

BUSINESS & ECONOMIC ASPECTS OF RNG

Andrew Jackura Sr. Vice President – Development 713.807.7775 ajackura@camcorng.com

Houston Office

6221 Edloe Street, Suite 201-B Houston, TX 77005 **Corporate Office**

333 Perry Street, Suite 301 Castle Rock, CO 80104



Camco Overview

- Established 2007
- 27 Managed Projects
- 4+ Million Environmental Credits Issued
- 1,500+ MMBTU/Day RNG Production
- Camco develops & operates projects producing renewable gas, electricity, and environmental credits from manure & organic wastes.
- Our investor, Vitol supplies all the capital necessary to build the projects. Vitol is one of the world's largest crude oil and petroleum product trading firms.
- Camco projects generate environmental credits eligible for use under State and Federal regulatory programs.



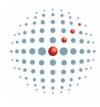




Introduction

- This information is meant to be illustrative rather than definitive.
- Project costs vary significantly depending on specifics and project boundaries.
- Relative costs shown here help explain RNG industry trends.
- Industry participants do things differently and often have different incentives that manifest in different deal structures

This presentation contains Camco International Group, Inc. ("Camco") information as well as information from third parties that has not been verified. It is being provided for informational and illustrative purposes. The figures and data in this presentation are estimates and approximations. This presentation should not be relied upon for any other purpose and Camco expressly disclaims fitness for any other purpose.



RNG Basic Information

Definitions

- Biogas gas resulting from decomposition of organic matter under anaerobic conditions; principally CH4 & CO2
- Biomethane the methane component of Biogas; produced by removing CO2 & other fixed gases from Biogas
- Renewable Natural Gas (RNG) Biogas that has been upgraded so that it is interchangeable with fossil natural gas

Sources of RNG

- Solid Waste Landfill
 - Large production volumes many facilities
 - GCCS already exists no anaerobic digester investment required
- Manure & Food Waste
 - Small production volumes few facilities
 - Anaerobic digester investment is required
- Wastewater
 - Small production volumes many facilities
 - Bioreactor may already exist no anaerobic digester investment may be required

Pipeline Specifications – pipelines ensure interchangeability of RNG by requiring it meet the same specifications as natural gas. These include Wobbe #, hydrocarbon dewpoint, free from biological, dust, gum, and other contaminants; additional specifications often include limits for pesticides, siloxanes, specific hydrocarbons, and sulfur compounds.

Natural Gas

- BTU Methane, Ethane, & trace NGL
- CH4 content governed by Ethane/NG spread
- Intermountain Gas Company Specification
 - Specified in Interconnection Agreement
 - Min. HHV 985 BTU/scf
 - Max. Inerts 3%
- Northwest Pipeline Tariff
 - Min. HHV 985 BTU/scf
 - Max. Inerts 3%

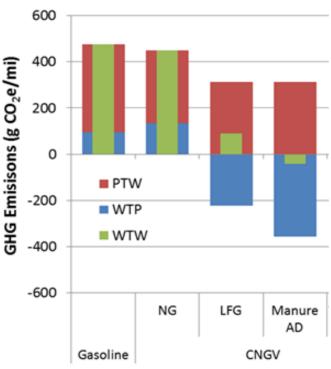
Renewable Natural Gas

- BTU Methane
- CH4 content governed by Min. HHV
- Intermountain Gas Company Specification
 - Specified in Interconnection Agreement
 - Min. HHV 985 BTU/scf
 - Max. Inerts 3%
- Northwest Pipeline Tariff
 - Min. HHV 970 BTU/scf
 - Max. Inerts 4%

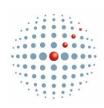


RNG Value Proposition

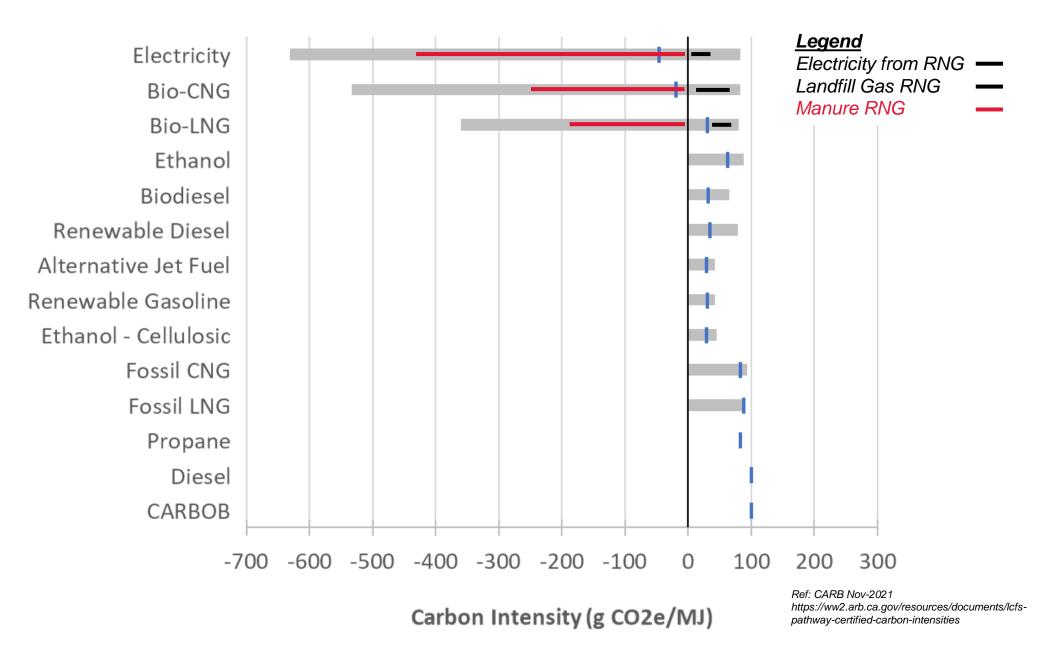
- The Federal RFS incentivizes the production and use of renewable fuels by creating annual mandates (RVOs) on fuel refiners for their use
- California, Oregon, British Columbia, & soon
 Washington value lower GHG emitting fuels by creating state fuel pool carbon intensity targets
- On a well-to-wheel (WTW) basis, a truck fueled with fossil natural gas (NG) produces only slightly less CO₂ equivalent (CO₂e) emissions per mile traveled than one fueled with gasoline
- If that same compressed natural gas vehicle (CNGV) were fueled with RNG produced from the anaerobic digestion of manure, there would also be a significant reduction in CO₂e emissions from currently uncaptured CH4 emissions thereby resulting in negative CO₂e emissions.



Ref: Argonne National Lab, GREET 2013, http://GREET.es.anl.gov



Carbon Intensity of Various Fuels





Example Idaho Dairy Anaerobic Digester

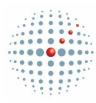




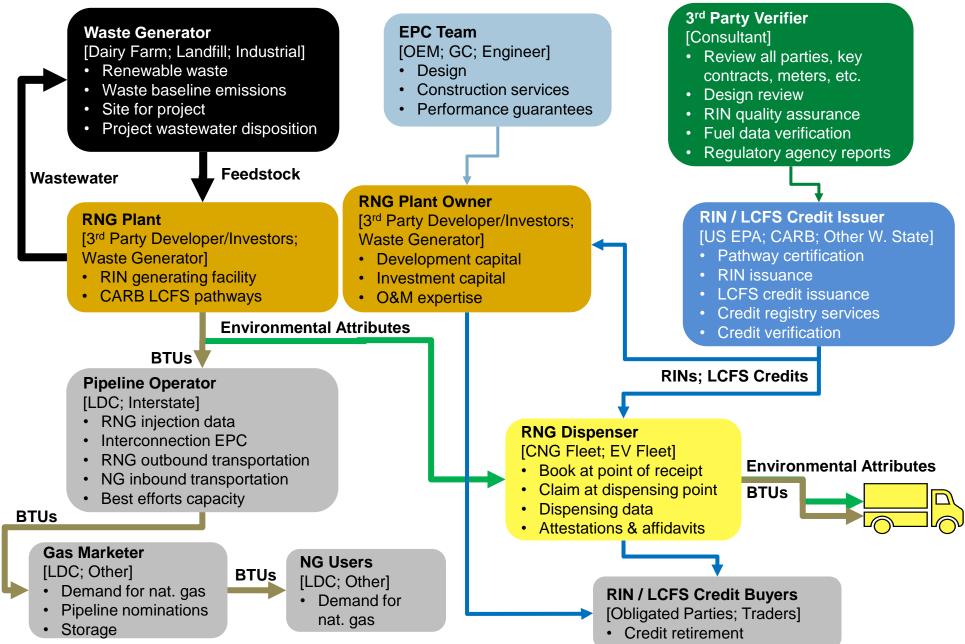


Typical Idaho Dairy RNG Plant





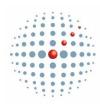
RNG Project Anatomy





Framework Agreements

- 1. Manure or other feedstock supply agreement
- 2. Site lease & mortgage holder SNDA
- 3. RNG sale agreement (Distributor) NAESB Master & TC
- 4. Pipeline nomination/balancing agreement
- 5. Initial gas storage agreements
- 6. Pipeline interconnection agreements
- 7. Pipeline easement agreements
- 8. Gas transportation agreement
- 9. Pipeline access agreements
- 10. EPC contracts
- 11. RIN & LCFS Credit sale agreements ISDA Master & TC; ICE
- 12. Verifier / Auditor agreements
- 13. Operation and maintenance agreements



Environmental Credit Legal Considerations

Credit Ownership and Visibility

- EPA and CARB will only issue credit into 1 registry account; account owner credit risk must be understood.
- Book and claim requirements dictate RNG sale and pipeline interconnection terms.
- ISDA Master Contract and Transaction Confirmation are used for OTC trades.

Regulatory Risk

- Renewable Fuels Market subject to changing regulations. Material regulatory changes in the program may impact ability to generate and deliver credits:
 - Project owners forward contract for price certainty;
 - Buyers don't want credits if they have no value in the regulated market.

Invalidation Risk

- Significant amounts of data, some from external parties, must be collated to demonstrate provenance of environmental attributes.
- Revocation / claw-back risks are initially addressed during project development. Careful attention to operating data quality, with an eye towards annual verification is also important.

Market Risk

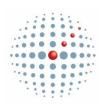
- Forward credit sales hedge price volatility for the RNG Producer but create delivery obligations.
- Lack of operating history scares hedge providers & they charge for taking on project delivery risk because they usually hedge a portion of the contract too.

11



Typical Project Permits

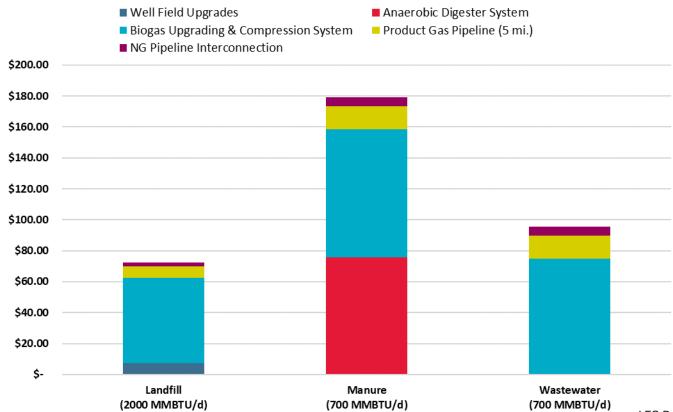
- Air Permit typically minor source
 - Flare for biogas and product gas
 - Boilers for heating digester
 - CO2 vent
 - Thermal oxidizer (if required)
- NPDES permit typically unnecessary on CAFO
 - H2S scrubber effluent sulfur wastewater disposal
 - H2S scrubber media carbon+sulfur disposal
- Land use permit county zoning permit usually includes sign off by local fire, weed control, canal district, highway district, & others
- Pipeline can be unclear what agencies have jurisdiction (DOT, state, county, highway, BLM, ?)
- Building permits county and maybe state



Indicative RNG Project EPC Cost

RNG Project Construction Cost

(\$/MMBTU Annual Capacity)



LFG Ref: USEPA LMOP Nov 2021 https://www.epa.gov/lmop/landfill-gas-energyproject-development-handbook

- LFG project EPC cost is lowest but CI is least favorable
- Wastewater project EPC cost is slightly better than Manure but CI is not as nearly as favorable
- Manure project EPC cost is highest but produces the lowest CI



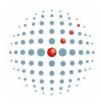
Indicative Project Economics

- LFG projects enjoy economies of scale & sunk cost for gas collection system required by regulation. However, no LCFS credits are available for LFG in California in the future; negative CI RNG has displaced most LFG.
- Manure projects low CI reduces the Distributor share and displaces LFG generating LCFS credits.
- Wastewater projects enjoy sunk cost for anaerobic digester in some cases, but only produce D5 RINs. Similar to LFG, there are no LCFS credits available due to poor CI.

Conclusions

- RNG Project revenues primarily derived from environmental commodities not energy.
- Credit price volatility and regulatory risk demand short breakeven time.
- Economical credit hedges are difficult to find.

		dfill_	<u>Manure</u>		Wastewater	
	RNG		<u>RNG</u>		RNG	
CI Score	6	0		-150		30
Volumes (Annual)						
RNG (MM BTU/yr)	9	12,500		255,500		255,500
RINs (D3)	10,7	00,888		2,996,249		-
RINs (D5)		-		-		2,996,249
LCFS Credits		-		56,041		-
Prices						
RNG (BTU HHV)	\$	3.00	\$	3.00	\$	3.00
RINs (D3)	\$	2.00	\$	2.00	\$	2.00
RINs (D5)	\$	1.00	\$	1.00	\$	1.00
LCFS Credits		140.00	\$	140.00	\$	140.00
Lord dicuits	Ψ	110.00	Υ	210100	Ψ	110.00
Distributor Share						
RNG (BTU HHV)		0%		0%		0%
RINs (D3)		15%		15%		
RINs (D5)						30%
LCFS Credits				25%		
Revenue (Net of Dist)						
RNG (BTU HHV)	2.7	27 500		766,500		766,500
RINs (D3)		37,500 91,509		•		700,500
· , ,	10,1	91,509		5,093,622		2 007 274
RINs (D5)		-				2,097,374
LCFS Credits Total Revenue	\$ 20,9	-	۲	5,884,259 11,744,381	Ś	2,863,874
rotal Revenue	\$ 20,9	29,009	Ş	11,744,381	Ş	2,803,874
Total Operating Expense	(6,8	43,750)		(3,832,500)		(1,916,250)
EBITDA	\$ 14,0	85,259	\$	7,911,881	\$	947,624
Duois at EDC Cost	¢ 50.0	00 000	<u>,</u>	46 000 000	<u>_</u>	24 000 000
Project EPC Cost	\$ 59,0	00,000	>	46,000,000	Þ	24,000,000
Breakeven (Yrs)	4.	2		5.8		25.3

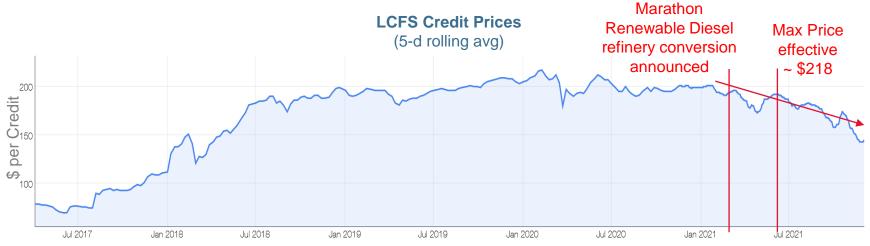


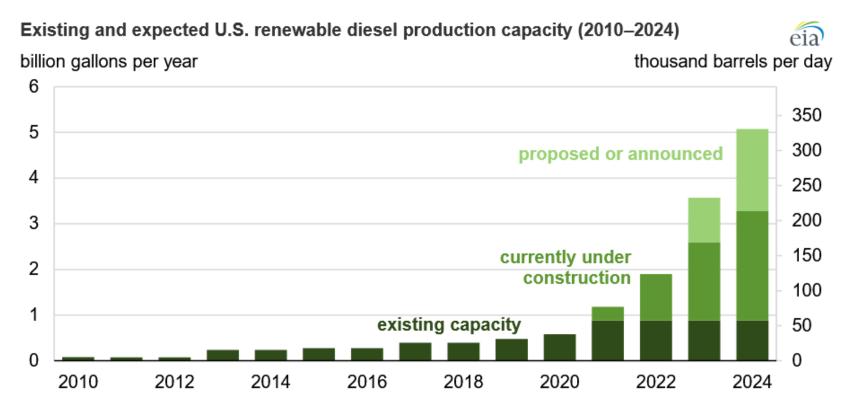
Characteristics of RNG Revenue Streams

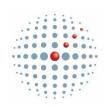
- BTU Index price fluctuates seasonally
 - Subject to pipeline demand & capacity restrictions
- RINs Both D3 & D5 prices are volatile; fluctuating with US EPA's annual RVO and Federal policy changes
 - D3 for LFG but not WWT RNG
 - No EV RINs
 - No Investment Tax Credit for RNG
- LCFS Prices are volatile
 - Supply/demand balance being affected by new RNG projects & Renewable Diesel projects coming on stream



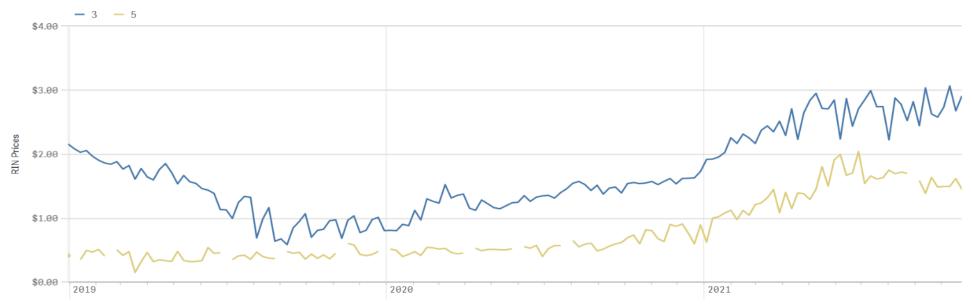
LCFS Credit Price History





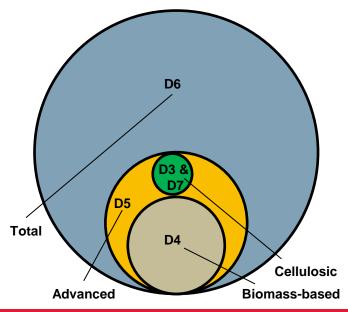


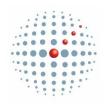
RIN Price History



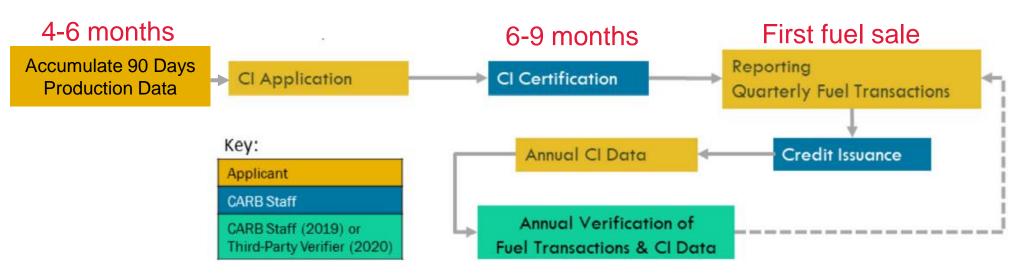
- D3/D5 price differential generally reflects
 Cellulosic Waiver Credit established by EPA annually
- Agency delays in RVO and CWC announcement impact prices

RIN Nesting in RFS

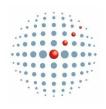




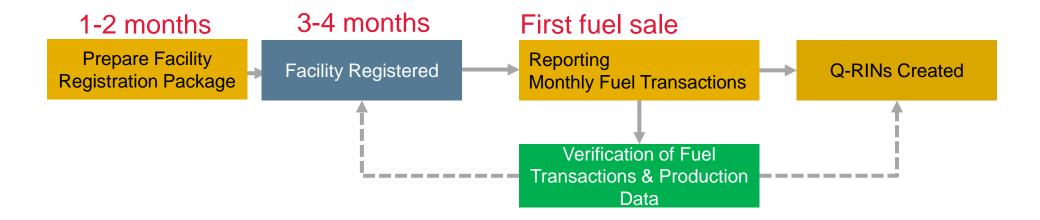
Producing LCFS Credits



- Carbon Intensity Pathway Application
- 2. CI Certified by CARB
- 3. Quarterly fuel sales reported to CARB
- 4. CARB issues LCFS credits 1st quarter after sales reported
- Producer files attestation with CARB annually
- 6. CI verified annually by 3rd party for CARB review & possible CI adjustment
 - Annual verification risk is CI adjustment Some credits issued under previous CI would become invalidated requiring producer to replace from current inventory



Producing RINs



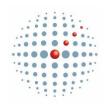
- 1. Facility Pathway registration
- EPA approval
- 3. Monthly (daily/quarterly) fuel sales reported to EPA & 3rd Party QAP provider
- 4. RINs issued monthly (usually)
- 5. End-user and producer file affidavits quarterly
- 3rd Party files QAP reports with US EPA quarterly and annually



ADDITIONAL INFORMATION

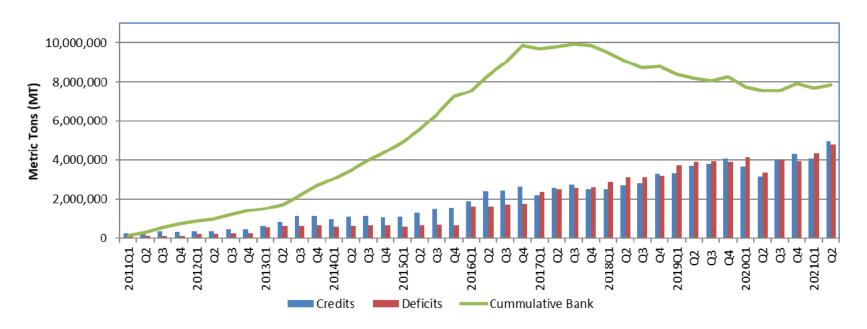


- Lifespan 2 years; year of generation + next year
- Yield varies
 - Ethanol 1.0 RINs per gallon
 - Biodiesel 1.5 RINs per gallon
 - Renewable Diesel 1.6 to 1.7 RINs per gallon
 - RNG 11.727 RINs / MMBtu (HHV)
 - Electricity 1 RIN / 22.6 kWh
- Q-RINs Renewable fuel producers can participate in the Quality Assurance Plan program independent, on-going audit of fuel, RINs
- Obligated Parties
 - Companies who produce or import petroleum gasoline or diesel fuel in a given calendar year
 - Do not have to blend physical renewable fuel
 - Must satisfy their renewable volume obligations (RVO) using RINs and/or cellulosic waiver credits
 - Can use prior-year RINs for up to 20% of the applicable RVO
 - Acquire RINs through the purchase of physical fuel with RINs or through RIN-only transactions

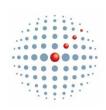


LCFS Credit Market

Fig 1. Total Credits and Deficits (MT) for All Fuels Reported Q1 2011 - Q2 2021



- Average quarterly credit demand 4-5 MM credits
- Credit Bank ~ 2 quarters of demand 8 MM credits

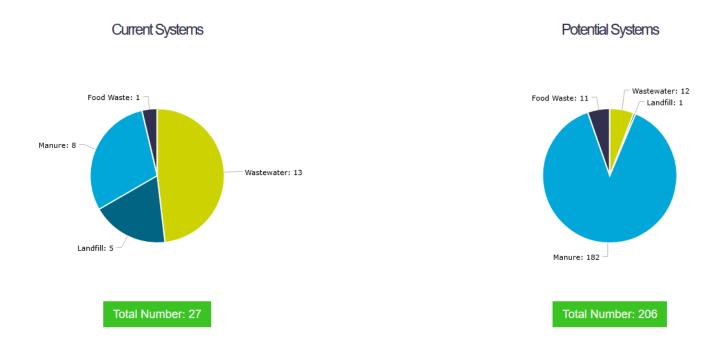


Northwest Biogas Production

IDAHO

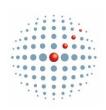
Download PDF

Idaho ranks **20th** out of 50 states for its biogas production potential. We estimate up to 23.4 billion cubic feet of renewable methane from biogas could be produced each year for energy, fuel, heat, and more!



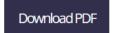
THE POWER OF 36.56 BILLION CUFT OF BIOGAS:

Ref: NREL Dec-2021 https://www.nrel.gov/gis/biomass.html

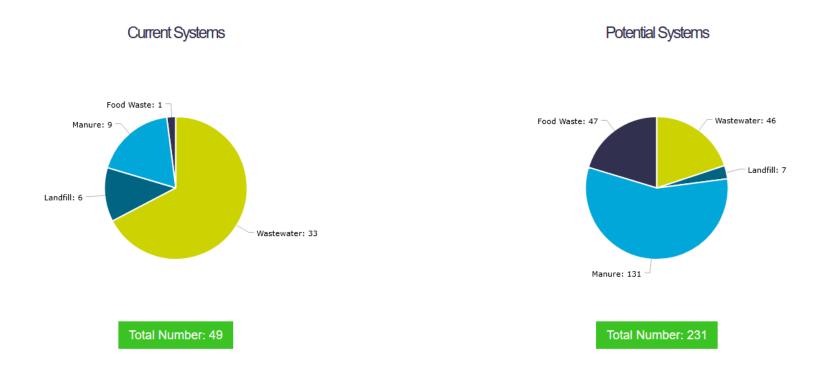


Northwest Biogas Production

WASHINGTON

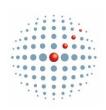


Washington ranks **22nd** out of 50 states for its biogas production potential. We estimate up to 18.54 billion cubic feet of renewable methane from biogas could be produced each year for energy, fuel, heat, and more!



THE POWER OF 28.96 BILLION CUFT OF BIOGAS:

Ref: NREL Dec-2021 https://www.nrel.gov/gis/biomass.html

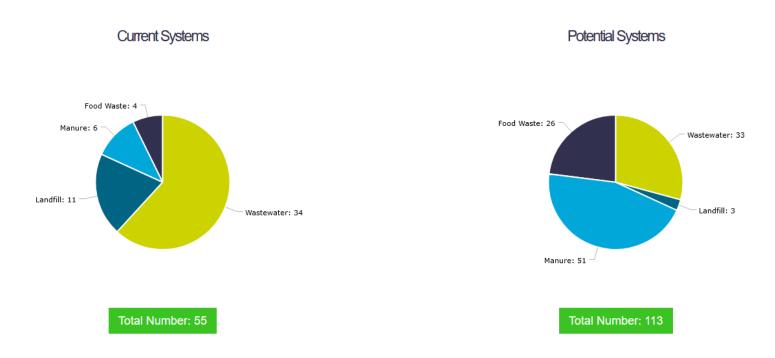


Northwest Biogas Production

OREGON

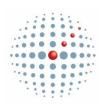
Download PDF

Oregon ranks **33rd** out of 50 states for its biogas production potential. We estimate up to 10.23 billion cubic feet of renewable methane from biogas could be produced each year for energy, fuel, heat, and more!



THE POWER OF 15.99 BILLION CUFT OF BIOGAS:

Ref: NREL Dec-2021 https://www.nrel.gov/gis/biomass.html



Camco – What We Do

Operations Management & Credit Monetization

- Camco manages facility operations & monetizes the RNG, renewable electricity, & environmental credits
 - California Low Carbon Fuel Standard Credits (LCFS)
 - D3 & D5 RINs under the Federal RFS Program
 - Renewable Energy Certificates (RECs)
 - California Carbon Offsets (CCOs)
- Our broad experience mitigates development risks and ensures projects come to fruition. We understand the regulatory frameworks and technologies.
- We've spent years developing the cornerstone commercial agreements, building facilities, managing operations, registering projects, and selling environmental commodities.

Renewable Fuel Credits

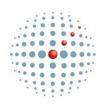
- Camco understands the renewable fuel programs & has the project experience to register & comply with both the Federal RFS & CARB LCFS rules.
- We manage the initial pathway approval, facility registration, annual verification, the credit generation process, & reporting once facilities are operational.
- Camco has commercial relationships with fuel end-users & credits buyers looking to comply with state or federal requirements.

Carbon Offsets

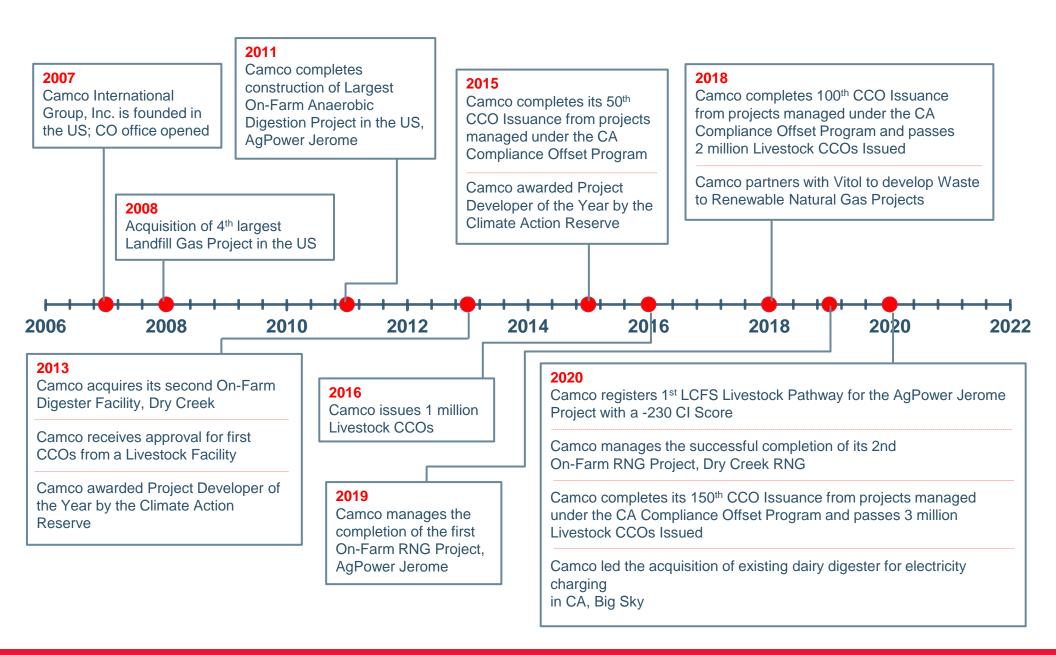
 Camco's environmental commodities team manages project registration, annual verification, carbon offset credit issuance, & sale of the credits.







Camco - Timeline



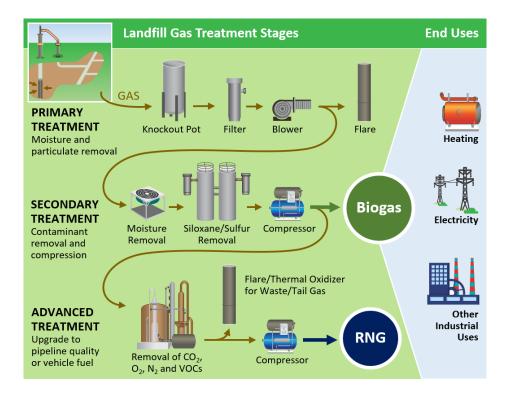
STATE REGULATORY ASPECTS OF RENEWABLE NATURAL GAS

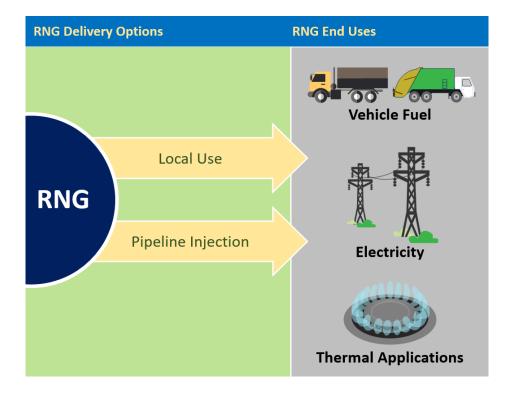
Peter Richardson
Richardson Adams, PLLC
Presentation for the Environmental and Natural Resources Section of the Idaho State
Bar
December 8, 2021 (via Zoom)

1

What is Renewable Natural Gas (RNG)?

 For a resource that has been historically fossil fuel based and extracted through invasive processes, the concept of "renewable" natural gas may appear oxymoronic on its face. However, natural gas is already emitted through various industrial/agricultural processes such as wastewater treatment, dairy processing, landfills, etc. The methane produced from sources like these has traditionally been released into the atmosphere or flared. However, methane, as a byproduct can be harnessed, added into the existing natural gas system to replace fossil gas.





EPA List of Idaho Dairy to Methane Projects

Jerome	ID	Mixed Plug Flow	Pipeline Gas	2011	Dairy	No	Animals: 15,000 dairy;	Yes
		▼ ix	Electricity	2012	Dairy	No	Animals: 8,900 dairy; Electricity Generated: 15,550,000 kWh/yr	Yes
Jerome	ID	Complete Mix	Cogeneration	2009	Dairy	No	Animals: 7,200 dairy; Electricity Generated: 12,000,000 kWh/yr	No
Gooding	ID	Mixed Plug Flow	Electricity	2008	Dairy	Yes	Animals: 4,700 dairy; Co-digestion: Agricultural Residues Electricity Generated: 9,500,000 kWh/yr	No
Hansen	ID	Mixed Plug Flow	Electricity	2008	Dairy	No	Animals: 10,000 dairy; Electricity Generated: 18,527,400 kWh/yr	No
Roberts	ID	Complete Mix	Cogeneration	2010	Dairy	No	Animals: 5,500 dairy; Electricity Generated: 12,658,200 kWh/yr	No
Burley	ID	Complete Mix	Pipeline Gas	2021	Dairy	No		No
Burley	ID	Covered Lagoon	Pipeline Gas	2021	Dairy	No		No
Burley	ID	Complete Mix	Pipeline Gas	2021	Dairy	No		No
Burley	ID	Covered Lagoon	Pipeline Gas	2021	Dairy	No		No
	Jerome Gooding Hansen Roberts Burley Burley Burley	Jerome ID Gooding ID Hansen ID Roberts ID Burley ID Burley ID Burley ID	Jerome ID Complete Mix Gooding ID Mixed Plug Flow Hansen ID Mixed Plug Flow Roberts ID Complete Mix Burley ID Complete Mix Burley ID Complete Mix Burley ID Complete Mix	ix Electricity Jerome ID Complete Mix Cogeneration Gooding ID Mixed Plug Flow Electricity Hansen ID Mixed Plug Flow Electricity Roberts ID Complete Mix Cogeneration Burley ID Complete Mix Pipeline Gas Burley ID Cowered Lagoon Pipeline Gas Burley ID Complete Mix Pipeline Gas	In the second of the second			Property Property

EPA List of Idaho Landfill to Gas Projects

Ada County Landfill	ID	Boise	Ada	3.2 MW	Idaho Power Company
Fighting Creek Farm Landfill	ID	Coeur d' Alene	Kootenai	3.2 MW	Avista Utilities
Fort Hall Mine Landfill	ID	Pocatello	Bannock	1.6 MW	Idaho Power Company
Fort Hall Mine Landfill	ID	Pocatello	Bannock	1.6 MW	Idaho Power Company
Milner Butte Landfill	ID	Burley	Cassia	2.6 MW	Idaho Power Company

7

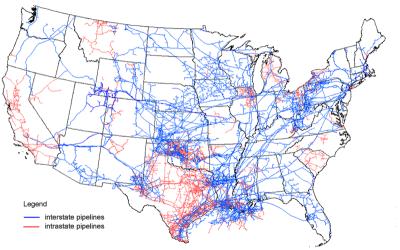
RNG Applications

Renewable natural gas, once it is cleaned of contaminants, is essentially identical in chemical makeup to fossil natural gas. Thus, its use potential is as varied as are current natural gas applications.

Pre- or partially-cleaned renewable natural gas is used to generate electricity, as motor fuel or directly burned in boilers, kilns etc.

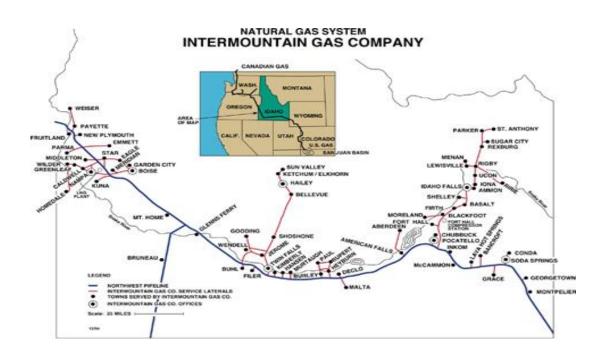
However, only cleaned RNG is allowed to be injected into the natural gas pipeline system, which limits the application of pre-cleaned natural gas geographically to the local area in which it is produced.

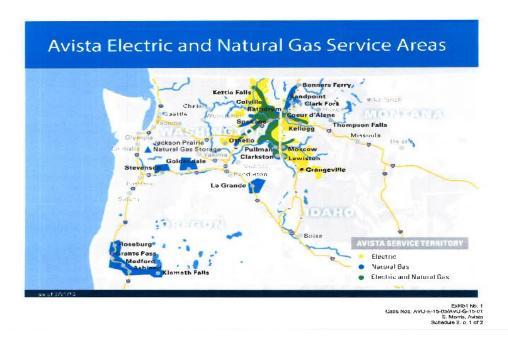
Map of U.S. interstate and intrastate natural gas pipelines



Source: U.S. Energy Information Administration, About U.S. Natural Gas Pipelines

9





11

Idaho PUC Jurisdiction over RNG

- Jurisdiction over sales to the public.
- Jurisdiction over intra state pipeline transportation rates and safety.
- No jurisdiction over interstate transportation, over which the Federal Energy Regulatory Commission (FERC) has exclusive jurisdiction.

State PUC Code for the Regulation of RNG

- State Public Utility Commission jurisdiction.
- Pipelines. (IC Sec. 61-114)
- Pipeline Corporations. (IC Sec. 61-115)
- Gas Plant. (IC Sec. 61-116)
- Gas Corporation. (IC Sec 61-117)
- All of which are Public Utilities where the service is performed, or the commodity is delivered, to/for the public. (IC Sec. 61-129)
- Nuanced discussions as to the meaning of "public" is best saved for a different CLE.

13

Jurisdiction over Sales to the Public (with a big caveat – on the next slide)

- Providing natural gas commodity and/or pipeline services to the public is a state PUC regulated activity that only be provided by a public utility certificated by the PUC. (IC Sec. 61-129)
- Civil and possibly criminal penalties apply for violations of the PUC code. (IC Sec. 61-701)
- Not applicable to not-for-profit entities.
- No exclusive service territory for gas utilities.

FEDERAL PREEMPTION OF SALES FOR MOTOR FUEL USAGE

- Section 404(b) of the Energy Policy Act of 1992 preempts state regulatory commission jurisdiction over the resale of natural gas for use as a fuel in motor vehicles:
- "The transportation or sale of natural gas by any person who is not otherwise a public utility, within the meaning of State law, . . . To any person for use by such person as a fuel in a self-propelled vehicle, shall not be considered to be transportation or sale of natural gas within the meaning of any State law, regulation or order"

15

Current Status of the Regulated Markets

- No Idaho gas utility (there are effectively only two) is providing RNG directly to the public as a distinct product. Although there are CNG stations in Idaho selling RNG as a motor fuel.
- Intermountain Gas Company just recently obtained PUC approval for a tariff for RNG producers to access its distribution system.
- However, IGC does not have a transportation tariff for nondiscriminatory treatment of requests to move RNG to interconnection points on the Northwest Pipeline.
- See PUC Docket No. IGC-G-20-03

Current Status of RNG Transporation Customers on IGC's system

- IGC currently charges \$1,600 a month for RNG producers to for maintenance and access to its pipeline system.
- It negotiates separate rates/contracts with each RNG producer for transportation.
- There are only three RNG producers currently accessing IGC's system.
- The cost will likely drop further as additional customers are added.
- The potential for RNG production in Idaho is enormous Idaho is now the 3rd or 4th largest milk producing state in the country.

17

Renewable Fuel Standard

- Established by Congress as an amendment to the Clean Air Act, the Renewable Fuel Standard (RFS) mandates that U.S. transportation fuels contain a minimum volume of biofuel. The mandated minimum volume increases annually and must be met using both conventional biofuel (e.g., corn starch ethanol) and advanced biofuel (e.g., cellulosic ethanol). For a renewable fuel to be applied toward the mandate, it must be used for certain purposes (i.e., transportation fuel, jet fuel, or heating oil) and meet certain environmental and biomass feedstock criteria.
- 42 U.S.C. §7545(o).



RICHARDSON ADAMS, PLLC ATTORNEYS AT LAW

richardsonadams.com

Tel: 208-938-7900 Fax: 208-938-7904 P.O. Box 7218 Boise, ID 83707 - 515 N. 27th St. Boise, ID 83702

19

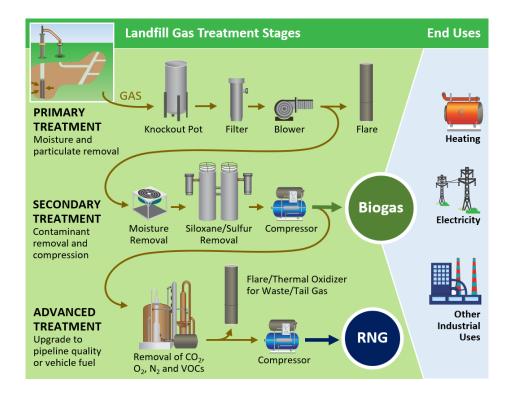
STATE REGULATORY ASPECTS OF RENEWABLE NATURAL GAS

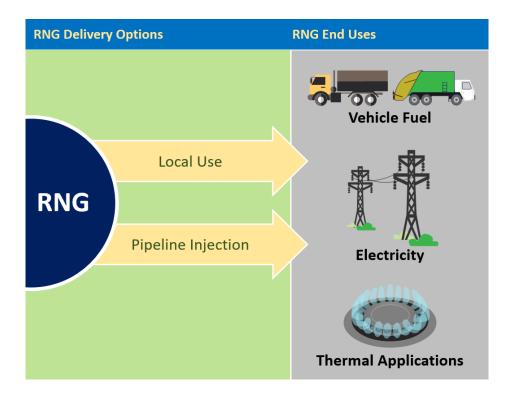
Peter Richardson
Richardson Adams, PLLC
Presentation for the Environmental and Natural Resources Section of the Idaho State
Bar
December 8, 2021 (via Zoom)

1

What is Renewable Natural Gas (RNG)?

 For a resource that has been historically fossil fuel based and extracted through invasive processes, the concept of "renewable" natural gas may appear oxymoronic on its face. However, natural gas is already emitted through various industrial/agricultural processes such as wastewater treatment, dairy processing, landfills, etc. The methane produced from sources like these has traditionally been released into the atmosphere or flared. However, methane, as a byproduct can be harnessed, added into the existing natural gas system to replace fossil gas.





5

EPA List of Idaho Dairy to Methane Projects

Jerome	ID	Mixed Plug Flow	Pipeline Gas	2011	Dairy	No	Animals: 15,000 dairy;	Yes
		▼ ix	Electricity	2012	Dairy	No	Animals: 8,900 dairy; Electricity Generated: 15,550,000 kWh/yr	Yes
Jerome	ID	Complete Mix	Cogeneration	2009	Dairy	No	Animals: 7,200 dairy; Electricity Generated: 12,000,000 kWh/yr	No
Gooding	ID	Mixed Plug Flow	Electricity	2008	Dairy	Yes	Animals: 4,700 dairy; Co-digestion: Agricultural Residues Electricity Generated: 9,500,000 kWh/yr	No
Hansen	ID	Mixed Plug Flow	Electricity	2008	Dairy	No	Animals: 10,000 dairy; Electricity Generated: 18,527,400 kWh/yr	No
Roberts	ID	Complete Mix	Cogeneration	2010	Dairy	No	Animals: 5,500 dairy; Electricity Generated: 12,658,200 kWh/yr	No
Burley	ID	Complete Mix	Pipeline Gas	2021	Dairy	No		No
Burley	ID	Covered Lagoon	Pipeline Gas	2021	Dairy	No		No
Burley	ID	Complete Mix	Pipeline Gas	2021	Dairy	No		No
Burley	ID	Covered Lagoon	Pipeline Gas	2021	Dairy	No		No
	Jerome Gooding Hansen Roberts Burley Burley Burley	Jerome ID Gooding ID Hansen ID Roberts ID Burley ID Burley ID Burley ID	Jerome ID Complete Mix Gooding ID Mixed Plug Flow Hansen ID Mixed Plug Flow Roberts ID Complete Mix Burley ID Complete Mix Burley ID Complete Mix Burley ID Complete Mix	ix Electricity Jerome ID Complete Mix Cogeneration Gooding ID Mixed Plug Flow Electricity Hansen ID Mixed Plug Flow Electricity Roberts ID Complete Mix Cogeneration Burley ID Complete Mix Pipeline Gas Burley ID Cowered Lagoon Pipeline Gas Burley ID Complete Mix Pipeline Gas	In the second of the second			Property Property

EPA List of Idaho Landfill to Gas Projects

Ada County Landfill	ID	Boise	Ada	3.2 MW	Idaho Power Company
Fighting Creek Farm Landfill	ID	Coeur d' Alene	Kootenai	3.2 MW	Avista Utilities
Fort Hall Mine Landfill	ID	Pocatello	Bannock	1.6 MW	Idaho Power Company
Fort Hall Mine Landfill	ID	Pocatello	Bannock	1.6 MW	Idaho Power Company
FOIL Hall Wille Landilli	ID	rocatello	Balliock	1.0 10100	Idano Fower Company
Milner Butte Landfill	ID	Burley	Cassia	2.6 MW	Idaho Power Company

7

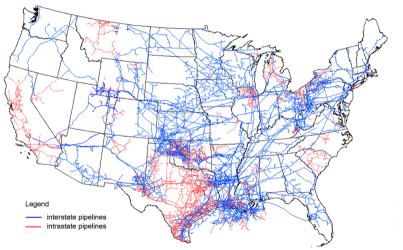
RNG Applications

Renewable natural gas, once it is cleaned of contaminants, is essentially identical in chemical makeup to fossil natural gas. Thus, its use potential is as varied as are current natural gas applications.

Pre- or partially-cleaned renewable natural gas is used to generate electricity, as motor fuel or directly burned in boilers, kilns etc.

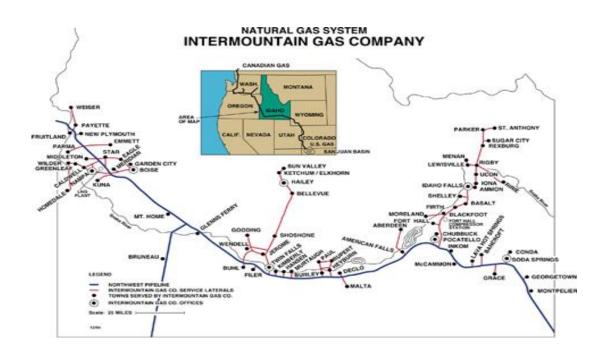
However, only cleaned RNG is allowed to be injected into the natural gas pipeline system, which limits the application of pre-cleaned natural gas geographically to the local area in which it is produced.

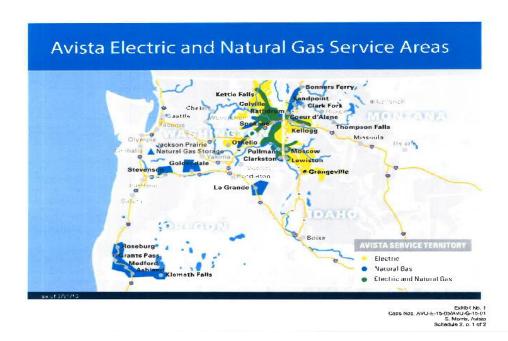
Map of U.S. interstate and intrastate natural gas pipelines



Source: U.S. Energy Information Administration, About U.S. Natural Gas Pipelines

9





11

Idaho PUC Jurisdiction over RNG

- Jurisdiction over sales to the public.
- Jurisdiction over intra state pipeline transportation rates and safety.
- No jurisdiction over interstate transportation, over which the Federal Energy Regulatory Commission (FERC) has exclusive jurisdiction.

State PUC Code for the Regulation of RNG

- State Public Utility Commission jurisdiction.
- Pipelines. (IC Sec. 61-114)
- Pipeline Corporations. (IC Sec. 61-115)
- Gas Plant. (IC Sec. 61-116)
- Gas Corporation. (IC Sec 61-117)
- All of which are Public Utilities where the service is performed, or the commodity is delivered, to/for the public. (IC Sec. 61-129)
- Nuanced discussions as to the meaning of "public" is best saved for a different CLE.

13

Jurisdiction over Sales to the Public (with a big caveat – on the next slide)

- Providing natural gas commodity and/or pipeline services to the public is a state PUC regulated activity that only be provided by a public utility certificated by the PUC. (IC Sec. 61-129)
- Civil and possibly criminal penalties apply for violations of the PUC code. (IC Sec. 61-701)
- Not applicable to not-for-profit entities.
- No exclusive service territory for gas utilities.

FEDERAL PREEMPTION OF SALES FOR MOTOR FUEL USAGE

- Section 404(b) of the Energy Policy Act of 1992 preempts state regulatory commission jurisdiction over the resale of natural gas for use as a fuel in motor vehicles:
- "The transportation or sale of natural gas by any person who is not otherwise a public utility, within the meaning of State law, . . . To any person for use by such person as a fuel in a self-propelled vehicle, shall not be considered to be transportation or sale of natural gas within the meaning of any State law, regulation or order"

15

Current Status of the Regulated Markets

- No Idaho gas utility (there are effectively only two) is providing RNG directly to the public as a distinct product. Although there are CNG stations in Idaho selling RNG as a motor fuel.
- Intermountain Gas Company just recently obtained PUC approval for a tariff for RNG producers to access its distribution system.
- However, IGC does not have a transportation tariff for nondiscriminatory treatment of requests to move RNG to interconnection points on the Northwest Pipeline.
- See PUC Docket No. IGC-G-20-03

Current Status of RNG Transporation Customers on IGC's system

- IGC currently charges \$1,600 a month for RNG producers to for maintenance and access to its pipeline system.
- It negotiates separate rates/contracts with each RNG producer for transportation.
- There are only three RNG producers currently accessing IGC's system.
- The cost will likely drop further as additional customers are added.
- The potential for RNG production in Idaho is enormous Idaho is now the 3rd or 4th largest milk producing state in the country.

17

Renewable Fuel Standard

- Established by Congress as an amendment to the Clean Air Act, the Renewable Fuel Standard (RFS) mandates that U.S. transportation fuels contain a minimum volume of biofuel. The mandated minimum volume increases annually and must be met using both conventional biofuel (e.g., corn starch ethanol) and advanced biofuel (e.g., cellulosic ethanol). For a renewable fuel to be applied toward the mandate, it must be used for certain purposes (i.e., transportation fuel, jet fuel, or heating oil) and meet certain environmental and biomass feedstock criteria.
- 42 U.S.C. §7545(o).



RICHARDSON ADAMS, PLLC ATTORNEYS AT LAW

richardsonadams.com

Tel: 208-938-7900 Fax: 208-938-7904 P.O. Box 7218 Boise, ID 83707 - 515 N. 27th St. Boise, ID 83702

19