

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of )  
Lorain County Landfill for Certification ) Case No. 09-562-EL-REN  
as an Eligible Ohio Renewable Energy )  
Resource Generating Facility. )

FINDING AND ORDER

The Commission finds:

- (1) On July 6, 2009, Lorain County Landfill filed an application for certification as an eligible Ohio renewable energy resource generating facility.
- (2) Consistent with Sections 4928.64 and 4928.65, Revised Code, in order to qualify as a certified eligible Ohio renewable energy resource generating facility, a facility must demonstrate in its application that it has satisfied all of the following criteria:
  - (a) The generation produced by the renewable energy resource generating facility can be shown to be deliverable into the state of Ohio, pursuant to Section 4928.64(B)(3), Revised Code.
  - (b) The resource to be utilized in the generating facility is recognized as a renewable energy resource pursuant to Sections 4928.64(A)(1) and 4928.01(A)(35), Revised Code, or a new technology that may be classified by the Commission as a renewable energy resource pursuant to Section 4928.64(A)(2), Revised Code.
  - (c) The facility must satisfy the applicable placed-in-service date, delineated in Section 4928.64(A)(1), Revised Code.
- (3) Lorain County Landfill has submitted for certification a 10.91 MW landfill gas-to-electricity (LGE) generating facility located at 43550 Oberlin-Elyria Road, Oberlin, Ohio, 44074. The application indicates that the facility is a distributed generation facility, with an existing interconnection agreement with Oberlin Municipal Light and Power System. The facility

is located within the geographical area of Midwest ISO regional transmission organization. Based upon the application, and the facility's location in Ohio, the electricity generated from the Lorain County Landfill is deliverable into the state. Accordingly, the Commission finds that the application satisfies the first criterion.

- (4) In its application, Lorain County Landfill indicates that it will use landfill gas exclusively to fuel its gas turbines. LGE is recognized as a renewable resource pursuant to Section 4928.01(A)(35), Revised Code. Therefore, the Commission finds that the second criterion is satisfied.
- (5) Lorain County Landfill indicates in its application that the in-service dates for the units in its system were December 1, 2001 and July 21, 2003, thereby satisfying the requirement of Section 4928.64(A)(1), Revised Code. As such, the Commission finds that Lorain County Landfill's facility meets the third criterion.
- (6) Given that Lorain County Landfill's application demonstrates that its facility satisfies the requisite criteria to become certified as an eligible Ohio renewable energy resource generating facility, the Commission finds that its application should be approved. This approval is subject to the facility properly acquiring and maintaining all required local, state, and environmental permits.
- (7) In addition to satisfying the above-cited criteria, Section 4928.65, Revised Code, requires a renewable energy resource generating facility to be registered with an approved attribute tracking system, such as the Generation Attribute Tracking System (GATS), or the Midwest Renewable Energy Tracking System (M-RETS), for the facility's renewable energy credits to be used for compliance with Ohio's alternative energy portfolio standards. Lorain County Landfill has indicated in its application that it intends to register with GATS.
- (8) Lorain County Landfill is hereby issued certification number 09-BIO-OH-GATS-0013 as an eligible Ohio renewable energy resource generating facility. In the event of any substantive changes in the facility's operational characteristics, or significant changes in the information provided in the application, Lorain County Landfill must notify the Commission within 30 days of

such changes. Failure to do so may result in revocation of its certification.

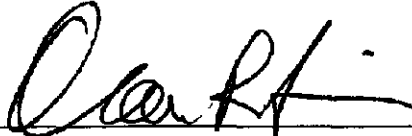
It is, therefore,

ORDERED, That Lorain County Landfill's application for certification as an eligible Ohio renewable energy resource generating facility be granted as set forth herein. It is, further,

ORDERED, That Lorain County Landfill be issued certification number 09-BIO-OH-GATS-0013, in accordance with finding (8). It is, further,

ORDERED, That a copy of this finding and order be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman

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Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie




Cheryl L. Roberto

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Entered in the Journal

**OCT 15 2009**



Renee J. Jenkins  
Secretary