

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

IN RE: MP2 ENERGY NE LLC'S MOTION :
FOR USE OF 2,933 NEW RENEWABLE ENERGY : DOCKET NO. RES-23-36
RESOURCE CERTIFICATES FOR RHODE ISLAND 2022 :
RENEWABLE ENERGY STANDARD COMPLIANCE :

ORDER

MP2 Energy NE LLC dba Shell Energy Solutions (MP2) is an Obligated Entity as defined in R.I. Gen. Laws § 39-26-2(17) and the Public Utilities Commission's rules governing the Implementation of a Renewable Energy Standard (810-RICR-40-05-2.3). For compliance with Rhode Island's Renewable Energy Standard (RES), Obligated Entities are required to obtain at least nineteen percent (19%) of the electricity they sell at retail to Rhode Island end-use customers in Compliance Year 2022 from eligible renewable energy resources.¹ Compliance with the RES can be met through the retirement of Rhode Island eligible Renewable Energy Certificates (RECs) into Rhode Island settled accounts of the Obligated Entity or through the payment of alternative compliance payments (ACPs).

On October 13, 2023, MP2 filed a motion with the Commission for authorization to use toward its 2022 RES compliance 2,933 RECs that were inadvertently retired in MP2's Rhode Island Reserve subaccount (Reserve subaccount) instead of its Rhode Island Settled subaccount (Settled subaccount) in the NEPOOL GIS.² The RECs that were retired in the Reserve subaccount, although from RI-eligible renewable energy resources, are ineligible to be counted toward MP2's compliance and the time has passed to transfer them to the Settled subaccount. MP2 provided documentation detailing the source of the 2,933 RECs in the Reserve subaccount. The Motion

¹ R.I. Gen. Laws § 39-26-4(a)(4).

² Attachment A of the Motion indicates the 2,933 RECs have serial numbers 7675630-3600 to 3604 (Lempster Wind); 8002589-1823 to 3869 (Antrim Wind); 8338946-1 to 689 (Antrim Wind); and 8682844-9993 to 10184 (Bull Hill Wind).

asserted that these RECs were intended to be used for Rhode Island RES compliance and no other purpose.³ In an affidavit signed by the Vice President of Regulatory Affairs, MP2 committed to using the 2,933 RECs only for the purpose of meeting its 2022 RES obligation and not for any other purpose.⁴ Denial of the motion would require MP2 to make substantial ACPs despite purchasing the RECs to meet the Rhode Island RES.⁵

Because the settlement period has closed, the RECs in question cannot be used to satisfy another stated renewable portfolio standard. However, to satisfy a concern that MP2 could have relied on the 2,933 RECs to satisfy any claim to end users that they were providing a renewable energy product in excess of the state minimum, the Commission issued data requests. In response MP2 advised that “[i]n Compliance Year 2022, all MP2 Energy NE LLC d/b/a Shell Energy Solutions Rhode Island load was served under product offerings that only included the mandatory renewable energy standard percentage.” Therefore, the Commission is satisfied that the RECs in question were not used for another purpose.

After consideration of the facts presented by the Movant, at an Open Meeting held on December 19, 2023, the Commission approved MP2’s request. MP2 had purchased the Rhode Island eligible RECs to meet the Rhode Island RES and the RECs were settled in a Rhode Island specific subaccount. The RECs will not be used for another commercial or regulatory purpose. Purchase of the RECs supported new renewable energy resources. Thus, based on these facts, requiring MP2 to make ACPs through a denial of the motion would likely lead to an inequitable result.

Accordingly, it is hereby,

³ Mot. at 1-2.

⁴ Dearman Affidavit at 1-2.

⁵ *Id.*

(24884) ORDERED:

1. MP2 Energy NE LLC dba Shell Energy Solutions is authorized to count the 2,933 RECs identified in Attachment A of the subject Motion toward meeting its 2022 Renewable Energy Standard compliance.

EFFECTIVE AT WARWICK, RHODE ISLAND ON DECEMBER 19, 2023,
PURSUANT TO AN OPEN MEETING DECISION ON DECEMBER 19, 2023. WRITTEN
ORDER ISSUED DECEMBER 21, 2023.

PUBLIC UTILITIES COMMISSION



Ronald T. Gerwatowski, Chairman



Abigail Anthony, Commissioner



John C. Revens, Jr., Commissioner

NOTICE OF RIGHT OF APPEAL: Pursuant to R.I. Gen. Laws § 39-5-1, any person aggrieved by a decision or order of the PUC may, within seven days from the date of the order, petition the Rhode Island Supreme Court for a Writ of Certiorari to review the legality and reasonableness of the decision or order.