

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Stand)
Energy Corporation for Certification as a) Case No. 02-2549-GA-CRS
Competitive Retail Natural Gas Supplier)
in Ohio.)

ENTRY

The attorney examiner finds:

- (1) On October 4, 2002, Stand Energy Corporation (Stand) filed an application for certification to provide competitive retail natural gas services in Ohio. On November 6, 2002, the Commission issued Certificate No. 02-043(1) to Stand, allowing it to provide competitive retail natural gas services. The expiration date for Certificate 02-043(1) was November 3, 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 November 3, 2004, the day its certificate was scheduled to expire, Stand filed an application for renewal of its certificate, together with filed a motion for extension of the expiration date of its certificate and expedited review of its application for renewal. The motion for an extension was granted on November 30, 2004. On December 10, 2004, the Commission issued Certificate No. 02-043(2), with an expiration date of December 4, 2006.
- (4) On November 6, 2006, Stand filed an application for further renewal of its certificate. On December 15, 2006, the Commission issued Certificate No. 02-043(3), with an expiration date of December 7, 2008.
- (5) On November 17, 2008, Stand once again filed a renewal application. On November 25, 2008, it filed a motion, under consideration here, for an extension of the expiration date of Certificate No. 02-043(3) or, in the alternative, for expedited consideration of the renewal application.
- (6) In its 2008 motion for an extension, Stand states that it "simply misinterpreted the deadline to file for renewal as being prior to the expiration of the existing certificate." It suggests that the Commission

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should find that its failure to recognize the filing deadline was the result of inadvertence and excusable neglect. Stand points out that its renewal application contains no adverse information or material changes and that it has done nothing to warrant suspension or revocation of its operating authority. In addition, Stand pleads that revocation or suspension of its authority would cause irreparable harm to it and its customers.

- (7) The examiner believes that an extension of the expiration date of Certificate No. 02-043(3) to December 18, 2008, is warranted, so that Stand's customers will not be adversely affected while its renewal application is under consideration. However, the examiner also notes that this is the third time that Stand has failed to conform to the filing requirements for renewal applications. Stand 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 Stand's motion for an extension of the certificate expiration date be granted to the extent set forth herein. It is, further

ORDERED, That the December 7, 2008, expiration date of Certificate No. 02-43(3) be extended to December 18, 2008. It is, further,

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

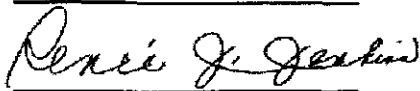
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jeanne W. Kingery
Attorney Examiner

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Entered in the Journal

DEC 05 2008



Renee J. Jenkins
Secretary