

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of )  
Summersville Hydroelectric Project for )  
Certification as an Eligible Ohio ) Case No. 09-694-EL-REN  
Renewable Energy Resource Generating )  
Facility. )

FINDING AND ORDER

The Commission finds:

- (1) On August 6, 2009, as amended on November 12, 2009, Summersville Hydroelectric Project (Summersville) 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) Summersville has submitted for certification an 80 MW hydroelectric generating facility located at Route 129,

Summersville, West Virginia 26651. The application explains that the Summersville facility is located on land owned by the Army Corps of Engineers (ACOE) at its dam on the Gauley River. The facility's powerhouse is connected to the discharge tunnel of the ACOE dam. The application indicates that Summersville is an independent power producer, with an interconnection agreement with the Appalachian Power Company, a subsidiary of the American Electric Power Company. The application explains that Summersville is within the geographic area of PJM Interconnection, L.L.C. The application represents that, based upon its location in a state geographically contiguous to Ohio, the electricity generated from Summersville is deliverable into Ohio. Accordingly, the Commission finds that the application satisfies the first criterion.

- (4) In its application, Summersville states that it utilizes power produced by a hydroelectric facility as its energy resource. Section 4928.01(A)(35), Revised Code, specifically recognizes power produced by a hydroelectric facility as a renewable resource when the hydroelectric generating facility is located at a dam on a river, or on any water discharged to a river, that is within or bordering Ohio or within or bordering an adjoining state. The statute also requires that the facility satisfy additional standards relating to protection of fish, wildlife, water quality, cultural resources and recreational access, and that the facility is not recommended for removal by any federal or state agency having jurisdiction over the facility. The application indicates that the Summersville facility is located at a dam on a river in a state adjoining Ohio and represents that the facility meets the additional standards delineated in Section 4928.01(A)(35), Revised Code. Therefore, the Commission finds that the second criterion is satisfied.
- (5) Summersville indicates in its application that the in-service date for its system was July 31, 2001, thereby satisfying the requirement of Section 4928.64(A)(1), Revised Code. As such, the Commission finds that Summersville's facility meets the third criterion.
- (6) Given that Summersville'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. Summersville provided its GATS identification number in its application.
- (8) Summersville is hereby issued certification number 09-HYD-WV-GATS-0082 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, Summersville must notify the Commission within 30 days of such changes. Failure to do so may result in revocation of its certification.

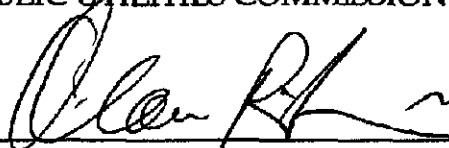
It is, therefore,

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

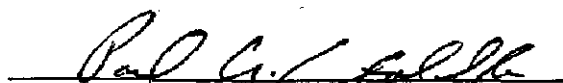
ORDERED, That Summersville be issued certification number 09-HYD-GATS-0082, in accordance with finding (8). It is, further,

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

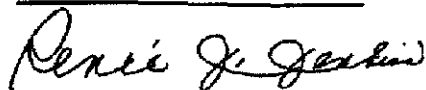


Cheryl L. Roberto

HPG:ct

Entered in the Journal

DEC 16 2009



Renee J. Jenkins  
Secretary