

FILE

14-2269-EL-AGG
14-2270-GA

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Ohio Public Utilities
Commission

180 East Broad Street
Columbus Ohio 43215-3793
ADDRESS SERVICE REQUESTED

EA HAT-OSB 432153793

WFF

EFL LTD CEO
BRIAN DOCKINS
5111 CARBONDALE DR
#6
COL JIMBUS OH 43232

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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application)
of EFL Ltd. for Certification as a) Case No. 14-2269-EL-AGG
Competitive Retail Electric Service)
Provider.)

In the Matter of the Application of)
EFL Ltd. for Certification as a) Case No. 14-2270-GA-AGG
Competitive Retail Natural Gas)
Provider.)

ENTRY

The Commission finds:

- (1) R.C. 4928.08 and 4929.20 provide that competitive retail electric service (CRES) providers and competitive retail natural gas service (CRNGS) providers must be certified by the Commission. Pursuant to R.C. 4928.08 and 4929.20, and Ohio Adm.Code 4901:1-24-10 and 4901:1-27-10, an application for certification shall be deemed approved 30 days after the filing of the application, unless the Commission suspends such approval. If the application is suspended, R.C. 4928.08 and 4929.20 provide that the Commission shall act to approve or deny the application within 90 days after the date of suspension.
- (2) On December 15, 2014, in Case No. 14-2269-EL-AGG (*Electric Certification Case*), EFL Ltd. (EFL) filed an application to become a CRES aggregator in Ohio. Additionally, on December 15, 2014, in Case No. 14-2270-GA-AGG (*Gas Certification Case*), EFL filed an application for certification as a CRNGS broker.
- (3) By Entry issued January 14, 2015, the attorney examiner suspended from the 30-day automatic approval process, pursuant to Ohio Adm.Code 4901:1-24-10 and 4901:1-27-10, EFL's CRES aggregator application and CRNGS broker application.

- (4) On June 8, 2015, the attorney examiner issued an Entry in the above-captioned cases directing EFL to file the information requested by Staff no later than June 18, 2015.
- (5) Pursuant to R.C. 4928.08 and 4929.20, the Commission reviews applications to determine if the applicant has the managerial, technical, and financial capability to provide CRES and CRNGS, and if there are reasonable financial assurances sufficient to protect customers and electric and natural gas companies from default.
- (6) On June 29, 2015, and July 9, 2015, Staff filed its review and recommendations in the *Gas Certification Case* and in the *Electric Certification Case*, respectively. In both filings, Staff states that EFL failed to provide exhibit C-5 to its applications, which includes EFL's forecasted financial statements. In addition, Staff states that in the *Gas Certification Case*, EFL did not provide exhibit A-7, while in the *Electric Certification Case*, EFL did not provide exhibit A-6; each of these exhibits includes EFL's address and telephone number for customer service and complaints. Therefore, Staff recommends that EFL's applications in these cases be dismissed without prejudice.
- (7) The Commission finds Staff's request to dismiss EFL's CRES and CRNGS applications is reasonable. Therefore, these cases should be dismissed and closed of record. Should EFL wish to refile applications to provide CRES and CRNGS, it may do so under new case numbers, and such applications will be subject to the procedures established in R.C. 4928.08 and 4929.20, as well as Ohio Adm.Code Chapters 4901:1-24 and 4901:1-27.

It is, therefore,

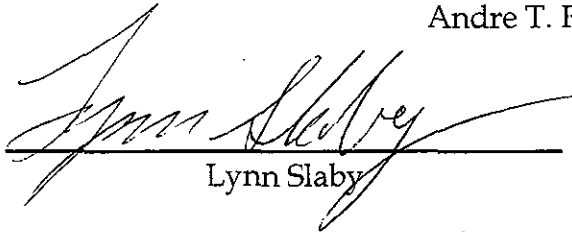
ORDERED, That the above-captioned applications filed by EFL be dismissed without prejudice and both cases closed of record. It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

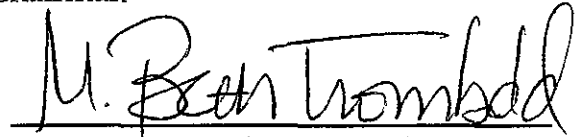
THE PUBLIC UTILITIES COMMISSION OF OHIO



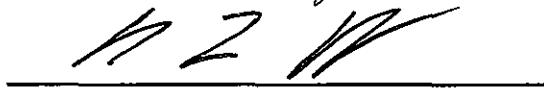
Andre T. Porter, Chairman



Lynn Slaby



M. Beth Trombold



Asim Z. Haque

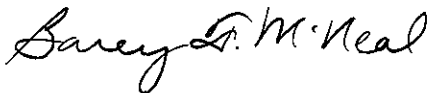


Thomas W. Johnson

JML/sc

Entered in the Journal

AUG 19 2015



Barcy F. McNeal
Secretary