## THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Filing of Annual Reports ) for Calendar Year 2008 by Regulated Public )

Case No. 09-01-AU-UNC

Utilities, Railroads and Service Providers. )

In the Matter of the Expansion of the , ) Electronic Filing Pilot Project and Waiver of )
Procedural Rules 4901-1-02 to 4901-1-04, )
Ohio Administrative Code.

## ENTRY

The Commission finds:
(1) Section 4905.14, Revised Code, requires that every public utility, as defined by Section 4905.02 , Revised Code, shall file an annual report with the Public Utilities Commission of Ohio at the time and in the form prescribed by the Commission. Section 4907.20, Revised Code, requires that a railroad company complete forms submitted to it by the Public Utilities Commission of Ohio. Section 4928.06, Revised Code, requires every certified competitive retail electric service (CRES) provider to file an annual report of sales and receipts for those services for which it is subject to certification. Section 4929.23, Revised Code, requires every retail natural gas supplier (gas marketer) and governmental aggregator to file an annual report of sales and receipts for those services for which it is subject to certification. The Commission notes that although governmental aggregators must file the annual report, they will likely have no reportable sales or receipts since a supplier will be reporting those sales.
(2) The secretary of the Commission shall send the appropriate form of the annual report to all certified public utilities, CRES providers, gas marketers, governmental aggregators and railroads on the list attached to this order. The public utilities, CRES providers, gas marketers, governmental aggregators and railroads shall file the appropriate annual report to the address listed below by April 30, 2009:

[^0](3) Section 4905.14, Revised Code, also requires that every public utility, except railroads, file a copy of its annual report with the Ohio Consumers' Counsel (OCC) at the same time that the report is filed with the Commission. Each CRES provider, gas marketer and governmental aggregator should also submit a copy of its annual report to OCC. Accordingly, each public utility, CRES provider, gas marketer and governmental aggregator shall send a copy of its annual report or assessment report to:

Ohio Consumers' Counsel<br>State of Ohio<br>10 West Broad Street, Suite 1800<br>Columbus, Ohio 43215-3485

(4) Each company that had an active certificate from the Commission during calendar year 2008 must file an annual report with the Commission. An annual report must be filed even if the company was not in business or did not have intrastate gross earnings during calendar year 2008. Failure to file an annual report may result in revocation of a company's certificate of authority to operate in Ohio.
(5) Each company's annual report must be filed under the exact name that its certificate was issued unless the company has a formal case pending to inform the Commission of a name change. Any such pending case number should be referenced in the annual report filing. If the company has not yet filed a formal name change notification with the Commission, the company's annual report filing should reflect the prior name of the company (as reflected in its existing certificate), along with the designation "dba (insert the new company name)." In addition, a formal name change filing should be submitted to the Commission to reflect this change.
(6) All public utilities and railroads are reminded that, pursuant to Section 4905.54, Revised Code, failure to comply with the Commission's directive could result in the assessment of substantial penalties. All information submitted by the public utilities, CRES providers, gas marketers, governmental aggregators and railroads required to file this report is subject to audit by the Commission. All annual reports received by the Commission are considered public records and will not be accorded confidential treatment.
(7) To promote efficiency and reduce expenses, the Commission has established a pilot program in Case No. 06-900-AU-WVR (06-900) to permit the electronic filing of documents via the internet ( E filing) using the Commission's Docketing Information System (DIS), pursuant to Ohio's Uniform Electronic Transactions Act, Chapter 1306, Revised Code. The procedures established in that case provide for the voluntary participation of parties who agree to conventions for validation of filings and signatures, electronic service of documents, and waiver of certain requirements contained in Rules 4901-1-02 to 4901-1-04, Ohio Administrative Code, (O.A.C.). Under the pilot program, these rules are relaxed to the extent necessary to permit the E-filing of certain documents, and in specific industries or case types. A list of the permitted filings is posted under the electronic filing information link at www.puco.ohio.gov/puco/docketing/.
(8) The Commission's staff now believes this E-filing pilot program should be expanded to include the filing of annual reports. The Commission is considering the use of electronic service and filing of these reports to increase efficiencies and reduce the costs for both the filers and the Commission. Accordingly, the Commission expects all filers to cooperate in exploring the feasibility of moving toward a paperless filing process. For this year, however, the Commission deems it appropriate to conduct parallel testing and all filers shall make the traditional paper filing, but should also attempt to file electronically, as instructed by staff.
(a) Each filer should subscribe to the appropriate industry listserve by going to the above website. The Commission will explore the use of industry service lists to send notices, forms, and the like for annual reports, rule-making procedures, and other industryspecific communications. As the Commission may ultimately eliminate the traditional paper mailing service used for such purposes, all filers should take appropriate actions to ensure that electronic mail service from the Commission is not blocked or disabled. In addition, multiple addresses can be subscribed to each industry list to ensure that service is completed.
(b) Each filer will receive appropriate instructions, attached to this entry, for the applicable industry or industries. As in previous years, natural gas distribution companies may create their reports through the Commission's web application. For this year, the web application will be expanded to include creating reports for all local exchange telephone companies. In addition to the report creation application, both natural gas distribution companies and local exchange telephone companies should file the signed reports in Case No. 09-1-AU-UNC through the DIS E-filing procedures established in $06-900$, or file comments regarding any problems experienced in attempting to do so.
(c) In order to participate in the DIS E-filing pilot program, individual filers who have not previously submitted a participation agreement should complete and submit, via fax or paper, the form posted under the electronic filing information link noted above. Filers who have not already done so should also obtain a username and password, and submit an E-filing profile following the instructions posted at www.puco.ohio.gov/puco/docketing. The system does not permit any E-filing until a participation agreement is received and the user's profile has been approved by the Commission's Docketing Division.
(d) For industries other than natural gas distribution and local exchange telephone companies, the electronic version should be filed in Case No. 09-1-AU-UNC. The reports should be created from electronic forms provided by the Commission or scanned images to create a portable document format (PDF) version. The PDF file must be modifiable (unlocked/no password protection), which becomes the official filed document upon successful upload and insertion of a final confirmation page bearing the time and date of filing. This official PDF file is also automatically password protected by the system to facilitate validation in subsequent use when the file is not directly downloaded from DIS.
(e) No confidential documents should be E-filed, as all E-filings are posted to the web and become publicly accessible upon approval by the PUCO Docketing Division. Filings submitted after 5:30 p.m. and accepted by Docketing are deemed filed on the following business day. E-filers will use "/s/" followed by the signer's name to indicate a signature where applicable. E-filers are also required to comply with any other technical requirements posted on the Commission's website.

It is, therefore,
ORDERED, That the secretary of the Commission send to all public utilities shown on the attached list, a copy of this order (not including the attached list) with the appropriate form of the annual report and/or instructions for completion and filing by the utility. It is, further,

ORDERED, That the secretary of the Commission send to all railroad companies shown on the attached list, a copy of this order (not including the attached list) with the appropriate form of the annual report and/or instructions for completion and filing by the railroad. It is, further,

ORDERED, That the secretary of the Commission send to all CRES providers, gas marketers and governmental aggregators shown on the attached list, a copy of this order (not including the attached list) with the appropriate form of the annual report and/or instructions for completion and filing by the provider. It is, further,

ORDERED, That each listed public utility, CRES provider, gas marketer and governmental aggregator complete and return the appropriate annual report to the Commission no later than April 30, 2009, and send a copy to the Ohio Consumers' Counsel. It is, further,

ORDERED, That each railroad complete and return its annual report to the Commission no later than April 30, 2009. It is, further,

ORDERED, That the E-filing pilot project be expanded to include the filing of annual reports, as set forth above, and that waiver of procedural requirements contained in Rules 4901-1-02 to 4901-1-04, O.A.C., be granted to E-filing participants in accordance with this entry. It is, further,

ORDERED, That each regulated entity attempt to electronically file a copy of its annual report in Case No. 09-1-AU-UNC, and file any comments regarding any problems or issues in making the electronic filing.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


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 Glandorf Telephone Company，Inc．



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