

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of: :  
: Case No. 02-1828-GA-CRS  
Commerce Energy, Inc., dba:  
Just Energy, for a :  
Certification as a :  
Competitive Retail Natural:  
Gas Provider. :

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PROCEEDINGS

before Mr. Scott E. Farkas, Attorney Examiner, at the  
Public Utilities Commission of Ohio, 180 East Broad  
Street, Room 11-C, Columbus, Ohio, called at 10:03  
a.m. on Thursday, October 21, 2010.

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APPEARANCES:

Vorys, Sater, Seymour and Pease, LLP  
By Mr. M. Howard Petricoff  
and Mr. Stephen M. Howard  
52 East Gay Street  
Columbus, Ohio 43216-1008

On behalf of the Company.

Janine L. Migden-Ostrander  
Ohio Consumers' Counsel  
By Mr. Joseph P. Serio  
and Mr. Larry S. Sauer  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485

On behalf of the Residential  
Consumers of the State of Ohio.

Richard Cordray, Ohio Attorney General  
Public Utilities Section  
By Mr. John H. Jones  
180 East Broad Street, 9th Floor  
Columbus, Ohio 43215-3793

On behalf of the Staff of the Public  
Utilities Commission.

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1 Thursday Morning Session,  
2 October 21, 2010.

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4 THE ATTORNEY EXAMINER: The Commission  
5 has called for hearing at this time and place: In  
6 the Matter of the Application of Commerce Energy,  
7 Inc., dba Just Energy, for a Certification as a  
8 Competitive Retail Natural Gas Provider. It is case  
9 No. 02-1828-GA-CRS.

10 My name is Scott Farkas, an  
11 attorney-examiner assigned to hear this case. I will  
12 take appearances at this time.

13 on behalf of the applicant.

14 MR. PETRICOFF: Thank you. On behalf of  
15 the applicant, Commerce Energy, M. Howard Petricoff  
16 and Stephen Howard from the law firm of Vorys, Sater,  
17 Seymour and Pease, 52 East Gay Street, Columbus,  
18 Ohio.

19 THE ATTORNEY EXAMINER: On behalf of  
20 staff.

21 MR. JONES: Good morning, your Honor. On  
22 behalf of the staff of the Public Utilities  
23 Commission of Ohio, Ohio Attorney General Richard  
24 Cordray, Assistant Chief Rebecca Hussey, Assistant  
25 Attorney General John Jones, 180 East Broad Street

1 Columbus, Ohio 43215.

2 THE ATTORNEY EXAMINER: OCC.

3 MR. SERIO: Thank you, your Honor. On  
4 behalf of the residential utility customers in Ohio,  
5 Janine Migden-Ostrander, Consumers Counsel, by Joseph  
6 P. Serio and Larry S. Sauer.

7 THE ATTORNEY EXAMINER: Before we get  
8 started, are there any preliminary matters?

9 MR. JONES: Yes, your Honor. At this  
10 time we would like to make a request that staff and  
11 the other parties have additional time to explore and  
12 review different compliance options involved with  
13 this case. We continue to gather additional  
14 information, and we are still looking and reviewing  
15 that information, and for those reasons we would  
16 request additional time for the hearing date, your  
17 Honor.

18 THE ATTORNEY EXAMINER: Okay. And is  
19 that your understanding also?

20 MR. PETRICOFF: Yes, the applicant  
21 concurs with that, your Honor.

22 THE ATTORNEY EXAMINER: OCC.

23 MR. SERIO: We have no objection.

24 Before we get off the record, we want to  
25 make sure we have on the record that if there are any

1 members of the public here to testify, we provide  
2 that opportunity.

3 THE ATTORNEY EXAMINER: Okay. Before I  
4 rule on that motion, I'll open up an opportunity for  
5 any members of the public to provide any testimony if  
6 they so choose.

7 MR. SERIO: I wasn't sure if there was or  
8 not. I just wanted to make sure we had it on the  
9 record.

10 THE ATTORNEY EXAMINER: The record will  
11 reflect there are no members of the public present to  
12 make statements.

13 I appreciate your bringing that up.

14 As the OCC has no objection and the  
15 company and staff have requested further time to  
16 explore this matter, I will continue the hearing, and  
17 I'll set a date by an entry I'll issue in the next  
18 few days. We stand in recess until that date.

19 Thank you.

20 MR. SERIO: Thank you, your Honor.

21 MR. JONES: Thank you, your Honor.

22 MR. PETRICOFF: Thank you, your Honor.

23 (The hearing adjourned at 10:07 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Thursday, October 21, 2010, and carefully compared with my original stenographic notes.

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Rosemary Foster Anderson,  
Professional Reporter and  
Notary Public in and for  
the State of Ohio.

My commission expires April 5, 2014.  
(RFA-8532)

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**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 02-1828-GA-CRS**

Summary: Transcript Transcript of Commerce Energy hearing held on 10/21/10. electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Anderson, Rosemary Foster Mrs.