

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Annual Reports for        )  
the Fiscal Assessment of all Regulated        )   Case No. 15-01-AU-RPT  
Entities for Calendar Year 2014                )**

**APPLICATION FOR REHEARING AND MOTION FOR SPECIAL ORDER OF STAY  
OF NATIONWIDE NEW ENERGY MANAGEMENT GROUP, LLC**

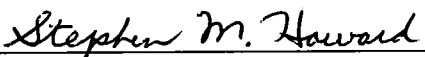
Pursuant to Section 4903.10, Revised Code and Rule 4901-1-35(A) of the Ohio Administrative Code, Nationwide New Energy Management Group, LLC (“NNEMG”) respectfully applies for rehearing from the Commission’s September 14, 2016 Third Finding and Order and from the determination that NNEMG’s Certificate 14-786E(2) be revoked for NNEMG’s failure to pay the \$100 PUCO Assessment. As more fully discussed in the accompanying Memorandum in Support, NNEMG submits that the Commission’s Third Finding and Order is unreasonable and unlawful. NNEMG did file its 2014 Annual Report, but due to an administrative oversight, it did not pay the minimum \$100 assessment applicable to competitive retail electric service providers relating to the PUCO. NNEMG has since worked with the Ohio Attorney General’s Office and paid the \$100 assessment plus interest and fees. See Attachment A. Revoking NNEMG’s certificate would result in irreparable harm and a disruption of service to its customers. The extraordinary sanction of revoking the NNEMG certificate is unreasonable, unlawful and inappropriate. In addition, NNEMG respectfully requests that any civil forfeiture assessed against it be waived.

NNEMG respectfully moves for a special Order pursuant to Section 4903.10(B), Revised Code to stay the revocation of its certificate until such time as the Commission has had an opportunity to consider this Application for Rehearing. If the Commission acts on the

Application for Rehearing without first granting the requested stay, NNEMG requests that its certificate be reinstated retroactively to the date of September 14, 2016.

WHEREFORE, NNEMG respectfully requests that the Commission grant its Application for Rehearing, reinstate its Certificate No. 14-786E(2) and waive any civil forfeiture assessed against it. NNEMG further requests that the Commission stay the revocation of its certificate pending its ruling on this Application for Rehearing.

Respectfully submitted,



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Attorney for Nationwide New Energy Management  
Group, LLC

**BEFORE  
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**In the Matter of the Annual Reports for        )  
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**MEMORANDUM IN SUPPORT**

On September 14, 2016, the Public Utilities Commission of Ohio (“the Commission”) identified certain regulated entities that failed to pay their 2014 fiscal assessments and directed that each listed certificate be rescinded, that each company must immediately cease providing regulated service in Ohio, and immediately notify any Ohio jurisdictional customers being served that the company is no longer permitted to operate under such authority. The Commission indicated that any company that continued to provide regulated service under a cancelled certificate may be subject to a forfeiture up to \$1,000 per day under Section 4905.54, Revised Code. The Commission also directed its Docketing Division to notify each listed company and to remove each listed certificate from the Commission’s regulated company list. Further, the Commission directed its Fiscal Division to certify any unpaid assessments or forfeiture amounts owed to the Commission by each listed company to the Attorney General for collection, pursuant to Section 131.02, Revised Code.

NNEMG is located in McKinney, Texas and has been issued a competitive retail electric service provider renewal certificate in Case No. 14-238-EL-AGG in March of 2016.

NNEMG filed its competitive retail electric service provider annual report, but due to an administrative oversight, it did not pay its \$100 assessment to the PUCO.

NNEMG now understands that it must pay the PUCO assessment invoice and the OCC assessment invoice each year. NNEMG apologizes for this oversight and will implement any

necessary process to ensure that all assessments are paid in a timely manner in the future. NNEMG has now worked with the Ohio Attorney General's Office and has now paid the \$100 assessment plus interest and fees. See Attachment A.

NNEMG believes that revoking its certificate and subjecting it to a \$1,000 civil forfeiture is unreasonable and unlawful because it is disproportionate to the offence of failing to pay the minimum assessment when the failure to pay was inadvertent, when it timely filed its competitive retail electric service annual report, and when it has now paid the minimum \$100 assessment.

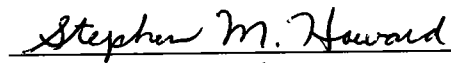
NNEMG respectfully submits that the rescission of its certificate and any imposition of a \$1,000 civil forfeiture is unreasonable and unlawful under the circumstances. NNEMG also seeks a special Order from the Commission staying the revocation of its certificate until the Commission has an opportunity to consider its Application for Rehearing. Special Orders of this type are specifically contemplated by Section 4903.10(B), Revised Code.

In view of any harm that NNEMG would suffer if the certificate is not reinstated, NNEMG respectfully requests that the Commission issue a special Order staying the Third Finding and Order revoking its certificate until the Commission has had an opportunity to consider the Application for Rehearing. However, in the event that the Commission elects to act on the Application for Rehearing, without considering the Motion for a Stay, NNEMG respectfully requests that the Commission reinstate its certificate retroactive to September 14, 2016 so that NNEMG will not be subject to additional penalties for continuing to serve its customers during the period its rehearing application was pending.

WHEREFORE, Nationwide New Energy Management Group, LLC respectfully requests that the Commission grant its Application for Rehearing, reinstate its Certificate No. 14-786E(2)

and waive any previously assessed civil forfeiture. NNEMG further requests that the Commission stay the revocation of its certificate pending its ruling on the Application for Rehearing.

Respectfully submitted,



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Attorney for Nationwide New Energy Management  
Group, LLC

## **ATTACHMENT A**

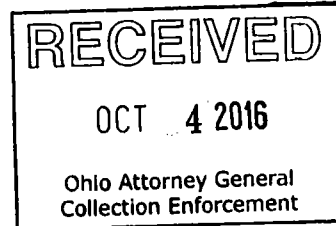


Office of the Ohio Attorney General  
Collections Enforcement Section  
150 E. Gay Street  
Columbus, OH 43215-3191



September 25, 2016

#BWBBKXM  
#0759 1500 5547 1748#  
Nationwide New Energy Mgmt Grp  
Gary Boyer  
Po Box 3077  
Mckinney TX 75070



Re: TINA WATKINS  
PUBLIC UTILITIES EXCISE TAX  
Account No.: 14305330

Dear Sir or Madam:

The above new account(s) for collection have been certified pursuant to Ohio Revised Code Section 131.02, from TINA WATKINS to the Ohio Attorney General's Office for collection. Please provide payment of this account within 10 days of receipt of this letter.

Payment can be made using one of the following methods:

1. Make a payment online at [www.ohioattorneygeneral.gov/business/pay](http://www.ohioattorneygeneral.gov/business/pay)
2. Make a phone payment at (888)246-0688.
3. Mail a certified check or money order, payable to the Ohio Treasurer of State. Please include the account number on the check, include the attached invoice and mail to the address on the invoice.

Interest, fees and penalties will accrue and apply to this account. If your account is not paid, collection efforts may include liens, attachments, foreclosures, garnishments, sheriff's sales, cancelled or denied liquor permits, capturing your state tax refunds, lottery winning and/or unclaimed funds. In addition, your account could be turned over to an attorney for further appropriate legal action.

If you have any questions or would like to discuss this matter, please contact an account representative at (888)246-0688  
Thank you for your immediate attention to this matter. If you have already made payment on this debt, please disregard this letter.

Sincerely,

Lisa Iannotta  
Chief, Collections Enforcement

LTTR21  
Attachment



Nationwide New Energy Mgmt Grp  
Gary Boyer  
Po Box 3077  
Mckinney TX 75070

1. Personal Checks: May take up to 14 days to clear both our bank and your bank. If possible, we suggest using credit card or money order for faster processing.
2. If you send a payment for less than full amount and the check, money Order or transfer order contains a notation such as "paid in full" or other words of restriction, the payment may be refused and returned to you. Or, it may be cashed and applied to your account but you will still be responsible for the remaining balance. You should always verify your balance as delinquent accounts are subject to fees and interest charges.
3. If mailed, (regardless of where you live) payments should be sent to:  
  
Ohio Attorney General  
P.O. Box 89471  
Cleveland, OH 44101-6471.
4. If you are submitting payment on a disputed account or are submitting a restrictively endorsed payment, please send both the payment and your reasons for the dispute in writing to:

Ohio Attorney General  
150 East Gay Street, 21st Floor  
Columbus OH 43215

Please note that a disputed payment does not stop collection activity. Interest and collection fees continue to accrue during the pendency of any dispute. Collection efforts such as bank attachments, wage garnishments and debtor examinations may continue during the pendency of any dispute

-----  
PLEASE RETURN THIS PORTION WHEN SUBMITTING YOUR PAYMENT

Nationwide New Energy Mgmt Grp  
Gary Boyer  
Po Box 3077  
Mckinney TX 75070

Amount Enclosed \$111.00  
Amount Due: \$110.04  
Account No.: 14305330

09-25-16 14305330

Mail to:

Ohio Attorney General  
PO Box 89471  
Cleveland, OH 44101-6471



\* A 1 4 3 0 5 3 3 0 C U P U 1 0 0 1 \*





Office of the Ohio Attorney General  
Collections Enforcement Section  
150 E. Gay Street  
Columbus, OH 43215-3191

Nationwide New Energy Mgmt Grp  
September 25, 2016  
Attachment

CRN: 1273  
DRL: 1273  
Account No.: 14305330  
Creditor: PUBLIC UTILITIES EXCISE TAX

This account represents:

AMOUNT	INTEREST	FEES	TOTAL
100.00	0.04	10.00	110.04

IN FILE: 2015 ASSESSMENT FOR THE MAINTENANCE OF PUCO DT 9/30/15

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

MONEY ORDER

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

CHASE 

Date 09/30/2016

1194409871

440

Pay To The  
Order Of:Ohio Treasury of State

\$\*\* 111.00 \*\*

Pay:

ONE HUNDRED ELEVEN DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00.

Do not write outside this box

Memo: Account No. 14305330  
Note: For information only. Comment has no effect on bank's payment.

SENDER/DRAWER:

National de New Energy M.G.  
4825 Fox Road, McKinney, TX, 75071

ADDRESS:

JPMorgan Chase Bank, N.A.  
Columbus, OHSecurity  
Features  
Details on  
Back

⑈ 1194409871 ⑆ ⑆ 044000037⑆ 758661243⑈

RECEIVED

OCT 4 2016

Ohio Attorney General  
Collection Enforcement



Office of the Ohio Attorney General  
Collections Enforcement Section  
150 E. Gay Street  
Columbus, OH 43215-3191

RECEIPT OF PAYMENT FOR ACCOUNT#: 14305330

Payment Receipt#: 27160

Receipt Date : 10-04-2016

Received From : NATIONWIDE NEW ENERGY

Account Name : NATIONWIDE NEW ENERGY MGMT GRP

CRN : 1273

DRL : x1273

Client Name : PUBLIC UTILITIES EXCISE TAX  
TINA WATKINS

Payment Amount : 111.00

Payment Type : MONEY ORDER

Additional Account Information:

1. #14305330

2.

3.

BY

A handwritten signature in black ink, appearing to be "G W J", written over a horizontal line.

11:26:07 04 OCT 2016

Collections Enforcement

PHONE 614.466.8360 FAX 614.752.9070 [www.ohioattorneygeneral.gov](http://www.ohioattorneygeneral.gov)

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

**Commission of Ohio Docketing Information System on**

**10/4/2016 11:49:03 AM**

**in**

**Case No(s). 15-0001-AU-RPT**

Summary: App for Rehearing Application for Rehearing and Motion for Special Order of Stay electronically filed by Mr. Stephen M Howard on behalf of Nationwide New Energy Management Group, LLC