

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Report of Duke Energy)
Ohio, Inc., Concerning its Advanced and)
Renewable Energy Baseline and) Case No. 13-903-EL-ACP
Benchmarks, and Ten-Year Compliance)
Plan.)

FINDING AND ORDER

The Commission finds:

- (1) Duke Energy Ohio, Inc. (Duke), is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) Section 4928.64(B), Revised Code, establishes benchmarks for electric utilities to acquire a portion of the electric utility's standard service offer from renewable energy resources. Specifically, the statute provides that, for 2012, a portion of the electric utility's electricity supply for its standard service offer must come from renewable energy sources (overall renewable energy resources benchmark), including 0.060 percent from solar energy resources (SER) (overall SER benchmark), half of which must be met with resources located within Ohio (in-state SER benchmark). This overall SER requirement increases to 0.090 percent for 2013.
- (3) Rule 4901:1-40-05(A), Ohio Administrative Code (O.A.C.), requires that, unless otherwise ordered by the Commission, each electric utility must file, by April 15 of each year, an annual alternative energy portfolio status report. The report must analyze all activities the utility undertook in the previous year in order to demonstrate how pertinent alternative energy portfolio benchmarks and planning requirements have been or will be met. Additionally, Staff must conduct an annual compliance review with regard to benchmarks.
- (4) On April 12, 2013, as revised on May 28, 2013, Duke submitted its 2012 alternative energy portfolio status report. In its filing, Duke explains that it has met its renewable compliance requirements for 2012, and it has complied with all reporting requirements related to such compliance.

- (5) On May 15, 2013, as revised on August 8, 2013, Staff filed findings and recommendations on Duke's alternative energy portfolio status report. In its review, Staff notes that Duke accurately calculated its baseline of 11,332,063 megawatt hours (MWhs). Further, Staff opines that Duke accurately calculated its compliance obligations and that the following obligations be applied to Duke for 2012:
- (a) Ohio solar - 3,400 MWhs;
 - (b) Other solar - 3,400 MWhs;
 - (c) Ohio non-solar renewables - 81,591 MWhs; and
 - (d) Other non-solar renewables - 81,591 MWhs.

Staff states that Duke had sufficient renewable energy credits (RECs) and solar-RECs (S-RECs) to satisfy its compliance obligation for 2012. The necessary RECs and S-RECs originated from generating facilities certified by the Commission and were appropriately associated with electricity generated between August 1, 2008, and December 31, 2012. Staff further states that Duke has transferred all of the RECs and S-RECs that it intends to use towards its 2012 compliance requirements to its Generation Attribute Tracking System (GATS) reserve subaccount. As a final matter, Staff recommends that, in future years, where Duke is utilizing GATS to demonstrate compliance, Staff recommends that Duke initiate the transfer of the appropriate RECs and S-RECs between March 1 and April 15, so as to precede the filing of its annual compliance status report with the Commission.

- (6) Upon review of Duke's alternative energy portfolio status report, as filed on April 12, 2013, and revised on May 28, 2013, and Staff's findings and recommendations, as filed on May 15, 2013, and revised on August 8, 2013, the Commission finds that Duke is in compliance with all of its 2012 renewable energy resources benchmarks. Consequently, the Commission finds that Duke's alternative energy portfolio status report for 2012 should be accepted. Finally, the Commission finds that, for future compliance years in which Duke is using GATS to demonstrate its efforts towards Ohio compliance, Duke shall initiate the transfer of the appropriate RECs and S-RECs to its

GATS reserve subaccount between March 1 and April 15, in order to precede the filing of its annual compliance status report with the Commission.

It is, therefore,

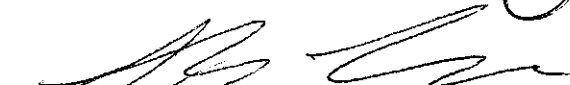
ORDERED, That Duke's alternative energy portfolio status report for 2012 is accepted, in accordance with finding (6). It is, further,

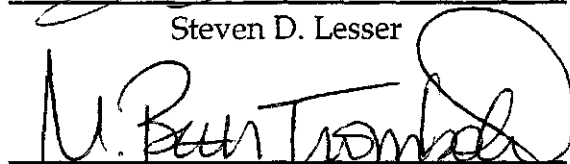
ORDERED, That Duke follow the Commission directives set forth in finding (6). It is, further,


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

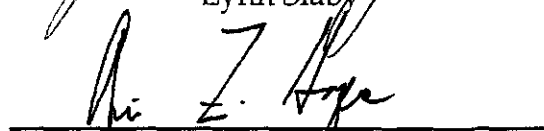
THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser


M. Beth Trombold

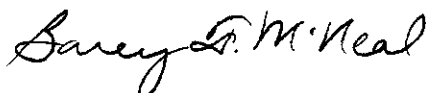

Lynn Slaby


Asim Z. Haque

CMTP/vrm

Entered in the Journal

AUG 28 2013



Barcy F. McNeal
Secretary