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17-2113-EL-AGG

October 29, 2019

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
11th Floor
Columbus, Ohio 43215-3793

PUCO

2019 OCT 31 PM 1:00

RECEIVED - DOCKETING DIV

Dear Sir or Madam:

Texas Energy Options, Inc. file the Renewal Application with your office on October 8, 2019. We received separate responses from Melissa Scarberry and Christopher O'Daniel re: several changes that should be submitted as amendments to the original application. They are included here:

- A-8 – The applicant's federal employer identification number is 94-3417647.
- The affidavit is included in this packet.
- The motion for application will be submitted separately.
- Exhibit C-5 – amended and included in this packet to be in the template format provided.

Please contact me if you have any questions.

Sincerely,



Jay Ferry, President

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician mmm Date Processed 10/30/19

Mandi Sebesta

Subject: FW: REVISIONS NEEDED: 17-2113-EL-AGG, Texas Energy Options, Ohio renewal application

Importance: High

From: melissa.scarberry@puco.ohio.gov <melissa.scarberry@puco.ohio.gov>

Sent: Wednesday, October 23, 2019 9:27 AM

To: jay@txenergyoptions.com

Subject: REVISIONS NEEDED: 17-2113-EL-AGG, Texas Energy Options, Ohio renewal application

Importance: High

Jay Ferry – I have been assigned to review the A and B exhibits of this application here at the Public Utilities Commission of Ohio. Someone else may contact you with questions or comments about your C exhibits. During review I have noted some issues that need to be addressed in order to bring this application into compliance with Ohio laws.

1. A-8 on the application form was not completed.
2. The affidavit was not attached. The affidavit is the last two pages in the pdf of the application form available from the Commission's website.
3. The application was filed outside of the renewal window stated in Ohio Administrative Code 4901:1-24-09. In accordance with rule 09, "Any renewal application filed fewer than thirty calendar days prior to the expiration date indicated on the certificate, but no later than the expiration date on the certificate, shall be filed with a motion requesting an extension of the certificate." The motion requesting an extension must be filed in conformance with Ohio Administrative Code 4901:1-24-07 which states, in part, that the motion, "must be filed by an attorney authorized to practice law in the state of Ohio."

Please correct these items and file the updated information along with a cover letter stating that you are making a revision in **Case No. 17-2113-EL-AGG** by **Friday, November 8, 2019**. You do not need to submit the entire application again, only those sections that are being revised. Again, keep in mind that you may receive a separate request for information from the staff member reviewing your financial exhibits and that person may give you a different deadline for those requirements. If you have any questions, please feel free to contact me.

Melissa Scarberry

Public Utilities Commission of Ohio

Service Monitoring & Enforcement Department

Utility Specialist 2

(614) 644-7960

www.PUCO.ohio.gov



Mandi Sebesta

From: jay@txenergyoptions.com
Sent: Thursday, October 24, 2019 8:11 AM
To: Christopher.O'Daniel@puco.ohio.gov
Subject: Re: Case No. 17-2113-EL-AGG Not Complete !!

Christopher,
Thank you for the clarification and format recommendation. I will respond promptly with the correct format.

As to my projection, I am not currently soliciting new clients and the best forecast for my current manufacturing clients is previous history. As soon as that changes, I will consider amending my forecast, but have no information that would suggest an alternate projection on hand. I hope that makes sense. If not, please let me know what type of revision you would expect and I will attempt to reflect that in the numbers.

Sincerely,
Jay
Dr. J. Reeves Ferry
President
Texas Energy Options, Inc.

Sent from my iPhone

On Oct 24, 2019, at 7:35 AM, "Christopher.O'Daniel@puco.ohio.gov"
<Christopher.O'Daniel@puco.ohio.gov> wrote:

Jay:

I am the PUCO Staff member assigned to review the C-Exhibits associated with your renewal application docketed under Case Number 17-2113-EL-AGG. This application was filed recently.

Upon review, it has been determined that the response to Exhibit C-5 is not in the prescribed format. To clarify, and relying upon the applicable filing instructions:

- For Case Number 17-2113-EL-AGG, provide two years of forecasted income statements for the applicant's **ELECTRIC related business activities in the state of Ohio Only**, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer. **The forecasts should be in an annualized format for the two years succeeding the Application year.**

Your projection for 2018 is not a forecast; it is history. Further, your Exhibit C-5, in regards to 2019, is not in the prescribed format as there are no financial statement line items in your submission. I have attached an example from the prior application to guide you.

In order to avoid suspension and/or denial of your application, please send the above referenced Exhibits to the PUCO Docketing Division with a note to include them as amendments to your applications for Case 17-2113-EL-AGG. Use separate sheets of paper for each of the required

AFFIDAVIT

State of Texas :

Sugar Landss.
(Town)

County of Fort Bend :

Jay Reeves Ferry, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the President (Office of Affiant) of Texas Energy Options, Inc. (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant,

1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification renewal are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
2. The Applicant herein, attests it will timely file an annual report with the Public Utilities Commission of Ohio of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Division (A) of Section 4905.10, Division (A) of Section 4911.18, and Division (F) of Section 4928.06 of the Revised Code.
3. The Applicant herein, attests that it will timely pay any assessments made pursuant to Sections 4905.10, 4911.18, or Division F of Section 4928.06 of the Revised Code.
4. The Applicant herein, attests that it will comply with all Public Utilities Commission of Ohio rules or orders as adopted pursuant to Chapter 4928 of the Revised Code.
5. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the Applicant.
6. The Applicant herein, attests that it will fully comply with Section 4928.09 of the Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The Applicant herein, attests that it will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
8. The Applicant herein, attests that it will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
9. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the Applicant will provide, the Applicant herein, attests that it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio. (Only applicable if pertains to the services the Applicant is offering)

11. The Applicant herein, attests that it will inform the Commission of any material change to the information supplied in the renewal application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating customer complaints.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

[Signature] PRESIDENT
Signature of Affiant & Title

Sworn and subscribed before me this 30th day of October, 2019
Month Year

[Signature]
Signature of official administering oath

Sara Cobian
Print Name and Title

My commission expires on June 24, 2021

