

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's
Investigation into Verde Energy USA
Ohio, LLC's Compliance with the Ohio
Administrative Code and Potential
Remedial Actions for Non-Compliance

CASE NO.: 19-0958-GE-COI

EXPEDITED RULING REQUESTED

**JOINT AND UNOPPOSED MOTION
TO EXTEND PROCEDURAL SCHEDULE**

Verde Energy USA Ohio, LLC ("Verde Energy"), the Staff of the Public Utilities Commission of Ohio ("Staff"), intervenor the Office of the Ohio Consumers' Counsel ("OCC"), and intervenor Interstate Gas Supply, Inc. ("IGS") jointly and respectfully move the Public Utilities Commission of Ohio ("Commission") for an extension of the testimony filing and hearing date in this proceeding, for good cause as set forth in the attached memorandum in support. All parties join in this request with no opposition.

Specifically, the parties jointly request the following revised testimony and hearing dates, as discussed further in the attached memorandum.

Direct Testimony	May 31, 2019
Hearing	June 10, 2019 and June 14, 2019 (second day if necessary)

May 15, 2019

Respectfully jointly submitted,

/s/ David F. Proaño

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EXPEDITED RULING REQUESTED

**MEMORANDUM IN SUPPORT OF JOINT AND UNOPPOSED MOTION
TO EXTEND PROCEDURAL SCHEDULE**

Verde Energy USA Ohio, LLC ("Verde Energy"), the Staff of the Public Utilities Commission of Ohio ("Staff"), intervenor the Office of the Ohio Consumers' Counsel ("OCC"), and intervenor Interstate Gas Supply, Inc. ("IGS") jointly and respectfully move the Public Utilities Commission of Ohio ("Commission") for an extension of the testimony filing and hearing dates in this proceeding.

Specifically, testimony is currently due on May 17, 2019, and the hearing is currently scheduled for May 22, 2019. The parties jointly request the following revised testimony and hearing dates:

Direct Testimony	May 31, 2019
Hearing	June 10, 2019 and June 14, 2019 (second day if necessary)

Good cause supports this good faith request, and the parties confirm that they are all available on the proposed rescheduled hearing dates. In addition, after consultation, the parties believe a second day of hearing may be required given the nature of this proceeding and voluminous record and testimony that is anticipated.

First, Verde Energy's corporate representative for the trial, Interim General Counsel for parent company Spark Energy, Inc., Alexis Keene, is unavailable on the current hearing date of Wednesday May 22 due a long-standing commitment to preside at the yearly shareholder meeting as Spark Energy, Inc.'s Corporate Secretary. In addition, the parties have conferred and agree that a second day is likely required to complete the hearing. This proceeding involves a voluminous record, and the parties expect that multiple witnesses will testify at the hearing in this matter. The written direct testimony submitted in this matter will be substantial in order to address all of the issues in this proceeding, and it is anticipated that the cross-examination of the witnesses submitting testimony will take two days. Accordingly, in order to ensure the timely completion of this matter, the parties conferred and agreed on two dates available for all of the parties, June 10, 2019 and June 14, 2019, and also referenced the PUCO's hearing calendar and noted no hearings are currently scheduled on those dates.

Second, more time is necessary to complete discovery before testimony is submitted and the hearing takes place. In particular, last Friday PUCO produced to Verde Energy an enormous volume of documents pursuant to a public records act request, with the production totaling more than 16,000 pages. In order to properly review these records and prepare the necessary testimony, Verde Energy requires additional time to submit testimony. Further, discovery issues remain open even as the testimony is due in two days. For example, Verde Energy and IGS have documents responsive to their respective document requests but have been unable

to exchange those records pending a ruling on a motion filed this week with the Commission to waive certain rules governing the disclosure of customer information. As another example, the OCC yesterday issued a notice of deposition to Verde Energy's witnesses, which Verde is reviewing, but due to the compressed schedule the depositions if they occur would have to proceed in the day or two before the current hearing, which is impractical given the fact that the parties need time to prepare for the hearing rather than attending depositions in the days leading up to the hearing. Further, the PUCO and Verde Energy are discussing a stipulation to authenticate certain records without testimony, and additional time would facilitate these discussions and similar stipulations on evidentiary issues in advance of the hearing.

Third, the extension would allow for the possibility of settlement. Settlement discussions have occurred in this case and the parties need more time to attempt to resolve the issues. A requested extension of the procedural schedule will allow the parties to continue preparing testimony and for the hearing while having sufficient time to focus on a negotiated resolution for the Commission's consideration.

This request for a brief extension of the two remaining case deadlines is not made for purposes of delay, but out of the exigent circumstances and advanced settlement discussions, as described above. Accordingly, the parties respectfully and joint request the following modified procedural schedule:

Direct Testimony	May 31, 2019
Hearing	June 10, 2019 and June 14, 2019 (second day if necessary)

May 15, 2019

Respectfully jointly submitted,

/s/ David F. Proaño

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CERTIFICATE OF SERVICE

I certify that I filed the foregoing document electronically with the Docketing Division of the Public Utilities Commission of Ohio on this 15th day of May, 2019.

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

Terry Etter, Office of the Ohio Consumers' Counsel
Joseph Olikier, IGS Energy

In addition, I certify that a true copy of the foregoing document was served by e-mail upon the persons listed below this 15th day of May, 2019.

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Dated: May 15, 2019

/s David F. Proaño
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This foregoing document was electronically filed with the Public Utilities

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Case No(s). 19-0958-GE-COI

Summary: Motion JOINT AND UNOPPOSED MOTION
TO EXTEND PROCEDURAL SCHEDULE - EXPEDITED RULING REQUESTED
electronically filed by Mr. David F. Proano on behalf of Verde Energy USA Ohio, LLC