

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
MEMORIAL UNITED METHODIST CHURCH  
OF ELIZABETHTOWN, KENTUCKY FOR  
CERTIFICATION OF A ROOFTOP SOLAR  
PHOTOVOLTAIC GENERATOR AS AN  
ELIGIBLE OHIO RENEWABLE ENERGY  
RESOURCE GENERATING FACILITY.

CASE NO. 15-1145-EL-REN

### FINDING AND ORDER

Entered in the Journal on October 5, 2016

#### I. SUMMARY

{¶ 1} The Commission approves this application for certification as an eligible Ohio renewable energy resource generating facility.

#### II. APPLICABLE LAW

{¶ 2} R.C. 4928.64 and 4928.645 contain the renewable energy resource requirements for electric utility and electric services companies providing electric retail generation in Ohio. R.C. 4928.01(A)(37) defines the types of renewable energy resource generating facilities that qualify in meeting the statutory mandates.

{¶ 3} Pursuant to R.C. 4928.64 and 4928.645, 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 R.C. 4928.64(B)(3).
- (b) The resource to be utilized in the generating facility is recognized as a renewable energy resource pursuant to R.C. 4928.64(A)(1) and 4928.01(A)(37), or a new technology that

may be classified by the Commission as a renewable energy resource pursuant to R.C. 4928.64(A)(2).

- (c) The facility must satisfy the applicable placed-in-service date, delineated in R.C. 4928.64(A)(1), which requires that a facility have been placed-in-service on or after January 1, 1998, or have been modified or retrofitted to create a renewable energy resource after January 1, 1998.

{¶ 4} R.C. 4928.645(B)(2) provides that renewable energy resource generating facilities should be registered with an approved attribute tracking system for the facility's renewable energy credits to be used for compliance with Ohio's alternative energy portfolio standards.

{¶ 5} Ohio Adm.Code 4901:1-40-04(F) specifies the process for the filing of an application for certification of a facility as an eligible renewable energy resource generating facility for the state of Ohio that satisfies the requirements of R.C. 4928.64 and 4928.645. Ohio Adm.Code 4901:1-40-04(F)(2) provides for automatic approval of an application for certification unless the Commission suspends the application within 60 days.

{¶ 6} Ohio Adm.Code 4901:1-40-01(I) provides that generation is deemed to be deliverable into the state of Ohio if the facility is connected to the electric grid within a state contiguous to Ohio. Electricity originating from other locations may also be deemed to be deliverable into the state of Ohio, based upon a demonstration that the electricity could be physically delivered to the state.

### III. PROCEEDINGS

{¶ 7} On June 26, 2015, this application was filed by Sol Systems LLC on behalf of Memorial United Methodist Church of Elizabethtown, Kentucky (Applicant) for certification of a rooftop solar photovoltaic electricity generator located at the church

building in Elizabethtown, Kentucky, as an eligible Ohio renewable energy resource generating facility under R.C. 4928.01.

{¶ 8} On August 24, 2015, the attorney examiner issued an entry suspending the automatic approval of this application under Ohio Adm.Code 4901:1-40-04(F)(2).

{¶ 9} On May 19, 2016, the Applicant filed supplemental information in response to Staff interrogatories.

{¶ 10} On June 20, 2016, Staff filed a report of its review of the application and supplemental information, indicating that the facility appears to satisfy the statutory requirements for certification as a renewable energy facility, and recommending that the application be approved.

#### IV. DISCUSSION

{¶ 11} First, pursuant to R.C. 4928.64(B)(3), the Commission considers whether the facility is located in this state or whether the resource can be shown to be deliverable into this state. This application seeks to certify a solar photovoltaic array installed on the roof of the Memorial United Methodist Church building located in Elizabethtown, Kentucky, which is a state that is contiguous to Ohio. The application also indicates that this facility is distributed generation that is grid-connected. Accordingly, the Commission finds that the application satisfies the first criterion.

{¶ 12} Second, the Commission considers whether the resource to be utilized by the generating facility is recognized as a renewable energy resource by Ohio law. The application seeks certification of a solar photovoltaic system. Solar photovoltaic energy is specifically recognized as a renewable resource pursuant to R.C. 4928.01(A)(37). Therefore, the Commission finds that the second criterion is satisfied.

{¶ 13} Third, the Commission considers whether the facility meets the placed-in-service requirement in R.C. 4928.64(A)(1). The application indicates that this system

was placed-in-service after January 1, 1998, satisfying the requirement of R.C. 4928.64(A)(1). As such, the Commission finds that the application meets the third criterion.

{¶ 14} In addition to satisfying the above-cited criteria, R.C. 4928.645(B)(2) provides that renewable energy resource generating facilities should be registered with an approved attribute tracking system for the facility's renewable energy credits to be used for compliance with Ohio's alternative energy portfolio standards. The application indicates that the facility will be registered with an approved attribute tracking system.

{¶ 15} Accordingly, the Applicant's solar photovoltaic system will be certified 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, the applicant or owner must notify the Commission within 30 days of such changes. Failure to do so may result in revocation of this certification.

## V. ORDER

{¶ 16} It is, therefore,

{¶ 17} ORDERED, That the application be approved. It is, further,

{¶ 18} ORDERED, That the Commission's Docketing Division issue the applicant a certificate as an eligible Ohio renewable energy resource generating facility. It is, further,

{¶ 19} ORDERED, That a copy of this Finding and Order be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

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Asim Z. Haque, Chairman

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*M. Beth Trombold*  
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RMB/dah

Entered in the Journal **OCT 05 2016**

*Barcy F. McNeal*  
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Secretary