

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
645 EAST COUNTY ROAD FOR
CERTIFICATION AS AN ELIGIBLE OHIO
RENEWABLE ENERGY RESOURCE
GENERATING FACILITY.

CASE NO. 20-1722-EL-REN

IN THE MATTER OF THE APPLICATION OF
NORTH VERNON - 27.405 kW FOR
CERTIFICATION AS AN ELIGIBLE OHIO
RENEWABLE ENERGY RESOURCE
GENERATING FACILITY.

CASE NO. 20-1723-EL-REN

IN THE MATTER OF THE APPLICATION OF
NORTH VERNON - 5.67 kW FOR
CERTIFICATION AS AN ELIGIBLE OHIO
RENEWABLE ENERGY RESOURCE
GENERATING FACILITY.

CASE NO. 20-1724-EL-REN

IN THE MATTER OF THE APPLICATION OF
NORTH VERNON - 6.615 kW FOR
CERTIFICATION AS AN ELIGIBLE OHIO
RENEWABLE ENERGY RESOURCE
GENERATING FACILITY.

CASE NO. 20-1725-EL-REN

FINDING AND ORDER

Entered in the Journal on April 7, 2021

I. SUMMARY

{¶ 1} The Commission approves the applications in the above-captioned proceedings for certification as eligible Ohio renewable energy resource generating facilities.

II. DISCUSSION

{¶ 2} Applications were filed on October 20, 2020, by SRECTrade Inc., on behalf of North Vernon (Applicant), in the above-captioned proceedings for certification of various generation facilities as eligible Ohio renewable energy resource generating facilities, as defined in R.C. 4928.01.

{¶ 3} Ohio Adm.Code 4901:1-40-04(D)(2) provides for automatic approval of an application for certification as an eligible Ohio renewable energy resource generating facility unless the Commission suspends the application within 30 days. By Entry filed on November 18, 2020, the attorney examiner suspended the applications in the above-captioned cases to allow Staff additional time to review the application and obtain additional information from the Applicant.

{¶ 4} On December 17, 2020, Staff filed reports of its review of each application, indicating that the facilities satisfy the statutory requirements for certification as renewable energy facilities, and recommending that the applications be approved.

{¶ 5} R.C. 4928.64 and 4928.645 contain the renewable energy resource requirements for electric utility and electric services companies providing electric retail generation in Ohio. R.C. 4928.01(A)(37) defines the types of renewable energy resource generating facilities that qualify in meeting the statutory mandates. Pursuant to Ohio Adm.Code 4901:1-40-04(D), any entity that desires to be designated an eligible renewable energy resource generating facility for the state of Ohio shall file an application for certification that demonstrates the facility satisfies the requirements of R.C. 4928.64 and 4928.645.

{¶ 6} Pursuant to R.C. 4928.64 and 4928.645, in order to qualify as a certified eligible Ohio renewable energy resource generating facility, a facility must demonstrate in its application that it has satisfied all of the following criteria:

- a) The generation produced by the renewable energy resource generating facility can be shown to be deliverable into the state of Ohio, pursuant to R.C. 4928.64(B)(3);
- b) The resource to be utilized in the generating facility is recognized as a renewable energy resource pursuant to R.C. 4928.64(A)(1) and 4928.01(A)(37),

or a new technology that may be classified by the Commission as a renewable energy resource pursuant to R.C. 4928.64(A)(2); and

- c) The facility must satisfy the applicable placed-in-service date, delineated in R.C. 4928.64(A)(1), which requires that a facility have been placed-in-service on or after January 1, 1998, or have been modified or retrofitted to create a renewable energy resource after January 1, 1998.

{¶ 7} First, pursuant to R.C. 4928.64(B)(3), the Commission considers whether the facility is located in this state or whether the resource can be shown to be deliverable into this state. These applications seek to certify facilities in Indiana, which is contiguous to Ohio; Staff, therefore, concluded that the resource is deliverable into this state. Accordingly, the Commission finds that the applications satisfy the first criterion.

{¶ 8} Second, the Commission considers whether the resource to be utilized by the generating facility is recognized as a renewable energy resource by Ohio law. The applications seek certification of solar photovoltaic facilities specifically recognized as renewable resources pursuant to R.C. 4928.01(A)(37)(a)(i). Therefore, the Commission finds that the second criterion is satisfied.

{¶ 9} Third, the Commission considers whether the facility meets the placed-in-service requirement in R.C. 4928.64(A)(1). Upon review, the Commission finds that the applications also meet the third criterion where all of the facilities have been placed in-service after January 1, 1998.

{¶ 10} In addition to satisfying the above-cited criteria, R.C. 4928.645(B)(2) provides that renewable energy resource generating facilities should be registered with an approved attribute tracking system for the facility's renewable energy credits to be used for compliance with Ohio's alternative energy portfolio standards. The applications indicate that the facilities are registered with an approved attribute tracking system.

{¶ 11} Additionally, Ohio Adm.Code 4901:1-40-04(C)(2)(e) requires that facilities above six kilowatts measure their renewable output with a utility-grade meter. In its reports, Staff explains that the meters described in the applications satisfy this rule requirement.

{¶ 12} Accordingly, the facilities identified in the applications will be certified as eligible Ohio renewable energy resource generating facilities. In the event of any substantive changes in any of the facilities' operational characteristics, or significant changes in the information provided in the applications, Applicant must notify the Commission within 30 days of such changes. Failure to do so may result in revocation of these certifications.

III. ORDER

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the applications filed in the above-captioned cases be approved. It is, further,

{¶ 15} ORDERED, That Applicant be issued certificates for its eligible Ohio renewable energy resource generating facilities, consistent with this Finding and Order. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Dennis P. Deters

MD/kck

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Case No(s). 20-1722-EL-REN, 20-1723-EL-REN, 20-1724-EL-REN, 20-1725-EL-REN

Summary: Finding & Order approving the applications for certification as eligible Ohio renewable energy resource generating facilities. electronically filed by Ms. Mary E Fischer on behalf of Public Utilities Commission of Ohio