

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE PROPER  
PROCEDURES AND PROCESS FOR THE  
COMMISSION'S OPERATIONS AND  
PROCEEDINGS DURING THE DECLARED  
STATE OF EMERGENCY AND RELATED  
MATTERS.

CASE NO. 20-591-AU-UNC

### ENTRY

Entered in the Journal on March 16, 2020

{¶ 1} Pursuant to R.C. 4901.10, the office of the Commission shall be at the seat of government in Columbus, Ohio, in suitable quarters provided by the state.

{¶ 2} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. As described in the Executive Order, state agencies are required to implement procedures consistent with recommendations from the Department of Health to prevent or alleviate the public health threat associated with COVID-19. Additionally, all citizens are urged to heed the advice of the Department of Health regarding this public health emergency in order to protect their health and safety. The Executive Order was effective immediately and will remain in effect until the COVID-19 emergency no longer exists. The Department of Health is making COVID-19 information, including information on preventative measures, available via the internet at [coronavirus.ohio.gov/](https://coronavirus.ohio.gov/).

{¶ 3} The Supreme Court of Ohio has found that the Commission is vested with considerable discretion "to decide how, in light of its internal organization and docket considerations, it may best proceed to manage and expedite the orderly flow of its business, avoid undue delay and eliminate unnecessary duplication of effort." *Toledo Coalition for Safe Energy v. Pub. Util. Comm.*, 69 Ohio St.2d 559, 560, 433 N.E.2d 212 (1982); *see also Sanders Transfer, Inc. v. Pub. Util. Comm.*, 58 Ohio St.2d 21, 23, 387 N.E.2d 1370 (1979) ("The public utilities commission is invested with a discretion as to its order of business, and there is such a wide latitude of that discretion that this court may not lawfully interfere with it, except in extreme cases.").

{¶ 4} On March 12, 2020, the Commission opened this proceeding and directed, among other things, that paper and facsimile filing of documents with the Commission's docketing division be suspended until further notice.

{¶ 5} Consistent with the Executive Order, the attorney examiner issues the following directives to ensure the continued orderly flow of the Commission's business and to mitigate risks of spreading COVID-19 through social contact during the state of emergency:

- (a) With the exception of the automatic approval of any filings to suspend service disconnection or reconnection requirements in accordance with the Commission's Entries dated March 12, 2020, and March 13, 2020, any time period prescribed by order, statute, or rule for the Commission to act upon a pending application or other filing should be tolled during the state of emergency and also during the 14 days thereafter. This includes, but is not limited to, the following:
  - (i) The 30-day automatic approval process for applications and renewal applications for certification to provide competitive retail electric service and competitive retail natural gas service, as well as the 90-day period for the Commission to take action to approve or deny a suspended application.
  - (ii) The 30-day automatic approval process for certification applications to operate as a telephone company in this state, unless suspended or rejected by the Commission.
  - (iii) The 60-day automatic approval process for applications for mercantile customers to commit their peak demand reduction, demand response, and energy efficiency programs for integration with an electric utility's programs.

- (iv) The 60-day automatic approval process for applications for certification as an eligible Ohio renewable energy resource, as well as the 90-day period for the Commission to approve or deny a suspended application.

During the declared emergency, parties and other interested stakeholders should be aware that Staff will continue to investigate pending applications and the Commission will act on such applications on a case-by-case basis.

- (b) Certification to provide competitive retail electric service or competitive retail natural gas service shall be automatically extended upon filing of a renewal application until or unless otherwise directed by the Commission.
- (c) At this time, the filing directives in the Commission's March 12, 2020 Entry are hereby modified. In-person filing of documents with the Commission's docketing division will continue to be suspended during the declared emergency. The attorney examiner encourages parties and other interested persons to file documents electronically in the docketing information system. Although electronic filing is preferred, filings may also be made by mail or, except as otherwise provided under Ohio Adm.Code 4901-1-02(C)(1), via facsimile at (614) 466-0313. However, any document for which a filer seeks confidential treatment must be mailed to the Commission: Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215. All filers should be aware that the acceptance of documents for filing by any method may be delayed during this time.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the procedural directives set forth in Paragraph 5 be adopted.

It is, further,

{¶ 8} ORDERED, That notice of this Entry be served via the Electric-Energy, Gas Pipeline, Railroad, Telephone, and Water industry service lists.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Sarah J. Parrot

By: Sarah J. Parrot  
Attorney Examiner

JRJ/mef

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

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**Case No(s). 20-0591-AU-UNC**

Summary: Attorney Examiner Entry setting directives to ensure the continued orderly flow of the Commission's business and to mitigate risks of spreading COVID-19 through social contact during the state of emergency. electronically filed by Ms. Mary E Fischer on behalf of Sarah J. Parrot, Attorney Examiner, Public Utilities Commission of Ohio