

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE RENEWABLE  
PORTFOLIO STANDARD COMPLIANCE  
STATUS REPORT FOR 2015 OF CAPITAL  
ENERGY OHIO, LLC.

CASE NO. 16-824-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 Capital Energy Ohio, LLC.

#### II. DISCUSSION

##### A. *Applicable Law*

{¶ 2} Capital Energy Ohio, LLC (Capital) 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 April 15, 2016, Capital filed its 2015 RPS report. Capital proposes to use a baseline of 120,057 MWH, which it indicated was its actual Ohio retail electric sales for 2015. Capital further reported that it satisfied its 2015 compliance obligations.

{¶ 6} On July 15, 2016, Staff filed its Review and Recommendations for Capital's RPS report. Staff reports that Capital is an electric services company in the state of Ohio and, therefore, had an RPS obligation for 2015. Staff reviewed Capital's attribute tracking system account record to verify compliance, and determined that Capital satisfied its 2015 RPS compliance obligations. Further, Staff recommends that, for future compliance years, Capital 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 Capital's 2015 RPS report and the records of these proceedings, we adopt Staff's recommendations. We find that Capital's 2015 proposed compliance baseline is reasonable, and that Capital has met its compliance obligations for 2015. Further, Capital is directed to comply with Staff's recommendations for future compliance years.

**III. ORDER**

{¶ 8} It is, therefore,

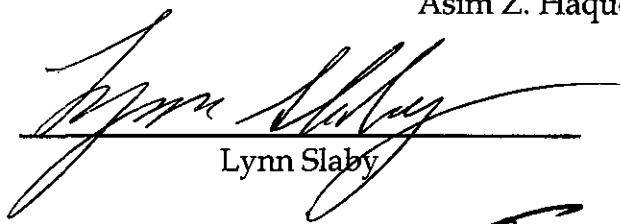
{¶ 9} ORDERED, That Capital's 2015 RPS report be accepted as filed, as Capital as met its RPS compliance obligations for 2015. It is, further,

{¶ 10} ORDERED, That Capital 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. McNeal

Barcy F. McNeal  
Secretary