

FILE

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VIA TELEFAX TRANSMISSION AND
OVERNIGHT MAIL

May 12, 2011

Public Utilities Commission of Ohio
PUCO Docketing
180 E. Broad Street, 13th Floor
Columbus, Ohio 43215

In re: Case No. 09-198-EL-CRS

Dear Sir/Madam:

Please find enclosed for filing an original and ten (10) copies the MOTION OF SMART PAPERS HOLDINGS LLC FOR EXTENSION OF CERTIFICATE EXPIRATION DATE AND MEMORANDUM IN SUPPORT fax-filed today in the above-referenced matter.

Please place this document of file.

Respectfully yours,



David F. Boehm, Esq.
BOEHM, KURTZ & LOWRY

DFBkcw

Enclosure

Cc: Chuck Stockhausen (via overnight mail)

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P. 02

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the matter of the Smart Papers Holdings LLC :
Renewal Certification as a Retail Generation: Case No. 09-198-EL-CRS
Providers and Power Marketer:

**MOTION OF SMART PAPERS HOLDINGS LLC
FOR EXTENSION OF CERTIFICATE EXPIRATION
DATE AND MEMORANDUM IN SUPPORT**

1. MOTION FOR EXTENSION

Now comes Smart Papers Holdings LLC ("Smart Papers") and moves that the Public Utilities Commission of Ohio ("Commission") grant an extension of the May 27, 2011 expiration date of its Certificate as a competitive retail electric service provider. Inadvertently, Smart Papers did not file an application for renewal of Certificate 03-111 (1) within the 30-120 day advance window set forth in Rule 4901:1-27-09 of the Ohio Administrative Code. Smart Papers filed its application, out of time, on May 6, 2011. Smart Papers seeks an extension of its Certificate's expiration date while the Commission is considering its motion.

2. MEMORANDUM IN SUPPORT

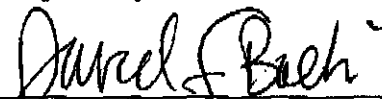
Smart Papers was granted the authority to provide governmental aggregation services on May 27, 2009, and its current certificate expires on May 27, 2011. Unfortunately, due to an inadvertent oversight with regard to the timing for filing, Smart Papers did not realize that the advance filing date for its certificate renewal has passed. Smart Papers filed its renewal application on May 6, 2011. While the Commission considers the renewal, Smart Papers requests an extension of the expiration date of its

certificate from May 27, 2011 to June 6, 2011, to allow for the thirty day review period from the May 6, 2011 renewal application filing date.

Smart Papers' request for an extension is reasonable under the circumstances and should be granted. Although Smart Papers 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 Smart Papers' operation. Indeed, except for the automatic expiration date of its Certificate 01-070E (5), Smart Papers has done nothing that would warrant suspension or rescission of its authority. Since the Smart Papers' dilemma has been caused by an inadvertent oversight, an extension would allow Smart Papers to obtain renewal of its certificate without causing inconvenience to its participants. It does not believe its late filing will cause any harm or prejudice to any potential parties. Smart Papers respectfully submits that an extension of its certificate expiration date is in the public interest.

WHEREFORE, Smart Papers asks the Commission for an extension of its certificate until June 6, 2011.

Respectfully submitted,



David F. Boehm, Esq.

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**COUNSEL FOR SMART PAPERS
HOLDINGS LLC**

May 12, 2011