

SUTHERLAND ASBILL & BRENNAN LLP 600 Congress Ave., Suite 2000 Austin, TX 78701-3238 512.721.2700 Fax 512.721.2656 www.sutherland.com

SARAH MERRICK DIRECT LINE: 512.721.2715 E-mail: sarah.merrick@sutherland.com

April 15, 2015

VIA ELECTRONIC FILING

Ms. Barcy F. McNeal, Secretary Public Utilities Commission of Ohio 180 E. Broad St., 11th Floor Columbus, OH 43215-3793

Re: TERM Power & Gas, LLC d/b/a ENCOA

Annual Alternative Energy Portfolio Status Report and Plan for Compliance with Future Annual Advanced and Renewable Energy Benchmarks – 2014

Dear Ms. McNeal:

TERM Power & Gas, LLC d/b/a ENCOA hereby submits its Annual Alternative Energy Portfolio Status Report and Plan for Compliance with Future Annual Advanced and Renewable Energy Benchmarks for Calendar Year 2014.

If you have any questions regarding this submission, please feel free to contact me.

Respectfully submitted,

Sarah Merrick

BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

)

)

)

)

)

)

)

)

IN THE MATTER OF TERM POWER & GAS, LLC D/B/A ENCOA'S ANNUAL ALTERNATIVE ENERGY PORTFOLIO STATUS REPORT AND PLAN FOR COMPLIANCE WITH FUTURE ANNUAL ADVANCED AND RENEWABLE ENERGY BENCHMARKS

Case No. 15- -EL-ACP

TERM POWER & GAS, LLC D/B/A ENCOA'S ANNUAL ALTERNATIVE ENERGY PORTFOLIO STATUS REPORT AND PLAN FOR COMPLIANCE WITH FUTURE <u>ANNUAL ADVANCED AND RENEWABLE ENERGY BENCHMARKS</u>

I. INTRODUCTION

In 2014, TERM Power & Gas, LLC, d/b/a ENCOA ("ENCOA") was an electric services company as defined by Section 4928.01(A)(9), Revised Code, having been issued Certificate No. 09-166E by the Public Utilities Commission of Ohio ("Commission"). ENCOA's certificate expired on June 7, 2014. ENCOA hereby submits its annual alternative energy portfolio status report for the 2014 calendar year, as required by Rule 4901:1-40-05, Ohio Administrative Code ("O.A.C."), and its plan for compliance with future annual advanced and renewable energy benchmarks, as required by Rule 4901:1-40-03(C), O.A.C.

II. ANNUAL ALTERNATIVE ENERGY PORTFOLIO STATUS REPORT

Pursuant to Section 4928.64(B)(2), Revised Code, and Rule 4901:1-40-03(A)(2), O.A.C., for the year 2014, electric service companies must demonstrate that at least 2.5% of retail electricity supplied was derived from renewable energy resources, including 0.12% from solar energy resources. The level of these benchmark requirements is determined by first calculating a baseline number of kilowatt-hours sold and then applying the benchmark percentages to that baseline.

1

A. Baseline Calculation

Under Section 4928.643(B), an electric service company may elect to choose for its baseline the total kilowatt hours sold. ENCOA had sales of 11,816.7 MWh in 2014, and is electing to utilize this figure for its baseline.

B. 2014 Renewable and Solar Energy Resource Benchmarks

Based on the baseline described above, ENCOA's calculation of its benchmarks for electricity generated from renewable and solar energy resources for the year 2014 is as follows:

2014 Baseline	11,816.7 MWh
Total Renewable and Solar Requirement (2.5%)	295.417 MWh
2014 Renewable Requirement	281.237 MWh
(Total Less Solar)	
2014 Solar Requirement	14.180 MWh

C. Demonstration of Compliance with 2014 Benchmarks

Pursuant to § Ohio Rev. Code 4928.65, electric service companies may meet their renewable energy benchmarks through the use of renewable energy credits ("RECs"). ENCOA has successfully met its renewable energy benchmarks using RECs.

1. Non-solar, Renewable Energy Credits

ENCOA obtained sufficient non-solar RECs to fully satisfy its 2014 REC obligations.

ENCOA evaluated its compliance options on an economic basis. ENCOA found that RECs were

available for each tier at prices lower than the optional compliance payment.

2. Out-of-State and In-state Solar Renewable Energy Credits

Section 4901:1-40-03-(A)(2) of the O.A.C. requires that all electric utilities and affected electric services companies demonstrate that 0.12 percent of their retail electric sales are generated by solar energy resources by the end of 2014. ENCOA obtained sufficient solar RECs ("SRECs") to fully satisfy its 2014 SREC obligations.

III. PLAN FOR COMPLIANCE WITH FUTURE ANNUAL ADVANCED AND RENEWABLE ENERGY BENCHMARKS

Rule 4901:1-40-03(C), O.A.C., requires that each electric services company file an annual plan for compliance with future annual advanced and renewable energy benchmarks, including solar, utilizing at least a ten-year planning horizon. The plan shall include the following items: (1) baseline for current and future calendar years; (2) supply portfolio projection, including both generation fleet and power purchases; (3) description of the methodology used by the company to evaluate its compliance options; and (4) a discussion of any perceived impediments to achieving compliance with required benchmarks, as well as suggestions for addressing any such impediments.

As mentioned above, ENCOA's license to operate as an electric services company expired on June 7, 2014. ENCOA does not have any future plans to serve as an electric services company in Ohio and therefore, will not be required to comply with any future benchmarks.

IV. CONCLUSION

ENCOA respectfully requests that the Commission find that ENCOA has complied with the applicable renewable energy resource benchmarks for 2014 and its associated reporting requirements.

3

Respectfully submitted,

tepher Lai By Permission

Stephen T. Tsai Ohio Bar #0080803 SUTHERLAND ASBILL & BRENNAN LLP 700 Sixth Street, Suite 700 Washington, DC 20001-3980 (202) 383-0892 (Telephone) (202) 637-3593 (Facsimile)

Attorney for TERM Power & Gas, LLC d/b/a ENCOA

April 15, 2015

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/15/2015 3:46:33 PM

in

Case No(s). 15-0751-EL-ACP

Summary: Annual Report 2014 Annual Alternative Energy Portfolio Status Report and Plan for Complaince with Future Annual Advanced and Renewable Energy Benchmarks electronically filed by Ms. Sarah K Merrick on behalf of TERM Power & Gas, LLC d/b/a ENCOA