

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Scioto)
Valley Solar Two, LLC for Certification) Case No. 10-102-EL-REN
as an Eligible Ohio Renewable Energy)
Resource Generating Facility.)

FINDING AND ORDER

The Commission finds:

- (1) On January 29, 2010, as amended on February 26, 2010, Scioto Valley Solar Two, LLC (Scioto Valley), located in Alger, Ohio, filed an application for certification as an eligible Ohio renewable energy resource generating facility.
- (2) Rule 4901:1-40-04(F)(2), Ohio Administrative Code, (O.A.C.), provides for automatic approval for certification as an eligible Ohio renewable energy resource generating facility, unless the Commission suspends the application within 60 days. Scioto Valley's application was suspended on March 2, 2010. The application was supplemented on February 21, 2012.
- (3) 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.

- (4) The application indicates that the electricity generated from Scioto Valley is deliverable into Ohio. As such, the Commission finds that the application satisfies the first criterion.
- (5) The application also indicates that Scioto Valley utilizes a 0.0548 MW solar photovoltaic system. Solar photovoltaic energy is specifically recognized as a renewable resource, pursuant to Section 4928.01(A)(35), Revised Code. As such, the Commission finds that the second criterion is satisfied.
- (6) The application further indicates that the placed-in-service date for Scioto Valley was July 8, 2010, which satisfies the requirement of Section 4928.64(A)(1), Revised Code. As such, the Commission finds that Scioto Valley meets the third criterion.
- (7) Given that the application demonstrates that Scioto Valley satisfies the requisite statutory criteria to become certified as an eligible Ohio renewable energy resource generating facility, as well as the Commission's rules, the Commission hereby finds that the application is approved. This approval is subject to the facility properly acquiring and maintaining all required local, state, and environmental permits.
- (8) Staff is hereby directed to issue a certificate to Scioto Valley 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, Applicant must notify the Commission within 30 days of such changes. Failure to do so may result in revocation of Scioto Valley's certification.

It is, therefore,

ORDERED, That the application for certification of Scioto Valley as an eligible Ohio renewable energy resource generating facility be granted as set forth herein. It is, further,

ORDERED, That Scioto Valley be issued its certificate in accordance with finding (8). It is, further,

ORDERED, That a copy of this finding and order be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Todd A. Snitchler, Chairman



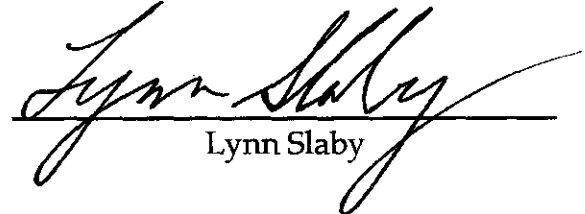
Steven D. Lesser



Cheryl L. Roberto



Andre T. Porter

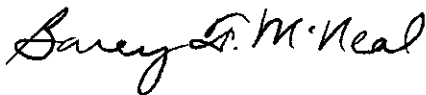


Lynn Slaby

JML/dah

Entered in the Journal

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Barcy F. McNeal

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Secretary