

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Ottawa Generating Station for)
Certification of OGS Caterpillar 3520 as) Case No. 09-1053-EL-REN
an Eligible Ohio Renewable Energy)
Resource Generating Facility.)

FINDING AND ORDER

The Commission finds:

- (1) On November 4, 2009, Ottawa Generating Station (OGS) filed an application for certification of a 1.6 MW facility generated by a Caterpillar 3520 engine-generator set (OGS Caterpillar 3520) 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) OGS' 1.6 MW landfill gas-to-electricity (LGE) generating facility is located at 15362 68th Avenue, Coopersville, Michigan 49404. At this location, OGS operates seven generating units,

comprised of six Caterpillar 3516 engine-generator sets, which went into service in June 1994, and one Caterpillar 3520 engine-generator set, which went into service on February 13, 2006. OGS seeks certification only for the 1.6 MW of electricity generated by the Caterpillar 3520 engine-generator set, which is metered separately from the other six units. The application indicates that the OGS Caterpillar 3520 facility is a distributed generation facility, with an interconnection agreement with Consumers Energy, an electric and natural gas utility subsidiary of CMS Energy Corporation. The application explains that the OGS Caterpillar 3520 facility is located within the geographic area of the Midwest Independent Transmission System Operator. The application represents that, based upon its location in a state geographically contiguous to Ohio, the electricity generated from the OGS Caterpillar 3520 facility is deliverable into Ohio. Accordingly, the Commission finds that the application satisfies the first criterion.

- (4) In its application, OGS indicates that it uses landfill gas exclusively to fuel the Caterpillar 3520 engine-generator set. 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) OGS indicates in its application that the in-service date for the Caterpillar 3520 engine-generator set was February 13, 2006, thereby satisfying the requirement of Section 4928.64(A)(1), Revised Code. As such, the Commission finds that the OGS Caterpillar 3520 facility meets the third criterion.
- (6) Given that OGS' application demonstrates that the OGS Caterpillar 3520 facility satisfies the requisite criteria to become certified as an eligible Ohio renewable energy resource generating facility, the Commission finds that OGS' application should be approved. This approval is subject to the OGS Caterpillar 3520 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. OGS indicated in its application that it intends to register the OGS Caterpillar 3520 facility with GATS.

- (8) OGS Caterpillar 3520 is hereby issued certification number 09-BIO-MI-GATS-0059 as an eligible Ohio renewable energy resource generating facility. In the event of any substantive changes in the OGS Caterpillar 3520 facility's operational characteristics, or significant changes in the information provided in the application, OGS must notify the Commission within 30 days of such changes. Failure to do so may result in revocation of its certification.

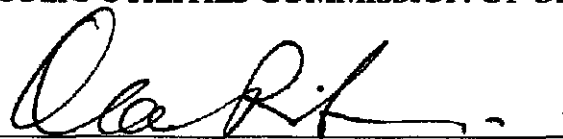
It is, therefore,

ORDERED, That OGS' application for certification of OGS Caterpillar 3520 as an eligible Ohio renewable energy resource generating facility be granted as set forth herein. It is, further,

ORDERED, That OGS Caterpillar 3520 be issued certification number 09-BIO-MI-GATS-0059 in accordance with finding (8). It is, further,

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

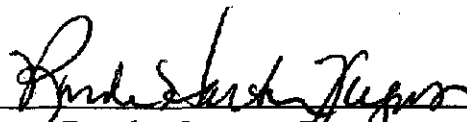
THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



Paul A. Centolella



Ronda Hartman Fergus



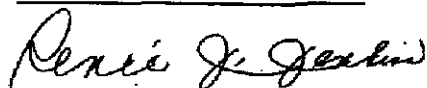
Cheryl L. Roberto

Valerie A. Lemmie

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Entered in the Journal

DEC 02 2009



Renee J. Jenkins
Secretary