

August 17, 2020

VIA E-FILING

Public Utilities Commission of Ohio  
Attorney Examiner Anna Sanyal  
180 East Broad Street  
Columbus, Ohio 43215

**RE: Notice of a Request for a Ruling on the Pending Motion to Stay Proceedings before  
August 20, 2020 in Case No. 19-2153-GE-COI**

Dear Attorney Examiner Sanyal:

In connection with the pending motion for stay filed on August 4, 2020, Palmco Energy OH, LLC, and Palmco Power OH, LLC (collectively, “Palmco”) write to notify the Commission that Palmco is being severely prejudiced by the failure to stay proceedings, including discovery. Although the Commission’s August 6, 2020 Entry terminated the existing procedural schedule for this matter and no schedule is currently set, the Commission explicitly directed the parties to continue discovery notwithstanding Palmco’s pending motion for a stay. *See* Entry ¶ 21 (“[A]t this time, no stay has been currently issued by the attorney examiner in this proceeding and discovery should proceed . . . unless a stay is granted in the future.”). While not technically discovery, Commission Staff has taken the Commission up on its general instruction, sending Palmco multiple data requests in recent days in connection with this investigation. These requests seek copious amounts of detailed rate information, which is the precise subject of the dispute pending before the Ohio Supreme Court.

As stated in the motion to stay, Palmco believes that responding to these requests is improper and unnecessary at this point in time and has asked the Commission to terminate the company’s obligation to comply with such requests until the complaint in prohibition is resolved by the Ohio Supreme Court. It is fundamentally unfair that Palmco—a family owned business that is suffering immensely due to COVID-19—should be forced to expend significant resources prosecuting this proceeding under these unique circumstances, particularly where no consumers are being harmed and there are significant doubts about whether the Commission has jurisdiction.

For that reason, Palmco requests that the Commission enter an order staying this case on an expedited basis, and no later than Thursday, August 20, 2020. If this investigation has not been stayed by that date, Palmco will need to seek relief from the Ohio Supreme Court.

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Sincerely,

*/s/ Matthew R. McGuire*

Matthew R. McGuire

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

**Commission of Ohio Docketing Information System on**

**8/17/2020 3:49:45 PM**

**in**

**Case No(s). 19-2153-GE-COI**

Summary: Notice Notice of a Request for a Ruling on the Pending Motion to Stay Proceedings before August 20, 2020 electronically filed by Mr. Matthew R McGuire on behalf of PALMco Power OH, LLC; d/b/a Indra Energy; PALMco Energy OH, LLC, d/b/a Indra Energy