

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE REALGY, LLC
2021 RENEWABLE PORTFOLIO STANDARD
STATUS REPORT.

CASE NO. 22-268-EL-ACP

IN THE MATTER OF THE REALGY, LLC
2022 RENEWABLE PORTFOLIO STANDARD
STATUS REPORT.

CASE NO. 23-250-EL-ACP

FINDING AND ORDER

Entered in the Journal on July 24, 2024

I. SUMMARY

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

II. DISCUSSION

{¶ 2} Realgy, LLC (Realgy) 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) to meet its renewable energy benchmark.

{¶ 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} Realgy filed a RPS compliance report with the Commission on March 28, 2022, for the 2021 calendar year and on March 21, 2023 for the 2022 calendar year. Realgy filed a corrected RPS report for the 2022 calendar year on August 21, 2023. In its RPS compliance reports, Realgy proposed to pay \$234,534.48 for calendar year 2021 and \$206,759.72 for calendar year 2022.

{¶ 6} Staff filed a review and recommendation (Staff Report) in this case on December 6, 2023. Staff reports that Realgy was an electric services company with retail electric sales in the state of Ohio during both 2021 and 2022, and thus, had an RPS obligation for 2021 and for 2022. In the Staff Report, Staff has directed that Realgy make the following compliance payments, consistent with the rounding requirement set forth in Ohio Adm.Code 4901:1-40-08:

Entity	Compliance Year	Amount Owed
Realgy, LLC	2021	\$234,534.48
Realgy, LLC	2022	\$206,816.71

{¶ 7} The automatic approval process for the calendar years 2021 and 2022 was suspended by the administrative law judge on December 14, 2023, pursuant to Ohio Adm.Code 4901:1-40-05.

{¶ 8} Realgy did not file a response to the Staff Report or request a hearing in either proceeding.

{¶ 9} Upon review of Realgy’s RPS report and the records of these proceedings, we adopt Staff’s recommendations for the compliance payments identified above. As we have determined Realgy did not meet its 2021 and 2022 compliance obligations, a total aggregate alternative compliance payment of \$441,351.19 is warranted¹. Payment should be remitted within 30 days of this Finding and Order.

{¶ 10} Realgy’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 Department of Development and created under R.C. 4928.61. The letter should also cite Realgy’s case numbers 22-268-EL-ACP and 23-250-EL-ACP, under which the Commission has ordered the aggregated payment. The address for the PUCO: Public Utilities Commission of Ohio, 180 East Broad Street, 4th Floor Finance, Columbus, Ohio 43215.

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

{¶ 12} Finally, to the extent Staff has made any other recommendation regarding future compliance years, Realgy is directed to comply with Staff’s recommendations.

III. ORDER

{¶ 13} It is, therefore,

¹ Staff’s calculated aggregated payment is \$56.99 higher than that proposed by Realgy, due to a rounding adjustment for calendar year 2022.

{¶ 14} ORDERED, That Realgy remit an alternative compliance payment for both calendar years within 30 days of this Finding and Order in accordance with the directives contained in Paragraphs 6-10. It is, further,

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

{¶ 16} ORDERED, That Realgy 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:

Daniel R. Conway
Lawrence K. Friedeman
Dennis P. Deters
John D. Williams

MJA/wpb/dmh

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

Case No(s). 22-0268-EL-ACP, 23-0250-EL-ACP

Summary: Finding & Order finding that Realgy, LLC has not satisfied its renewable portfolio standard compliance obligations and consequently, an alternative compliance payment is warranted. The Commission directs Realgy, LLC 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.