**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| --- | --- | --- |
| In the Matter of Inspire Energy Holdings, LLC. | )  ) | Case No. 23-720-GE-UNC |

**MOTION TO ESTABLISH DUE DATES**

**FOR TESTIMONY AND REQUEST FOR EXPEDITED TREATMENT**

**BY**

**OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

Marketer Inspire Energy Holdings, LLC (“Inspire”) and the Public Utilities Commission of Ohio’s (“PUCO”) Staff entered into a settlement regarding Inspire’s alleged misleading and deceptive marketing of Ohio consumers.[[1]](#footnote-1) Under the PUCO’s rules governing settlements, at least one party signing the settlement must file testimony to support the settlement.[[2]](#footnote-2) The Office of the Ohio Consumers’ Counsel (“OCC”) files this motion [[3]](#footnote-3) to establish due date for the filing of testimony regarding the settlement.

OCC requests that testimony in support of the settlement be filed by April 30, 2024. Testimony in opposition to the settlement should be filed by May 7, 2024.

The evidentiary hearing is currently scheduled for May 14, 2024. Therefore, OCC requests that the PUCO issue an expedited ruling on this motion under O.A.C. 4901-1-12(C). OCC cannot certify that no party objects to this motion or to an expedited ruling.

The reasons the PUCO should grant OCC’s Motion are set forth in the attached Memorandum in Support.

Respectfully submitted,

Maureen Willis (0020847)

Ohio Consumers’ Counsel

*/s/ Robert Eubanks*

Robert Eubanks (0073386)

Counsel of Record

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## MEMORANDUM IN SUPPORT

On February 13, 2024, the Attorney Examiner in this case issued an Entry establishing an evidentiary hearing regarding a settlement between the PUCO Staff and marketer Inspire. The settlement, which was negotiated by the PUCO Staff and Inspire without input or participation by other interested parties, purports to resolve allegations regarding Inspire’s misleading and deceptive marketing and enrollment practices.

The Attorney Examiner’s Entry setting the evidentiary hearing set no date for the filing of prehearing testimony regarding the settlement. The PUCO should issue a ruling requiring testimony in support of the settlement to be filed by April 30, 2024, and testimony in opposition to the settlement to be filed by May 7, 2024.

There is good cause[[4]](#footnote-4) for granting this motion. O.A.C. 4901-1-30(D) states that parties filing a settlement must provide testimony from a signatory in support. As the parties with the burden of proof, the PUCO Staff and/or Inspire should file testimony in support of the settlement.

O.A.C. 4901-1-30(D) also allows opposing parties to offer testimony. OCC should be allowed to provide testimony opposing the settlement by May 7, 2024.

There is also good cause to grant OCC’s request for an expedited ruling on this motion. The evidentiary hearing is currently scheduled for May 14, 2024, which is a week following OCC’s proposed filing date for testimony in opposition to the settlement. OCC cannot certify that no party opposes this motion or request for expedited ruling.

Accordingly, the PUCO should grant OCC’s motion and request for expedited ruling. Granting both ensures a fair and efficient hearing process in harmony with PUCO rules.

Respectfully submitted,

Maureen Willis (0020847)

Ohio Consumers’ Counsel

*/s/ Robert Eubanks*

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Motion To Establish Due Dates for Testimony and Request for Expedited Treatment by Ohio Consumers’ Counsel was served on the persons stated below via electronic transmission, this 16th day of April 2024.

*/s/ Robert Eubanks*

Robert Eubanks

Assistant Consumers’ Counsel

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

**SERVICE LIST**

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1. Joint Stipulation and Recommendation at p. 2. [↑](#footnote-ref-1)
2. O.A.C. 4901-1-30(D). [↑](#footnote-ref-2)
3. O.A.C. 4901-1-12. [↑](#footnote-ref-3)
4. O.A.C. 4901-1-12 (A). [↑](#footnote-ref-4)