BEFORE THE
PUBLIC UTILITIES COMMISION OF OHIO

In The Matter of the Application of the Village of Ney for Certification As a Governmental Aggregator	)))	Case No 12-0286-EL-GAG

MOTION FOR EXTENSION OF CERTIFICATE EXPIRATION DATE AND MEMORANDUM IN SUPPORT

I. MOTION FOR EXTENSION

Now comes FirstEnergy Solutions Corp. ("FES") on behalf of The Village of Ney ("the Village") and moves that the Public Utilities Commission of Ohio ("Commission") grant an extension of the expiration date of its certificate to provide governmental aggregation services granted by the Commission under Case No. 12-0286-EL-GAG. FES is the current supplier for the Village's governmental aggregation program. FES routinely assists governmental aggregation communities it serves, like the Village, with making their required renewal filings to the PUCO. Due to a scheduling error and the timing of the Village's meeting, the only opportunity for renewal application to be formally reviewed and signed, FES was unable to obtain signatures for the renewal application from the Village prior to February 11, 2018. As a result of this timing problem a complete renewal application was not submitted within the 30–60 day advance window set forth in rule 4901:1-24-09 of the Ohio Administrative Code ("OAC"). Given that the time for the renewal has passed the Village has filed their application for a renewal certificate concurrent with this motion, and the Village seeks an extension of its current certificate's expiration during the pendency of the Commission's considering review of the Village's application renewal.

II. MEMORANDUM IN SUPPORT

The Village was granted the authority to provide governmental aggregation services and the current certificate will expire on March 13, 2018. Due to a scheduling error and the Village's meeting schedule, where renewal applications would be reviewed and signed, the application could not be reviewed in a timely manner. The Village has filed a new application concurrent with this motion. While the Commission considers the new application, the Village requests an extension of the expiration date of its certificate from March 13, 2018 to April 13, 2018, to allow for the thirty day review period from the February 28, 2018, date of renewal certificate application.

The Village's request for an extension is reasonable under the circumstances and should be granted. If the Commission does not grant this request to extend its certificate under Case No. 12-0286-EL-GAG, the Village's ability to legally provide aggregation services would be in question, this would put the Village's aggregation participants at a disadvantage in that they would not be able to receive the lower electric rates they currently enjoy since they would be potentially forced back to higher priced SSO service. Although a renewal application was not filed within the 30-60 day window as set forth in Rule 4901:1-24-09 (A), in substance there have been no material changes in the Village's operation of its aggregation program as is clear from its new certificate application. The Village has done nothing that would warrant suspension or rescission of its authority. An extension would allow the Village to obtain a new certificate under this case number without causing undue hardship or inconvenience to its participants. The Village respectfully submits that an extension of its certificate expiration date under Case No. 12-0286-EL-GAG is in the public interest.

Wherefore, FirstEnergy Solutions Corp. on behalf of The Village of Ney respectfully urges the Commission to grant the extension.

Respectfully submitted,

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Case No(s). 12-0286-EL-GAG

Summary: Motion for extension of certificate expiration date and memorandum in support electronically filed by Mr. Benjamin T Rich on behalf of FirstEnergy Solutions and Village of Ney