

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Diversegy, LLC for Certification as a) Case No. 12-2880-GA-AGG
Competitive Retail Natural Gas)
Aggregator/Broker.)

ENTRY

The attorney examiner finds:

- (1) On October 30, 2012, Diversegy, LLC, (Diversegy or Company) filed an application for certification as a competitive retail natural gas aggregator/broker.
- (2) On December 3, 2012, the Commission issued Certificate No. 12-279G(1) to Diversegy, to provide retail natural gas aggregator/broker services. The expiration date for Certificate No. 12-279G(1) is November 30, 2014.
- (3) Ohio Adm.Code 4901:1-27-09(A) provides that a retail natural gas supplier 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 * * *.”
- (4) On November 12, 2014, Diversegy filed a motion for extension of the expiration date of Certificate No. 12-279G(1).
- (5) In the memorandum in support of its motion for an extension, Diversegy states that, under Ohio Adm.Code 4901:1-24-09(A), the Company’s renewal application was due to be filed no less than 30 days prior to the expiration date of its certificate, or October 31, 2014. Diversegy states that it has not yet filed its renewal application; therefore, the Company requests the additional time in order to complete the preparation of its renewal application and supporting exhibits. Further, Diversegy requests that its certificate, No. 12-279(G)(1), be automatically extended for 30 days as permitted in Ohio Adm.Code 4901:1-24-09(A).
- (6) The attorney examiner initially notes that Diversegy cites to a rule applicable to Competitive Retail Electric Service providers, Ohio Adm.Code 4901:1-24-09(A); however, Ohio Adm.Code

4901:1-27-09(A), which applies to Competitive Retail Natural Gas Service providers and which is effective until December 1, 2014, has no automatic renewal process at this time. The examiner, nonetheless, believes that an extension of the expiration date of Certificate No. 12-279G(1) is warranted. The examiner, therefore, finds that an extension of that expiration date, until December 30, 2014, would allow adequate time for Diversegy to file its renewal application and for the Commission to review Diversegy's filing.

- (7) Although this is Diversegy's initial attempt to renew its certificate, the examiner would also stress that filing an application for renewal on a timely basis is important. Subsequent renewal filings should be made in compliance with the governing rule.

It is, therefore,

ORDERED, That the motion for an extension of Diversegy's certificate expiration date be granted. It is, further,

ORDERED, That the November 30, 2014, expiration date of Certificate No. 12-279G(1) be extended to December 30, 2014. It is, further,

ORDERED, That Diversegy comply with finding (7). It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Kerry K. Sheets

By: Kerry K. Sheets
Attorney Examiner

jrj/vrm

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in

Case No(s). 12-2880-GA-AGG

Summary: Attorney Examiner Entry directing that Diversegy's motion for an extension of the expiration date of its certificate be granted. Further, the entry orders that the November 30, 2014, expiration date of Certificate No. 12-279G(1) be extended to December 30, 2014; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio