

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Great American |) | |
| Power, LLC 2018 Renewable Portfolio |) | Case No. 19-0966-EL-ACP |
| Standard Status Report |) | |

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| In the Matter of the Great American |) | |
| Power, LLC 2019 Renewable Portfolio |) | Case No. 20-1461-EL-ACP |
| Standard Status Report |) | |

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| In the Matter of the Great American |) | |
| Power, LLC 2020 Renewable Portfolio |) | Case No. 21-0401-EL-ACP |
| Standard Status Report |) | |

Staff Findings and Recommendations

I. Statutory Background

Amended Substitute Senate Bill 221, of the 127th General Assembly (2008 Ohio Laws S221, effective July 31, 2008), established Ohio’s renewable portfolio standard (RPS) applicable to electric distribution utilities and electric service companies. The RPS is addressed principally in Ohio Revised Code (R.C.) 4928.64, with relevant resource definitions also contained within R.C. 4928.01(A).

According to R.C. 4928.64(B)(2), the compliance obligations for **2018 – 2020** are as follows:

| RPS Compliance Year | Total Renewables | Solar Requirement | “Non-Solar” Requirement ¹ |
|---------------------|------------------|-------------------|--------------------------------------|
| 2018 | 4.50% | 0.18% | 4.32% |
| 2019 | 5.50% | 0.22% | 5.28% |
| 2020 | 5.50% | 0.00% | 5.50% |

¹ Staff uses “non-solar” in this context to refer to the total renewable requirement net of the specific solar carve-out. Staff acknowledges that there is not a specific “non-solar” requirement in the applicable statute.

The Public Utilities Commission of Ohio (PUCO or Commission) further developed rules to implement the Ohio RPS, contained within Ohio Administrative Code (Ohio Adm.Code) 4901:1-40.

Ohio Adm.Code 4901:1-40-05(A), states:

Unless otherwise ordered by the commission, each electric utility and electric services company shall file by April fifteenth of each year, on such forms as may be published by the commission, an annual renewable energy portfolio status report analyzing all activities undertaken in the previous calendar year to demonstrate how the applicable renewable energy portfolio benchmarks have been met. Staff shall conduct annual compliance reviews with regard to the benchmarks under the renewable energy portfolio standard.

Ohio Adm.Code 4901:1-40-05(C), states:

Staff shall review each electric utility's or electric services company's renewable energy portfolio status report and any timely filed comments, and file its findings and recommendations and any proposed modifications thereto.

The findings and recommendations in this document pertain to the company's compliance status. This document does not address such matters as cost recovery or status relative to the statutory 3% cost provision.

II. Company Filings Summarized

2018 Compliance Year

Great American Power, LLC (GAP or Company) filed its RPS compliance status report for the 2018 compliance year on April 15, 2019. In its compliance filing, GAP proposed a baseline of 4,096 megawatt-hours (MWHs) which it indicated was its Ohio retail electric sales for 2018. Applying the statutory benchmarks to its proposed baseline, GAP calculated its 2018 compliance obligations to be as follows:

- 7 Solar MWHs
- 177 Non-Solar MWHs

The Company indicated that it had obtained the necessary renewable energy credits (RECs) and solar RECs (S-RECs) to satisfy its 2018 compliance obligations. The Company further indicated that it had transferred RECs and S-RECs to its PJM EIS Generation Attribute Tracking System (GATS) reserve subaccount for Ohio compliance purposes.

2019 Compliance Year

GAP filed its RPS compliance status report for the 2019 compliance year on September 1, 2020. In its compliance filing, GAP proposed a baseline of 5,489 MWHs which it indicated was its Ohio retail electric sales for 2019. Applying the statutory benchmarks to its proposed baseline, GAP calculated its 2019 compliance obligations to be as follows:

- 12 Solar MWHs
- 290 Non-Solar MWHs

The Company indicated that it had obtained the necessary RECs and S-RECs to satisfy its 2019 compliance obligations. The Company further indicated that it had transferred RECs and S-RECs to its GATS reserve subaccount for Ohio compliance purposes.

2020 Compliance Year

GAP filed its RPS compliance status report for the 2020 compliance year on April 15, 2021. In its compliance filing, GAP proposed a baseline of 3,392 MWHs which it indicated was the average of its Ohio retail electric sales for 2017, 2018, and 2019.² Applying the statutory benchmark to its proposed baseline, GAP calculated its 2020 compliance obligation to be 187 renewable MWHs.

The Company indicated that it had obtained the necessary RECs and/or S-RECs to satisfy its 2020 compliance obligations. The Company further indicated that it had transferred RECs and/or S-RECs to its GATS reserve subaccount for Ohio compliance purposes.

III. Filed Comments

No persons filed comments in these proceedings.

IV. Staff Findings

Following its review of the Company's annual status reports, other relevant compliance materials, and any timely comments submitted in these proceedings, Staff makes the following findings:

² $((591 \text{ MWHs} + 4,096 \text{ MWHs} + 5,489 \text{ MWHs})/3) = 3,392 \text{ MWHs}$

- (1) GAP was an electric services company with retail electric sales in Ohio during 2018, 2019 and 2020, and therefore the Company had an RPS compliance obligation for 2018, 2019, and 2020.³
- (2) The 2018 baseline proposed by the Company is reasonable, and given the proposed baseline and the 2018 statutory benchmarks, GAP accurately calculated its 2018 RPS compliance obligations.
- (3) The Company transferred 7 S-RECs and 177 RECs to its GATS reserve subaccount for 2018 Ohio compliance purposes.
- (4) Following a review of the Company's reserve subaccount data on GATS, Staff confirmed that the Company satisfied its solar and non-solar obligations for 2018. The S-RECs and RECs that the Company transferred to its GATS reserve subaccount were sourced from generating facilities certified by the Commission and were of appropriate vintages.
- (5) The 2019 baseline proposed by the Company is reasonable, and given the proposed baseline and the 2019 statutory benchmarks, GAP accurately calculated its 2019 RPS compliance obligations.
- (6) The Company transferred 30 S-RECs and 290 RECs to its GATS reserve subaccount for 2019 Ohio compliance purposes.
- (7) Following a review of the Company's reserve subaccount data on GATS, Staff confirmed that the Company satisfied its solar and non-solar obligations for 2019. The S-RECs and RECs that the Company transferred to its GATS reserve subaccount were sourced from generating facilities certified by the Commission and were of appropriate vintages.
- (8) For its 2019 compliance, GAP retired an excess of 18 S-RECs all of which were vintage 2017.
- (9) Staff finds that the 2020 baseline proposed by the Company requires a small adjustment. The Company had proposed a baseline comprised of an average of its Ohio retail electric sales for 2017, 2018, and 2019. During the course of Staff's review, the Company indicated that it had updated its 2018 sales from 4,096

³ GAP was certified to provide retail generation, aggregation, and power marketer services in Ohio during 2018, 2019 and 2020; see PUCO Case No. 16-0732-EL-CRS.

MWHs to 4,647 MWHs.⁴ Incorporating this updated number into the baseline calculation results in a three-year average of 3,576 MWHs.⁵

- (10) Staff's revised 2020 baseline results in an updated 2020 compliance obligation of 197 renewable MWHs.
- (11) The Company transferred 187 RECs and/or S-RECs to its GATS reserve subaccount for 2020 Ohio compliance purposes. While its 2020 retirement alone was not sufficient to meet its updated 2020 obligation, the application of the excess retirement from 2019 detailed above in Finding (8) is sufficient to cover the 10 REC and/or S-REC shortfall.
- (12) Following a review of the Company's reserve subaccount data on GATS, Staff confirmed that the Company satisfied its 2020 renewable obligation. The RECs and/or S-RECs that the Company transferred to its GATS reserve subaccount were sourced from generating facilities certified by the Commission and were of appropriate vintages.

V. Staff Recommendations

Following its review of the information submitted in these proceedings and other relevant data, Staff recommends that GAP is found to have satisfied its 2018, 2019, and 2020 RPS compliance obligations. Staff further recommends that these annual compliance status reports be automatically approved consistent with Ohio Adm.Code 4901:1-40-05(D).

⁴ E-mail correspondence dated December 4, 2019.

⁵ $((591 \text{ MWHs} + 4,647 \text{ MWHs} + 5,489 \text{ MWHs})/3) = 3,576 \text{ MWHs}$

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Summary: Staff Review and Recommendation for the 2018, 2019, and 2020 RPS
Compliance Years electronically filed by Mr. Stuart M. Siegfried on behalf of PUCO
Staff