

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE KIWI ENERGY NY  
LLC 2021 RENEWABLE PORTFOLIO  
STANDARD STATUS REPORT.

CASE NO. 22-302-EL-ACP

## ENTRY

Entered in the Journal on August 28, 2023

{¶ 1} On April 13, 2022, Kiwi Energy NY LLC d/b/a Kiwi Energy (Kiwi) filed its renewable portfolio standard (RPS) annual compliance report for 2021 pursuant to Ohio Adm.Code 4901:1-40-05. Kiwi filed an amended RPS for the 2021 compliance year on August 14, 2023.

{¶ 2} Ohio Adm.Code 4901:1-40-05(D) provides that, if the Commission takes no action with respect to an annual compliance status report within 60 days of the filing of Staff's findings and recommendations, the report is deemed automatically approved on the 61st day after Staff's filing.

{¶ 3} On August 22, 2023, Staff filed its findings and recommendations. Therein, Staff states that Kiwi did not satisfy its 2021 RPS compliance obligations and, therefore, an alternative compliance payment is warranted. Staff recommends that the Company be directed to pay \$1,570.06 and file an attestation consistent with the requirements of Ohio Adm.Code 4901:1-40-08(D). Staff further requests that this case be suspended.

{¶ 4} In order to provide additional time for the Commission and Staff to review this matter, the attorney examiner finds that good cause exists to suspend the 60-day automatic approval process for this case.

{¶ 5} It is, therefore,

{¶ 6} ORDERED, That the automatic approval process be suspended for Kiwi's 2021 RPS annual compliance report. It is, further,

{¶ 7} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/*Patricia A. Schabo*

By: Patricia A. Schabo  
Attorney Examiner

MJA/dr

**This foregoing document was electronically filed with the Public Utilities  
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**in**

**Case No(s). 22-0302-EL-ACP**

Summary: Attorney Examiner Entry suspending the automatic approval process for Kiwi's 2021 RPS annual compliance report electronically filed by Debbie S. Ryan on behalf of Patricia A. Schabo, Attorney Examiner, Public Utilities Commission of Ohio.