

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Commerce Energy, Inc. d/b/a Just) Case No. 02-1828-GA-CRS
Energy for Certification as a Competitive)
Retail Natural Gas Provider.)

ENTRY

The attorney examiner finds:

- (1) On August 12, 2010, Commerce Energy, Inc. d/b/a Just Energy (Just Energy)¹ filed an application for renewal of Certificate No. 02-023, which authorizes it to provide competitive retail natural gas services. The expiration date for Certificate No. 02-023 is September 17, 2010.
- (2) In accordance with Section 4929.20, Revised Code, and Rules 4901:1-27-06 and 4901:1-27-09, Ohio Administrative Code (O.A.C.), applications for renewal of certificates are subject to a 30-day automatic approval process, unless suspended. Rule 4901:1-27-06, O.A.C., provides that if an application to renew a certificate is suspended, the Commission shall act to approve or deny the application within 90 days of the suspension.
- (3) By entry of September 10, 2010, the 30-day automatic approval process for Just Energy's application for renewal of Certificate No. 02-023 was suspended in order for the Commission and its staff to review this matter.
- (4) On September 16, 2010, Just Energy filed a motion for an extension of the expiration date of its certificate until such time as the Commission rules upon the renewal application. In its motion, Just Energy states that, without the extension, it will not be able to serve customers beyond September 17, 2010, and that it will have to idle its marketing work force. Just Energy also states that an extension will allow it to continue to provide competitive retail natural gas service to customers. Just Energy

¹ Certificate No. 02-023 was initially issued on August 19, 2002, and renewed on September 22, 2004, under the name ACN Energy, Inc. On May 6, 2005, as revised on July 20, 2005, the certificate was transferred to Commerce Energy of Ohio, Inc. On September 25, 2006, and September 22, 2008, the certificate was renewed under the name Commerce Energy, Inc. d/b/a Commerce Energy of Ohio, Inc. The instant application is filed under the name Commerce Energy, Inc. d/b/a Just Energy and the case caption has been changed to reflect the current name of the company.

also notes that there are no other parties to this proceeding and the staff has indicated that it does not oppose this request for such an extension.

- (5) The attorney examiner believes that an extension of the expiration date of Certificate No. 02-023 is warranted for the time that the renewal application is under review and until the Commission deems otherwise.
- (6) Rule 4901:1-27-06, O.A.C., provides that the consideration of an application for renewal of a certificate may be set for hearing. Accordingly, this matter should be scheduled for hearing on October 14, 2010, at 10:00 a.m., in Hearing Room 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That Just Energy's motion for an extension of the expiration date of Certificate No. 02-223 is granted. It is, further,

ORDERED, That the September 17, 2010 expiration date of Certificate No. 02-023 is extended for the time that Just Energy's renewal application is under review and until the Commission deems otherwise. It is, further,

ORDERED, That this matter is scheduled for hearing on October 14, 2010, at 10:00 a.m., in Hearing Room 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

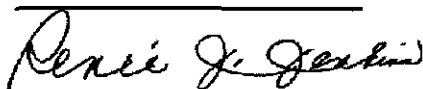


By: Scott Farkas
Attorney Examiner

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Entered in the Journal

SEP 17 2010



Renee J. Jenkins
Secretary