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April 15, 2010

Ms. Reneé Jenkins
Secretary, Public Utilities Commission of Ohio
180 E. Broad St., 11th Floor
Columbus, Ohio 43215-3793

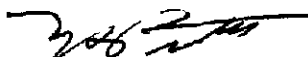
Re: In the Matter of the Alternative Energy Resources
Report for Calendar Year 2009 From Gexa Energy Ohio,
LLC
Case No. 10-496-EL-ACP

Dear Ms. Jenkins:

I am filing today an original and 12 copies of the redacted version of the Alternative Energy Resources Report for Calendar Year 2009 from Gexa Energy Ohio, LLC. The unredacted version is being submitted under seal because it contains confidential and proprietary information. A motion for protective order has also been filed in this matter.

Thank you for your cooperation.

Sincerely,



M. Howard Petricoff
Attorneys for Gexa Energy Ohio, LLC

MHP/cam
Enclosure

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
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COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER

ALTERNATIVE ENERGY RESOURCES REPORT FOR CALENDAR YEAR 2009

Gexa Energy Ohio, LLC (hereinafter "CRES" or "Gexa") in accordance with Sections 4928.64 and 4928.65, Revised Code and Commission Rules 4901:1-40-03 and 4901:1-40-05 hereby submits this Annual Alternative Energy Report ("AER") detailing compliance with the Ohio Alternative Energy Portfolio Standards.

I. Determination that an Alternative Energy Resource Report is Required (check one)

- ☒ During calendar year 2009 the CRES states that it conducted retail sales of generation to customers who utilized the generation in a load center located within the state of Ohio.
- ☐ During calendar year 2009 the CRES states that it did not conduct retail sales of generation to customers who utilized the generation in a load center located within the state of Ohio. (If this block is checked proceed to the signature line)

II. Determination of the sales baseline for 2009

- a. During the past three calendar years the CRES made retail sales of generation in the amounts shown below
- 2006 _____ MWh
- 2007 _____ MWh
- 2008 _____ MWh
- b. The average annual sales of the active years listed above (sum of the active years' MWh / no. of active years) _____ (hereinafter "Baseline Sales")
- c. If conditions exist that merit an adjustment to the Baseline Sales please list the adjusted Baseline Sales on this line N/A and attach as an exhibit to this AER a full explanation of the reason(s) for the adjustment(s).
- d. If the CRES was not active during calendar years 2006, 2007 and 2008 but did make sales during calendar year 2009, please project the amount of retail electric generation sales anticipated for the whole of calendar year 2009 as would have been projected on the first day retail generation sales were made in Ohio.

_____ MWh

III. Determination of the number of Solar and Total Renewable Energy Credits (RECs) Required and Statement of the Number of RECs Claimed

RENEWABLE ENERGY CREDITS REQUIRED AND OBTAINED FOR 2009

Types	No. of RECs Required (a).	No. of RECs Obtained (b)	Registry (c)	No. of RECs Sited in OH (d)
Solar				
Non Solar				
Total				

- a. Column a above lists the unadjusted number of Solar and Total RECs Required for the CRES in 2009. The determinations were calculated by multiplying the Baseline Sales or Adjusted Baseline Sales or the Projected Sales (circle one) by 4 thousandths of one per cent (.004%) for Solar RECs and one quarter of one quarter percent (.25%) for total RECS. Total RECs include both Solar and Non Solar RECs.
- b. The CRES states that it has obtained in accordance with the Commission's Rules the number of Solar and Non Solar RECs listed in column b above for 2009.
- c. Approved registry being used by the CRES: GATS.
- d. The CRES states that of the RECs it has obtained for 2009 the number listed in column c represents the RECs with generation facilities sited within the state of Ohio.
- e. CRES states that it has (circle one): a) received a *force majeure* determination for Solar RECs; b) sought but has yet to receive a ruling on a *force majeure* determination for Solar RECs; or c) did not seek or sought and did not receive a *force majeure* determination for Solar RECs.

IV. Compliance (check one)

- ☐ CRES states that it has obtained the required number of Solar RECs and Total RECs without adjustments permitted pursuant to Rule 4901:1-40-05(A)(3).
- ☐ CRES states that it has obtained the required number of Solar RECs and Total RECs after adjustments permitted pursuant to Rule 4901:1-40-05(A)(3). The type of adjustment, reason for the adjustment and merit for making the requested adjustment of the proposed adjustments are detailed in an exhibit attached to this Report.

- ☒ CRES states that it is not in compliance with number of Solar RECs or Total RECs required for 2009.

V. Ten Year Forecast

a. Ten Year Forecast of Solar and Non Solar RECs

In accordance with Rule 4901:1-40-03(C) the CRES hereby provides a projection for the next 10 years for RECs and Solar RECs.

<u>Year</u>	<u>Solar RECs</u>	<u>Non Solar RECs</u>	<u>Total RECs</u>
2010			
2011			
2012			
2013			
2014			
2015			
2016			
2017			
2018			
2019			

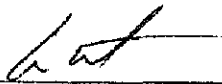
b. Supply Portfolio projection

c. Methodology used to evaluate compliance

- d. Comments on any perceived impediment(s) to achieving compliance with the Solar and Non Solar REC requirements, as well as any discussion addressing such impediments.

Presently, there appears no viable resource or generators from which suppliers can obtain REN Solar RECs in order to satisfy the REC requirement. If the current state of Solar REC generation (or lack thereof) continues Gexa perceives that this impediment might result in substantial costs over time towards its fulfillment of its Solar REC requirement.

I Larry Boisvert (type or print name) am the duly authorized representative of Gexa Energy Ohio, LLC (name of CRES). To the best of my knowledge all the information contained in the foregoing report including any exhibits and attachments are true, accurate and complete.



Signature