

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Volunteer Energy Services, Inc. for Renewal of Certification as a Competitive Retail Natural Gas Supplier	: : : :	Case No. 02-1786-GA-CRS
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**VOLUNTEER ENERGY SERVICES, INC.’S  
MOTION FOR WAIVER OF OAC RULE 4901:1-27-12(B)**

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OAC Rule 4901:1-27-12(B) prescribes that the Commission will issue an order approving abandonment applications 90 days after filing. Volunteer Energy Services, Inc. (“Volunteer Energy”) respectfully moves that the Public Utilities Commission of Ohio instead delay approving Volunteer Energy’s Abandonment Application for 180 days after its abandonment application is filed.

**MEMORANDUM IN SUPPORT**

Volunteer Energy Services, Inc. (“Volunteer Energy”) was granted a Certification as a Competitive Retail Natural Gas Supplier in the above captioned docket. On March 25, 2022 (the “Petition Date”), Volunteer Energy filed a voluntary petition (the “Bankruptcy Case”) for chapter 11 relief under title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of Ohio (the “Bankruptcy Court”). A portion of Volunteer Energy’s customers have been returned to default service while other customers have been assigned to another CRNGS. On May 4, 2022, Volunteer Energy filed its Application to Abandon its CRNGS Certification.

OAC Rule 4901:1-27-12(B) prescribes that the Commission will issue an order approving abandonment applications 90 days after filing. There is good cause for the Commission to grant Volunteer Energy's Motion to waive this Rule and instead approve Volunteer Energy's application after 180 days. Volunteer Energy is working diligently in its Bankruptcy Case to conduct an orderly winddown of its affairs while concurrently working to ensure an orderly transition of its customers. In the short time since the Petition Date, Volunteer Energy has: (i) obtained an emergency order from the Bankruptcy Court authorizing Volunteer Energy to take all necessary actions to transition and transfer its customers to local distribution companies ("LDCs"); (ii) consummated a sale of thousands of customers to an alternative retail energy supplier; (iii) obtained Bankruptcy Court approval to reject Volunteer Energy's remaining customer contracts and orderly transition such customers to default service; and (iv) worked closely with LDCs to complete the foregoing tasks. Volunteer Energy has accomplished many tasks; however, additional time is needed to ensure that there are no impediments to concluding Volunteer Energy's orderly winddown, including abandoning its CRNGS Certification. Although Volunteer Energy intends to abandon its CRNGS Certification, it is unlikely that Volunteer Energy's orderly winddown will be completed within 90 days. Accordingly, Volunteer Energy asserts that there is good cause to waive the 90-day requirement set forth in OAC Rule 4901:1-27-12(B) and extend the requirement to 180 days. If at any time Volunteer Energy's winddown is completed in advance of the 180 days, Volunteer Energy will notify the Commission.

WHEREFORE, Volunteer Energy respectfully requests that the Public Utilities Commission of Ohio issue an order granting Volunteer Energy's Motion to delay approving Volunteer Energy's Abandonment Application for 180 days after its abandonment application is filed.

Respectfully submitted,

/s/ Kurt J. Boehm

Kurt J. Boehm, Esq.

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May 4, 2022

## **CERTIFICATE OF SERVICE**

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served via electronic mail (when available) or Regular U.S. Mail on the 4th day May, 2022 to the following:

/s/ Kurt J. Boehm

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**Case No(s). 02-1786-GA-CRS**

Summary: Motion Volunteer Energy Services Motion for Waiver electronically filed  
by Mr. Kurt J. Boehm on behalf of Volunteer Energy Services, Inc.