

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE RENEWABLE
PORTFOLIO STANDARD COMPLIANCE
STATUS REPORT FOR 2014 OF SPERIAN
ENERGY CORP.

CASE No. 15-775-EL-ACP

IN THE MATTER OF THE RENEWABLE
PORTFOLIO STANDARD COMPLIANCE
STATUS REPORT FOR 2015 AND 2016 OF
SPERIAN ENERGY CORP.

CASE No. 16-847-EL-ACP

IN THE MATTER OF THE RENEWABLE
PORTFOLIO STANDARD COMPLIANCE
STATUS REPORT FOR 2017 OF SPERIAN
ENERGY CORP.

CASE No. 18-581-EL-ACP

FINDING AND ORDER

Entered in the Journal on January 15, 2020

I. SUMMARY

{¶ 1} The Commission approves the 2014, 2015, 2016, and 2017 renewable portfolio standard compliance status reports of Sperian Energy Corp.

II. DISCUSSION

{¶ 2} Sperian Energy Corp. (SEC) 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 an 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.

{¶ 5} Staff states that, during its review of SEC's RPS compliance reports, it became apparent that SEC needed to take steps to comply with annual RPS obligations. To accomplish this, SEC included in its compliance report for Case No. 18-581-EL-ACP a summary of its annual compliance status for 2012-2016. SEC also indicated that it retired additional RECs and SRECs in April 2018 to come into compliance with its aggregate compliance obligations through 2017. A summary of SEC's compliance years follows.

{¶ 6} SEC did not file RPS compliance reports for the 2012 or 2013 compliance years. However, SEC acknowledged that it had Ohio retail sales of 6,151 MWH in 2012 and 71,700 MWH in 2013. Therefore, Staff concludes, SEC had an RPS compliance obligation for 2012 and 2013.

{¶ 7} SEC filed its RPS compliance status report for the 2014 compliance year on April 16, 2015. SEC indicated that its 2014 sales were 62,165 MWH.

{¶ 8} SEC filed its RPS compliance status report for the 2015 compliance year on April 19, 2016. SEC indicated that its 2015 sales were 33,092 MWH.

{¶ 9} SEC filed its RPS compliance status report for the 2016 compliance year on September 29, 2017. SEC indicated that its 2016 sales were 16,090 MWH.

{¶ 10} SEC filed its RPS compliance status report for the 2017 compliance year on April 11, 2018. SEC indicated that its 2017 sales were 18,763 MWH.

{¶ 11} On March 22, 2019, Staff filed its Review and Recommendations of SEC's RPS report. Staff reports that SEC is an electric services company in the state of Ohio, and thus had an RPS obligation for 2012, 2013, 2014, 2015, 2016, and 2017. Staff noted that SEC did not file RPS compliance reports for 2012 and 2013 despite having Ohio retail electric sales during those years. In 2014 and 2015, Staff adds, SEC transferred RECs and SRECs to its Generation Attribute Tracking System reserve subaccount and designated these retirements for 2012 and 2013 Ohio RPS compliance; the retirements did not match SEC's compliance obligations, with an under-retirement of SRECs and an over-retirement of RECs. Staff further notes that SEC filed compliance reports for 2014 through 2017; SEC's 2017 report includes a summary of annual compliance performance for the years 2012–2016 and updated compliance baselines that Staff finds reasonable. Although there appears to be an inconsistent pattern of undercompliance and overcompliance resulting from SEC's retirement of RECs and SRECs for the 2012-2016 compliance period, Staff notes that SEC has expressed interest in correcting its past compliance performance. To do so, SEC retired additional SRECs and RECs for 2017 to satisfy its overall compliance obligations.

{¶ 12} Staff concludes that, in the aggregate, SEC satisfied its 2012, 2013, 2014, 2015, 2016, and 2017 compliance obligations. Staff recommends that, for future compliance years, SEC should file its RPS compliance report annually by April 15 in a separate case with an ACP designation, unless otherwise directed by the Commission.

{¶ 13} Upon review of SEC's 2014, 2015, 2016, and 2017 RPS reports and the records of these proceedings, we adopt Staff's recommendations. We find that SEC's proposed compliance baselines are reasonable, and that SEC has met its compliance obligations for 2012–2017. Further, SEC is directed to comply with Staff's recommendations for future compliance years.

III. ORDER

{¶ 14} It is, therefore,

{¶ 15} ORDERED, That SEC's 2014, 2015, 2016, and 2017 RPS reports be accepted as set forth above, as SEC has met its RPS compliance obligations for 2012-2017. It is, further,

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

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

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

JML/kck

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Case No(s). 15-0775-EL-RPT, 16-0847-EL-ACP, 18-0581-EL-ACP

Summary: Finding & Order that the Commission approves the 2014, 2015, 2016, and 2017 renewable portfolio standard compliance status reports of Sperian Energy Corp electronically filed by Docketing Staff on behalf of Docketing