

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Annual Alternative	)	
Energy Portfolio Status Report	)	Case No. 10-530-EL-ACP
of Industrial Energy Users-Ohio.	)	

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**INDUSTRIAL ENERGY USERS-OHIO'S  
ANNUAL ALTERNATIVE ENERGY PORTFOLIO STATUS REPORT  
AND MOTION FOR LEAVE TO FILE LATE REPORT**

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April 19, 2010

**Attorneys for Industrial Energy Users-Ohio**

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**I. Introduction and Motion for Leave to File Late Report**

Industrial Energy Users-Ohio ("IEU-Ohio") is an electric services company as defined within Section 4928.01(A)((9), Revised Code. Pursuant to Section 4928.64, Revised Code, and Rule 4901:1-40-05(A), Ohio Administrative Code, IEU-Ohio submits its alternative energy portfolio status report. Additionally, inasmuch as Rule 4901:1-40-05(A), Ohio Administrative Code, requires the reports to be filed by April 15<sup>th</sup> of each year, IEU-Ohio requests that the Commission grant it leave to file its report late. For the reasons noted in the report below, IEU-Ohio does not believe its late filing will cause any harm or prejudice to any potential parties.

**II. Baseline Calculation**

Section 4928.64(B), Revised Code provides:

The baseline for a utility's or company's compliance with the alternative energy resource requirements of this section shall be the average of such total kilowatt hours it sold in the preceding three years, except that the commission may reduce a utility's or company's baseline to adjust for new economic growth in the utility's certified territory or, in the case of an electric services company, in the company's service area in this state.

IEU-Ohio's actual sales for each of the subject years are as follows:

2006 Sales	926,712 MWH
2007 Sales	851,793 MWH
2008 Sales	792,810 MWH
Three-year average	857,105 MWH

### **III. Renewable Benchmarks**

IEU-Ohio's 2009 renewable benchmark is as follows:

2009 Baseline	857,105 MWH
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The total renewable and solar requirement is equal to 0.25% of the 2009 baseline, with a specific requirement that 0.004% be achieved through solar.

IEU-Ohio's total electricity sales during 2009 were 0 MWH. Therefore, it was not necessary for IEU-Ohio to acquire solar or renewable energy credits.

### **IV. Compliance Strategy**

At this time, IEU-Ohio does not anticipate making electricity sales during 2010. However, to the extent IEU-Ohio does engage in any such electricity sales, its compliance strategy will be to satisfy the renewable and solar portfolio obligation through the purchase of appropriate renewable energy certificates.

### **V. Conclusion**

WHEREFORE, IEU-Ohio requests that the Commission find that IEU-Ohio has met all annual alternative energy portfolio status report filing requirements and grant its request for leave to file late report.

Respectfully submitted,

/s/ Lisa G. McAlister

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Summary: Report Industrial Energy Users-Ohio's Annual Alternative Energy Portfolio Status Report and Motion for Leave to File Late Report electronically filed by Ms. Vicki L. Leach-Payne on behalf of McAlister, Lisa G. Ms.