



4901:1-40-05(C), OAC:

Staff shall review each electric utility's or electric services company's alternative energy portfolio status report and any timely filed comments, and file its findings and recommendations and any proposed modifications thereto.

The findings and recommendations in this document pertain to the company's compliance status. This document does not address such matters as cost recovery or status relative to the statutory 3% cost provision.

## **II. Company Filing Summarized**

In its filing, Industrial Energy Users – Ohio (IEU-OH) acknowledged that it is an electric services company. IEU-OH further indicated that it had no Ohio electricity sales during the period of 2009 - 2011, the three years preceding the 2012 compliance year, nor did it conduct any sales during 2012. IEU-OH thus concluded that it did not need to acquire renewable energy credits (RECs) or solar RECs (S-RECs) for 2012. IEU-OH also indicated in its filing that it did not anticipate making electricity sales in 2013, but that if it did, it would pursue the necessary RECs and S-RECs to achieve compliance.

## **III. Filed Comments**

No persons filed comments in this proceeding.

## **IV. Staff Findings**

Following its review of the annual status report and any timely comments submitted in this proceeding, Staff makes the following findings:

- (1) That IEU-OH is an electric services company in the state of Ohio.
- (2) That IEU-OH filed its 2012 AEPS status report on April 3, 2013.
- (3) That Staff verified IEU-OH's claim that it had zero Ohio retail electric sales in 2012 through independent review.
- (4) That OAC Section 4901:1-40-02, Purpose and Scope, indicates the following:

Parties affected by these alternative energy portfolio standard rules include all Ohio electric utilities and all electric services companies serving retail electric customers in Ohio. Any entities that do not serve

Ohio retail electric customers shall not be required to comply with the terms of the alternative energy portfolio standard.

- (5) That IEU-OH did not serve Ohio retail electric customers in 2012 and therefore did not have an AEPS compliance obligation in 2012.

## **V. Staff Recommendations**

Following its review of the information submitted in this proceeding and other relevant data, Staff recommends the following:

- (1) That IEU-OH's filing in this proceeding be accepted, with no further actions required.
- (2) That for future compliance years in which IEU-OH is utilizing GATS to demonstrate its Ohio compliance efforts, IEU-OH initiates the transfer of the appropriate RECs and S-RECs to its GATS reserve subaccount between March 1<sup>st</sup> and April 15<sup>th</sup> so as to precede the filing of their Ohio annual compliance status report with the Commission.

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Summary: Staff Review and Recommendation electronically filed by Mr. Stuart M Siegfried on behalf of PUCO Staff