

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Tiger)
Natural Gas, Inc. for Certification as a) Case No. 10-304-GA-CRS
Competitive Retail Natural Gas Provider.)

FINDING AND ORDER

The Commission finds:

- (1) In accordance with Section 4929.20, Revised Code, and Rule 4901:1-27-03, Ohio Administrative Code (O.A.C.), no retail natural gas supplier shall offer, contract for, or supply competitive natural gas service in Ohio after July 26, 2002, without a valid certificate.
- (2) On May 4, 2007, in Case No. 07-345-GA-CRS, Tiger Natural Gas, Inc. (Tiger) was certified as a competitive retail natural gas marketer in Ohio. In accordance with Rule 4901:1-27-06(E), O.A.C., Tiger's certificate expired on April 29, 2009. Rule 4901:1-27-09(A), O.A.C. provides that a supplier wishing to renew its certificate shall file an application with the Commission no less than 30 and not more than 120 days prior to the expiration date of the certificate; however, Tiger did not file for renewal of its certificate in accordance with this rule.
- (3) On March 12, 2010, as supplemented on April 15, 2010, Tiger filed a new initial application for certification as a competitive retail natural gas marketer in this docket.
- (4) On March 19, 2010, counsel for Tiger filed correspondence stating that Tiger erroneously and inadvertently failed to renew its certificate and that, upon receipt of a letter from the Commission's Staff, Tiger immediately suspended all activity to enroll new customers in Ohio. In the correspondence, counsel states that Tiger apologizes for its error and acknowledges that it bore the responsibility to know when its certificate would expire and to file its renewal application in the timeframe prescribed by the Commission's rules. Counsel further notes that Tiger admits that it has no good reason for its failure to timely file a renewal application, but simply did not have an effective mechanism in place to ensure that its renewal application was properly filed. According to the

correspondence, Tiger has instituted new procedures in order to ensure that, in the future, it will adhere to the filing requirements for renewal applications. Under these procedures, members of Tiger's senior management have set up electronic reminders about the expiration of Tiger's certificate and the corresponding need to file an application for renewal in accordance with Rule 4901:1-27-09(A), O.A.C.

- (5) By entry issued on March 26, 2010, the automatic approval of Tiger's March 12, 2010, application for certification was suspended.
- (6) The Commission now finds, upon review of Tiger's March 12, 2010, application, for certification as a natural gas marketer, as supplemented on April 15, 2010, that Tiger has met the managerial, financial, and technical requirements for certification. Therefore, the Commission concludes that Tiger should be granted a certificate to provide competitive retail natural gas services, as a marketer, in the state of Ohio. In accordance with Rule 4901:1-27-06(E), O.A.C., the certificate shall be valid for a period of two years, beginning on April 28, 2010, and ending on April 28, 2012.
- (7) While cognizant of Tiger's apology and explanation for its failure to file an application for renewal, the Commission notes that filing an application for renewal on a timely basis is critical. The Commission finds that any subsequent failure by Tiger to timely file its renewal application could lead to suspension or rescission of its certification, and/or to the assessment of civil forfeitures by the Commission against Tiger.

It is, therefore,

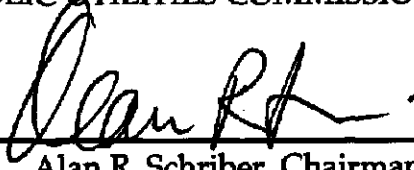
ORDERED, That the application of Tiger Natural Gas, Inc. for certification as competitive retail natural gas supplier in Ohio be approved. It is, further,

ORDERED, That Tiger Natural Gas, Inc. be authorized to provide competitive retail natural gas service in Ohio, as a marketer, for a period of two years, beginning on April 28, 2010, and ending on April 28, 2012. It is, further,

ORDERED, That the docketing division issue a certificate to Tiger Natural Gas, Inc. in accordance with this finding and order. It is, further,

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

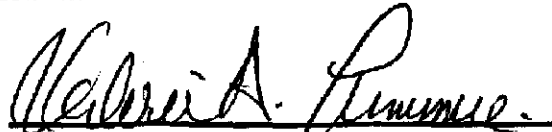
THE PUBLIC UTILITIES COMMISSION OF OHIO



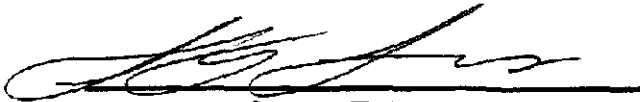
Alan R. Schriber, Chairman



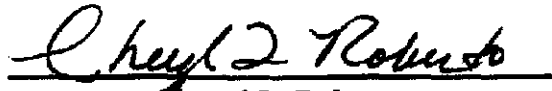
Paul A. Centolella



Valeria A. Lemmie



Steven D. Lesser



Cheryl L. Roberto

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Entered in the Journal

APR 28 2010



Renee J. Jenkins
Secretary