

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Liberty )  
Power Delaware, LLC for Certification as a ) Case No. 06-1387-EL-CRS  
Competitive Retail Electric Service Provider )  
in Ohio. )

In the Matter of the Application of Liberty )  
Power Holdings, LLC for Certification as a ) Case No. 06-1388-EL-CRS  
Competitive Retail Electric Service Provider )  
in Ohio. )

FINDING AND ORDER

The Commission finds:

- (1) On November 24, 2006, Liberty Power Delaware, LLC in Case No. 06-1387-EL-CRS (06-1387) and Liberty Power Holdings, LLC in Case No. 06-1388-EL-CRS (06-1388) (collectively referred to as "Liberty") filed applications to become competitive retail electric service providers in Ohio.
- (2) In accordance with Section 4929.20, Revised Code, and Rule 4901:1-27-06, Ohio Administrative Code (O.A.C.), Liberty's certification applications were subject to a 30-day automatic approval process. Rule 4901:1-27-06(A)(1), O.A.C., provides that, upon good cause shown, the Commission or an attorney examiner may suspend consideration of a certification application. If the Commission suspends a certification application, the Commission shall act to approve or deny certification within 90 days of the suspension.
- (3) By entry issued December 15, 2006, Liberty's certification applications were suspended in order to allow review by the Commission and staff.
- (4) On January 24 and 29, 2007, Liberty filed revised information for its applications for certification. In the revised applications, Liberty provided revised information on financial arrangements and environmental disclosure.
- (5) Upon review of the applications filed by Liberty, as revised on January 24 and 29, 2007, the Commission concludes that Liberty should be granted certificates to provide competitive retail

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electric service in Ohio. In accordance with Rule 4901:1-24-06(E), O.A.C., the certificates shall be valid for a period of two years, beginning on February 7, 2007, and ending on February 7, 2009.

It is, therefore,

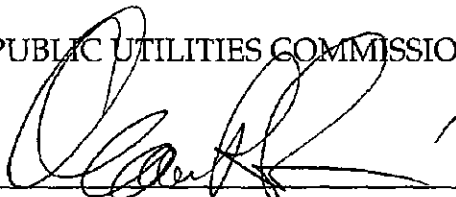
ORDERED, That Liberty's certification applications, as revised, be approved. It is, further,

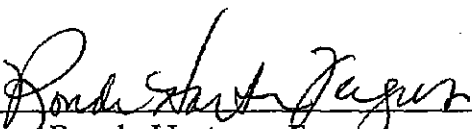
ORDERED, That Liberty be authorized to provide competitive retail electric service in Ohio, for a period of two years, beginning on February 7, 2007, and ending on February 7, 2009. It is, further,

ORDERED, That the docketing division issue certificates to Liberty Power Delaware, LLC and Liberty Power Holdings, LLC in accordance with this decision. It is, further,

ORDERED, That a copy of this finding and order be served upon all parties of record.

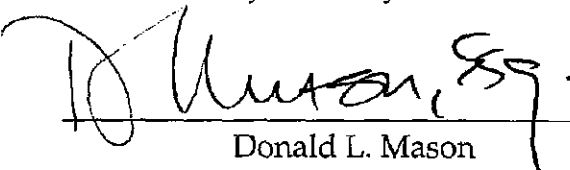
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

  
Ronda Hartman Fergus

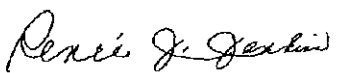
  
Judith A. Jones

  
Valerie A. Lemmie

  
Donald L. Mason

SEF:ct

Entered in the Journal  
FEB 07 2007

  
Renee J. Jenkins  
Secretary