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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Alternative Energy) Case No. 14-0604-EL-ACP
Resources Report for Calendar Year 2013)
from Discount Energy Group LLC)

MEMORANDUM IN SUPPORT

    Discount Energy Group LLC was issued Ohio Certificate No. 12-616E(1) in Case No. 12-3002-EL-CRS. Because it did not begin operations in Ohio until March, 2013, it reported zero sales in its 2012 annual report.

    As an electric services company, Discount Energy Group LLC is subject to the requirements of Rule 4901:1-40-03 of the Ohio Administrative Code regarding alternative energy resources. Discount Energy Group LLC is required to file its plan for compliance with future annual advanced and renewal energy benchmarks, including solar, utilizing at least a ten (10) year planning horizon, by April 15 of this year. Rule 4901:1-40-03(B)(2)(b) provides as follows:
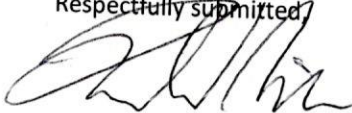
        (b) For an electric services company with no retail electric sales in the state during the preceding three calendar years, its initial baseline shall consist of a reasonable projection of its retail electric sales in the state for a full calendar year. Subsequent baseline shall consist of actual sales data, computed in a manner consistent with paragraph (13)(2)(a) of this rule.

    Discount Energy Group LLC had no retail electric sales in Ohio during the preceding three calendar years. Instead of using a projection of retail electric sales for 2013, Discount Energy Group LLC is requesting a waiver from Rule 4901:1-40-03(B)(2)(b) to allow it to use actual retail sales for 2013 instead of a projection. Subsection (b)(2) of the same Rule allows electric service companies to compute the baseline based on an average of the three preceding calendar years of the total number of kilowatt hours of electricity actually sold. Such an approach is also contained in Section 4928.64(B), Revised Code.

    Because Rule 4901:1-40-03(B)(2) contemplates the use of an average of three years of actual sales data and because Discount Energy Group LLC has available to it the actual sales data for 2013, good cause exists for granting the waiver and allowing Discount Energy Group LLC to use the 2013 actual sales data instead of a reasonable projection. No statute requires the use of a reasonable projection for calculating the initial baseline.

    Discount Energy Group LLC respectfully requests that the Commission find that good cause exists for granting the waiver and that the Commission or its Attorney Examiner issue an Entry granting the requested waiver and allowing Discount Energy Group LLC to compute its initial baseline using the actual 2013 sales data instead of a projection.

Respectfully submitted,

Randal Miller

Discount Energy Group LLC

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In the Matter of the Alternative Energy) Case No. 14-0604-EL-ACP
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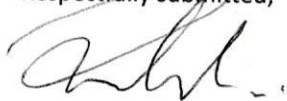from Discount Energy Group LLC)

REQUEST FOR WAIVER

Pursuant to Rule 4901:1-40-02(B) of the Ohio Administrative Code, Discount Energy Group LLC ("Discount Energy Group") respectfully requests a waiver from Rule 4901 :1-40-03(B)(2)(b) of the Ohio Administrative Code. Specifically, Discount Energy Group requests that it be permitted to calculate as its initial base line the actual retail electric sales made for 2013 instead of a reasonable projection. No statute requires the use of a reasonable projection for this purpose; in fact, the use of actual data in calculating the baseline is consistent with Section 4928.64(B), Revised Code.

The reasons supporting this requested waiver are set forth in the accompanying memorandum in support. Discount Energy Group submits that good cause exists for granting the requested waiver.

WHEREFOR, Discount Energy Group LLC respectfully requests that the Commission grant its waiver and permit it to use the actual retail electric sales for the 2013 calendar year in lieu of a projection in calculating its initial baseline for purposes of preparing its alternative energy portfolio status report.

Respectfully submitted,

Randal Miller

Discount Energy Group LLC