

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE FIRST POINT
POWER, LLC 2019 RENEWABLE
PORTFOLIO STANDARD STATUS REPORT.

CASE NO. 20-824-EL-ACP

FINDING AND ORDER

Entered in the Journal on January 11, 2023

I. SUMMARY

{¶ 1} The Commission finds that First Point Power, LLC has not satisfied its renewable portfolio standard compliance obligations and consequently, an alternative compliance payment is warranted. The Commission directs First Point Power to remit to the Commission payment, as required under R.C. 4928.64, in the amount identified by Staff.

II. DISCUSSION

{¶ 2} First Point Power, LLC (First Point) 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 renewable energy credits to meet its respective renewable energy and solar benchmarks. Ohio Adm.Code 4901:1-40-01(W) defines a REC as the environmental attributes associated with one megawatt hour of electricity generated by a non-solar renewable energy resource or its non-electric equivalent.

{¶ 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} First Point filed an RPS compliance report for the 2019 calendar year with the Commission on April 15, 2021 and on April 8, 2021 for the 2020 calendar year. In its RPS compliance report, First Point proposed to pay \$52.62 to address its 2019 obligation. Staff determined that First Point satisfied its 2020 RPS compliance obligation.

{¶ 6} Staff filed a review and recommendation (Staff Report) in this case on January 5, 2022.¹ In the Staff Report, Staff has directed that First Point make the following compliance payment, consistent with the rounding requirement set forth in Ohio Adm.Code 4901:1-40-08:

Entity	Compliance Year	Amount Owed
First Point Power, LLC	2019	\$305.24

{¶ 7} The automatic approval process was suspended by the attorney examiner on December 2, 2021, pursuant to Ohio Adm.Code 4901:1-40-05.

{¶ 8} Upon review of First Point's RPS report and the records of these proceedings, we adopt Staff's recommendation for the compliance payment identified above. As such, the following payment should be remitted within 30 days of this Finding

¹ Although Staff filed a single report for calendar years 2019 and 2020 in Case Nos. 20-824-EL-ACP and 21-360-EL-ACP, Staff ultimately determined that First Point satisfied its 2020 RPS compliance obligations.

and Order because First Point did not meet its 2019 compliance obligation and, therefore, must make an alternative compliance payment.

{¶ 9} First Point's payment should be directed to the Public Utilities Commission of Ohio (PUCO), payable to "Treasurer State of Ohio." A letter should also be attached to the payment stating that it is a compliance payment required by R.C. 4928.64 for deposit to the credit of the Advanced Energy Fund, under the control of the Ohio Development Services Agency and created under R.C. 4928.61. The letter should also cite First Point's case number 20-824, under which the Commission has ordered the payment. The address for the PUCO: Public Utilities Commission of Ohio, 180 East Broad Street, 4th Floor Finance, Columbus, Ohio 43215.

{¶ 10} Also, First Point should file an attestation consistent with the requirements set forth in Ohio Adm.Code 4901:1-40-08. This filing should be completed within 30 days of this Finding and Order.

{¶ 11} Finally, to the extent Staff has made any other recommendation regarding future compliance years, First Point is directed to comply with Staff's recommendations.

III. ORDER

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That First Point remit an alternative compliance payment within 30 days of this Finding and Order in accordance with the directives contained in Paragraphs 6-9. It is, further,

{¶ 14} ORDERED, That First Point file an attestation pursuant to Ohio Adm.Code 4901:1-40-08 within 30 days of this Finding and Order. It is, further,

{¶ 15} ORDERED, That First Point comply with Staff's recommendations for future compliance years. It is, further

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

COMMISSIONERS:

Approving:

Jenifer French, Chair

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

MJA/IMM/dmh

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Case No(s). 20-0824-EL-ACP

Summary: Finding & Order finding that First Point Power, LLC has not satisfied its renewable portfolio standard compliance obligations and consequently, an alternative compliance payment is warranted. The Commission directs First Point Power to remit to the Commission payment, as required under R.C. 4928.64, in the amount identified by Staff. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio