**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| |  |  |  | | --- | --- | --- | | In the Matter of the Commission’s  Investigation into XOOM Energy Ohio, LLC’s Compliance with the Ohio Administrative Code and Potential Remedial Actions for Non-Compliance. | )  )  )  )  ) | Case No. 22-267-GE-COI | |  |  |

**STATUS REPORT**

**BY**

**OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

On June 30, 2022, Attorney Examiner Davis granted XOOM’s unopposed motion to suspend the procedural schedule in this case.[[1]](#footnote-2) In accordance with the Attorney Examiner’s directive in a September 23, 2022 Entry, OCC filed a Status Report on September 30, 2022 describing its participation in settlement negotiations with XOOM and the PUCO Staff. On June 30, 2023, the Attorney Examiner issued an Entry directing the parties to provide an additional status update as to settlement negotiations.[[2]](#footnote-3)

Since the last status report, OCC has continued to participate in settlement negotiations with XOOM and the PUCO Staff. During that time, OCC has provided several settlement proposals for the parties’ consideration. Notably, OCC provided XOOM and the PUCO Staff with a settlement proposal on December 16, 2022, but XOOM did not respond until February 7, 2023.

After XOOM’s February 7, 2023 settlement proposal, OCC required updated information from XOOM to allow OCC to evaluate the settlement’s impact on consumers. OCC did not receive that information from XOOM until June 6, 2023. OCC provided the parties with another settlement proposal on June 7, 2023.

XOOM provided OCC and the PUCO Staff with its most recent draft settlement proposal on June 22, 2023. On the morning of June 30, 2023, OCC responded to XOOM’s June 22, 2023 draft settlement proposal. XOOM and the PUCO Staff have not yet responded to OCC’s June 30, 2023 settlement proposal.

OCC remains committed to achieving an outcome in the best interests of residential consumers who have been harmed by XOOM’s actions, whether that consumer protection outcome is by settlement or litigation. OCC will continue working with XOOM and the PUCO Staff toward settlement of this matter.

Respectfully submitted,

Bruce Weston (0016973)

Ohio Consumers’ Counsel

*/s/ Angela D. O’Brien*

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(willing to accept service by e-mail)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Status Report was served on the persons stated below via electronic transmission, this 10th day of July 2023.

*/s/ Angela D. O’Brien*

Angela D. O’Brien

Deputy Consumers’ Counsel

The PUCO’s e-filing system will electronically serve notice of the filing of this document on the following parties:

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1. Entry (June 30, 2022). [↑](#footnote-ref-2)
2. Entry (June 30, 2023) at ¶ 14. [↑](#footnote-ref-3)