

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Annual Alternative)
Energy Portfolio Status Report of Energy) Case No. 12-1045-EL-ACP
Plus Holdings, LLC.)

FINDING AND ORDER

The Commission finds:

- (1) Energy Plus Holdings, LLC (Energy Plus) is an electric services company as defined in Section 4928.01(A)(9), Revised Code, and, as such, is subject to the jurisdiction of the Commission.
- (2) Section 4928.64(B), Revised Code, establishes benchmarks for electric services companies to acquire a portion of their electricity supply for retail customers in Ohio from renewable energy resources. Specifically, the statute requires that, for 2011, a portion of the electricity sold by means of retail electric sales in Ohio must come from alternative energy resources (overall renewable energy resources benchmark), including .030 percent from solar energy resources (overall solar energy resources (SER) benchmark), half of which must be met with resources located within Ohio (in-state SER benchmark).
- (3) Rule 4901:1-40-05(A), Ohio Administrative Code (O.A.C.), requires that, unless otherwise ordered by the Commission, each electric services company file by April 15 of each year an annual alternative energy portfolio standard (AEPS) status report. The report must analyze all activities the company undertook in the previous year in order to demonstrate how pertinent alternative energy portfolio benchmarks and planning requirements have been met or will be met. Additionally, Staff must conduct an annual compliance review with regard to the benchmarks. Finally, Rule 4901:1-40-42(A), O.A.C., provides that electric services companies

that do not serve Ohio retail electric customers are not required to comply with the terms of the alternative energy portfolio benchmarks.

- (4) On March 16, 2012, Energy Plus filed its 2011 AEPS status report pursuant to Section 4928.64, Revised Code, and Rule 4901:1-40-05(A), O.A.C. Energy Plus reports that, during 2011, it did not conduct any retail electric sales. Consequently, Energy Plus represents that it was not required to acquire solar or renewable energy credits in 2011.
- (5) On August 6, 2012, Staff filed its Staff Review and Recommendation on Energy Plus's AEPS status report. Staff finds that Energy Plus is an electric services company in the state of Ohio, that Energy Plus had no retail electric sales in 2011, and that Energy Plus did not have an obligation under the AEPS for the year 2011. Staff recommends that Energy Plus's filing be accepted and that no further action be required.
- (6) Upon review of Energy Plus's AEPS status report and Staff's findings and recommendations, the Commission finds that Energy Plus had no compliance obligation with respect to the AEPS for 2011 because it did not conduct retail electric generation sales in Ohio in 2011. Therefore, Energy Plus's 2011 AEPS status report should be accepted.

It is, therefore,

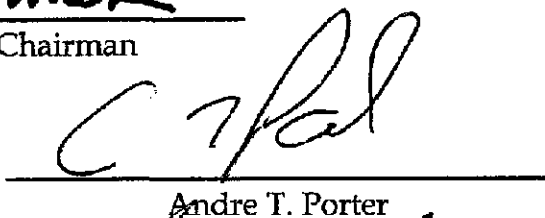
ORDERED, That Energy Plus's 2011 AEPS status report be accepted in accordance with finding (6). It is, further,

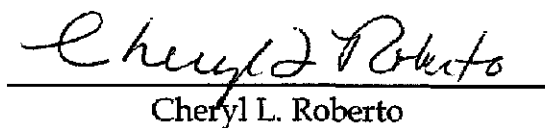
ORDERED, That notice or a copy of this Finding and Order be served upon all parties of record.

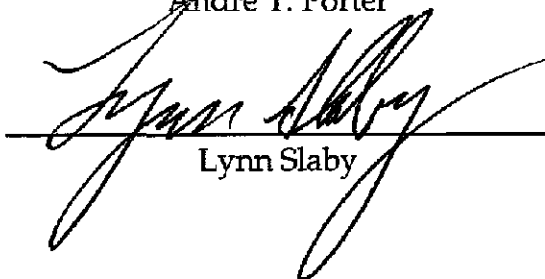
THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser


Andre T. Porter

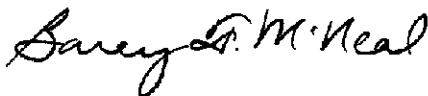

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Barcy F. McNeal
Secretary