

In the Matter of the Annual Alternative)
Energy Portfolio Status Report for the) Case No. 14-0579-EL-ACP
Calendar Year 2013 from Iron Energy LLC)

David Luppino, President
Iron Energy LLC
3144 Bee Caves Rd
Austin, TX 78746

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Annual Alternative)	
Energy Portfolio Status Report for the)	Case No. 14-0579-EL-ACP
Calendar Year 2013 from Iron Energy LLC)	

MEMORANDUM IN SUPPORT

Iron Energy LLC was issued Ohio Certificate No. 12-574E (1) on October 7, 2012. Iron Energy did not begin operations in Ohio until March 2013 and had no sales in prior years.

Iron Energy LLC is subject to the requirements of Rule 4901:1-40-03 of the Ohio Administrative Code regarding alternative energy resources. Iron Energy LLC is required to file its plan for compliance with future annual advanced and renewable energy benchmarks, including solar, utilizing at least a ten (10) year planning horizon by April 15 of this year. Rule 4901:1-40-03(B) is as follows:

(b) For an electric services company with no retail electric sales in the state during the preceding three calendar years, its initial baseline shall consist of a reasonable projection of its retail electric sales in the state for a full calendar year. Subsequent baseline shall consist of actual sales data, computed in the manner consistent with paragraph (B)(2)(a) of this rule.

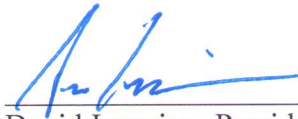
Iron Energy LLC had no retail electric sales in Ohio during the preceding three calendar years. Rather than using a projection of retail electric sales for 2013, Iron Energy LLC is requesting a waiver from Rule 4901:1-40-03(B)(2)(b) to allow it to use actual retail sales for 2013.

Because of Rule 4901:1-40-03(B)(2) allows the use of an average of three years of actual sales data and because Iron Energy LLC has available to it the actual sales data for 2013, good cause exists for granting the waiver and allowing Iron Energy LLC to use the 2013 actual sales

data instead of a reasonable projection. No statute requires the use of a reasonable projection for calculating the initial baseline.

Iron Energy LLC respectfully requests that the Commission grant the waiver and allow Iron Energy LLC to compute its initial baseline using the 2013 sales data instead of a projection.

Respectfully submitted,



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Case No(s). 14-0579-EL-ACP

Summary: Request Request for Waiver and memorandum in support electronically filed by Mrs. Sarai Cortez on behalf of Iron Energy LLC