

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE ENERGY.ME
MIDWEST LLC 2019 RENEWABLE ENERGY
PORTFOLIO STANDARD STATUS REPORT.

CASE NO. 20-907-EL-ACP

FINDING AND ORDER

Entered in the Journal on January 27, 2020

I. SUMMARY

{¶ 1} The Commission finds that Energy.me Midwest, LLC has not satisfied its renewable portfolio standard compliance obligations and consequently, an alternative compliance payment is warranted. The Commission directs Energy.me to remit to the Commission payment, as required under R.C. 4928.64, in the amount identified by Staff.

II. DISCUSSION

{¶ 2} Energy.me Midwest, LLC (Energy.me) 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(W) defines a REC as the environmental attributes associated with one megawatt hour (MWH) of electricity generated by a non-solar renewable energy resource or its non-electric equivalent.

{¶ 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} Energy.me filed an RPS compliance report for the 2019 calendar year with the Commission on April 22, 2020. With its report, Energy.me also filed a motion for leave to file out of time, noting that, due to a misunderstanding regarding the Commission's deadlines in light of the state health emergency, Energy.me believed the deadline for filing its report was extended. However, despite this oversight, Energy.me notes it filed its report only a few business days after the deadline, resulting in no harm or undue delay in Staff's review. In its RPS compliance report, Energy.me proposed to pay \$297,030.

{¶ 6} Staff filed a review and recommendation (Staff Report) in this case on July 8, 2020. In the Staff Report, Staff has directed that Energy.me make the following compliance payment, consistent with the rounding requirement set forth in Ohio Adm.Code 4901:1-40-08:

Entity	Compliance year	Amount owed
Energy.me, LLC	2019	\$297,269.88

{¶ 7} The automatic approval process was suspended by the attorney examiner on August 5, 2020.

{¶ 8} Initially, we find that good cause exists to grant Energy.me's motion to file out of time. Upon review of Energy.me's RPS report and the records of these proceedings, we adopt Staff's recommendation for the compliance payment identified above. As such, the following payment should be remitted within 30 days of this Finding and Order because Energy.me did not meet its 2019 compliance obligation and therefore must make an alternative compliance payment.

{¶ 9} Energy.me's payment should be directed to the Public Utilities Commission of Ohio (PUCO), payable to "Treasurer State of Ohio." A letter should also be attached to the payment stating that it is a compliance payment required by R.C. 4928.64 for deposit to the credit of the Advanced Energy Fund, under the control of the Ohio Development Services Agency and created under R.C. 4928.61. The letter should also cite Energy.me's case number, under which the Commission has ordered the payment. The address for the PUCO: Public Utilities Commission of Ohio, 180 East Broad Street, 4th Floor Finance, Columbus, Ohio 43215.

{¶ 10} Also, Energy.me should file an attestation consistent with the requirements set forth in Ohio Adm.Code 4901:1-40-08(D). This filing should be completed within 30 days of this Finding and Order.

{¶ 11} Finally, to the extent Staff has made any other recommendation regarding future compliance years, Energy.me is directed to comply with Staff's recommendations.

III. ORDER

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That Energy.me's motion to file its 2019 RPS compliance report out of time be granted. It is, further,

{¶ 14} ORDERED, That Energy.me remit an alternative compliance payment within 30 days of this Finding and Order in accordance with the directives contained in Paragraph 6-9. It is, further,

{¶ 15} ORDERED, That Energy.me file an attestation pursuant to Ohio Adm.Code 4901:1-40-08(D) within 30 days of this Finding and Order. It is, further,

{¶ 16} ORDERED, That Energy.me comply with Staff's recommendations for future compliance years. It is, further,

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

COMMISSIONERS:

Approving:

M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

JD/kck

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Case No(s). 20-0907-EL-ACP

Summary: Finding & Order finding that Energy.me Midwest, LLC has not satisfied its renewable portfolio standard compliance obligations and consequently, an alternative compliance payment is warranted. The Commission directs Energy.me to remit to the Commission payment, as required under R.C. 4928.64, in the amount identified by Staff. electronically filed by Ms. Mary E Fischer on behalf of Public Utilities Commission of Ohio