

THE PUBLIC UTILITIES COMMISSION OF OHIO

ENTRY

- (1) On July 26, 2002, the city of Oregon, Ohio, (Oregon) filed an application for certification to provide natural gas governmental aggregation services in Ohio. On August 27, 2002, the Commission issued Certificate No. 02-33(1) to Oregon, allowing it to provide government aggregation service. The expiration date for Certificate 02-33(1) was August 24, 2004.
- (2) Rule 4901:1-27-09(A), Ohio Administrative Code, provides that a governmental aggregator wishing to renew a certificate shall file a renewal application "[n]o less than thirty and no more than one hundred twenty days prior to the expiration date . . ."
- (3) On August 6, 2004, Oregon filed an application for renewal of its certificate. On September 7, 2004, Oregon filed an amended application for renewal. On September 16, 2004, the Commission issued Certificate No. 02-33(2), with an expiration date of September 6, 2006.
- (4) On August 30, 2006, Oregon filed an application for renewal of its certificate, together with a motion for extension of the expiration date. The motion was granted by entry issued on September 5, 2006. The Commission issued Certificate No. 02-33(3), with an expiration date of September 30, 2008.
- (5) On October 14, 2008, Oregon filed a renewal application and a motion, under consideration here, for an extension of the expiration date of Certificate No. 02-33(3).
- (6) In its 2008 motion for an extension, Oregon states that, as a result of an inadvertent oversight, it failed to file its renewal application within the required time frame. Oregon also states

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that there have been no material changes in the operation of its aggregation program and that, except for the automatic expiration date of its certificate, it has done nothing to warrant suspension or rescission of its authority. It also asserts that failure to grant the extension would cause disruption in service to its residents. Oregon requests that the Commission extend the expiration date of its certificate from September 30, 2008, to November 15, 2008.

- (7) The examiner believes that an extension of the expiration date of Certificate No. 02-33(3) to November 14, 2008, is warranted, so that Oregon's aggregation participants will not be adversely affected while its renewal application is under consideration. However, the examiner also notes that Oregon has repeatedly failed to conform to the filing requirements for renewal applications. Indeed, every one of its renewal applications has been filed beyond the required deadline. In the present filing, Oregon did not even file its application until after its certificate had actually expired. As a result, Oregon appears to be in violation of not only the rule setting the timing requirements for renewal applications but also the rule requiring aggregators to maintain a valid certificate. Rules 4901:1-27-07(A) and 4901:1-27-03, Ohio Administrative Code. Oregon is cautioned that filing an application for renewal on a timely basis is important. The next such filing should be made in compliance with the governing rule. Failure to do so could lead to certificate suspension or rescission or to the assessment of civil forfeitures by the Commission.

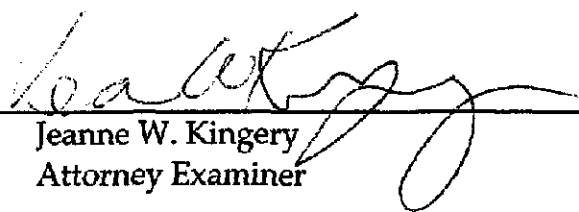
It is, therefore,

ORDERED, That Oregon's motion for an extension of the certificate expiration date be granted to the extent set forth herein. It is, further,

ORDERED, That the September 30, 2008, expiration date of Certificate No. 02-33(3) be extended to November 14, 2008. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: 
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Attorney Examiner

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Renee J. Jenkins
Secretary