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April 5, 2013

Ms. Barcy F. McNeal, Secretary  
Public Utilities Commission of Ohio  
180 E. Broad St., 11th Floor  
Columbus, OH 43215-3793

Re: Case No. 13-831-EL-ACP  
[energy.me midwest llc dba energy.me](#)

Dear Ms. McNeal:

Please find enclosed a copy of the Alternative Energy Portfolio Compliance Status Report for Calendar Year 2012 for [energy.me midwest llc dba energy.me](#). Also attached to this report is the request for waiver which was filed earlier today.

Thank you for your consideration.

Sincerely yours,

Stephen M. Howard  
Attorneys for [energy.me midwest llc dba energy.me](#)

SMH/jaw

COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER  
ALTERNATIVE ENERGY ANNUAL STATUS REPORT FOR CALENDAR YEAR 2012

energy.me midwest llc d/b/a energy.me (hereinafter "energy.me") in accordance with Sections 4928.64 and 4928.65, Ohio Revised Code and Commission Rules 4901:1-40-03 and 4901:1-40-05 hereby submits this Alternative Energy Annual Status Report ("AER") detailing compliance with the Ohio Alternative Energy Portfolio Standards.

1. Determination that an Alternative Energy Resource Report is Required (check one)

☒ During calendar year 2012 the CRES states that it conducted retail sales of generation to customers who utilized the generation in a load center located within the state of Ohio.

☐ During calendar year 2012 the CRES states that it did not conduct retail sales of generation to customers who utilized the generation in a load center located within the state of Ohio.

2. Determination of the sales baseline for 2012

- a. During the past three calendar years the CRES made retail sales of generation in the amounts shown below:

2009 MWh	0
2010 MWh	0
2011 MWh	0

- b. The average annual sales of the active years listed above (sum of the active years' MWh / number of active years hereinafter "Baseline Sales")

0

- c. If conditions exist that merit an adjustment to the Baseline Sales please list the adjusted Baseline Sales and attach as an exhibit to this AER a full explanation of the reason(s) for the adjustment(s).

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- d. If the CRES was not active during calendar years 2009, 2010 and 2011 but did make sales during calendar year 2012, please project the amount of retail electric generation sales anticipated for the whole of calendar year 2012 as would have been projected on the first day retail generation sales were made in Ohio.

84 MWh represents actual sales in 2012. Please see

Request for Waiver attached

3. Determination of the number of Solar and Total Renewable Energy Credits (RECs) Required and Statement of the Number of RECs Claimed

RENEWABLE ENERGY CREDITS REQUIRED AND OBTAINED FOR 2012				
Types	(A) No. of RECs Required	(B) No. of RECs Obtained	(C) Registry	(D) No. of RECs Sited in OH
Solar	0.05	0	N/A	0
Non Solar	1.21	0	N/A	0
Total	1.26	0	N/A	0

- a. Column A above lists the unadjusted number of Solar and Total RECs Required for the CRES in 2012. The determinations were calculated by multiplying the:

<input checked="" type="checkbox"/>	Baseline Sales
<input type="checkbox"/>	Adjusted Baseline Sales
<input type="checkbox"/>	Projected Sales

by 6 hundredths of one per cent (.06%) for Solar RECs, by one and 44 hundredths percent (1.44%) for Non-Solar RECs, and one and a half percent (1.5%) for total RECS. Total RECs include both Solar and Non Solar RECs.

- b. The CRES states that it has obtained in accordance with the Commission's Rules the number of Solar and Non Solar RECs listed in column B above for 2012.

Approved registry being used by the CRES:

N/A

- c. The CRES states that of the RECs it has obtained for 2012 the number listed in column D represents the RECs with generation facilities sited within the state of Ohio.

CRES states that it has

<input type="checkbox"/>	Received a force majeure determination for solar RECs
<input type="checkbox"/>	Sought but has yet to receive a ruling on a force majeure determination for Solar RECs
<input checked="" type="checkbox"/>	Did not seek and did not receive a force majeure determination for solar RECs

4. Compliance (check one)

<input type="checkbox"/>	CRES states that it has obtained the required number of Solar RECs and total RECs without adjustments permitted pursuant to Rule 4901:1-40-05(A)(3).
<input type="checkbox"/>	CRES states that it has obtained the required number of Solar RECs and total RECs after adjustments permitted pursuant to Rule 4901:1-40-05(A)(3).
<input checked="" type="checkbox"/>	CRES states that it is not in compliance with number of Solar RECs or total RECs required for 2012.

5. Ten Year Forecast

a. Ten Year Forecast of Solar and Non-Solar RECs

In accordance with Rule 4901:1-40-03(C) the CRES hereby provides a projection for the next 10 years for RECs and Solar RECs.

10 Year Forecast of Solar and Non-Solar RECs				
Year	Estimated Sales	Estimated Solar	Estimated Non-Solar	Estimated Total RECs
2013	35219	32	673	704
2014	70438	85	1676	1761
2015	105657	158	3540	3698
2016	153203	276	6618	6894
2017	214484	472	11325	11797
2018	289553	753	18068	18821
2019	376419	1129	27102	28231
2020	470524	1600	38395	39995
2021	564628	2146	51494	53640
2022	649323	2727	65452	68179

b. Supply Portfolio projection

Internal sales projections.

c. Methodology used to evaluate compliance

Supply portfolio projection multiplied by applicable Ohio Alternative Energy Portfolio Standard per year.

- d. Comments on any perceived impediment(s) to achieving compliance with the solar and non-solar REC requirements, as well as any discussion addressing such impediments.

None.

I, Brian D. Warr, am the duly authorized representative of Energy in Motion, LLC, and state, to the best of my knowledge and ability, all the information contained in the foregoing Competitive Retail Electric Service Provider Alternative Energy Annual Status Report for Calendar Year 2012, including any exhibits and attachments, are true, accurate and complete.

Brian D. Warr  
Signature

Name

Title

Company

Brian D. Warr  
GM

Energy in Motion, LLC

**AEPS Compliance Plan Status Report for Compliance Year 2012**

**Summary Sheet**

	(A) MWH Sales Unadjusted*	(B) Proposed Adjustments**	(C) = (A) - (B) MWH Sales Adjusted	Documentation Source
2009			0	
2010			0	
2011			0	

**Baseline for 2012 Compliance Obligation**

84.00

(D)

1.50%

**2012 Statutory Compliance Obligation**

2012 Non-Solar Renewable Benchmark

1.44%

(E)

2012 Solar Renewable Benchmark

0.06%

(F)

Per ORC, 4928.64(B)(2)

**2012 Compliance Obligation**

Non-Solar RECs Needed for Compliance

1.21

(G) = (D) \* (E)

Minimum Required from Ohio Facilities

0.60

(H) = (G) \* 0.5

Solar RECs Needed for Compliance

0.05

(I) = (D) \* (F)

Minimum Required from Ohio Facilities

0.03

(J) = (I) \* 0.5

**Force Majeure Carry-Over from Previous Year(s) (if applicable)**

Ohio Solar - MWHs

Non-Ohio Solar - MWHs

**Under Compliance in 2012 (if applicable)**

Non-Solar MWHs

1.21

(K)

Solar MWHs

0.05

(L)

**2012 Alternative Compliance Payments**

Non-Solar, per MWH

\$47.56

(M)

Solar, per MWH - per 4928.64(C)(2)(a)

\$350.00

(N)

**2012 Payments (if applicable)**

Non-Solar Total

\$57.55

(O) = (K) \* (M)

Solar Total

\$17.50

(P) = (L) \* (N)

TOTAL

\$75.05

(Q) = (O) + (P)

\* Should be based on data reported in EDU's three most recent forecast reports or reporting forms, per 4901:1-40-03(B)(1)

\*\* For any proposed adjustments, provide the necessary information as detailed in 4901:1-40-03(B)(3)

**Compliance Plan Status Report for 2012  
REC Details Sheet**

**1. OHIO NON-SOLAR Renewable Energy Credits**

Year	Month	State	Facility Name	Certificate Serial Numbers	Quantity	Ohio Cert. Number	Indicate if "Retired"
TOTALS					0		

**2. OTHER NON-SOLAR Renewable Energy Credits**

Year	Month	State	Facility Name	Certificate Serial Numbers	Quantity	Ohio Cert. Number	Indicate if "Retired"
TOTALS					0		

**3. OHIO SOLAR Renewable Energy Credits**

Year	Month	State	Facility Name	Certificate Serial Numbers	Quantity	Ohio Cert. Number	Indicate if "Retired"
TOTALS					0		

**4. OTHER SOLAR Renewable Energy Credits**

Year	Month	State	Facility Name	Certificate Serial Numbers	Quantity	Ohio Cert. Number	Indicate if "Retired"
TOTALS					0		

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Annual Alternative	)	
Energy Portfolio Status Report for the	)	Case No. 13-831-EL-ACP
Calendar Year 2012 from energy.me	)	
midwest llc dba energy.me		

**REQUEST FOR WAIVER**

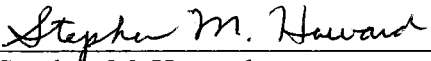
Pursuant to Rule 4901:1-40-02(B) of the Ohio Administrative Code, energy.me midwest llc dba energy.me ("energy.me") respectfully requests a waiver from Rule 4901 :1-40-03(B)(2)(b) of the Ohio Administrative Code. Specifically, energy.me requests that it be permitted to calculate as its initial base line the actual retail electric sales made for 2012 instead of a reasonable projection. No statute requires the use of a reasonable projection for this purpose; in fact, the use of actual data in calculating the baseline is consistent with Section 4928.64(B), Revised Code.

The reasons supporting this requested waiver are set forth in the accompanying memorandum in support. energy.me submits that good cause exists for granting the requested waiver.

WHEREFORE, energy.me midwest llc dba energy.me respectfully requests that the Commission grant its waiver and permit it to use the actual retail electric sales for the 2012 calendar year in lieu of a projection in calculating its initial baseline for purposes of preparing its alternative energy portfolio status report.



Respectfully submitted,



Stephen M. Howard

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Attorneys for energy.me midwest llc dba energy.me

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Annual Alternative	)	
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Calendar Year 2012 from energy.me	)	
midwest llc dba energy.me	)	

**MEMORANDUM IN SUPPORT**

energy.me midwest llc dba energy.me was issued Ohio Certificate No. 12-549E(1) in Case No. 12-1972-EL-CRS on August 6, 2012. It did not begin to make retail sales in Ohio until approximately December of 2012.

As an electric services company, energy.me is subject to the requirements of Rule 4901:1-40-03 of the Ohio Administrative Code regarding alternative energy resources. energy.me is required to file its plan for compliance with future annual advanced and renewal energy benchmarks, including solar, utilizing at least a ten (10) year planning horizon, by April 15 of this year. Rule 4901:1-40-03(B) (2) (b) provides as follows:

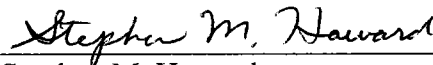
(b) For an electric services company with no retail electric sales in the state during the preceding three calendar years, its initial baseline shall consist of a reasonable projection of its retail electric sales in the state for a full calendar year. Subsequent baseline shall consist of actual sales data, computed in a manner consistent with paragraph (13)(2)(a) of this rule.

energy.me had no retail electric sales in Ohio during the preceding three calendar years. Instead of using a projection of retail electric sales for 2012, energy.me midwest llc dba energy.me is requesting a waiver from Rule 4901: 1-40-03(B)(2)(b) to allow it to use actual retail sales for 2012 instead of a projection. Subsection (b)(2) of the same Rule allows electric service companies to compute the baseline based on an average of the three preceding calendar years of the total number of kilowatt hours of electricity actually sold. Such an approach is also contained in Section 4928.64(B), Revised Code.

Because Rule 4901:1-40-03(B) (2) contemplates the use of an average of three years of actual sales data and because energy.me has available to it the actual sales data for 2012, good cause exists for granting the waiver and allowing energy.me to use the 2012 actual sales data instead of a reasonable projection. No statute requires the use of a reasonable projection for calculating the initial baseline.

energy.me midwest llc dba energy.me respectfully requests that the Commission find that good cause exists for granting the waiver and that the Commission or its Attorney Examiner issue an Entry granting the requested waiver and allowing energy.me midwest llc dba energy.me to compute its initial baseline using the actual 2012 sales data instead of a projection.

Respectfully submitted,



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**Case No(s). 13-0831-EL-ACP**

Summary: Report Alternative Energy Portfolio Compliance Status Report for Calendar Year 2012 electronically filed by Mr. Stephen M Howard on behalf of energy.me midwest llc dba energy.me