

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE JOINT APPLICATION
OF DIRECT ENERGY SERVICES, LLC, DIRECT
ENERGY BUSINESS, LLC, DOMINION
ENERGY SOLUTIONS, INC., AND SOUTHSTAR
ENERGY SERVICES, LLC FOR A WAIVER OF A
PROVISION OF RULE 4901:1-29-06(E)(1) OF
THE OHIO ADMINISTRATIVE CODE.

CASE NO. 17-2358-GA-WVR

ENTRY ON REHEARING

Entered in the Journal on January 9, 2019

I. SUMMARY

{¶ 1} The Commission grants the application for rehearing, filed by the Ohio Consumers' Counsel, of the November 14, 2018 Entry for the purpose of further consideration of the matters specified in the application for rehearing.

II. DISCUSSION

{¶ 2} Direct Energy Services, LLC, Direct Energy Business, LLC, Dominion Energy Solutions, Inc., Interstate Gas Supply, Inc., and SouthStar Energy Services, LLC (collectively, the Applicants or the Marketers) are retail natural gas suppliers as defined in R.C. 4929.01, are certified to provide competitive retail natural gas service under R.C. 4929.20, and are subject to the jurisdiction of this Commission pursuant to R.C. 4929.24.

{¶ 3} On November 15, 2017, the Applicants submitted a joint application to the Commission requesting a waiver of the third-party verification (TPV) provision of Ohio Adm.Code 4901:1-29-06(E)(1), as it applies to customer-initiated inbound calls. Specifically, the Applicants requested a waiver of the provision of the rule that requires TPV on inbound telephonic sales if the entire call is recorded by the retail natural gas supplier or governmental aggregator and the recording is archived and retained in accordance with the Commission's rules.

{¶ 4} The Ohio Consumers' Counsel (OCC) filed a motion to intervene in this proceeding on December 1, 2017.

{¶ 5} On January 19, 2018, OCC filed a motion to deny the application.

{¶ 6} On February 5, 2018, the Applicants filed a memorandum contra OCC's motion to deny the application.

{¶ 7} On February 12, 2018, OCC filed a reply to Applicants' memorandum contra.

{¶ 8} On August 21, 2018, Staff filed its recommendations following its review of the Marketers' application.

{¶ 9} On November 14, 2018, the Commission issued an Entry granting the joint request for a waiver of Ohio Adm.Code 4901:1-29-06(E)(1) from the rule's requirement for TPV for telephonic enrollments that are recorded by retail natural gas suppliers and governmental aggregators for customer-initiated inbound calls. The Commission also granted the motion for intervention filed by OCC.

{¶ 10} R.C. 4903.10 states that any party who has entered an appearance in a Commission proceeding may apply for rehearing with respect to any matters determined in that proceeding, by filing an application within 30 days after the entry of the order upon the journal of the Commission.

{¶ 11} On December 14, 2018, OCC filed an application for rehearing of the November 14, 2018 Entry. The Applicants filed a memorandum contra OCC's application for rehearing on December 21, 2018.

{¶ 12} The Commission believes that sufficient reason has been set forth by OCC to warrant further consideration of the matters specified in the application for rehearing. Accordingly, the application for rehearing filed by OCC should be granted.

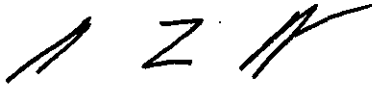
III. ORDER

{¶ 13} It is, therefore,

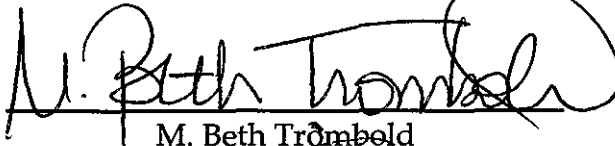
{¶ 14} ORDERED, That the application for rehearing filed by OCC be granted for further consideration of the matters specified in the application for rehearing. It is, further,

{¶ 15} ORDERED, That a copy of this Entry on Rehearing be served upon all parties of record.

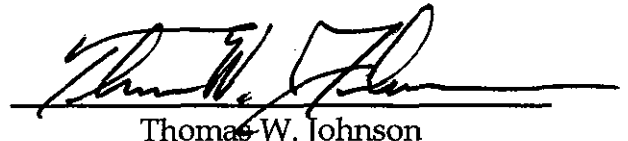
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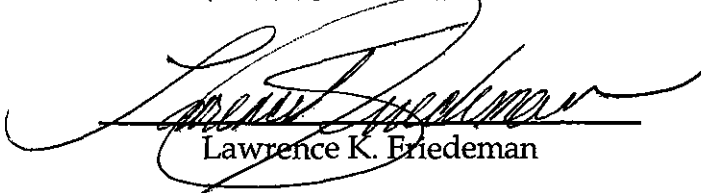
Asim Z. Haque, Chairman



M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

SEC/sc

Entered in the Journal JAN - 9 2019



Tanowa M. Troupe
Secretary