

FILE
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BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

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In The Matter of the)
City of Toledo for Certification)
As a Governmental Aggregator)

Case No. 00-1915-EL-GAG

MOTION FOR EXTENSION OF CERTIFICATE EXPIRATION DATE AND
MEMORANDUM IN SUPPORT

I. MOTION FOR EXTENSION

Now comes the City of Toledo ("City") and moves that the Public Utilities Commission of Ohio ("Commission") grant an extension of the November 13, 2010, expiration date of its certificate to provide governmental aggregation services. Inadvertently, City did not file an application for renewal of Certificate 00-026 (S) within the 30-120 day advance window set forth in rule 4901:1-27-09 of the Ohio Administrative Code ("OAC"). City filed its renewal application, out of time, on October 19, 2010, and City seeks an extension of its certificate's expiration date while the Commission is considering the renewal application.

II. MEMORANDUM IN SUPPORT

City was originally granted the authority to provide governmental aggregation services on November 13, 2000, and its current certificate expired on November 13, 2010. Since its initial certification, the City has chosen a supplier for the retail electric services for its residents and small commercial consumer, and power is flowing to these consumers under their aggregation program. Unfortunately, due to an inadvertent oversight with regard to the timing for filing, City did not realize that the advance filing date for its certificate renewal has passed.

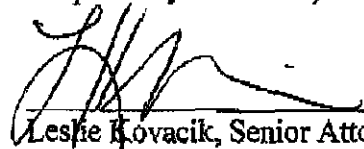
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The City filed its renewal application on October 19, 2010. While the Commission considers the renewal, Toledo requests an extension of the expiration date of its certificate from November 13, 2010 to November 20, 2010, to allow for the thirty day review period from the October 19, 2010 renewal application filing date.

The City's request for an extension is reasonable under the circumstances and should be granted. Should City's ability to provide aggregation services expire on November 13, 2010, its consumers would be at a disadvantage in that they would not be able to receive the most competitive electric rate. Although City inadvertently failed to file its renewal application within the 30-120 day window as set forth in Rule 4901:1-27-09 (A), in substance there have been no material changes in City's operation of its aggregation program. Indeed, except for the automatic expiration date of its Certificate 00-026 (5), City has done nothing that would warrant suspension or rescission of its authority. Since City's dilemma has been caused by an inadvertent oversight, an extension would allow it to obtain renewal of its certificate without causing inconvenience to its consumers. Indeed, extension of the expiration date is necessary to prevent irreparable harm to City and its consumers, and would prevent disruption in service to City residential and small commercial consumers. City respectfully submits that an extension of its certificate expiration date is in the public interest.

Wherefore, City respectfully urges the Commission to grant the extension.

Respectfully submitted,



Leslie Kovacic, Senior Attorney
City of Toledo