

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE RENEWABLE
PORTFOLIO STANDARD COMPLIANCE
STATUS REPORT FOR 2017 OF KIWI
ENERGY NY, LLC.

CASE NO. 18-634-EL-ACP

FINDING AND ORDER

Entered in the Journal on September 26, 2019

I. SUMMARY

{¶ 1} The Commission approves the 2017 renewable portfolio standard compliance status report of Kiwi Energy NY, LLC.

II. DISCUSSION

{¶ 2} Kiwi Energy NY, LLC (Kiwi) is an electric services company as defined in R.C. 4928.01(A)(9) and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} R.C. 4928.64(B)(2) establishes benchmarks for electric services companies to acquire a portion of their electricity supply for retail customers in Ohio from renewable energy resources. R.C. 4928.645 provides that an electric utility or electric services company may use renewable energy credits (RECs) and solar energy credits (SRECs) to meet its respective renewable energy and solar benchmarks. Ohio Adm.Code 4901:1-40-01(BB) defines a REC as the environmental attributes associated with one megawatt hour of electricity generated by a renewable energy resource, except for electricity generated by facilities as described in Ohio Adm.Code 4901:1-40-04(E).

{¶ 4} Ohio Adm.Code 4901:1-40-05(A) requires each electric services company to annually file by April 15 a renewable portfolio standard compliance status report (RPS report), unless otherwise ordered by the Commission. The RPS report must analyze all activities the company undertook in the previous year in order to demonstrate how pertinent alternative energy portfolio benchmarks have been met. Staff then conducts an annual compliance review of the company's filing and the records of the applicable attribute tracking system to ensure that RECs were sourced from generating facilities certified by the

Commission and were appropriately associated with electricity generated for the compliance period.

{¶ 5} On April 12, 2018, Kiwi filed its 2017 RPS report, stating that it did not have any Ohio retail electric sales in 2017. With no prior Ohio electric sales, Kiwi concluded that it did not have any renewable compliance obligations for 2017.

{¶ 6} On February 20, 2019, Staff filed its Review and Recommendations for Kiwi's RPS report. Staff reports that Kiwi was an electric services company in the state of Ohio and, therefore, had a 2017 RPS filing obligation, but no 2017 RPS compliance obligation. Further, Staff recommends that, for future compliance years, Kiwi initiate the transfer of the appropriate RECs and SRECs to its attribute tracking system reserve subaccount between March 1 and April 15 so as to precede the filing of its annual RPS report with the Commission.

{¶ 7} Upon review of Kiwi's 2017 RPS report and the records of these proceedings, we adopt Staff's recommendations.

III. ORDER

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Kiwi's 2017 RPS report be accepted as filed, as Kiwi has met its RPS filing obligation for 2017. It is, further,

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

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

JML/mef

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Case No(s). 18-0634-EL-ACP

Summary: Finding & Order that the Commission approves the 2017 renewable portfolio standard compliance status report of Kiwi Energy NY, LLC. electronically filed by Docketing Staff on behalf of Docketing