

U.S. Army Corps of Engineers (USACE) Huntsville Engineering and Support Center (CEHNC)

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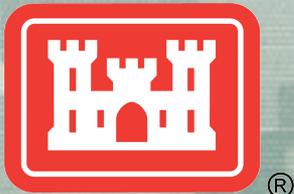
Sale of SRECs / RECs

Case Study

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Case Study

Honeywell ASBCA 57779

- AF has set out the claim that went to the ASBCA
- The Board determined that Renewable Energy Credits (RECs) and/or Solar Renewable Energy Credits (SRECs) are government-owned personal property
- The Board determined that only GSA has the authority to sell Government owned personal property



Case Study (cont.)

- Issues that all Federal agencies must consider:
 - ▶ 42 USC 8287 does not include RECs or SRECs in the definition of “energy savings”
 - ▶ This ruling was not specific to DOD
 - ▶ The Delivery Order was issued against the DOE Super ESPC



Case Study (cont.)

- Questions to consider for future projects:
 - ▶ Is equipment personal property?
 - ▶ Are solar arrays personal property?
 - ▶ When do these become “Government owned?”
 - ▶ What ability is there to define when ownership occurs within the contract?
 - ▶ If these are not Government owned until end of the contract term, could they be sold?



Questions?

