

## THE PUBLIC UTILITIES COMMISSION OF OHIO

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

CASE NO. 16-1445-EL-ACP

IN THE MATTER OF THE RENEWABLE  
PORTFOLIO STANDARD COMPLIANCE  
STATUS REPORT FOR 2016 OF PERIGEE  
ENERGY, LLC.

CASE NO. 17-1086-EL-ACP

IN THE MATTER OF THE RENEWABLE  
PORTFOLIO STANDARD COMPLIANCE  
STATUS REPORT FOR 2017 OF PERIGEE  
ENERGY, LLC.

CASE NO. 18-639-EL-ACP

### FINDING AND ORDER

Entered in the Journal on January 15, 2020

#### I. SUMMARY

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

#### II. DISCUSSION

{¶ 2} Perigee Energy, LLC. (PEN) 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.

{¶ 5} On February 8, 2017, PEN filed its RPS compliance status report for the 2015 compliance year. PEN proposed a baseline of 2,981 MWH, which it indicated was its 2015 Ohio retail electric sales. PEN stated that it had obtained the necessary RECs and SRECs to satisfy its 2015 compliance obligations, as well as additional RECs and SRECs to address compliance deficiencies from prior compliance years.

{¶ 6} On April 18, 2017, PEN filed its RPS compliance status report for the 2016 compliance year. PEN proposed a baseline of 2,687 MWH, which it indicated was the average of its Ohio retail electric sales for 2013, 2014, and 2015. PEN stated that it had obtained the necessary RECs and SRECs to satisfy its 20156compliance obligations.

{¶ 7} On April 12, 2018, PEN filed its RPS compliance status report for the 2017 compliance year. PEN proposed a baseline of 5,048 MWH, which it indicated was the average of its Ohio retail electric sales for 2014, 2015, and 2016. PEN stated that it had obtained the necessary RECs and SRECs to satisfy its 2017 compliance obligations.

{¶ 8} On April 5, 2019, Staff filed its Review and Recommendations of PEN's RPS reports. Staff reports that PEN is an electric services company in the state of Ohio, and thus had an RPS obligation for 2013, 2014, 2015, 2016, and 2017. Staff states that PEN's 2015 RPS compliance filing indicates Ohio retail electric sales in 2013 and 2014; however, PEN did not

file RES compliance reports with the Commission for 2013 and 2014. Staff adds that its report discusses 2013 and 2014 to present a complete picture of PEN's Ohio RPS compliance history. For the 2013 and 2014 compliance years, PEN indicated Ohio retail electric sales of 269 MWH and 4,453 MWH, respectively. Staff calculates that the combined REC and SREC obligations for 2013 and 2014 left PEN four RECs short of full compliance, but Staff notes that, starting with the 2015 compliance year, PEN retired RECs and SRECs in an amount to satisfy its total compliance obligations for the entire period of 2013-2017. Staff concludes that, in the aggregate, PEN satisfied its 2013, 2014, 2015, 2016, and 2017 RPS compliance obligations.

{¶ 9} Upon review of PEN's 2015, 2016, and 2017 RPS reports and the records of these proceedings, we adopt Staff's recommendations. We find that PEN's proposed compliance baselines are reasonable, and that PEN has met its compliance obligations for 2013-2017. Further, PEN is directed to comply with Staff's recommendations for future compliance years.

### III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That PEN's 2015, 2016, and 2017 RPS reports be accepted as filed, and that PEN has met its RPS compliance obligations for 2013-2017. It is, further,

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

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{¶ 13} 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). 16-1445-EL-ACP, 17-1086-EL-ACP, 18-0639-EL-ACP**

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