

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Energy.me)
Midwest LLC d/b/a Energy.me)
Annual Renewable Portfolio Status)
Report for 2015)**

Case No. 16-0773-EL-ACP

Staff Findings and Recommendations

I. Statutory Background

Amended Substitute Senate Bill 221, of the 127th General Assembly (2008 Ohio Laws S221, effective July 31, 2008), established Ohio's renewable portfolio standard (RPS) applicable to electric distribution utilities and electric service companies. The RPS is addressed principally in Ohio Revised Code (R.C.) 4928.64, with relevant resource definitions also contained within R.C. 4928.01(A).

According to R.C. 4928.64(B)(2), the compliance obligations for 2015 are as follows:

- Renewable Energy Resources = **2.50%** (includes solar requirement)
- Solar Energy Resources = **0.12%**

The Public Utilities Commission of Ohio (PUCO or Commission) further developed rules to implement the Ohio RPS, contained within Ohio Administrative Code (Ohio Adm.Code) 4901:1-40.

Ohio Adm.Code 4901:1-40-05(A), states:

Unless otherwise ordered by the commission, each electric utility and electric services company shall file by April fifteenth of each year, on such forms as may be published by the commission, an annual alternative energy portfolio status report analyzing all activities undertaken in the previous calendar year to demonstrate how the applicable alternative energy portfolio benchmarks and planning requirements have or will be met. Staff shall conduct annual compliance reviews with regard to the benchmarks under the alternative energy portfolio standard.

Ohio Adm.Code 4901:1-40-05(C), states:

Staff shall review each electric utility's or electric services company's alternative energy portfolio status report and any timely filed comments, and file its findings and recommendations and any proposed modifications thereto.

The findings and recommendations in this document pertain to the company's compliance status. This document does not address such matters as cost recovery or status relative to the statutory 3% cost provision.

II. Company Filing Summarized

Energy.me Midwest LLC (Energy.me or Company) d/b/a Energy.me filed its RPS compliance status report for the 2015 compliance year on April 12, 2016. In its compliance filing, the Company proposed a baseline of 525,660 megawatt-hours (MWhs), which it indicated was its actual Ohio retail electric sales for 2015. Applying the statutory benchmarks to its proposed baseline, the Company calculated its 2015 compliance obligations to be as follows:

- 631 Solar MWhs
- 12,511 Non-Solar MWhs

III. Filed Comments

No persons filed comments in this proceeding.

IV. Staff Findings

Following its review of Energy.me's 2015 annual status report and any timely comments submitted in this proceeding, Staff makes the following findings:

- (1) Energy.me is an electric services company in Ohio with retail electric sales in the state of Ohio during 2015, and therefore the Company had an RPS obligation for 2015.
- (2) The baseline proposed by the Company is reasonable, and given the proposed baseline and the 2015 statutory benchmarks, the Company accurately calculated its RPS compliance obligations.
- (3) During the course of its 2015 annual compliance review, the Company informed Staff that it had procured the necessary renewable energy credits (RECs) and solar RECs (S-RECs) to satisfy its 2015 compliance obligations.

- (4) The Company has transferred 12,511 RECs and 631 S-RECs to its Generation Attribute Tracking System (GATS) reserve subaccount for 2015 Ohio compliance purposes.
- (5) Following a review of the Company's reserve subaccount data on GATS, Staff confirmed that Energy.me has satisfied its non-solar¹ obligation for 2015. The RECs that the Company transferred to its GATS reserve subaccount were sourced from generating facilities certified by the Commission and were appropriately associated with electricity generated between August 1, 2008, and December 31, 2015.

The Company has not applied the single Ohio REC in its 2013 reserve subaccount that was in excess of its 2013 non-solar requirement² towards its 2015 non-solar requirement.

- (6) Following a review of the Company's reserve subaccount data on GATS, Staff confirmed that Energy.me has satisfied its solar obligation for 2015. The S-RECs that the Company transferred to its GATS reserve subaccount were sourced from generating facilities certified by the Commission and were appropriately associated with electricity generated between August 1, 2008, and December 31, 2015.

V. Staff Recommendations

Following its review of the information submitted in this proceeding and other relevant data, Staff recommends the following:

- (1) Energy.me is found to have satisfied its 2015 RPS compliance obligations.
- (2) The excess REC retirement detailed above in Finding (5) be applied towards a future compliance obligation of the Company, provided that the timing of such application does not conflict with Ohio Adm.Code 4901:1-40-04(D)(3).
- (3) For future compliance years in which the Company is utilizing GATS to demonstrate its Ohio compliance efforts, the Company initiates the transfer of

¹ Staff uses "non-solar" in this context to refer to the total renewable requirement net of the specific solar carve-out. Staff acknowledges that there is not a specific "non-solar" requirement in the applicable statute.

² Case No. 14-0471-EL-ACP, Findings and Recommendations of the PUCO Staff, March 25, 2015, page 4, finding (8).

the appropriate RECs and S-RECs to its GATS reserve subaccount between March 1st and April 15th so as to precede the filing of their Ohio annual compliance status report with the Commission.

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Summary: Staff Review and Recommendation electronically filed by Ms. Mahila Christopher
on behalf of PUCO Staff