

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Implementation of the Alternative Energy :  
Portfolio Standards Act of 2004 :  
Designation of the Alternative Energy : Docket No. M-00051865  
Credits Registry :

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COMMENTS OF THE  
OFFICE OF CONSUMER ADVOCATE

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On October 28, 2005, the Pennsylvania Public Utility Commission (PUC or Commission) issued a Tentative Order which designated PJM Environmental Information Services, Inc. (PJM EIS) as the credit registry pursuant to the Advanced Energy Portfolio Standard Act (AEPS or Act 213). The OCA submits the following comments in support of the PJM EIS Generation Attribute Tracking System (GATS) being designated as the credit registry required by the Act.

On November 30, 2004, Governor Edward Rendell signed Act 213. Under AEPS, entities supplying electric generation service to retail electric customers in Pennsylvania will be required to provide a certain percentage of the energy sold to their customers from advanced energy sources such as solar photovoltaic or other solar energy source, wind power resources, large scale hydropower facilities, low-impact hydropower resources, geothermal sources, biomass energy facilities, biologically derived methane gas facilities, fuel cells, coal mine methane, waste coal facilities, municipal solid waste facilities, distributed generation, demand side management, and other resources enumerated in Act 213.

Act 213 requires the development of a credit registry. 73 P.S. § 1648.3(e)(8). On October 28, 2005, the Commission requested Comments through a Tentative Order regarding the appointment of PJM EIS as the credit registry of pertinent information regarding the fuel mix, emissions disclosure, and other relevant information about the origins and content of each megawatt hour. Act 213 requires the development of such a credit registry to track compliance and each utility's alternative energy portfolio.

Specifically, Section 1648.3(e)(8) states:

The commission or its designee shall develop a registry of pertinent information regarding all available alternative energy credits, credit transactions among electric distribution companies and electric generation suppliers, the number of alternative energy credits sold or transferred and the price paid for the sale or transfer of the credits. The registry shall provide current information to electric distribution companies, electric generation suppliers and the general public on the status of alternative credits created, sold or transferred within this Commonwealth.

73 P.S. § 1648.3(e)(8).

In 2001, PJM Interconnection, LLC (PJM) began the Generation Attributes Tracking System Working Group (GATS Working Group) in order to develop an information system to develop certificates for fuel mix and emissions disclosure, to meet state renewable portfolio standards, and to provide a tracking system for transactions involving the certificates. The OCA has actively been involved with the GATS Working Group at PJM Interconnection, LLC (PJM) since the group's inception in 2001. The OCA worked with other PJM stakeholders to develop GATS to benefit the entire PJM region, including Pennsylvania. Other states in the PJM region including New Jersey and Maryland have developed or are in the process of developing similar renewable portfolio standards.

The OCA submits that PJM EIS is uniquely qualified to administer the credit registry and to meet the needs dictated in Section 1648.3(e)(8). PJM EIS is a subsidiary of PJM. Tentative Order at 3. As a subsidiary of the regional transmission organization, PJM EIS will have access to the necessary information to serve their position as the credit registry.<sup>1</sup> As the Tentative Order highlights, GATS is a certificate-based tracking and reporting system which creates a certificate for every megawatt hour of generation. Tentative Order at 3. The certificate details the attributes of that megawatt hour of generation, including fuel mix and renewable energy attributes. GATS is a system to develop and to track these certificates from inception through retirement.

The system also has a component to allow for state regulators to track the certificates for individual utilities in order to meet the renewable portfolio standards of that state. The system allows for subscribers, state regulators and the public to generate reports regarding the attributes system. Contingent upon compliance with PJM's confidentiality rules, the reports will allow participants, regulators and the public to track compliance with Act 213 and will support the development of the alternative energy market.

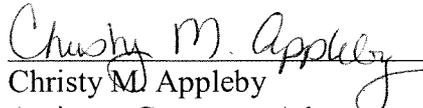
The OCA submits that PJM EIS has developed the appropriate system design and infrastructure to support the needs of the credit registry required by Act 213 and defined at 73 P.S. §1648.3(e)(8).

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<sup>1</sup> The OCA notes that Pennsylvania Power Company (Penn Power) and Pike County Light and Power Company (Pike County) are located in the Midwest Independent System Operator (MISO) and New York Independent System Operator (NY ISO) Control Areas, respectively. The Commission should verify that PJM EIS can also serve as the credit registry for the Penn Power and Pike County service territories.

WHEREFORE, the OCA supports the decision to name PJM EIS as the credit registry.

Respectfully submitted,

  
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CERTIFICATE OF SERVICE

RE: Implementation of the Alternative :  
Energy Portfolio Standards Act of : Docket No. M-00051865  
2004: Designation of the Alternative :  
Energy Credits Registry :

I hereby certify that I have this day served a true copy of the foregoing document, Comments of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

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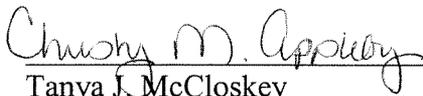
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