

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE RENEWABLE
PORTFOLIO STANDARD COMPLIANCE
STATUS REPORT FOR 2014 OF
CONSTELLATION NEWENERGY, INC.

CASE NO. 15-721-EL-ACP

IN THE MATTER OF THE RENEWABLE
PORTFOLIO STANDARD COMPLIANCE
STATUS REPORT FOR 2015 OF
CONSTELLATION NEWENERGY, INC.

CASE NO. 16-798-EL-ACP

FINDING AND ORDER

Entered in the Journal on December 6, 2017

I. SUMMARY

{¶ 1} The Commission approves the 2014 and 2015 renewable portfolio standard compliance status reports of Constellation NewEnergy, Inc.

II. DISCUSSION

A. *Applicable Law*

{¶ 2} Constellation NewEnergy, Inc. (CNE) 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 14, 2015, CNE filed its 2014 RPS report, proposing to use a compliance baseline of 2,428,122 MWH, which it indicated was an average of its actual Ohio retail electric sales for 2011, 2012, and 2013. CNE reported that it satisfied its 2014 compliance obligations.

{¶ 6} On April 14, 2016, CNE filed its 2015 RPS report, proposing to use a compliance baseline of 3,892,664 MWH, which it indicated was an average of its actual Ohio retail electric sales for 2012, 2013, and 2014. CNE reported that it satisfied its 2015 compliance obligations.

{¶ 7} On February 15, 2017, Staff filed a report of its Review and Recommendations for CNE's 2014 and 2015 RPS reports. Staff reports that CNE is an electric services company in the state of Ohio and, therefore, had an RPS obligation for 2014 and 2015. Staff reviewed CNE's attribute tracking system record to verify compliance, and determined that CNE satisfied its 2014 and 2015 compliance obligations. Further, Staff recommends that, for future compliance years, CNE 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. *Conclusion*

{¶ 8} Upon review of CNE's 2014 and 2015 RPS reports, and the records of these proceedings, we adopt Staff's recommendations. We find that CNE's 2014 and 2015 proposed compliance baselines are reasonable, and that CNE has met its 2014 and 2015 compliance

obligations. Finally, CNE is directed to comply with Staff's recommendations for future compliance years.

III. ORDER

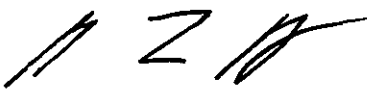
{¶ 9} It is, therefore,

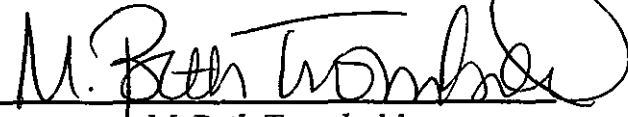
{¶ 10} ORDERED, That CNE's 2014 and 2015 RPS reports are accepted as filed, as CNE has met its RPS compliance obligations for 2014 and 2015. It is, further,

{¶ 11} ORDERED, That CNE complies with Staff's recommendations adopted herein. It is, further,

{¶ 12} 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


M. Beth Trombold



Thomas W. Johnson


Lawrence K. Friedeman


Daniel R. Conway

JML/sc

Entered in the Journal
DEC 06 2017


Barcy F. McNeal
Secretary