

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Annual Alternative)
Energy Status Report of Ohio Edison)
Company, The Cleveland Electric) Case No. 13-913-EL-ACP
Illuminating Company, and The Toledo)
Edison Company.)

FINDING AND ORDER

The Commission finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy or the Companies) are public utilities as defined in R.C. 4905.02 and, as such, are subject to the jurisdiction of this Commission.
- (2) R.C. 4928.64(B) 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 alternative energy sources (overall renewable energy resources benchmark), including 0.060 percent from solar energy resources (overall solar energy resources (SER) benchmark), half of which must be met with resources located within Ohio (in-state SER benchmark). This requirement increased to 0.090 percent for 2013.
- (3) Ohio Adm.Code 4901:1-40-05(A) requires that, unless otherwise ordered by the Commission, each electric utility 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 15, 2013, the Companies submitted their 2012 alternative energy status report.

- (5) On May 16, 2013, Staff filed findings and recommendations on FirstEnergy's alternative energy status report. In its review, Staff initially finds that FirstEnergy was required to comply with the terms of the alternative energy portfolio benchmarks for 2012, as it is an electric distribution utility in Ohio with retail electric sales in Ohio. Further, Staff finds that the Companies' proposed baseline and 2012 compliance obligations are reasonable and appropriately calculated.
- (6) Staff further states that it reviewed the Companies' Generation Attribute Tracking System (GATS) reserve subaccount and confirms that, for 2012, FirstEnergy satisfied its overall renewable energy resources benchmark, its in-state renewable energy resources benchmark, its overall SER benchmark, and its in-state SER benchmark. Staff also reports that it reviewed the Companies' GATS reserve subaccount information and confirmed that the RECs originated from generating facilities certified by the Commission and associated with electricity generated during the applicable time frame.
- (7) Staff recommends that the Commission find FirstEnergy in compliance with its 2012 alternative energy compliance obligations. Additionally, Staff recommends that, for future compliance years in which the Companies are utilizing GATS to demonstrate their Ohio compliance efforts, the Companies continue to initiate the transfer of the appropriate RECs and solar RECs to their GATS reserve subaccount between March 1 and April 15, so as to precede the filing of their Ohio annual compliance status report with the Commission.
- (8) Upon review of FirstEnergy's alternative energy portfolio status report and Staff's findings and recommendations, the Commission finds that FirstEnergy is in compliance with its 2012 overall renewable energy resources benchmark, in-state renewable energy resources benchmark, overall SER benchmark, and its in-state SER benchmark. Consequently, the Commission finds that FirstEnergy's alternative energy portfolio status report for 2012 should be accepted. Finally, as recommended by Staff, the Commission finds that, for future compliance years in which the Companies use GATS to demonstrate their Ohio compliance efforts, the Companies

shall continue to initiate the transfer of the appropriate RECs and solar RECs to their GATS reserve subaccount between March 1 and April 15, in order to precede the filing of their annual compliance status report with the Commission.

It is, therefore,

ORDERED, That FirstEnergy's alternative energy portfolio status report for 2012 is accepted in accordance with Finding (8). It is, further,

ORDERED, That FirstEnergy follow the Commission directives as set forth in 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

M. Beth Trombold

Lynn Slaby

Asim Z. Haque

MWC/sc

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JAN 29 2014

Barcy F. McNeal

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Secretary