

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Morgantown Solar Park for Certification) Case No. 11-0014-EL-REN
as an Eligible Ohio Renewable Energy)
Resource Generating Facility.)

FINDING AND ORDER

The Commission finds:

- (1) On January 12, 2011, Morgantown Solar Park (Applicant) filed an application for certification of its facility, at 32 Timber Road, Morgantown Business Park, Morgantown, PA, 19543 (Morgantown), as an eligible Ohio renewable energy resource generating facility.
- (2) Rule 4901:1-40-04(F)(2), Ohio Administrative Code, (O.A.C.), provides for automatic approval for certification as an eligible Ohio renewable energy resource generating facility, unless the Commission suspends the application within 60 days. Morgantown's application was suspended on March 11, 2011. The application was further supplemented on March 24, 2011.
- (3) 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.
- (4) Applicant submitted for certification a 6 MW solar photovoltaic system, currently under construction at Applicant's facility. The application states the facility will be a distributed generation facility with a net metering and interconnection agreement with PPL Electric Utilities Corporation. The application explains that the facility will be 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 Morgantown will be deliverable into Ohio. Accordingly, the Commission finds that the application satisfies the first criterion.
- (5) In the application, Applicant indicates that Morgantown will utilize a solar photovoltaic system as its energy resource. 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.
- (6) Applicant further indicates in its application that construction of the Morgantown facility commenced on April 15, 2011 and will last approximately three months, thereby satisfying the requirement of Section 4928.64(A)(1), Revised Code. As such, the Commission finds that Morgantown meets the third criterion.
- (7) Given that the application demonstrates that Morgantown 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 the application should be approved. This approval is subject to the facility properly acquiring and maintaining all required local, state, and environmental permits.
- (8) 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. Morgantown indicated in its application that it intends to register with GATS.

- (9) Morgantown is hereby issued certification number 11-SPV-PA-GATS-0679 as an eligible Ohio renewable energy resource generating facility. Within 30 days of its facility becoming operational, Morgantown must file notification with the Commission that discloses any changes to the information provided in the initial application or additional information that might not have been available at the time of the initial filing. Additionally, in the event of any substantive changes in the facility's operational characteristics, Morgantown must notify the Commission within 30 days of such changes. Failure to do so may result in revocation of its certification.

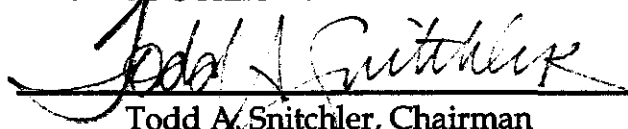
It is, therefore,

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

ORDERED, That Morgantown be issued its certification number in accordance with finding (9). It is, further,

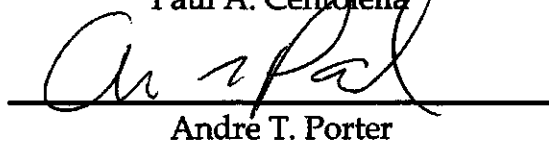
ORDERED, That a copy of this finding and order be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Paul A. Centolella

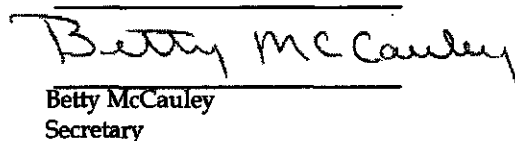

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Entered in the Journal **MAY 04 2011**


Betty McCauley
Secretary