

ORDER NO. 14 369

ENTERED OCT 28 2014

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1698

In the Matter of

CONSTELLATION NEW ENERGY, INC.,

2013 Renewable Portfolio Standard
Compliance Report.

ORDER

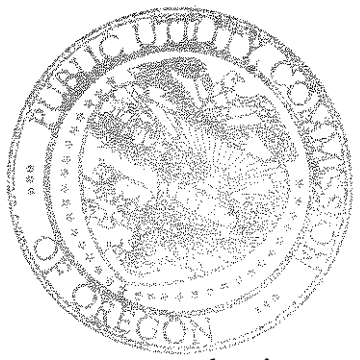
DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

This order memorializes our decision, made and effective at the public meeting on October 28, 2014, to adopt Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

Dated this 28th day of Oct., 2014, at Salem, Oregon.

COMMISSIONER ACKERMAN WAS
UNAVAILABLE FOR SIGNATURE

Susan K. Ackerman
Chair



John Savage
John Savage
Commissioner

Stephen M. Bloom
Stephen M. Bloom
Commissioner

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

ORDER NO. 14 369

ITEM NO. CA3

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: October 28, 2014

REGULAR _____ CONSENT X EFFECTIVE DATE October 28, 2014

DATE: October 17, 2014

TO: Public Utility Commission

FROM: John Crider *JC*

THROUGH: Jason Eisdorfer and Aster Adams *JE* *AA*

SUBJECT: CONSTELLATION NEW ENERGY, INC.: (Docket No. UM 1698)
2013 Renewable Portfolio Standard Compliance Report.

STAFF RECOMMENDATION:

Staff recommends that, based upon the Constellation NewEnergy, Inc. (CNE) 2013 Renewable Portfolio Standard (RPS) Compliance Report, the Commission find that CNE complied with the RPS for the 2013 compliance period.

DISCUSSION:

CNE filed its 2013 RPS Compliance Report (Report) on May 28, 2014. The Report indicates that CNE complied with Oregon's RPS, which states that for the calendar year 2013, at least five percent of the electricity sold by a large utility to retail electricity consumers must come from qualifying resources.¹

OAR 860-083-0300(2)(a) defines the compliance cost limit for an Electric Service Supplier (ESS) as four percent of the weighted average of the average retail revenues per megawatt-hour (MWh) of the electric companies in whose service areas the ESS sells electricity. The Report shows that CNE's cost of compliance per MWh for 2013 was below this limit.

¹ Electric Service Suppliers (ESS) must meet the RPS requirements applicable to the electric utilities that serve the territories in which the ESS sells electricity to retail customers. See ORS 469A.065

Docket No. UM 1698
October 17, 2014
Page 2

Conclusion

Staff finds that CNE's 2013 Report demonstrates that it complied with the RPS requirement by the purchase and planned retirement of unbundled RECs equivalent to five percent of the electricity that CNE sold to retail electricity consumers.

Staff also finds that CNE's RPS Compliance Report shows that its cost of compliance per MWh is below the four percent limit which is set forth at OAR 860-083-0300(2) and at ORS 469A.100.

PROPOSED COMMISSION MOTION:

- (1) Constellation NewEnergy, Inc. be found to comply with Oregon's Renewable Portfolio Standard during the 2013 compliance period;
- (2) Constellation NewEnergy, Inc. be directed to retire the RECs identified in its Compliance Report, and to provide a Western Renewable Energy Generation Information System (WREGIS) retirement report to the Commission, subject to appropriate non-disclosure agreements, within 30 calendar days of the date of this Order.

CA3 Constellation 2013 RPS Report