

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION
OF ZANESVILLE ENERGY, LLC FOR
CERTIFICATION OF AN ELIGIBLE OHIO
RENEWABLE ENERGY RESOURCE
GENERATING FACILITY.

CASE NO. 14-2254-EL-REN

FINDING AND ORDER

Entered in the Journal on March 22, 2017

I. SUMMARY

{¶ 1} The Commission approves the application of Zanesville Energy, LLC for certification as an eligible Ohio renewable energy resource generating facility.

II. DISCUSSION

{¶ 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. Pursuant to Ohio Adm.Code 4901:1-40-04(F), any entity that desires to be designated an eligible renewable energy resource generating facility for the state of Ohio shall file an application for certification that demonstrates the facility satisfies the requirements of R.C. 4928.64 and 4928.645.

{¶ 3} On December 19, 2014, Zanesville Energy, LLC (Applicant) filed an application for certification as an eligible Ohio renewable energy resource generating facility, as defined in R.C. 4928.01. The application concerns certification of the heat captured from a 1MW combined heat and power (CHP) electric generator at the facility's location in Zanesville, Ohio. Applicant indicates that the facility accepts 138 wet tons of biomass daily from various sources; the biomass is fed into an anaerobic digester and converted to biogas, which fuels the electric generator. A byproduct of the electric

production process is hot exhaust gas, which is captured into a heat loop that provides heat to the biosolids pasteurization process and the anaerobic digester process.

{¶ 4} Ohio Adm.Code 4901:1-40-04(F)(2) provides for automatic approval of an application for certification as an eligible Ohio renewable energy resource generating facility unless the Commission suspends the application within sixty days. This application was suspended by entry of the attorney examiner issued on January 12, 2015. Supplemental documentation was filed by the applicant on October 28, 2015, October 30, 2015, and December 23, 2015.

{¶ 5} On January 21, 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. Staff notes that it typically would recognize a certified facility's renewable output beginning with the application filing date or the facility's placed in-service date, whichever is later. However, Staff adds, the facility has not yet installed temperature sensors, nor has it determined the baseline volumetric flowrate of the CHP heat loop, each of which are needed to determine MWH equivalence. Staff recommends that Applicant should be directed to file an update upon installation and operation of the temperature sensors, and when the volumetric flowrate is established. After Applicant files such information, the Commission will commence recognition of the facility's renewable output.

{¶ 6} 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. Pursuant to Ohio Adm.Code 4901:1-40-04(F), any entity that desires to be designated an eligible renewable energy resource generating facility for the state of Ohio shall file an application for

certification that demonstrates the facility satisfies the requirements of R.C. 4928.64 and 4928.645.

{¶ 7} 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.

{¶ 8} 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 heat captured from a CHP generator at the applicant's facility in Zanesville, Ohio. Further, the application indicates that this facility is distributed generation that is grid-connected. Accordingly, the Commission finds that the application satisfies the first criterion.

{¶ 9} 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 the heat captured from a CHP electric generator. Energy from such a source 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.

{¶ 10} Third, the Commission considers whether the facility meets the placed-in-service requirement in R.C. 4928.64(A)(1). The application indicates that the placed-in-service date for this system was November 15, 2010, and thus was 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.

{¶ 11} 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. Applicant indicates that, once the application is approved, the facility will be registered with an approved attribute tracking system.

{¶ 12} Accordingly, the heat captured from the CHP electric generator installed at Applicant's facility in Zanesville, Ohio, will be certified as an eligible Ohio renewable energy resource. 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.

III. ORDER

{¶ 13} It is, therefore,

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

{¶ 15} ORDERED, That Applicant file the information requested by Staff, as indicated in Paragraph 5. It is, further,

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

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

A Z H

Asim Z. Haque, Chairman

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Secretary