

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Aspiration :
Energy, LLC 2016 Renewable : Case No.
Portfolio Standard Status : 17-1067-EL-ACP
Report :

- - -

PROCEEDINGS

Before Daniel Fullin, Attorney Examiner, held at
the Public Utilities Commission of Ohio, 180
East Broad Street, Hearing Room 11-C, Columbus,
Ohio, on Friday, February 8, 2019, at 10:00 A.M.

- - -

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- - -

1 APPEARANCES:

2 Mr. Robert Eubanks
3 Assistant Attorney General
4 30 East Broad Street, 26th Floor
5 Columbus, Ohio 43215

6 On behalf of the Staff of
7 the Public Utilities
8 Commission of Ohio.

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Friday Morning,
February 8, 2019.
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ATTORNEY EXAMINER: The Commission
has scheduled on its calendar a hearing in
this case, Case No. 17-1067-EL-ACP, In the
Matter of the Aspirity Energy, LLC 2016
Renewable Portfolio Standard Status Report.

The specific purpose for the hearing
as announced in the entry that scheduled it,
which came out on the 2nd of January, saying
that the purpose of this hearing is to resolve
the issue of the amount of the alternative
compliance payment that Aspirity must make in
order to satisfy its 2016 RPS obligation.

My name is Dan Fullin, I am the
Attorney Examiner assigned to the case. And I
am going to begin by taking appearances. I will
ask for appearances on behalf of Aspirity, but
will note that it doesn't appear that there is
anyone here to represent the company.

Noting that I am also going to note
that -- take administrative notice of the letter
that we received in the docket on the 8th of
January from a former regulatory consultant for

1 the company which indicates that to his
2 knowledge the company is no longer a going
3 concern, it's currently in Federal bankruptcy
4 proceedings and he didn't know who, if anyone,
5 is representing the interests of the company.

6 Also when I served the entry that
7 was issued on January 2nd we made two attempts
8 to service. The first time on January the 4th
9 an address on Whitewater, I am not sure what
10 that R stands for, but anyway I am noting what's
11 in the docket.

12 The first address sent it to on
13 January 4th it was returned to sender, not
14 deliverable as addressed, unable to forward.

15 And I found a different address
16 which I attempted to serve the entry again at a
17 different address, and that was returned to
18 sender. That was sent on January the 17th.

19 Both of those items are also of
20 record in the docket.

21 So, I will note that it does not
22 appear that the company is appearing today and
23 no one has entered an appearance on their
24 behalf.

25 Could I have appearance on behalf of

1 the Staff?

2 MR. EUBANKS: Robert Eubanks,
3 Attorney General's office representing the
4 Staff. 30 East Broad Street, 16th Floor, Public
5 Utilities section.

6 ATTORNEY EXAMINER: Thank you. I am
7 going to plan on allowing the Staff to go
8 forward with presentation of anything they
9 would like to present in this case. And I will
10 swear Mr. Siegfried in, but you can testify from
11 where you are sitting. You don't have to come
12 up to the stand if you don't want to.

13 (WITNESS SWORN)

14 - - -

15 STUART M. SIEGFRIED
16 called as a witness, being first duly sworn,
17 testified as follows:

18 DIRECT EXAMINATION

19 By Mr. Eubanks:

20 Q. Please state your name for the
21 record, please.

22 A. Stuart Siegfried.

23 Q. And your position?

24 A. I am a Utility Specialist 3.

25 Q. And your duties?

1 A. Most of my work activities revolve
2 around implementing different facets of
3 the renewable standards for RPS.

4 Q. Did you prepare any testimony for
5 this case?

6 A. Yes, sir, I did.

7 MR. EUBANKS: May I approach
8 the witness?

9 ATTORNEY EXAMINER: Yes.

10 Q. Can you identify that document?

11 A. Yes. That is my prefiled testimony
12 in this proceeding.

13 Q. Was it prepared by you?

14 A. Yes, sir.

15 Q. If you can take a look at it and
16 tell me if it's a true and accurate copy.

17 A. It appears to be, yes.

18 Q. If I were to ask you the same
19 questions that are in your prefiled testimony
20 would you provide the same answers?

21 A. Yes, sir.

22 Q. Are there any mistakes or anything
23 about your testimony that you would like to
24 correct?

25 A. No, sir.

1 Q. Could you give us a summary of your
2 testimony, particularly the calculation?

3 A. Okay. The discussion of Staff's
4 calculation begins on page 3 of my testimony,
5 line 16, where the formula starts with the
6 company's proposed compliance baseline, which
7 was 11,800 megawatt hours.

8 To that you apply the statutory
9 benchmarks for the 2016 compliance year to come
10 up with the number of megawatt hours that are
11 required under the RPS for the solar and the
12 non-solar. And non-solar in this instance, just
13 being the total renewables minus the specific
14 solar obligation.

15 So, you come up with those
16 obligations. And then under Commission rule you
17 are required to round up to the next megawatt
18 hour in the instance of an alternative
19 compliance payment, such as what we are
20 proposing here.

21 So, I rounded those up. And then
22 multiplied those by the specific compliance
23 payments that were in place for 2016. For solar
24 that is \$300 per megawatt hour. And for the
25 non-solar it was \$49.75 per megawatt hour.

1 So simply multiplied those by
2 the calculated obligations to come up with the
3 total proposed compliance payment in this
4 instance.

5 MR. EUBANKS: I would like to have
6 the prefiled testimony marked as Staff Exhibit
7 1.

8 ATTORNEY EXAMINER: Yes. I am
9 marking my copy that I took off the docket card
10 and I will Mark that as Staff Exhibit 1.

11 (EXHIBIT HEREBY MARKED FOR
12 IDENTIFICATION PURPOSES)

13 Q. The calculation that you made, is
14 that the same calculation that was made in the
15 Staff Findings and Recommendation?

16 A. Yes.

17 MR. EUBANKS: If I may approach
18 the witness?

19 ATTORNEY EXAMINER: Yes.

20 Q. Take a look at that document and
21 identify it if you can.

22 A. This is the Staff Findings and
23 Recommendations that I filed in this proceeding.

24 Q. Is it a true and accurate copy?

25 A. It appears to be, yes.

1 Q. And it has the same calculation as
2 you said that was in your testimony?

3 A. Yes, sir.

4 MR. EUBANKS: I would like to have
5 Staff's Findings and Recommendations marked as
6 Staff Exhibit 2.

7 ATTORNEY EXAMINER: Yes. It will be
8 so marked.

9 (EXHIBIT MARKED FOR IDENTIFICATION)

10 MR. EUBANKS: Also at this time I
11 would like to move to have both of Staff
12 exhibits placed into the record, placed into
13 evidence.

14 ATTORNEY EXAMINER: Yes. Without
15 objection it will be introduced into the record
16 as evidence.

17 (EXHIBITS HEREBY ADMITTED INTO
18 EVIDENCE)

19 MR. EUBANKS: With that I have no
20 more questions.

21 ATTORNEY EXAMINER: All right.
22 Thank you very much.

23 Is there anything else that needs to
24 come before the Commission in terms of
25 addressing the matters of this hearing?

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MR. EUBANKS: No.

ATTORNEY EXAMINER: Hearing none I
will adjourn the hearing. Thank you very much.

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(At 10:10 A.M. the hearing was
concluded)

CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on
February 8, 2019, and carefully compared with my
original stenographic notes.

Michael O. Spencer
Michael O. Spencer,
Registered Professional
Reporter.

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in

Case No(s). 17-1067-EL-ACP

Summary: Transcript In the Matter of the Aspirity Energy, LLC 2016 Renewable Portfolio Standard Status Report, hearing held on February 8th, 2019 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.