

**State of California
AIR RESOURCES BOARD**

Executive Order DG-040

**Distributed Generation Certification of
UTC Power Corporation
440kW PureCell® System Model 400**

WHEREAS, the Air Resources Board (ARB) was given the authority under California Health and Safety Code section 41514.9 to establish a statewide Distributed Generation (DG) Certification Program to certify electrical generation technologies that are exempt from the permit requirements of air pollution control or air quality management districts;

WHEREAS, this DG Certification does not constitute an air pollution permit or eliminate the responsibility of the end user to comply with all federal, state, and local laws, rules and regulations;

WHEREAS, on September 24, 2012, UTC Power Corporation applied for a DG Certification of its 440 kW PureCell® System Model 400 fuel cell and whose application was deemed complete on December 10, 2012;

WHEREAS, UTC Power Corporation has demonstrated, according to test methods specified in California Code of Regulations (CCR), title 17, section 94207, that its natural-gas-fueled 440kW PureCell® System Model 400 fuel cell has complied with the following emission standards:

1. Emissions of oxides of nitrogen no greater than 0.07 pounds per megawatt-hour.
2. Emissions of carbon monoxide no greater than 0.10 pounds per megawatt-hour.
3. Emissions of volatile organic compounds no greater than 0.02 pounds per megawatt-hour.

WHEREAS, UTC Power Corporation has demonstrated that its 440kW PureCell® System Model 400 fuel cell complies with the emissions durability requirements in CCR, title 17, section 94207(d); and

WHEREAS, I find that the applicant, UTC Power Corporation, has met the requirements specified in CCR, title 17, article 3, Distributed Generation Certification Program, and has satisfactorily demonstrated that the 440kW PureCell® System Model 400 fuel cell meets the DG Certification Regulation 2007 Fossil Fuel Emission Standards.

NOW THEREFORE, IT IS HEREBY ORDERED, that a DG Certification, Executive Order DG-040 is granted.

This DG Certification:

- 1) Is subject to all conditions and requirements of CCR, title 17, article 3, Distributed Generation Certification Program, including the provisions relating to inspection, denial, suspension, and revocation.
- 2) Shall be void if any manufacturer's modification results in an increase in emissions or changes the efficiency or operating conditions of a model, such that the model no longer meets the 2007 DG Certification emission standards.
- 3) Shall expire on the 26th day of December, 2017.

Executed at Sacramento, California, this 26th day of December 2012.

James N. Goldstene
Executive Officer
by

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Cynthia Marvin, Chief
Stationary Source Division