

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application for Certification)	
As an Ohio Renewable Energy Resource Generating)	Case No. 18-1125-EL-REN
Facility for the Beebe 1B Wind Facility)	

REVIEW AND RECOMMENDATION
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO

CASE HISTORY

On September 4, 2018, a representative filed an application on behalf of Beebe 1B Renewable Energy, LLC (Applicant) for certification of the Beebe 1B wind facility (Facility).

The Facility is located in Ithaca, Michigan. According to the Applicant, the Facility was placed into service in December 2014. Comprised of 21 wind turbines, the aggregate capacity of the Facility is 50.4 megawatts (MW).

The Michigan Public Power Agency (MPPA) purchases power and renewable energy credits (RECs) from the Facility.

Commission Staff sent an initial list of questions to the Applicant on September 12, 2018. On October 17, 2018, an Attorney Examiner entry suspended the 60-day automatic approval process for the application in this case. The entry also instructed the Applicant to file responses to Staff's questions within thirty days of the entry's issuance. The Applicant filed its responses to Staff's questions on November 16, 2018. On May 8, 2019, the Applicant supplied additional information pertaining to the Facility's metering configuration.

STAFF REVIEW

The Staff's consideration of applications for certification of a renewable energy resource facility consists primarily, but not exclusively, of three statutory criteria: (1) the deliverability of the facility's output to the state of Ohio, (2) the resource/ technology used at the facility, and (3) the facility's placed in-service date.

- 1) Deliverability

Under R.C. 4928.64(B)(3), a qualifying renewable energy resource must either have a facility located in Ohio, or be deliverable into Ohio. Further, Ohio Administrative Code (Ohio Adm.Code) 4901:1-40-01(I) defines “deliverable into this state” as follows:

“Deliverable into this state” means that the electricity originates from a facility within a state contiguous to Ohio. It may also include electricity originating from other locations, pending a demonstration that the electricity could be physically delivered to the state.

Because the Facility is a grid-connected facility located in Michigan, a state contiguous to Ohio, Staff concludes that this Facility satisfies the deliverability provision of the statute.

2) Resource/Technology

The R.C. lists the resources/technologies that qualify for eligibility as a renewable energy resource under the state’s renewable energy portfolio standard.¹ The statutory definition of a renewable energy resource includes wind energy, and therefore Staff concludes that the Facility satisfies the resource/technology provision of the statute.

3) Placed In-Service Date

The Facility must satisfy one of the statutory provisions pertaining to the placed in-service date.² With a placed in-service date of December 2014, Staff finds that the Facility satisfies the applicable placed in-service date requirement of on or after January 1, 1998.

4) Additional Considerations

- (a) For electric generating facilities, Commission rules require that facilities above 6 kilowatts measure their renewable output with a utility-grade meter.³ The meters described in the application, and as further detailed in the Applicant’s responses to Staff interrogatories, satisfy this rule requirement.
- (b) The Facility must be registered with either M-RETS or PJM EIS’ GATS, the two attribute tracking systems currently recognized by the Commission. According to the application and supplemental information provided by the Applicant, the Facility is currently registered on the Michigan Renewable Energy Certification System (MIRECS) and assigned a unit identification number of GEN314. As proposed, the Facility would remain registered with MIRECS; however, the associated RECs would be transferred (i.e., exported) by MPPA from MIRECS to M-RETS, at which point MPPA would market the RECs to companies with an Ohio renewable compliance obligation.

¹ R.C. 4928.01(A)(37)

² R.C. 4928.64(A)(1)

³ Ohio Adm.Code 4901:1-40-04(D)(1).

Typically one REC is created for each megawatt-hour of renewable generation. However, in certain limited circumstance MIRECS will also issue additional RECs, referred to as incentive RECs or IRECs, for specific renewable generation. The Applicant has indicated that the Facility is not eligible for any IRECs, and therefore any RECs exported to M-RETS would be on a 1:1 ratio. Staff reviewed a MIRECS public report, MIRECS Ratio Report, and confirmed that the Facility has not received any incentive RECs during 2018 or 2019 to date.⁴

The Commission has not historically recognized facilities registered on MIRECS, with the Commission having denied certification of a Michigan landfill gas facility as a result of it being registered on MIRECS rather than on one of the two tracking systems recognized by the Commission.⁵

STAFF RECOMMENDATION

Staff finds that the Facility cannot be certified as an eligible Ohio renewable energy resource generating facility, as the Facility is not registered with an approved attribute tracking system. Pursuant to Rule 4901:1-40-04, M-RETS and GATS are the only currently recognized attribute tracking systems for Ohio. Staff does not find any compelling reason at this stage to recommend that the Commission expand the list of recognized tracking systems to include MIRECS. As such, Staff recommends that this application should be denied.

⁴ The MIRECS Ratio Report does appear to indicate that the Facility received incentive RECs prior to 2018. However, if certified by the PUCO, the earliest date of recognition would be September 4, 2018, which corresponds to the application filing date.

⁵ See PUCO Case Number 11-4171-EL-REN.

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Summary: Staff Review and Recommendation electronically filed by Mr. Stuart M Siegfried on behalf of PUCO Staff