

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application for Certification)	
As an Ohio Renewable Energy Resource Generation)	Case No. 20-1788-EL-REN
Facility for the Bay Branch Solar Facility)	

**REVIEW AND RECOMMENDATION
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO**

CASE HISTORY

On November 25, 2020, a representative submitted an application on behalf of Bay Branch Solar, LLC (Applicant) for certification of the Bay Branch Solar, LLC-NC-PV-7.525MW Facility (Facility).¹ On April 7, 2021, the representative also provided Staff with a Distribution Factor Analysis (DFAX) performed by PJM in April 2021.

The Facility is located in Chocowinty, North Carolina. Comprised of 65,760 solar panels, the aggregate capacity of the Facility was listed as 7.50545 megawatts. According to the application, the Facility was placed into service in December 2018.

An Attorney Examiner Entry issued on December 18, 2020, suspended the automatic approval process for this case.

STAFF REVIEW

The Staff's consideration of applications for certification of a renewable energy resource facility consists primarily, but not exclusively, of three statutory criteria: (1) the deliverability of the facility's output to the state of Ohio, (2) the resource/technology used at the facility, and (3) the facility's placed in-service date.

¹ The Applicant's representative submitted its application on November 25, 2020, and Staff initiated a case to consider the application on the Commission's Docketing Information System on December 14, 2020.

1) Deliverability

Under R.C. 4928.64(B)(3), a qualifying renewable energy resource must either have a facility located in Ohio, or be deliverable into Ohio. Further, Ohio Administrative Code (Ohio Adm.Code) 4901:1-40-01(F) defines “deliverable into this state” as follows:

“Deliverable into this state” means that the electricity or qualifying biologically derived methane gas originates from a facility within a state contiguous to Ohio. It may also include electricity originating from other locations, pending a demonstration that the electricity is physically deliverable to the state.

Because the Facility is a grid-connected facility located in North Carolina, a state not contiguous to Ohio, Staff concludes that the Applicant would need to provide sufficient documentation to demonstrate physical deliverability to Ohio consistent with the approach first established in Case No. 09-0555-EL-REN. In 09-0555-EL-REN, the Commission accepted the Staff’s proposed approach requiring that the absolute value of a facility’s impact on a transmission line in Ohio must be greater than 5 percent and greater than 1 megawatt (MW), as determined by an adequate power flow study.

The Applicant’s representative provided a DFAX power flow study which was performed by PJM Interconnection, LLC. The DFAX analysis assumed a 50/50 peak load forecast for the 2025 Regional Transmission Expansion Plan Base Case. The DFAX study evaluated the impacts of power flows from the Facility’s injection of energy on approximately 3,000 electric system transmission facilities in Ohio and the surrounding areas.

The highest DFAX value (**7.87%**) within Ohio occurred on the Culloden (WV) – Gavin (OH) 765 kilovolt transmission line.² The value meets the greater than five percent transmission line impact criterion.

Multiplying the highest DFAX value by the Facility’s nameplate capacity results in a value of **0.591 MWs**, which does not satisfy the greater than 1 MW criterion.³

As the Facility does not satisfy both the 5 percent and 1 MW criteria, Staff concludes that the Facility is not physically deliverable to the state of Ohio.

² The highest DFAX value for a line exclusively (starting and ending) in Ohio was 4.58% for the Flatlick (OH) – Gavin (OH) 765 kV transmission line. If this line was selected rather than the line referenced in the text above, it would not change Staff’s ultimate conclusion and recommendation for the Facility.

³ $0.0787 * 7.50545 = 0.591 \text{ MW}$

2) Resource/Technology

The R.C. defines “renewable energy resource” for purposes of the state’s renewable portfolio standard (RPS).⁴ This statutory definition of a renewable energy resource includes solar photovoltaic, and therefore Staff concludes that the Facility satisfies the resource/technology provision of the statute.

3) Placed In-Service Date

The Facility must satisfy one of the applicable statutory provisions pertaining to the placed in-service date.⁵ With the Facility having been placed in-service after January 1, 1998, Staff finds that the Facility satisfies the applicable placed in-service date requirement.

4) Additional Considerations

- (a) For electric generating facilities, Commission rules require that facilities above 6 kilowatts measure their renewable output with a utility-grade meter.⁶ The meter described in the application satisfies this rule requirement.
- (b) The Facility must be registered with either M-RETS or PJM EIS’ GATS, the two attribute tracking systems currently recognized by the Commission. The application indicates that the Facility is registered on GATS, a fact confirmed by Staff.⁷

STAFF RECOMMENDATION

Staff has completed its review of the application and any supplemental information provided by the Applicant. Staff has determined that the Facility does not satisfy the Commission’s requirements for certification as a renewable energy facility. Therefore, Staff recommends that the Facility’s application be denied.

⁴ R.C. 4928.01(A)(37)

⁵ R.C. 4928.64(A)(1)

⁶ Ohio Adm.Code 4901:1-40-04(C)(2)(e).

⁷ The Facility has a GATS Unit ID of NON248032.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

6/25/2021 12:22:31 PM

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Summary: Staff Review and Recommendation electronically filed by Mr. Stuart M Siegfried on behalf of PUCO Staff