

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Sumpter Energy Associates - Pine Tree)
Acres Facility for Certification as an) Case No. 11-4171-EL-REN
Eligible Ohio Renewable Energy)
Resource Generating Facility.)

FINDING AND ORDER

The Commission finds:

- (1) On June 6, 2011, Sumpter Energy Associates - Pine Tree Acres Facility, 36540 29 Mile Road, Lenox Michigan, (Pine Tree) 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. Pine Tree's application was suspended on September 2, 2011.
- (3) On February 29, 2012, Staff filed its review and recommendations concerning Pine Tree's application. Staff noted that, pursuant to 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.

Staff observed that Pine Tree's application satisfied the three statutory requirements stated above. However, Staff found that, Pine Tree cannot be certified as an eligible Ohio renewable energy resource generating facility. Specifically, the facility must register with an approved attribute tracking system. Staff explained that, although Pine Tree indicated that it is registered with the Midwest Renewable Energy Tracking System (M-RETS), Pine Tree is actually registered in the Michigan Renewable Energy Certification System (MIRECS). Pursuant to Rule 4901:1-40-04, O.A.C., M-RETS and the PJM EIS Generation Attribute Tracking System (GATS) are the only currently recognized attribute tracking systems for Ohio. As such, Pine Tree's application must be denied.

- (4) The Commission finds Staff's recommendation to be reasonable. Pine Tree's application shall, therefore, be denied.

It is, therefore,

ORDERED, That Sumpter's application for certification be denied. It is, further,

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

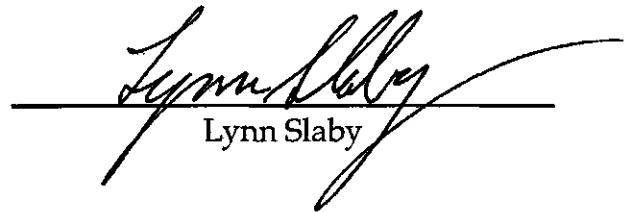
THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser


Andre T. Porter

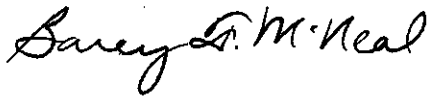

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Entered in the Journal

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Barcy F. McNeal
Secretary