

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Alternative Energy)
Portfolio Status Report for 2012 of GDF) Case No. 13-1974-EL-ACP
Suez Energy Resources NA, Inc.)
)
In the Matter of the Alternative Energy)
Portfolio Status Report for 2013 of GDF) Case No. 14-600-EL-ACP
Suez Energy Resources NA, Inc.)

FINDING AND ORDER

The Commission finds:

- (1) GDF Suez Energy Resources NA, Inc. (GDFSER or Company) is an electric services company as defined in R.C. 4928.01(A)(9) and, as such, is subject to the jurisdiction of this Commission.
- (2) R.C. 4928.64(B)(2) establishes benchmarks for electric services companies to acquire a portion of their electricity supply for retail customers in Ohio from renewable energy resources. Half of the renewable benchmark must be met with resources located within Ohio (in-state renewable benchmark), including a portion from solar energy resources (solar benchmark), half of which must be met with resources located within Ohio (in-state solar benchmark).¹ The specific renewable compliance obligations for 2011 through 2013 are as follows:

Year	Renewable Resources (including Solar)	Solar
2011	1.00%	0.03%
2012	1.50%	0.06%
2013	2.00%	0.09%

R.C. 4928.645 (formerly R.C. 4928.65 prior to the enactment of 2014 Sub.S.B. No. 310), provides that an electric utility or electric services company may use renewable energy credits (RECs) and solar energy credits (SRECs) to meet its respective

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

renewable energy and solar benchmarks. Ohio Adm.Code 4901:1-40-01(BB) defines a REC as the environmental attributes associated with one MWh of electricity generated by a renewable energy resource, except for electricity generated by facilities as described in Ohio Adm.Code 4901:1-40-04(E).

- (3) Ohio Adm.Code 4901:1-40-05(A) requires each electric services company to annually file by April 15 an alternative energy portfolio status report (AEPS report), unless otherwise ordered by the Commission. The AEPS report must analyze all activities the company undertook in the previous year in order to demonstrate how pertinent alternative energy portfolio benchmarks have been met. Staff then conducts an annual compliance review with regard to the benchmarks. Ohio Adm.Code 4901:1-40-02(A) provides that any entity that does not serve Ohio retail electric customers shall not be required to comply with the AEPS rules.
- (4) On April 9, 2013, GDFSER filed its AEPS report for the 2012 compliance year in Case No. 13-1974-EL-ACP. Subsequently, it was discovered that the Company had sent its 2011 AEPS report to Staff on April 12, 2012, but had not filed the report in a docket. The Company filed amendments to its 2012 report on January 31, 2014 and February 4, 2014 in Case No. 13-1974-EL-ACP. On April 14, 2014, GDFSER filed its AEPS report for the 2013 compliance year in Case No. 14-600-EL-ACP.
- (5) On March 17, 2014, Staff filed its review and recommendations of the Company's 2012 AEPS report in Case No. 13-1974-EL-ACP. On February 12, 2015, Staff filed its review and recommendations for the Company's 2011, 2012, and 2013 AEPS reports in both of the captioned dockets. Staff reports that as GDFSER had no Ohio retail electric sales until 2011, the Company used its actual metered load, rather than a projection of its sales or average of past years, as its baseline in calculating its compliance requirements for both 2012 and 2013 reports. Staff also reviewed the Company's Generation Attribute Tracking System (GATS) reserve subaccounts for Ohio compliance purposes, and reports that for the 2011 through 2013 reporting periods, GDFSER had retired more RECs and SRECs in each year than was required for compliance with the Company's AEPS obligations for such period. Accordingly, Staff recommends that GDFSER be found to be in compliance

with its renewable energy compliance obligations for the three reporting periods. Finally, Staff recommends that for future compliance years in which the Company utilizes GATS to demonstrate its Ohio compliance efforts, GDFSER initiate the transfer of the appropriate RECs and SRECs to its GATS reserve subaccount between March 1 and April 15 so as to precede the filing of its annual AEPS report with the Commission.

- (6) Upon review of the Company's AEPS reports, as well as Staff's findings and recommendations, the Commission adopts Staff's recommendations and finds that GDFSER has complied with its AEPS obligations for 2011 through 2013. Further, the Company is directed to comply with Staff's recommendations noted above.

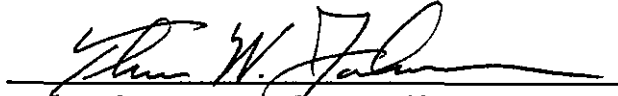
It is, therefore,

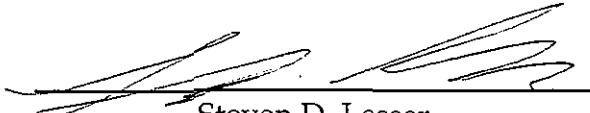
ORDERED, That the Company's AEPS reports be accepted as set forth above, as the Company has complied with its AEPS obligations the 2011 through 2013 periods. It is, further,

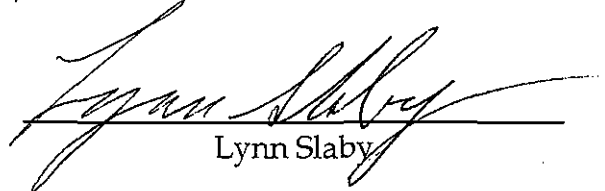
ORDERED, That the Company take all actions regarding Staff's recommendations as adopted herein. It is, further,

ORDERED, That a copy of this Finding and Order be served upon all parties of record.


THE PUBLIC UTILITIES COMMISSION OF OHIO


Thomas W. Johnson, Chairman


Steven D. Lesser


Lynn Slaby


M. Beth Trombold


Asim Z. Haque

RMB/dah

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APR 02 2015



Barcy F. McNeal
Secretary