

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
INVESTIGATION INTO PALMCO POWER
OH, LLC DBA INDRA ENERGY AND
PALMCO ENERGY OH, LLC DBA INDRA
ENERGY'S COMPLIANCE WITH THE OHIO
ADMINISTRATIVE CODE AND POTENTIAL
REMEDIAL ACTIONS FOR NON-
COMPLIANCE.

CASE NO. 19-957-GE-COI

ENTRY

Entered in the Journal on June 30, 2019

{¶ 1} PALMco Energy OH, LLC d/b/a Indra Energy (PALMco Energy) is a retail natural gas supplier as defined in R.C. 4929.01; is certified to supply competitive retail natural gas service (CRNGS) under R.C. 4929.20; and is subject to the jurisdiction of this Commission pursuant to R.C. 4929.24. Accordingly, PALMco Energy is required to comply with the Commission's minimum CRNGS standards set forth in Ohio Adm.Code Chapter 4901:1-29.

{¶ 2} PALMco Power OH, LLC d/b/a Indra Energy (PALMco Power) is also an electric services company as defined in R.C. 4928.01; is certified to provide competitive retail electric service (CRES) under R.C. 4928.08; and is subject to the jurisdiction of this Commission pursuant to R.C. 4928.16. Accordingly, PALMco Power is required to comply with the Commission's minimum CRES standards set forth in Ohio Adm.Code Chapter 4901:1-21.

{¶ 3} R.C. 4928.08 and 4929.20 allow the Commission to suspend, rescind, or conditionally rescind the certification of any electric services company or retail natural gas supplier issued under these sections if the Commission determines, after reasonable notice and opportunity for hearing, that the electric services company or retail natural gas supplier has failed to comply with any applicable certification standards or has engaged in anticompetitive or unfair, deceptive, or unconscionable acts or practices in this state. Additionally, R.C. 4928.16 and 4929.24 grant the Commission the authority to order any

remedy or forfeiture provided under R.C. 4905.54 to 4905.60 and 4905.64, and to order restitution to customers and rescission of customer contracts.

{¶ 4} On April 17, 2019, the Commission issued an Entry in this matter. In the Entry, the Commission stated that Staff of the Commission's Service Monitoring and Enforcement Department had reviewed customer contacts involving PALMco Energy and PALMco Power (collectively, PALMco) from December 1, 2018, to April 15, 2019, as well as PALMco's responses, and believed that PALMco engaged in misleading and deceptive practices to market and enroll customers, as well as violating several requirements of Ohio Adm.Code Chapters 4901:1-21 and 4901:1-29. Based on Staff's findings, the Commission scheduled a hearing in this matter for PALMco to show cause why its certification as a CRES provider and its certification as a CRNGS supplier should not be suspended, rescinded, or conditionally rescinded. The Commission also set a procedural schedule for this matter.

{¶ 5} On May 3, 2019, the attorney examiner granted, in part, PALMco's motion to modify the procedural schedule. The attorney examiner extended the testimony filing deadline from May 17, 2019, to May 29, 2019, and rescheduled the hearing from May 24, 2019, to June 4, 2019.

{¶ 6} Subsequently, on May 29, 2019, the attorney examiner granted an unopposed motion by Staff to extend the date of the hearing to July 8, 2019, and to extend the deadline for filing testimony to July 1, 2019.

{¶ 7} On June 28, 2019, Staff and PALMco filed a joint motion for extension of the procedural schedule and request for expedited treatment. On the same day, the attorney examiner granted the motion and extended the testimony filing deadline to July 30, 2019, and rescheduled the hearing to August 8, 2019.

{¶ 8} On July 30, 2019, Staff, PALMco, and the Office of the Ohio Consumers' Counsel filed a joint motion for extension of the procedural schedule and request for

expedited treatment. In the motion, the parties indicate that they are close to reaching a stipulation that is agreeable to all parties and additional time is required to resolve all issues.

{¶ 9} Upon review, the attorney examiner finds that the joint motion is reasonable and should be granted. The procedural schedule as set forth in the June 28, 2019 Entry is suspended. A new procedural schedule will be identified via a future Entry.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the parties' joint motion for an extension of the procedural schedule be granted. It is, further,

{¶ 12} ORDERED, That the procedural schedule in this matter be suspended. It is further,

{¶ 13} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Anna Sanyal

By: Anna Sanyal
Attorney Examiner

JRJ/mef

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/30/2019 3:55:43 PM

in

Case No(s). 19-0957-GE-COI

Summary: Attorney Examiner Entry suspending the procedural schedule electronically filed by Ms. Mary E Fischer on behalf of Anna Sanyal, Attorney Examiner, Public Utilities Commission