

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
NEW WAVE ENERGY LLC, FOR
CERTIFICATION AS A COMPETITIVE
RETAIL NATURAL GAS BROKER.

CASE NO. 17-60-GA-CRS

IN THE MATTER OF THE APPLICATION OF
NEW WAVE ENERGY LLC, FOR
CERTIFICATION AS A COMPETITIVE
RETAIL ELECTRIC SERVICE BROKER IN
OHIO.

CASE NO. 17-61-EL-CRS

FINDING AND ORDER

Entered in the Journal on May 17, 2023

I. SUMMARY

{¶ 1} The Commission approves New Wave Energy, LLC's application for renewal of its certification as both a competitive retail natural gas service broker and a competitive retail electric service broker in Ohio.

II. DISCUSSION

{¶ 2} R.C. 4929.20 states that retail natural gas suppliers providing competitive retail natural gas service (CRNGS) must be certified by the Commission prior to providing CRNGS. The Commission reviews applications for certification to determine if the applicant has the managerial, technical, and financial capability to provide CRNGS and whether there are reasonable financial assurances sufficient to protect customers and natural gas companies from default. Pursuant to R.C. 4929.20 and Ohio Adm.Code 4901:1-27-10, the application for certification shall be deemed approved 30 days after the filing of the application, unless the Commission suspends such approval.

{¶ 3} R.C. 4928.08 provides that retail electric service suppliers that provide competitive retail electric service (CRES) must be certified by the Commission prior to

providing CRES. The Commission reviews applications for certification to determine if the applicant has the managerial, technical, and financial capability to provide CRES and whether there are reasonable financial assurances sufficient to protect customers and electric companies from default. Pursuant to R.C. 4928.08 and Ohio Adm.Code 4901:1-24-10, the application for certification shall be deemed approved 30 days after the filing of the application, unless the Commission suspends such approval.

{¶ 4} On November 15, 2022, New Wave Energy, LLC (New Wave or Applicant) filed an application for renewal of its certification as a CRES broker, as required by Ohio Adm.Code 4901:1-24-09, in Case No. 17-61-EL-CRS. In support of its application, Applicant provided updated information regarding its managerial, financial, and technical ability to provide CRES.

{¶ 5} On November 29, 2022, in Case No. 17-60-GA-CRS, New Wave filed an application for renewal of its certification as a CRNGS broker, as required by Ohio Adm.Code 4901:1-27-09. In support of its application, Applicant provided updated information regarding its managerial, financial, and technical ability to provide CRNGS.

{¶ 6} By Entry dated December 13, 2022, the attorney examiner suspended the 30-day automatic approval process in the matter of New Wave's renewal application for its CRES certification, pursuant to Ohio Adm.Code 4901:1-24-10(A), in order to afford the Commission and Staff additional time to review the matter.

{¶ 7} By Entry dated December 28, 2022, the attorney examiner suspended the 30-day automatic approval process in the matter of New Wave's renewal application for its CRNGS certification, pursuant to Ohio Adm.Code 4901:1-27-10(A), in order to afford the Commission and Staff additional time to review the matter.

{¶ 8} On April 21, 2023, Staff filed a review and recommendation in both Case No. 17-60-GA-CRS and Case No. 17-61-EL-CRS. In it, Staff indicates that Applicant provided

the necessary additional information and satisfied the requirements of the Ohio Administrative Code, and, therefore, Staff recommends that Applicant's renewal applications for certification be approved.

{¶ 9} Upon review of the applications and Staff's recommendations, Applicant appears managerially, financially, and technically fit and capable of performing as both a CRNGS and CRES provider in compliance with all applicable regulations adopted pursuant to R.C. Chapters 4928 and 4929. Accordingly, the Commission finds that Applicant's renewal applications for certification as both a CRNGS and CRES provider should be approved for a period of two years.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That New Wave Energy, LLC's renewal application for certification as a CRNGS provider be approved. It is, further,

{¶ 12} ORDERED, That New Wave Energy, LLC's renewal application for certification as a CRES provider be approved. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair
Daniel R. Conway
Lawrence K. Friedeman
Dennis P. Deters
John D. Williams

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Case No(s). 17-0060-GA-CRS, 17-0061-EL-CRS

Summary: Finding & Order approving New Wave Energy, LLC's application for renewal of its certification as both a competitive retail natural gas service broker and a competitive retail electric service broker in Ohio. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio.