

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE ANNUAL
REPORTS FOR CALENDAR YEAR 2016 FOR
THE FISCAL ASSESSMENT OF ALL
REGULATED ENTITIES.

CASE NO. 17-01-AU-RPT

ENTRY

Entered in the Journal on October 19, 2017

{¶ 1} R.C. 4905.10 requires each railroad and public utility to pay an annual assessment based upon their intrastate gross earnings for the purpose of maintaining the operations of this Commission.¹ In order to calculate such assessment, R.C. 4905.14 requires each public utility to file an annual report with the Commission. R.C. 4905.10(A) sets a minimum assessment of \$100 per company, regardless of their intrastate gross revenues in the reporting year. Every company that conducted jurisdictional operations during calendar year 2016 is required to file a report.

{¶ 2} Lykins Oil Company dba STEP Resources (Lykins) is authorized to provide electric aggregation and power broker services in Ohio pursuant to Certificate No. 09-183E(4), which was issued by the Commission on December 18, 2015, in Case No. 09-1813-EL-AGG.

{¶ 3} By Entry issued February 1, 2017, the Commission directed each company subject to Commission jurisdiction to file by May 31, 2017, a report documenting intrastate gross revenues for calendar year 2016 for purposes of calculating the company's annual assessment.

{¶ 4} Lykins timely filed an annual report on May 15, 2017.

¹ R.C. 4905.03(A) defines public utility companies to include telephone companies, electric light companies (except regional transmission organizations), heating or cooling companies, natural gas distribution companies, pipeline companies, and water-works and sewage disposal system companies. Railroad, bridge, and water transportation companies are included in the annual reporting requirement under R.C. 4907.02 and 4907.20. All certified retail electric and natural gas suppliers and aggregators are also subject to this reporting requirement under R.C. 4928.06 and 4929.23; while R.C. 4905.10(D) provides that, for the purpose of annual assessment, "public utility" includes electric and gas suppliers and aggregators subject to certification under R.C. 4928.08 and 4929.20, respectively.

{¶ 5} Based upon the annual reports received, the Commission calculated the annual assessment due and sent out invoices to each company subject to assessment on or before October 1, 2017. Pursuant to R.C. 4905.10(B), payment of the assessment must be made to the Commission by November 1, 2017.

{¶ 6} On October 17, 2017, Lykins filed an application requesting leave to amend its 2016 annual report. In support, Lykins states that, as a result of a recent internal review, Lykins has determined that it understated its brokerage fees and commissions realized during 2016 in reporting its revenue. Lykins recognizes that the change in the reported 2016 revenue will affect the amount of the Commission assessment due November 1, 2017. Unless otherwise instructed, Lykins will pay its estimate of the adjusted amount of the Commission assessment on or before the due date.

{¶ 7} The attorney examiner determines that Lykins' request for leave to amend its annual report should be granted for good cause shown.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Lykins' request be granted in accordance with paragraph 7. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon Lykins Oil Company dba STEP Resources.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jeffrey R. Jones

By: Jeffrey R. Jones
Attorney Examiner

sjp/vrm

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Summary: Attorney Examiner Entry granting Lykins' request for leave to amend its annual report; electronically filed by Vesta R Miller on behalf of Jeffrey R. Jones, Attorney Examiner, Public Utilities Commission of Ohio