

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
NORTHWEST LOCAL SCHOOLS-HIGH
SCHOOL FOR CERTIFICATION AS AN
ELIGIBLE OHIO RENEWABLE ENERGY
RESOURCE GENERATING FACILITY.

CASE NO. 21-1224-EL-REN

FINDING AND ORDER

Entered in the Journal on August 10, 2022

I. SUMMARY

{¶ 1} The Commission approves the application of the Northwest Local Schools-High School for certification as an eligible Ohio renewable energy resource generating facility.

II. DISCUSSION

{¶ 2} On November 10, 2021, Northwood Local Schools filed an application on behalf of Northwest Local Schools-High School (Applicant), for certification as an eligible Ohio renewable energy resource generating facility, 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.

{¶ 4} On December 7, 2021, the attorney examiner suspended automated approval of the application, pursuant to Ohio Adm.Code 4901:1-40-04(D) in order to allow Staff more time to review the application.

{¶ 5} On June 7, 2022, Staff filed a report of its review of the application, indicating that the facility fails to satisfy the statutory requirements for certification as a renewable energy facility, and recommending that the application be denied. Specifically, Staff noted that the Applicant did not provide specific meter information showing that the facility measured its renewable energy output with a utility-grade meter.

{¶ 6} On July 25, 2022, Staff submitted an updated review and recommendation, stating that the application should be approved.

{¶ 7} 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.

{¶ 8} 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 has been placed-in-service on or after January 1, 1998, or has been modified or retrofitted to create a renewable energy resource after January 1, 1998.

{¶ 9} 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. This application seeks to certify a facility located in Ohio. The Commission finds that the application satisfies the first criterion as the facility is located in this state.

{¶ 10} 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 application seeks certification of a solar photovoltaic system, specifically recognized as a renewable resource pursuant to R.C. 4928.01(A)(37)(a)(i). Therefore, the Commission finds that the second criterion is satisfied.

{¶ 11} Third, the Commission considers whether the facility meets the placed-in-service requirement in R.C. 4928.64(A)(1) that for renewable energy resources to qualify must have been either placed in service on or after January 1, 1998. Staff notes that the facility was placed in service on or after January 1, 1998. Upon review, the Commission finds that the application also meets the third criterion requiring the facility to be placed in service after January 1, 1998, under R.C. 4928.64(A)(1).

{¶ 12} 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 application indicates that the facility is to be registered with GATS.

{¶ 13} Finally, 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 updated report, Staff explains that the Applicant has demonstrated that the Facility satisfies the requirement that it measure its renewable energy output with a utility-grade meter. *See In re the Application of Jones, Bruce and Heidi Residence for Certification of an Eligible Ohio Renewable Energy Resource Generating Facility*, Case No. 17-300-EL-REN, Finding and Order (Mar. 28, 2018).

{¶ 14} Accordingly, the facility identified in the application will be approved for certification as an eligible Ohio renewable energy resource generating facility.

III. ORDER

{¶ 15} It is, therefore,

{¶ 16} ORDERED, That the application filed by Northwest Local Schools-High School be approved. It is, further,

{¶ 17} 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

Daniel R. Conway

Dennis P. Deters

JMD/dmh

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Case No(s). 21-1224-EL-REN

Summary: Finding & Order approving the application of the Northwest Local
Schools-High School for certification as an eligible Ohio renewable energy resource
generating facility electronically filed by Ms. Mary E. Fischer on behalf of Public
Utilities Commission of Ohio