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December 11, 2012

Ms. Barcy F. McNeal, Secretary  
Public Utilities Commission of Ohio  
180 E. Broad Street, 11th Floor  
Columbus, OH 43215-3793

Re: Case No. 02-1828-GA-CRS  
Commerce Energy, Inc. dba Just Energy  
Supplemental Exhibits B-5 and B-6

Dear Ms. McNeal:

On October 26, 2012, Commerce Energy, Inc. dba Just Energy filed a renewal application in this case. On November 21, the Attorney Examiner issued an Entry suspending the automatic approval process and extending the expiration date of Just Energy's certificate.

I am submitting today two documents entitled "Supplemental Exhibit B-5" and "Supplemental Exhibit B-6". These two documents are being filed to supplement those that were contained in the October 26, 2012 renewal application.

Thank you in advance for your consideration.

Sincerely yours,

Stephen M. Howard  
Attorneys for Commerce Energy, Inc. dba Just  
Energy

SMH/jaw  
Enclosure  
cc: All Counsel of Record (w/encl.) via email

## **Supplemental Exhibit B-5**

### **Disclosure of Consumer Protection Violations**

Commerce Energy, Inc. dba Just Energy (“Just Energy”) answered “no” to question B-5 of its Renewal Application. Just Energy has not been held liable for fraud or for violation of any consumer protection or antitrust laws since applicant last filed for certification. However, in Case No. 02-1828-GA-CRS, Just Energy was a signatory party to a Joint Stipulation and Recommendation (“Stipulation”) with Staff and the Office of the Ohio Consumers’ Counsel (“OCC”) on November 4, 2010, as a result of a significant number of contacts to the Commission’s call center and to the OCC from consumers complaining about the marketing, solicitation, and customer enrollment practices of Just Energy’s residential door-to-door sales agents in connection with the sale of competitive retail natural gas service (“CRNGS”). In that Stipulation, Just Energy admitted no wrongdoing but agreed to pay a \$111,000 forfeiture; one-year period of monitoring by staff and OCC for compliance with the Stipulation; holding \$200,000 in abeyance subject to terms and conditions of the Stipulation and other penalties; and a two-year certification for the Company contingent on its compliance with the statute, Commission’s rules, and terms of the Stipulation. The Commission approved and adopted the Stipulation by Opinion and Order on November 22, 2010. Just Energy satisfied all of the conditions of the Stipulation, was not required to release the \$200,000 held in abeyance, and was not assessed any other penalties.

## **Supplemental Exhibit B-6**

### **Disclosure of Certification Denial, Curtailment, Suspension, or Revocation**

Commerce Energy, Inc. dba Just Energy (“Just Energy”) answered “no” to question B-6 of its Renewal Application. Just Energy has not had any certification, license, or application to provide retail natural gas or retail/wholesale electric service denied, curtailed, suspended, or revoked. Just Energy was not terminated from any of Ohio’s Natural Gas Choice programs and has not been in default for failure to deliver natural gas since applicant last filed for certification. However, in Case No. 02-1828-GA-CRS, Just Energy was a signatory party to a Joint Stipulation and Recommendation (“Stipulation”) with Staff and the Office of the Ohio Consumers’ Counsel (“OCC”) on November 4, 2010, as a result of a significant number of contacts to the Commission’s call center and to the OCC from consumers complaining about the marketing, solicitation, and customer enrollment practices of Just Energy’s residential door-to-door sales agents in connection with the sale of competitive retail natural gas service (“CRNGS”). In that Stipulation, Just Energy admitted no wrongdoing but agreed to pay a \$111,000 forfeiture; one-year period of monitoring by staff and OCC for compliance with the Stipulation; holding \$200,000 in abeyance subject to terms and conditions of the Stipulation and other penalties; and a two-year certification for the Company contingent on its compliance with the statute, Commission’s rules, and terms of the Stipulation. The Commission approved and adopted the Stipulation by Opinion and Order on November 22, 2010. Just Energy satisfied all of the conditions of the Stipulation, was not required to release the \$200,000 held in abeyance, and was not assessed any other penalties.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**12/11/2012 4:14:25 PM**

**in**

**Case No(s). 02-1828-GA-CRS**

Summary: Exhibit Supplemental Exhibits B-5 and B-6 electronically filed by Mr. Stephen M Howard on behalf of Commerce Energy Inc. dba Just Energy