

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Commission’s</b>	<b>:</b>	<b>Case Nos.</b>	<b>17-1843-EL-ORD</b>
<b>Review of Ohio Adm. Code Chapters</b>	<b>:</b>		<b>17-1844-EL-ORD</b>
<b>4901:1-21, 4901:1-23, 4901:1-24, 4901:1-27,</b>	<b>:</b>		<b>17-1862-EL-ORD</b>
<b>4901:1-28, 4901:1-29, 4901:1-30, 4901:1-31,</b>	<b>:</b>		<b>17-1845-GA-ORD</b>
<b>4901:1-32, 4901:1-33, and 4901:1-34</b>	<b>:</b>		<b>17-1846-GA-ORD</b>
<b>regarding Rules Governing Competitive</b>	<b>:</b>		<b>17-1847-GA-ORD</b>
<b>Retail Electric Service and Competitive</b>	<b>:</b>		<b>17-1848-GA-ORD</b>
<b>Retail Natural Gas Service.</b>	<b>:</b>		<b>17-1849-GA-ORD</b>
	<b>:</b>		<b>17-1850-GA-ORD</b>
	<b>:</b>		<b>17-1851-GA-ORD</b>
	<b>:</b>		<b>17-1852-GA-ORD</b>

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**SOUTHSTAR ENERGY SERVICES LLC’S REPLY COMMENTS**

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SouthStar Energy Services LLC d/b/a Ohio Natural Gas ( “ONG”) supports the Retail Energy Supply Association (“RESA”) recommendation to amend Rule 4901:1-29-06(E)(1) to incorporate the existing waiver for inbound telephonic enrollments by retail natural gas suppliers and governmental aggregators into the rule. RESA Comments at 3-5. Similar to RESA, ONG is not aware of a single customer complaint as a result of the waiver, and there is no basis, at a minimum, not to incorporate the waiver into the rule as RESA suggests at page 5 of its comments.

The Commission, however, should take this opportunity to go a small step further and clean up Rule 4901:1-29-06(E)(1). As the record supports since the Commission granted the waiver on November 14, 2018, there is zero additional customer protection afforded by requiring third-party verification (“TPV”) for telephonic enrollments when the entire enrollment call is already recorded by the supplier or aggregator and the recording is archived and retained as required by Rule 4901:1-29-06(E)(2)(b). Accordingly, ONG recommends that the Commission harmonize Rule 4901:1-29-06(E)(1) with the telephonic enrollment rule for CRES providers,

which has no TPV requirement. The relevant CRES rule, 4901:1-21-06(D)(2), states “[t]o enroll a residential or small commercial customer telephonically, a CRES provider shall make a date and time stamped audio recording verifying before the completion of the telephone call, at a minimum, all of the following....” The following amendment will synch up the two enrollment rules and add much needed clarity to Rule 4901:1-29-06(E)(1):

*(E) Telephonic enrollment*

*(1) To enroll a customer telephonically, a retail natural gas supplier or governmental aggregator, shall make a date- and time-stamped audio recording ~~of the sales portion of the call, if the customer is enrolled, and before the completion of the enrollment process, a date- and time-stamped audio recording by an independent third-party verifier that verifies, at a minimum, the following:~~*

The rule review docket is the appropriate proceeding and time to amend Rule 4901:1-29-06(E)(1) so the rules for telephonic enrollment, which are supported by the same underlying policy to protect customers, are the same for CRES and CRNGS.

In sum, because the first recording provides irrefutable evidence as to whether the various representations and customer acknowledgements set forth in the subparagraphs of (E)(1) were made, there is no need for a second, separate recording by a TPV confirming same. A TPV requirement increases enrollment costs for CRNGS and creates potential for customer confusion and frustration in the enrollment process, in exchange for no additional consumer protection. ONG asks the Commission to amend the rule to mirror the CRES rule or, at a minimum,

incorporate the waiver as RESA suggests at page 5 of its comments.

Respectfully submitted,

/s/ Andrew Emerson

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### **CERTIFICATE OF SERVICE**

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Summary: Reply Comments of SouthStar Energy Services LLC electronically filed by Mr. Ronald J Romito on behalf of SouthStar Energy Services LLC and Emerson, Andrew C. Mr.