

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
NedPower Mount Storm, LLC for) Case No. 09-549-EL-REN
Certification as an Eligible Ohio)
Renewable Energy Resource Generating)
Facility.)

FINDING AND ORDER

The Commission finds:

- (1) On August 4, 2009, NedPower Mount Storm, LLC (NedPower) filed an application for certification as an eligible Ohio *renewable energy resource generating facility*.
- (2) Consistent with Sections 4928.64 and 4928.65, Revised Code, in order to qualify as a certified eligible Ohio renewable energy resource generating facility, a facility must demonstrate in its application that it has satisfied all of the following criteria:
 - (a) The generation produced by the renewable energy resource generating facility can be shown to be deliverable into the state of Ohio, pursuant to Section 4928.64(B)(3), Revised Code.
 - (b) The resource to be utilized in the generating facility is recognized as a renewable energy resource pursuant to Sections 4928.64(A)(1) and 4928.01(A)(35), Revised Code, or a new technology that may be classified by the Commission as a renewable energy resource pursuant to Section 4928.64(A)(2), Revised Code.
 - (c) The facility must satisfy the applicable placed-in-service date, delineated in Section 4928.64(A)(1), Revised Code.
- (3) NedPower has submitted for certification a 264 MW wind generating facility located at HC 76 Box 447, Mount Storm, West Virginia 26739. The application indicates that the facility is a distributed generation facility, with a net metering and

interconnection agreement with Allegheny Power. The application further indicates that the generation is deliverable into Ohio based upon the facility's location in a state geographically contiguous to Ohio. Accordingly, the Commission finds that the application satisfies the first criterion.

- (4) In its application, NedPower states that it will utilize wind energy, harnessed by wind generators, as its energy resource. Wind energy is specifically recognized as a renewable resource pursuant to Section 4928.01(A)(35), Revised Code. Therefore, the Commission finds that the second criterion is satisfied.
- (5) NedPower indicates in its application that the in-service date for its system was November 1, 2008, thereby satisfying the requirement of Section 4928.64(A)(1), Revised Code. As such, the Commission finds that NedPower's facility meets the third criterion.
- (6) Given that NedPower's application demonstrates that its facility satisfies the requisite criteria to become certified as an eligible Ohio renewable energy resource generating facility, the Commission finds that its application should be approved. This approval is subject to the facility properly acquiring and maintaining all required local, state, and environmental permits.
- (7) In addition to satisfying the above-cited criteria, Section 4928.65, Revised Code, requires a renewable energy resource generating facility to be registered with an approved attribute tracking system, such as the Generation Attribute Tracking System (GATS), or the Midwest Renewable Energy Tracking System (M-RETS), for the facility's renewable energy credits to be used for compliance with Ohio's alternative energy portfolio standards. NedPower provided its GATS identification number in its application.
- (8) NedPower is hereby issued certification number 09-WND-WV-GATS-0004 as an eligible Ohio renewable energy resource generating facility. In the event of any substantive changes in the facility's operational characteristics, or significant changes in the information provided in the application, NedPower must

notify the Commission within 30 days of such changes. Failure to do so may result in revocation of its certification.

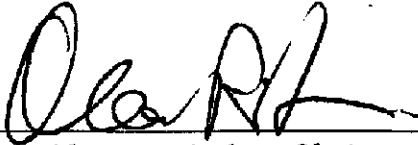
It is, therefore,

ORDERED, That NedPower's application for certification as an eligible Ohio renewable energy resource generating facility be granted as set forth herein. It is, further,

ORDERED, That NedPower be issued certification number 09-WND-WV-GATS-0004, in accordance with finding (8). It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

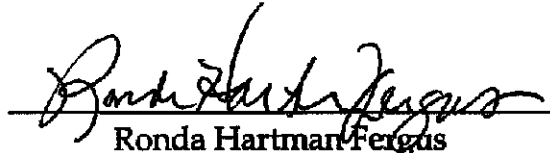
THE PUBLIC UTILITIES COMMISSION OF OHIO



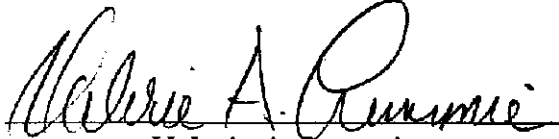
Alan R. Schriber, Chairman



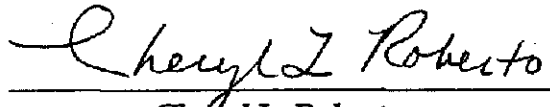
Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie



Cheryl L. Roberto

RLH:ct

Entered in the Journal

SEP 15 2009



Renee J. Jenkins
Secretary