

**Constellation NewEnergy, Inc.
Renewable Portfolio Standard
Oregon Compliance Report
2021**

As an introduction and summary of the Compliance Report, answer the following questions:

Why is Constellation NewEnergy, Inc. submitting a Compliance Report? What information was used as the basis of this Compliance Report?

Constellation NewEnergy, Inc. (“CNE”), an electricity service supplier, is submitting a Compliance Report pursuant to ORS 469A.065 and OAR 860-083-0350. CNE’s records for its 2021 total retail electricity sales in Oregon were used as the basis for this Compliance Report.

Did the company meet its Renewable Portfolio Standard (RPS) target, and if not, describe in detail why not?

Yes.

Provide the following information in response to the requirements of OAR 860-083-0350:

OAR 860-083-0350(2)(a)
The total number of megawatt-hours sold to retail electricity consumers covered by ORS 469A.052 by the electric company or sold in the service areas of each electric company covered by ORS 469A.052 by the electricity service supplier.

CONFIDENTIAL INFORMATION REMOVED AND SUBMITTED SEPARATELY

OAR 860-083-0350(2)(b)
The total number of renewable energy certificates, identified as either unbundled or bundled certificates, acquired in the compliance year and used to meet the renewable portfolio standard.

CONFIDENTIAL INFORMATION REMOVED AND SUBMITTED SEPARATELY

OAR 860-083-0350(2)(c)

The total number renewable energy certificates, identified as either unbundled or bundled certificates, acquired on or before March 31 of the year following the compliance year and used to meet the renewable portfolio standard.

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OAR 860-083-0350(2)(d)

The total number and cost of unbundled renewable energy certificates, identified as either banked or non-banked certificates, used to meet the renewable portfolio standard.

CONFIDENTIAL INFORMATION REMOVED AND SUBMITTED SEPARATELY

OAR 860-083-0350(2)(e)

The total number of banked bundled renewable energy certificates that were used to meet the renewable portfolio standard.

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OAR 860-083-0350(2)(f)

The total number of renewable energy certificates, identified as either bundled or unbundled certificates, issued in the compliance year that were banked to serve Oregon electricity consumers.

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OAR 860-083-0350(2)(g)

For electric companies, unless otherwise provided under subsection (2)(k) of this rule, the total number of renewable energy certificates included in the rates of Oregon retail electricity consumers that were sold since the last compliance report, including:
(A) The names of the associated generating facilities; and
(B) For each facility, the year or years the renewable energy certificates were issued.

Response: Not applicable as CNE is not an electric company.

OAR 860-083-0350(2)(h)

Unless otherwise provided under subsection (2)(k) of this rule, for each generating facility associated with the renewable energy certificates included in subsections (2)(b), (c), (f), or (g) of this rule the following information:

- (A) The name of the facility;
- (B) The county and state where the facility is located;
- (C) The type of renewable resource;
- (D) The total nameplate megawatt capacity of the facility;
- (E) For an electric company, the Oregon share of the nameplate megawatt capacity of the facility;
- (F) The year of the first delivery of qualifying electricity or the first year of the contract for the purchase of unbundled renewable energy certificates; and
- (G) The duration of the contract or the amortization period of a facility owned by the electric company or the planned lifetime of a facility owned by the electricity service supplier.

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OAR 860-083-0350(2)(i)

The amount of alternative compliance payments the electric company or electricity service supplier elected to use or was required to use to comply with the applicable renewable portfolio standard.

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OAR 860-083-0350(2)(j)

For an electric company, sufficient data, documentation, and other information to demonstrate that any voluntary alternative compliance payments were a reasonable compliance method.

Response: Not applicable as CNE is not an electric company.

OAR 860-083-0350(2)(k)

Documentation of use of renewable energy certificates from the system under OAR 330-160-0020 established for compliance with the applicable renewable portfolio standard.

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OAR 860-083-0350(2)(l)

For each electric company, a detailed explanation of any material deviations from the applicable implementation plan filed under OAR 860-083-0400, as acknowledged by the Commission.

Response: Not applicable as CNE is not an electric company.

OAR 860-083-0350(2)(m)

As specified in OAR 860-083-0100, the total number and cost of bundled renewable energy certificates used for compliance.

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OAR 860-083-0350(2)(n)

For each electric company, its projected annual revenue requirement as calculated in OAR 860-083-0200 and its total cost of compliance.

Response: Not applicable as CNE is not an electric company.

OAR 860-083-0350(2)(o)

For each electricity service supplier, its total cost of compliance, its average cost of compliance, and its cost limit as specified in OAR 860-083-0300(2), including all calculations.

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OAR 860-083-0350(2)(p)

For each electric company, an accounting of the use of the renewable energy certificates and alternative cost payments consistent with OAR 860-083-0300(3) if the cost limit in ORS 469A.100(1) is reached for the compliance year.

Response: Not applicable as CNE is not an electric company.

OAR 860-083-0350(2)(q)

For each electricity service supplier, an accounting of the use of the renewable energy certificates and alternative cost payments consistent with OAR 860-083-0300(3) if the cost limit in OAR 860-083-0300(2) is reached for the compliance year.

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OAR 860-083-0350(2)(r)

As specified in OAR 860-083-0100, the number and total cost of all bundled renewable energy certificates issued.

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OAR 860-083-0350(2)(s)

As specified in OAR 860-083-0100, the number and total cost of bundled renewable energy certificates issued that are associated with new qualifying electricity since the last compliance report.

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OAR 860-083-0350(2)(t)

For each electric company or electricity service supplier that, pursuant to ORS 469A.145(3), used unbundled renewable energy certificates associated with electricity generated in this state by a qualifying facility as defined in OAR 860-029-0010(27) to fulfill more than 20 percent of the requirements of the applicable renewable portfolio standard, the report specified in section (1) of this rule must include the following information for each generating facility associated with the unbundled renewable energy certificates that exceed 20 percent of the RPS.

- (A) The name of the qualifying facility;
- (B) The site address and county in Oregon where the qualifying facility is located; and
 - (i) A copy of the most recent document produced by the Oregon Department of Energy that lists the qualifying facility in question as one of the qualifying facilities located in Oregon that is eligible to create renewable energy certificates to satisfy the Oregon renewable portfolio standards; or
 - (ii) A copy of the qualifying facility’s power purchase agreement requiring maintenance of qualifying facility status and a copy of the qualifying facility’s certification document as filed with the Federal Energy Regulatory Commission.

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OAR 860-083-0350(6)

Each electric company subject to ORS 469A.052 and each electricity service supplier subject to ORS 469A.065 must post on its web site the public portion of the four most recent annual compliance reports required under this rule and provide a copy of the most recent such report to any person upon request. The public portions of the most recent compliance report must be posted within 30 days of the Commission decision in section (5) of this rule. The posting must include any Commission determinations under section (5) of this rule.

Response: CNE will comply with this requirement.

OAR 860-083-0350(7)

Consistent with Commission orders for disclosure under OAR 860-038-0300, each electric company subject to ORS 469A.052 and each electricity service supplier subject to ORS 469A.065 must provide information about its compliance report to its customers by bill insert or other Commission-approved method. The information must be provided within 90 days of the Commission decision in section (5) of this rule or coordinated with the next available insert required under OAR 860-038-0300. The information must include the URL address for the compliance reports posted under section (6) of this rule.

Response: CNE will comply with this requirement.