

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Ritzenthaler-Donald-Pennsylvania-PV-)
10.1kW for Certification as an Eligible) Case No. 10-362-EL-REN
Ohio Renewable Energy Resource)
Generating Facility.)

FINDING AND ORDER

The Commission finds:

- (1) On April 27, 2010, as supplemented on May 11, 2010, Ritzenthaler-Donald-Pennsylvania-PV-10.1kW (Ritzenthaler) filed an application for certification as an eligible Ohio renewable energy resource generating facility.
- (2) Pursuant to the terms of Rule 4901:1-40-04(F)(2), Ohio Administrative Code (O.A.C.), Ritzenthaler's application is subject to a 60-day automatic approval process. The rule also provides that the Commission may suspend an application during the 60-day approval process. As additional information and investigation was needed in order to thoroughly review the application, the 60-day automatic approval process for Ritzenthaler's application was suspended on June 22, 2010.
- (3) Ritzenthaler subsequently supplemented its application on July 23, 2010, and July 29, 2010.
- (4) 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.
- (5) Ritzenthaler submitted for certification a .0101 MW solar photovoltaic system located at 6731 Furnace Road, Mifflinburg, PA 17844. The application states that the facility is a distributed generation facility with an existing net metering and interconnection agreement with Citizens Electric Company. The application represents that, based upon its location in a state geographically contiguous to Ohio, the electricity generated from the Ritzenthaler facility is deliverable into Ohio. Rule 4901:1-40-01(I), O.A.C., defines "deliverable into this state" to mean, *inter alia*, that the electricity originates from a facility within a state contiguous to Ohio. Accordingly, the Commission finds that the application satisfies the first criterion.
- (6) In its application, Ritzenthaler indicates that it utilizes solar photovoltaic energy as one of its energy resources. Solar photovoltaic energy is specifically recognized as a renewable resource pursuant to Section 4928.01(A)(35), Revised Code. Therefore, the Commission finds that the second criterion is satisfied.
- (7) Ritzenthaler indicates in its application that the placed-in-service date for its system was December 22, 2009, thereby satisfying the requirement of Section 4928.64(A)(1), Revised Code. As such, the Commission finds that the Ritzenthaler facility meets the third criterion.
- (8) Given that Ritzenthaler's application demonstrates that its facility satisfies the requisite statutory criteria to become certified as an eligible Ohio renewable energy resource generating facility, as well as the Commission's rules, 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.
- (9) 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. Ritzenthaler indicated in the application that it intends to register with GATS.

- (10) Ritzenthaler is hereby issued certification number 10-SPV-PA-GATS-0420 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, Ritzenthaler must notify the Commission within 30 days of such changes. Failure to do so may result in revocation of its certification.

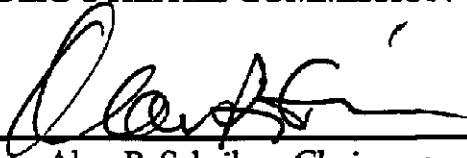
It is, therefore,

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

ORDERED, That Ritzenthaler be issued certification number 10-SPV-PA-GATS-0420, in accordance with finding (10). 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

Valerie A. Lemmie



Steven D. Lesser



Cheryl L. Roberto

JML/dah

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Renee J. Jenkins
Secretary