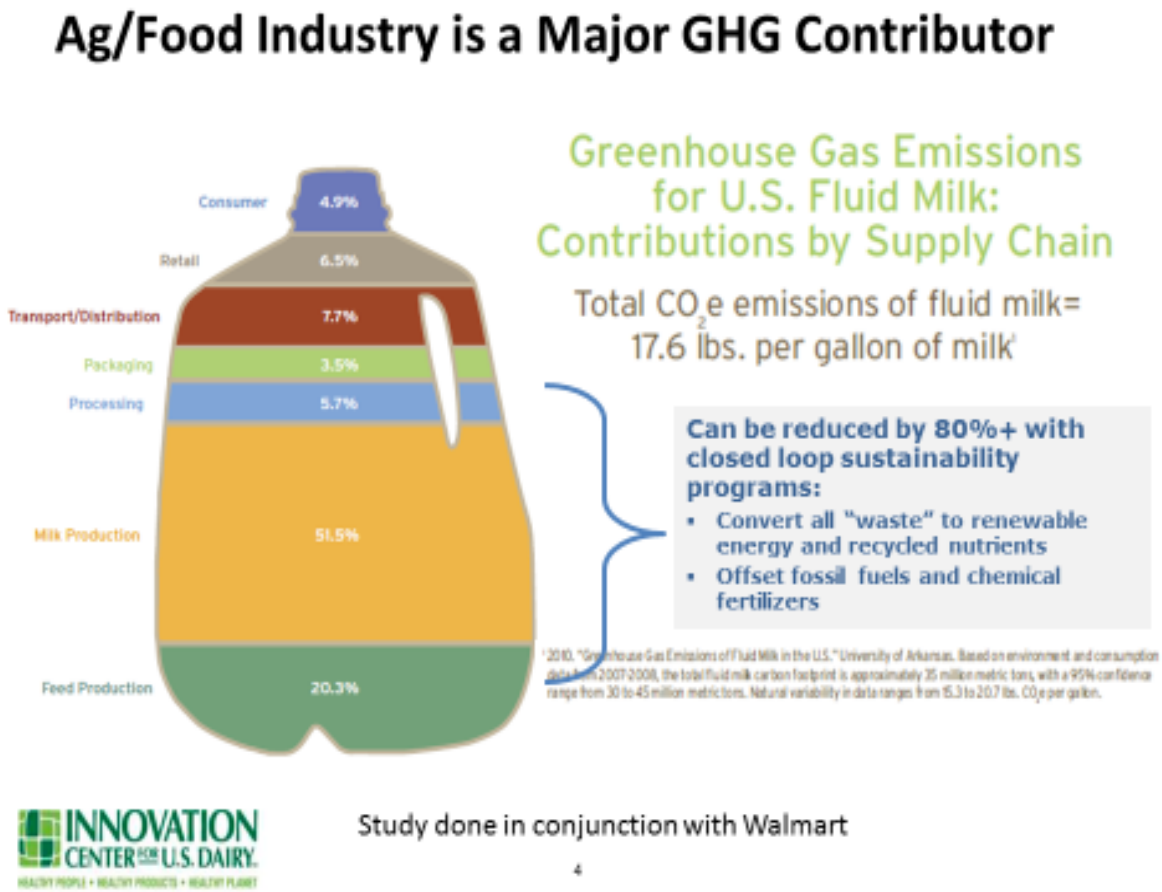

Figure 3: Source – Dairy Management Institute and Walmart

With the addition of the organic waste (feedstock) to farm manure in conjunction with AD plant electric energy sales to the food companies and the tipping fees for the removal of the waste (equal to the fees for taking it to landfills so no extra cost to the food companies with an reuse use) and professional management the model attracts

capital – a major strength of Vanguard bringing to combination with Agreen Energy. In MA this is done via virtual net metering as a market driver and enabler.

Virtual net metering gives the DER a credit for all kWh's produced at the tariff rate of the meter chosen by the DER on the farm at time of installation. The utility is still paid for the distribution charges, but the electric energy produced by the DER is credited at the "retail rate" (excluding the RECs which are available to the DER for sale in the open market.)

Food firms get a net metering credit on their power bill, issued and controlled by the utility. Food companies pay to the farm DER (under the bilateral contract) their credit amount shown on their monthly utility bill. Farm electric energy and energy to the supplying companies have the same tariff value for the net metering credits. The credit equals the rate paid on the farm site at the time the project is approved show as a dollar number on the food company utility bill. Third party verification is given the utility on the electric energy produced and they issue credits through existing invoice mechanisms to the DER. DERs do not sell electric energy; rather, they sell credits provided to then by the utilities. The DER pays distribution charges to the utility and they are deducted from the credits before issue. Since the electric energy source is base load generation by the farm DER, it helps the utility secure generation capacity for future demand at no capital outlay to themselves. In addition, the availability of distributed baseload generation helps "harden" the utility grid.

This closed food supply chain builds economic value with jobs since the food processing plants stay where they get the most sustainable bang for the buck; the farms prosper because they use less chemicals, have fertilizer to enhance crop yields (the fertilizer from a digester increases the hay grown on the farm by 25% over the methods used before the digester) and they get attractive electric costs, free excess heat from the DER, and increased milk production; and the environment is better off with a 80% reduction in GHG.

Equally the farms get all the benefits of reduced odor, and a nutrient management plan approved by the NRCS of the USDA to insure sound environmental stewardship of the land. NRCS monitors annually all the fertilizer application of the materials from the digester.

We ask the straw proposal to consider the farms and all the food industry as customers who can deliver a triple benefit to the energy vision via the Ag/Food DER: 1. Clean energy; 2. Sustainable agriculture and food economic sector; and 3. Environmental benefits which will change consumer buying habits to support more of the energy vision every day.

We applaud the REV Straw Proposal in seeing the value of DERs, and we welcome the opportunity to work with the Commission and participating Parties to incorporate the learnings of the ag/food industry in the process.

We ask the straw proposal and Commission consider the implementation of "No Regrets" market and eco-system beta trials of 3 – 4 farm based digesters working as a connected "Pod" system in a target geographic region in NY.

We submit that the Commission and Staff should permit a limited number of demonstration pods, each with three - four DERs in one region (within 100 miles of each other), to be implemented by privately capitalized ventures, with many business partners, on farm sites, using existing incentives from NYSERDA. A "Pod" consists of multiple farm-based AD bioprocessing facilities operating under common management serving a common set of food industry waste generators in a geographic region, providing sufficient bio-processing scale, redundancy and availability with a network of professionally-operated industrial class AD plants.

A limited number of production-scale Pod beta trials will serve to show "immediate" market and eco-system economic viability as called for the REV roadmap on Table 6 of page 79. The Pod beta trials will demonstrate and/or validate: the "capturing value"; "demonstrating commitment" (of farm, food processing, private capital, logistics partner not just the utility who provides access via an affordable interconnection); and "gaining experience" all of which would be shared with transparent reporting off a real time SCADA controlled process which is professionally managed. This recommendation is based the MA learnings and experiences with ag/food digesters having 15 food companies, logistic provider, and operational management, bilateral contracts in virtual net metering, and real time reporting/professional operational support over the last four years as the starting point.

Comments by section follow as requested by the Commission.

I. Context and Overview

A. Summary of Findings – page 3

i. Critical path objectives – page 3

- **"Increase the DER asset base in the state:**
  - **Increase the number and kind of DER projects"**

We ask that distributed generation from Ag/Food DERs be a specific category, with private ownership and operation in addition to just utility ownership in the report, as the Ag/Food DER drives many pieces of the renewable energy and environmental

sustainability puzzle. The Ag/Food industry and eco-system provide the waste/feedstock to fuel the energy; it provides the economic activity leading to consumers of all income levels embracing smart brand choices built on sustainability practices; and it grows more food using a smaller foot print with less GHG while making distributed energy for use on the grid. We believe this MA model is consistent with what is proposed in the REV using private, not ratepayer, resources.

Ag/food DER is not the silver bullet by itself. It can be a leader which stimulates more DERs, changes in customer (industrial and consumer) behavior to use energy more wisely, and a major change in what we "waste" by making it a feedstock doubly reducing GHG.

III. Enabling New Roles for Key Participants

1. **Customer engagement - page 22**
1. **Customer acceptance – page 27**

"The regulatory framework must provide sufficient ease of entry for these competitive opportunities while providing sufficient oversight and consumer protection to allow for consumers to engage the energy markets in a robust and effective manner.
One objective of REV is to create customer choices…"

While much of the straw proposal is a customer suggests thinking of individuals as customers, we ask that "customer" be used to define the food industry customers of a DER who are providing inputs, and some taking net metering credit outputs (not everyone will be able to have the energy outputs as the companies use considerably more electric energy than ag/food digesters will produce). This gives the food industry choices to can tie into their sustainability goals, which are now an integral part of the food business for their retail customers and end consumers whose changed habits built on sustainable choices fits the energy vision of New York nicely. The more sustainable food companies are, the more shelf space they are given by retail customers who demand these sustainable provisions (see attachment in Appendix A showing the Walmart sustainable requirements as representative) and more jobs stay in New York.

IV. Gauging Feasibility

A. Platform Technology - page 36 to 38

1. DSP Functional Requirements

Table 2 - Market

We envision ag/food DER adding base load power to the capacity needs of the utility with no cost to their ratepayers. Since the ag/food DER used in MA has a SCADA control system, the data on production, use, projection, load control can be easily supplied if needed for use by the utility or others. As the billing for the net metering credits is all contracted and collected (from the utility bill) there is no credit risk. The power production is verified by third party meters feed automatically to the utility again not requiring added resources to give the food industry energy choices tied to food production to satisfy the sustainability goals of their customers. We support the recommendations of the REV to include these market options allowing the food industry to contribute to the pool.

B. Benefit Cost Analysis Framework

4. BCA for Tariff Pricing and Resource Procurement Provisions – page 49

With respect to “appropriate tariff rates”, this highlights that bilateral contracts could be applied. We fully support this key REV bilateral provision as it is very beneficial to commercial entities.

The MA bilateral contracts between the ag/food DER and their feedstock suppliers and energy offtake tie their business association on energy into the larger platform of sustainability. The bilateral agreements will cover the buying of net metering credits which come one for each kWh produced (using the MA model built of the R-1 rate for the farm meter used).

We strongly urge the Commission continue to allow virtual net metering, with definition and application similar to MA, in the NY tariff code for farm digesters. This means net metering rates for the meter on the farm, and for the food companies which supply the farm DER with the feedstocks and agree to buy the power at the retail rates. This will show DER developers a pricing format to attract private capital. The inclusion of farm energy on the name business and energy used by food suppliers (who are another business not connected to the original site meter) to the DER is critical and is how the MA model works.

V. Building the DSP Market

A. Clean Energy – page 50

The intro discussion here identifies several critical points which the MA experience shows will support this REV Energy Plan:

1. Using this program for farm and food reduces GHG emissions by 80%, exceeding the request of the REV plan.

2. You need to have active commercial markets, as recommended by the Commission, to get the growth which the DER and the food companies agree inside a virtual net metering tariff incentive (a needed expansion of the current NY definition) builds on base load power used by them and paid for with non-utility private capital.

3. The investment cannot come from ratepayers alone but will come from mobilization of private capital and we agree here with the REV proposal. Getting a public/private partnership was a key part of the success in MA.

   Using virtual net metering is the key for pricing of kWh credits which are marketed by the DER to farm and food customers. Hopefully we can work with the REV groups to seek out the implementation of a market driven set of signals for choice in the food industry.

If you fail to provide for an adequate return on the capital invested to make the power used by the food industry, then the investment capital will not be available. Again net metering credits used by farms applied to suppliers and food power users using bilateral agreements works as the pricing mechanism without any detriment to ratepayers since the capital to make the power comes from the investor not the ratepayer.

A. Transition and Supply Side Renewables – page 51, 52

Using only the utilities to "procure large scale supply-side scale renewable resources" dismisses the vibrant food industry in New York State. The industry desires to be sustainable with their resources (feedstock, green energy application, creation of fertilizer to grow more food, productive savings for farmers to sustain their farms and the availability to a growing dairy industry, and the chance to give consumers a choice for the brands they buy which will make use of waste and give them a voice in their choice of energy). More sustainable for a state production plant means more jobs in the plant.

We believe ag/food DERs should be allowed to be suppliers of renewable resources to further the growth of the New York food industry. Choice of ownership of the DER is important here so all the benefits are kept inside the closed organic food supply chain which is taking "responsibility for supporting a sustainable energy system" (pg. 52) and

we support this goal – but prefer options. A utility cannot do this alone, and valuable benefits are lost to the rural and urban economies in the process without a closed organic food supply.

Equally power purchase agreements, vs. bilateral agreements to buy power for food companies for the ag/food DER, are not the only mechanism to procure resources for power generation. Target support of a closed food organic supply chain can make an effective contribution alongside the recommendations on page 52.

B. Demonstration Projects – page 55, 56, 57

"will involve technology and programmatic choices that can be better informed through data acquired from selective demonstration projects."

We agree with the REV and would like to recommend that the Commission and Staff permit and support a limited number of demonstration pods, each with three - four DERs in one region (within 100 miles of each other), to be implemented by privately capitalized ventures, with many business partners, on farm sites, using existing incentives from NYSERDA. A "Pod" consists of multiple farm-based AD bioprocessing facilities operating under common management serving a common set of food industry waste generators in a geographic region, providing sufficient bio-processing scale, redundancy and availability with a network of professionally-operated industrial class AD plants.

A limited number of production-scale Pod beta trials will serve to show "immediate" market and eco-system economic viability as called for the REV roadmap on Table 6 of page 79. The Pod beta trials will demonstrate and/or validate: the "capturing value"; "demonstrating commitment" (of farm, food processing, private capital, logistics partner not just the utility who provides access via an affordable interconnection); and "gaining experience" all of which would be shared with transparent reporting off a real time SCADA controlled process which is professionally managed. This recommendation is based the MA learnings and experiences with ag/food digesters having 15 food companies, logistic provider, and operational management, bilateral contracts in virtual net metering, and real time reporting/professional operational support over the last four years as the starting point.

Potentially, these initial beta pods could qualify to use existing NYSERDA program funds which expire the end of December 2015 to jumpstart the process of information gathering, market and eco-system validation, and attracting of private capital with financing to build one or more Pods of bioprocessing DERs. Demonstrating scale for economic viability and ability to absorb a reasonable volume of food processing waste with the NY collaborators is imperative for the NY DER ag/food program. The MA

experience indicates that a lot of public/private work is required so market/model tests are definitely warranted.

The Following criteria should guide the Commission – page 56

The following demonstrates how the proposed beta pod relates to the REV selected criteria.

- **Relate to REV policy objectives**
  - Yes

- **Scalable**
  - Yes, and that is the reason to say a minimum of four plants because a network ("pod") provides the unique NY logistical infrastructure to gather the organics from the food industry along with the manure from the dairy farms to maximize outputs of power and fertilizer;

- **Replicable**
  - Yes, use existing NY food businesses and existing farms to show incremental benefits related to REV, but also to the growth engine of sustainability to support the food industry in the state;

- **Technology neutrality**
  - This can be shown by the two very different technologies used in building the MA two digesters, and the "best of breed" advantages to be used in NY to incorporate third generation changes to maximize benefits in all parts of the process which is not tied to one technology provider;

- **Portfolio approach**
  - Yes, as all types of customers (farm, food, and accounts buying the net metering credits) will be able to plug into the process;

- **Expedient**
  - Yes, all demonstrated in the MA model and can be enhanced here with robust reporting quickly;

- **Well-defined and measurable output**
  - Yes the SCADA systems installed in MA (and demonstrated to a number of NY agencies) shows a robust real time reporting system capable of sharing data across customers, regulators, and utilities

- **Defined methodology for value exchange**
  - MA model used for next iteration shows values to all participants in the closed loop organic food supply system – consumers to demonstrate choice of brand built on energy vision added to sustainability, retail customers of food companies, sustainability for food processors and farms

- **Favor partnerships with third parties, including small firms and innovators**
  - Again the MA model uses partnerships, and this next iteration will continue to improve such collaboration, by now knowing from experience the "best of breed" for process and controls to use. Aside the engine block, all of the materials and equipment used in the MA digesters are US-made. AD DER development in NY may result in working with some new partners, but the guidelines for each class/type of partners are already established in the MA model.

2. Interconnection Procedures - page 57, 58, 59

"parties have identified interconnection rules (and we add expense) as a barrier to higher penetration"

We are in total agreement with the standardized process recommended in the REV. We see some added changes needed to some of the elements of the standardized process.

The required time limits of no more than 90 days for responses to each step with reasoning for denial, accompanied by recommended solutions, needs to be standard procedure if ag/food digesters are to become part of the food process growth engine for the state. Once rejected then another 30 days for the appeal, with 30 for a response.

Additionally the method of allocating the total cost of any utility upgrade (generally defined at to a substation or lines serving a series of sites) to the last 20% must be changed. Recognition to types of DER need to be appreciated – ag/food is baseload power so the delivered kW is 24/7 with a 95% uptime on the ones in MA which are professionally managed with food feedstocks and manure as the fuel base. Other types of DER place larger needs on the utility structure but are not used regularly. A carve out for baseload DER should be considered.

For example – all projects in line for a particular sub-station should show the amount of load they wish; the list should have A (proposed), B (engineering done), C (shovel ready). The line moves as the project progresses, with baseload having its own line.

A major issue for DER deployment is if a developer of a site does not know what the cost will be of the interconnection he will be denied bank credit and investors will not advance funds.

So we proposed that the Commission implement a standard interconnection process which takes all of the MW requested from the line by A projects. Allocate to each project on the basis of number of KW requested a cost based on the utility estimating the potential upgrades needed to the substation if a historical level of projects in A (proposed) reaching C (shovel ready) is done. Each project is then given a "not to exceed" number for use in project planning based on the estimated reaching of the historical built projects.

B. Mitigating Market Power – page 67

Generally this section describes the reasons, and conditions, why utilities should own a DER.

An ag/food DER is not just a utility for distributed generation. Rather, it is a solution for sustainability, built on professional management of controls and efficiency, which builds a closed loop organic food supply system. It engages the customers of food companies (the retail chains and food serving establishments) and consumers with brand choices built on sustainability. Sustainability is using waste to be a feedstock; using green energy to power a plant which makes the product the consumer eats; and then uses the left overs as fertilizer to grow more crops which makes more food in the local area to sustain rural and urban jobs and economic growth by the closed loop of organics.

This engine allows for DER expansion to equally be driven by state priorities for growth in an industry segment serving rural and urban sectors being service by the energy vision. It is a two-for of success.

Cabot is an Agrimark company which has over 500 dairy farm members in New York, and is a partner with Agreen Energy having built the MA model. This gives you an idea about how many potential DER participants there are in just one of the three major dairy cooperatives in the State – not to mention the robust food processing sector in yogurt. Ag/food DER potential s can share market power in a most beneficial way.

Utilities may partner up with an ag/food DER (and one in CT has signed a letter of intent to do so) but it is not the business of utilities to use rate payer funds to be in this food business sector as the owner/operator.

3. **Microgrids – page 61**

"At this stage, ownership models should not be constrained. Developers wishing to create, own, and operate their own distribution infrastructure and billing systems should be allowed to do so."

We have throughout these comments taken the REV Straw Proposal at its word and built these models on seven years of experience in MA asking to now use the beta demonstration to let REV gain a NY ag/food DER solution for growth with a distributed power energy vision.

We believe the ag/food DER is consistent with the recommendations of the Commission and as shown are supportive to the energy vision with a bonus tied to existing State policy of economic growth coming from the ag and food industries.

C. Implementing REV: Findings and Recommendations – page 76

We agree and support the "central vision of the REV- increasing the use and coordination of DER via markets operated through a distributed System Platform offers substantial benefits and is achievable."

We stand ready to join with showing readily available technology for DER's in the ag and food sector are there and can be rapidly beta tested for NY conditions in ag and food sectors.

The reforms here are an excellent jumping off place to help grow DER resources with some modifications for implementation.

We hope to be allowed to participate with the working groups to align resources and prove out the assertions implemented in MA for NY circumstances.

"following principles are fundamental to animating the platform and markets suggested by REV, and should guide all of the next steps recommended" - page 77

We support and comment here on each guide relative to ag and food.

- **"collaboration"**

Farms, food processing, supermarkets, food eating places, logistics suppliers, utilities (simple rates and interconnection), policy makers, environmentalists, consumers all are engaged in this process for ag/food DER

- **"transparency"**
  All data comes from real time reporting to metrics defined by the appropriate operational partners and permit requirements – best in class comparisons are possible for all to see and learn from the beta test.

- **"standardization"**
  The reason to build in DER ag/food pods is to standardize in process and flow so the capital and operational costs are maximized. Food is a competitive industry where using waste lowers cost and brand attributes built around energy builds consumer trust in the REV energy vision.

- **"non-discrimination" "vertical market power concerns"**
  We agree and believe this speaks to letting a growth sector of ag and food build benefits off the energy vision.

- **"action orientation"**
  We agree by calling for "immediate" "no regrets" demonstration pod to show commitment and gain shared experience which is a key stage gate for the REV recommendations.

A. Transition Phases and Critical Path Objectives – page 78

i. "Broadly, the transition to REV should include"

Table 6 from page 79 of the Report

Phases

Immediate Transition Full Implementation

We agree with starting the implementation recommendations of the Staff shown in this section.

As mentioned previously we stand ready to embark on phase one – "immediate" to demonstrate capturing value; demonstrate commitment (from a broad range of economic players); and allow all to gain experience with an ag/food DER option.

B. Near-Term "No Regret" Actions – page 79

We agree to “target activities that can immediately make incremental progress towards the REV and help the Commission, Staff, utilities and others gain important experience…” is an important activity.

This is why we are proposing a beta pod of ag/food DER’s as outlined.

We submit the Commission and Staff should permit a demonstration pod for scale of four - six DER’s in one region (within 100 miles of each other) be done by privately capitalized venture, with many business partners off farm sites, using existing incentives from Nyserda.

This would show “immediate” transition to REV as called for on Table 6 of page 79. This pod demonstrates the “capturing value”; “demonstrating commitment” (of farm, food processing, private capital, logistics partner not just the utility who provides access via an affordable interconnection) ; and “gaining experience” all of which would be shared with transparent reporting off a real time SCADA controlled process which is professionally managed. This recommendation is using the MA learnings and experiences with ag/food digesters having 15 food companies, logistic provider, and operational management, bilateral contracts in virtual net metering, and real time reporting/operational support over the last four years as the starting point.

The demonstration pod output is energy fitting the vision, but also more local food grown in the rural areas; sustainable practices for the farms to enhance their income; sound nutrient management practices; significant GHG reductions from the farm process; taking waste from food processors and making it a feedstock for energy; providing green power back to the food industry for use in their sustainability (less carbon footprint); and playing all this to the consumers of all income levels who can then make brand choices built around energy and environmental choices.

This collaboration is consistent with the principals and guidelines of the REV Straw Proposal giving a working model which can be operational rapidly to help with the next stage gates of decisions using data, transparency, and real world experience. The project engages all the stakeholders in the REV process with a real world example of energy growth augmenting an economic engine of the food industry in the State of New York.

We sincerely hope we can join the task forces to help engage in this process.

Thank you.

Appendix A

Wal-Mart Seeks Products That Make A Difference Through Sustainablity

Agreen Energy believes the digester meets all four areas for food processing operations

Source: Wal-Mart, Vanguard Renewables