

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's )  
Alternative Energy Portfolio Standard ) Case No. 14-2328-EL-ACP  
Report to the General Assembly for the )  
2013 Compliance Year. )

ENTRY

The attorney examiner finds:

- (1) Am.Sub.S.B. No. 221 (SB221) of the 127th General Assembly (2008 Ohio Laws S221, effective July 31, 2008), initiated Ohio's Alternative Energy Portfolio Standard (AEPS), now codified in R.C. 4928.64 and 4928.65. The AEPS consists of both renewable energy resources and advanced energy resources, and contains specific compliance benchmarks for total renewable energy resources, including a specific solar requirement, beginning in 2009.<sup>1</sup>
- (2) R.C. 4928.64(D)(1) requires the Commission to submit a report to the General Assembly describing the compliance of electric distribution utilities and electric services companies with R.C. 4928.64(B), and any strategy for utility and company compliance or for encouraging the use of alternative energy resources in supplying this state's electricity needs in a manner that considers available technology, costs, job creation, and economic impacts. The statute also requires the Commission to solicit and consider public comments on the report prior to its submission to the General Assembly. Ohio Adm.Code 4901:1-40-09, provides for a 30-day public comment period prior to the submission of the report to the General Assembly.
- (3) R.C. 4928.01(A)(9) defines an electric services company as "an electric light company that is engaged on a for-profit or not-for-profit basis in the business of supplying or arranging for the supply of only a competitive retail electric service in this state. 'Electric services company' includes a power marketer, power

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<sup>1</sup> The Commission notes that Sub.S.B. No. 310 of the 130th General Assembly (SB 310), which became effective September 12, 2014, has amended R.C. 4928.64 and 4928.65 to, inter alia, eliminate the advanced energy component, freeze renewable energy benchmarks for 2015 and 2016, and allow an alternative sales baseline calculation for determining compliance.

broker, aggregator, or independent power producer but excludes an electric cooperative, municipal electric utility, governmental aggregator, or billing and collection agent.” AEPS compliance reporting requirements are limited to certified retail electric service (CRES) suppliers that take title to the power, and are certified under CRS applications. Suppliers who are certified under AGG or GAG applications, (i.e., aggregators or brokers which serve as pass-through entities in supply transactions) should not file any AEPS compliance reports.

- (4) Am.Sub.S.B. No. 315 (SB315) of the 129th General Assembly (2012 Ohio Laws S315, effective September 10, 2012), amended R.C. 4928.64(D)(1)(b) to require that the Commission’s annual AEPS report to the General Assembly include details on the average annual cost of renewable energy credits (RECs) purchased by utilities and companies for the year covered in the report.
- (5) To satisfy this statutory requirement, each electric distribution utility and electric services company with a 2013 AEPS compliance requirement shall file in Case No. 14-2328-EL-ACP, by March 12, 2015, the average cost data for the RECs that it has retired, to demonstrate compliance with its 2013 Ohio AEPS obligations. The cost data to be filed shall be provided as an average cost for each of the following four categories, as indicated in the table below: (a) Ohio solar, (b) Other solar, (c) Ohio non-solar, and (d) Other non-solar.

Category	\$/REC (average)
Ohio Solar	
Other Solar	
Ohio Non-Solar	
Other Non-Solar	

- (6) If any RECs were purchased as part of a bundled product (i.e., renewable power purchase agreement) or were self-generated, reporting companies should include details and supporting calculations as to how the reported REC costs were determined.
- (7) All CRES suppliers are reminded that motions seeking to protect public disclosure of average REC cost data filed under seal, pursuant to Ohio Adm.Code 4901-1-24, must be filed by a

licensed attorney authorized under Ohio Adm.Code 4901-1-08(A), as the filing of such motion constitutes the practice of law in Ohio. Any information filed in a Commission docket which has not been granted confidential treatment pursuant to such a motion shall be made available to the public.

It is, therefore,

ORDERED, That each electric distribution utility and electric services company with a 2013 AEPS compliance requirement file in this docket by March 12, 2015, the average cost data for the RECs that it has retired, to demonstrate compliance with its 2013 Ohio AEPS obligations. It is, further,

ORDERED, That notice or a copy of this Entry be served via the electric-energy listserve, and upon all Ohio electric distribution utilities, all CRES providers, and upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Richard M. Bulgrin

By: Richard M Bulgrin  
Attorney Examiner

JRJ/dah

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**Case No(s). 14-2328-EL-ACP**

Summary: Attorney Examiner Entry that each electric distribution utility and electric services company with a 2013 AEPS compliance requirement file in this docket by March 12, 2015, the average cost data for the RECs that it has retired, to demonstrate compliance with its 2013 Ohio AEPS obligations; electronically filed by Debra Hight on behalf of Richard M. Bulgrin, Attorney Examiner.