

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Alternative Energy )  
Portfolio Status Reports for the 2012 and ) Case No. 13-732-EL-ACP  
2013 of Noble Americas Energy Solutions, ) Case No. 14-567-EL-ACP  
LLC. )

FINDING AND ORDER

The Commission finds:

- (1) Noble Americas Energy Solutions, LLC (Noble or the 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. R.C. 4928.645 provides that an electric utility or electric services company may use renewable energy credits (RECs) and solar energy credits (SRECs) to meet its respective renewable energy and solar benchmarks. Ohio Adm.Code 4901:1-40-01(BB) defines a REC as the environmental attributes associated with one megawatt hour (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 of the company's filing and the records of the applicable attribute tracking system to ensure that RECs were sourced from generating facilities certified by the Commission and were appropriately associated with electricity generated for the compliance period.

- (4) On April 15, 2013, Noble filed its 2012 AEPS report in Case No. 13-732-EL-ACP, in which Noble proposes to use a baseline of the average of its Ohio retail electric sales for 2009 through 2011. Using this baseline, the Company states that it has satisfied its 2012 compliance obligations.
- (5) On April 11, 2014, Noble filed its 2013 AEPS report in Case No. 14-567-EL-ACP and an amended public version of its report on April 24, 2014, in which the Company proposes to use a compliance baseline of 2,161,462 MWh, which Noble asserted was the average of its jurisdictional sales for 2010 through 2012. Using this baseline, Noble asserts that it has satisfied its 2013 compliance obligations.
- (6) On April 29, 2015, Staff filed its Review and Recommendations for Noble's 2012 and 2013 AEPS reports. Staff reports that Noble is an electric services company in the state of Ohio, and thus had an AEPS obligation for 2012 and 2013. Staff reviewed the Company's AEPS reports and REC tracking accounts to verify compliance, and determined that Noble has satisfied its 2012 and 2013 AEPS compliance obligations. Staff notes that in its prior compliance case, Noble had retired excess RECs and S-RECs that were not applied in the Company's 2012 or 2013 reports *See, Noble NewEnergy, Inc.*, Case No. 12-1218-EL-ACP, Finding and Order (Dec. 17, 2014) at 5. For future compliance years, Staff recommends that Noble apply the excess RECs and S-RECs to the Company's 2014 compliance obligations, provided that does not conflict with Ohio Adm.Code 4901:1-40-04(D)(3), and that the Company initiate the transfer of the appropriate RECs and SRECs to its tracking accounts between March 1 and April 15 so as to precede the filing of its annual AEPS report with the Commission.
- (7) Upon review of the Company's 2012 and 2013 AEPS reports, as amended, and the records of these proceedings, we adopt Staff's recommendations. We find that the Company's 2012 and 2013 proposed compliance baselines are reasonable, and that Noble has met its compliance obligations for 2012 and 2013. Further, the Company is

directed to comply with Staff's recommendations for future compliance years.

It is, therefore,

ORDERED, That Noble's 2012 and 2013 AEPS reports are accepted as filed, as Noble has met its AEPS compliance obligations for 2012 and 2013. It is, further,

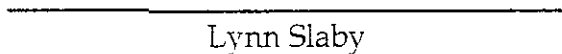
ORDERED, That Noble comply with Staff's recommendations adopted herein. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



Andre T. Porter, Chairman



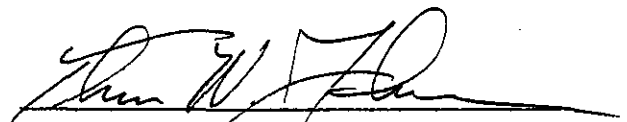
Lynn Slaby



M. Beth Trombold



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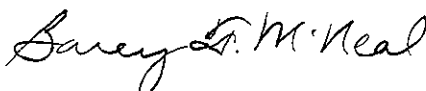


Thomas W. Johnson

RMB/dah

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**DEC 09 2015**



Barcy F. McNeal  
Secretary