

# Confidential Release

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# CONFIDENTIAL

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*Filed by: Mark A. Hayden*

*Behalf of: FirstEnergy Solutions Corp.*

*Summary of document: Annual Status Report*

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**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	)	
FirstEnergy Solutions Corp. For	)	
Approval of its Alternative Energy	)	Case No. 13-0914-EL-ACP
Annual Status Report	)	
	)	

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**CONFIDENTIAL VERSION**

**I. INTRODUCTION**

Pursuant to Rule 4901:1-40-05 of the Ohio Administrative Code (“O.A.C.”), FirstEnergy Solutions Corp. (“FES”) submits its Annual Status Report (“Report”) for the period January 1, 2012 through December 31, 2012 (“Reporting Period”). This Report addresses FES’ compliance with the alternative energy portfolio benchmarks set forth in R.C. § 4928.64(B)(2) for the Reporting Period.

FES is in compliance with its statutory non-solar and solar Alternative Energy Portfolio Standard (“AEPS”) requirements for 2012. Further, FES complied with the requirements of R.C. § 4928.64(B)(3) and achieved exactly half of its requirements from in-state facilities, with the other half coming from resources shown to be deliverable into Ohio. As demonstrated below, FES met its requirements by obtaining Renewable Energy Credits (“RECs”) and retiring those RECs in the PJM Generation Attribute Tracking System (“GATS”) using the Reserve subaccount.<sup>1</sup>

**II. COMPLIANCE WITH 2012 BENCHMARKS**

O.A.C. 4901:1-40-05(A) requires that each electric utility and electric services company file “an annual alternative energy portfolio status report analyzing all activities undertaken in the

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<sup>1</sup> REC retirement data is available to Staff through the GATS system.

previous calendar year to demonstrate how the applicable alternative energy portfolio benchmarks and planning requirements have or will be met.” O.A.C. 4901:1-40-05(A) also requires that the Commission Staff conduct an annual compliance review of the electric utility or electric services company’s compliance with benchmarks under the AEPS.

R.C. § 4928.64(B)(2) and O.A.C. 4901:1-40-03(A) contain the alternative energy benchmarks applicable to electric services companies such as FES. By 2025, FES must provide twenty-five percent of its electricity from alternative energy resources. R.C. § 4928.64(B). Half of the twenty-five percent must be supplied from renewable energy resources. R.C. § 4928.64(B)(2). The law further requires that at least one-half percent of the twenty-five percent must be supplied from solar energy resources by 2025. *Id.* The law sets annual benchmarks for both renewable energy and solar energy. *Id.* For 2012, FES was required to supply 1.5% of its electricity supply from renewable energy resources and 0.06% of its electricity supply from solar energy resources. *Id.* The Commission’s rules require that at least one half of the renewable and solar energy resources implemented by FES must be acquired from facilities located in Ohio, while the remainder shall be acquired from resources that can be shown to be deliverable into Ohio. O.A.C. 4901:1-40-03(A)(2)(a).

The FES baseline, as defined in O.A.C. 4901:1-40-03(B)(2) and based on the average of FES’ Retail Sales in the prior three years (2009-2011), and renewable requirements for the year 2012 under the Ohio AEPS is shown in Table 1, below. Table 1 also demonstrates the number of RECs that FES needed to obtain to meet its benchmarks.

Table 1. CONFIDENTIAL

2009 Retail Sales (MWhs)	5,568,734
2010 Retail Sales (MWhs)	29,606,124
2011 Retail Sales (MWhs)	41,223,219
Baseline (MWhs)	25,466,026
REC Requirements (%)	
Non Solar:	
In-State	0.720%
Adj-State	0.720%
Solar:	
In-State	0.030%
Adj-State	0.030%
REC Requirements (# RECs)	
Non Solar:	
In-State	183,355
Adj-State	183,355
Solar:	
In-State	7,640
Adj-State	7,640

**A. Non-Solar Benchmark**

FES was able to meet 100% of its non-solar Ohio AEPS compliance obligations in 2012. The Company acted diligently and proactively to procure RECs from existing renewable resources located within the borders of the state of Ohio to achieve compliance with the in-state portion of the compliance obligation. RECs from the Pennsylvania wind power that FES has under a long-term renewable power purchase agreement fulfill FES's compliance with the out-of-state portion. These RECs were retired in GATS using the Reserve subaccount.

**B. Solar Benchmark**

FES also was able to meet 100% of its solar Ohio AEPS compliance obligations in 2012. The Company acted diligently and proactively to procure SRECs from solar resources located within the borders of the state of Ohio to achieve compliance with the in-state portion of the

compliance obligation. SRECs from solar resources deliverable into Ohio were used to fulfill FES's compliance with the out-of-state portion. These SRECs were retired in GATS using the Reserve subaccount.

#### IV. CONCLUSION

As demonstrated above, FES achieved full compliance with its 2012 renewable energy benchmarks, as required by R.C. § 4928.64(B)(2).

Respectfully Submitted,

s/ Mark A. Hayden

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