

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Frey)
Farm for Certification as an Eligible)
Ohio Renewable Energy Resource) Case No. 10-2317-EL-REN
Generating Facility.)

FINDING AND ORDER

The Commission finds:

- (1) On October 8, 2010, Frey Farm 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.), Frey Farm'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 Frey Farm's application was suspended on November 24, 2010.
- (3) Frey Farm subsequently amended its application on December 3, 2010, and December 6, 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) Frey Farm submitted for certification a 0.103488 MW solar photovoltaic system located at 157 Coffee Street, Millersville, PA 17551. The application indicates that Frey Farm is a distributed generation facility with an existing net metering and interconnection agreement with PPL Corporation. The application explains that Frey Farm is located within the geographic area of PJM Interconnection, L.L.C. The application represents that, based upon its location in a state geographically contiguous to Ohio, the electricity generated from the Frey Farm 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, Frey Farm indicates that it utilizes a solar photovoltaic system 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) Frey Farm further indicates in its application that the placed-in-service date for its system was August 10, 2010, which satisfies the requirement of Section 4928.64(A)(1), Revised Code. As such, the Commission finds that Frey Farm meets the third criterion.
- (8) Given that Frey Farm'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. Frey Farm indicated in its application that it intends to register with GATS.

- (10) Frey Farm is hereby issued certification number 10-SPV-PA-GATS-0717 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, Frey Farm 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 Frey Farm's application for certification as an eligible Ohio renewable energy resource generating facility be granted as set forth herein. It is, further,

ORDERED, That Frey Farm be issued certification number 10-SPV-PA-GATS-0717 in accordance with finding (10). It is, further,

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

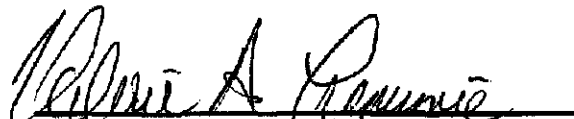
THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



Paul A. Centolella



Valerie A. Lemmie



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Entered in the Journal

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Renee J. Jenkins
Secretary