

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE RENEWABLE  
PORTFOLIO STANDARD COMPLIANCE  
STATUS REPORT FOR 2015 OF ASPIRITY  
ENERGY MID-STATES LLC.

CASE No. 16-648-EL-ACP

### FINDING AND ORDER

Entered in the Journal on January 11, 2016

#### I. SUMMARY

{¶ 1} The Commission approves the 2015 renewable portfolio standard compliance status report of Aspiry Energy Mid-States LLC.

#### II. DISCUSSION

##### A. *Applicable Law*

{¶ 2} Aspiry Energy Mid-States LLC (Aspiry) 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.

{¶ 3} 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).

{¶ 4} Ohio Adm.Code 4901:1-40-05(A) requires each electric services company to annually file by April 15 a renewable portfolio standard compliance status report (RPS

report), unless otherwise ordered by the Commission. The RPS 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.

***B. Procedural History***

{¶ 5} On March 24, 2016, Aspirity filed its 2015 RPS report. Aspirity stated that it did not have any Ohio retail electric sales in 2015 and that, consequently, it did not have any renewable compliance obligations for 2015.

{¶ 6} On July 12, 2016, Staff filed its Review and Recommendations for Aspirity's RPS report. Staff reports that Aspirity is an electric services company in the state of Ohio and, therefore, had an RPS filing obligation for 2015. Staff confirmed that Aspirity had no Ohio retail electric sales in 2015 and, consequently, Aspirity had no RPS compliance obligation in 2015. Further, Staff recommends that, for future compliance years, Aspirity initiate the transfer of the appropriate RECs and SRECs to its attribute tracking system reserve subaccount between March 1 and April 15 so as to precede the filing of its annual RPS report with the Commission.

***C. Commission Conclusion***

{¶ 7} Upon review of Aspirity's 2015 RPS report and the records of these proceedings, we adopt Staff's recommendations. We find that Aspirity had no RPS compliance obligation for 2015. Further, Aspirity is directed to comply with Staff's recommendations for future compliance years.

**III. ORDER**


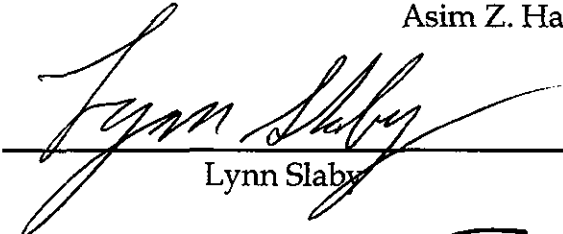
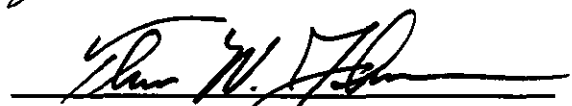
{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Aspirity's 2015 RPS report be accepted as filed. It is, further,

{¶ 10} ORDERED, That Aspirity comply with Staff's recommendations adopted herein. It is, further,

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

## THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Asim Z. Haque, Chairman  
Lynn Slaby  
M. Beth Trombold  
Thomas W. Johnson

JML/sc

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JAN 11 2017  
Barcy F. McNealBarcy F. McNeal  
Secretary