

MEMORANDUM IN SUPPORT OF MOTION FOR WAIVER OF CIVIL FORFEITURE
entered in the Journal on October 9th 2019

ATHAR B AMIN, a small sole proprietorship whose office or principal place of business is located at in Texas was authorized to provide aggregation and power broker services in the State of Ohio pursuant to Certificate No. 18-1301E which was issued by the Public Utilities Commission of Ohio ("Commission") on March 20th, 2018 pursuant to Case No. 18-286-EL-AGG.

ATHAR B AMIN contacted the Docketing Division of the Commission by telephone regarding cessation of operations in the State of Ohio and were requested by the Commission to submit a letter seeking withdrawal of the certificate.

By letter dated April 24th, 2019 ATHAR B AMIN a request for withdrawal of certificate was made to the Commission. On May 1st, 2019 the Commission indicated by email that the letter docketed 4-29-19 in case 18-286-EL-AGG had been reviewed and indicated that the appropriate course of action would be to complete an Abandonment Application and file in an ABN case in order to withdraw a certificate.

On May 1st, 2019 an Application for Abandonment was notarized and forwarded to the Commission by mail.

Subsequently, probably after the 90 day period, a Notice of Certificate of Cancellation was issued by the Commission pursuant to Rule 4901:1-24-12 and/or 4901:1-24-13 of the Ohio Administrative Code. The Application submitted detailed the fact that no business whatsoever had been conducted in the State of Ohio under Certificate No. 18-1301E.

ATHAR B AMIN incorrectly believed that the filing of an Abandonment Application stating that no business had been conducted in the State of Ohio would negate the need for filing an annual report.

Upon receipt of the Finding and Order entered in the Journal on April 28th, 2019 ATHAR B AMIN realized its error in not filing an annual report and inadvertently misinterpreted the said Finding and Order and again incorrectly believed that filing an annual report by September 13th, 2019 would negate the requirement for a civil forfeiture of \$1000 to be assessed and therefore did not seek a rehearing, which would have been the correct action to take at that time.

ATHAR B AMIN duly filed the annual report for fiscal assessment for 2018 on September 3rd, 2019. On September 3rd, 2019 the Commission indicated by email that it had received the annual report for fiscal assessment.

ATHAR B AMIN paid the "minimum" assessment of \$100 on October 9th, 2019 once notification of the assessment amount had been determined by the Commission in view of the fact that no business had been conducted in the State of Ohio during the relevant period.

Upon receipt of the ENTRY ON REHEARING Entered in the Journal on October 9th, 2019 ATHAR B AMIN realized its error in not seeking a rehearing of the aforesaid Finding and Order in order to and communicated with the Commission, including its legal department to inquire as to any remedies available in view of the particular circumstances of this case.

ATHAR B AMIN apologizes for not having filed the annual report for fiscal assessment for 2018 on time and in light of the unusual circumstances of this case detailed herein ATHAR B AMIN respectfully requests that this Motion be granted and requests that the Commission waive the civil forfeiture of \$1000 assessed against ATHAR B AMIN.

Respectfully submitted on behalf of
ATHAR B AMIN



ATHAR B AMIN
613 Waterchase Dr
Fort Worth TX 76120
tel: 817 908 1786
tel: 817 538 5150
email: athar_amin@hotmail.com