

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of
Verde Energy USA Ohio, LLC for
Certification as a Competitive Retail
Electric Supplier

CASE NO.: 11-5886-EL-CRS
CASE NO.: 13-2164-GA-CRS

In the Matter of the Application of
Verde Energy USA Ohio, LLC as a
Competitive Retail Natural Gas
Supplier

(CONSOLIDATED)

EXPEDITED RULING REQUESTED

JOINT MOTION FOR EXTENSION OF ALL CASE DEADLINES

Pursuant to Ohio Adm.Code 4901-1-13(A), Verde Energy USA Ohio, LLC (“Verde Energy”), the Staff of the Public Utilities Commission of Ohio (“Staff”), and the proposed intervenor Office of the Ohio Consumers’ Counsel (“OCC”) hereby jointly move to extend all deadlines set forth in paragraphs 11 and 12 of the March 3, 2020 Entry in the above-captioned cases by 60 days. For the avoidance of doubt, the 60-day extension does not apply to the November 1, 2020 expiration of Verde’s CRES and CRNGS certificates. Moreover, pursuant to Ohio Adm.Code 4901-1-12(C), the parties request expedited consideration of this motion due to the severity of the exigent circumstances described below.

Good cause exists to extend all case deadlines as described above due to the unprecedented national and statewide disruptions caused by the COVID-19 novel coronavirus (“COVID-19”). At present, no fewer than 247 cases of COVID-19 have

been identified in the State of Ohio,¹ and government agencies and private companies have been forced to take drastic measures to control its spread. The Governor of Ohio has declared a state of emergency. *See* Gov. Mike DeWine, EO-2020-1D (Mar. 9, 2020). This public health crisis has resulted in severe disruptions to the ordinary course of government business, including, for example, the postponement of the March 17 Ohio primary election. *See State ex rel. Corey Speweik v. Wood Cty. Board of Elections and Frank LaRose*, 2020-Ohio-997 (Mar. 17, 2020). Mass gatherings have been banned in the State of Ohio, and workers are being required or encouraged to work remotely and to avoid in-person meetings. *See* Amy Acton, Director of Health, Amended Order to Limit and/or Prohibit Mass Gatherings and the Closure of Venues in the State of Ohio (Mar. 17, 2020). These and other public and private measures currently affect undersigned parties and their counsel. Many offices, including those of Staff, are operating at minimal capacity. Indeed, recently the Commission ordered all CRES and CRNGS suppliers in Ohio to suspend door-to-door and in-person marketing activities to reduce the risk of unnecessary social contact. *See* Entry, *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 (Mar. 17, 2020).

Under these circumstances, it is not practical for the parties to attempt to meet the current case deadlines. There is significant disruption to the operations of

¹ 247 Confirmed Ohio Coronavirus Cases: Gov. Mike DeWine Saturday, March 21 Briefing, *Cleveland.com*, <https://www.cleveland.com/open/2020/03/247-confirmed-ohio-coronavirus-cases-3-deaths-gov-mike-dewines-saturday-march-21-briefing.html>.

government agencies and businesses, including Staff and Verde Energy. Many employees have changed work schedules and environments, unexpected personal commitments, and reduced access to relevant documents and information. While the parties continue to work diligently on discovery issues, the parties respectfully submit that these circumstances warrant an extension of the case deadlines to ensure that all parties can effectively respond to discovery and prepare these cases for a hearing.

Extending all case deadlines in the procedural schedule by 60 days should not affect the ability of the Commission to consider the renewal of Verde Energy's gas and electric certificates in due course, as those certificates have been extended through November 1, 2020. For these reasons, good cause exists under Ohio Adm.Code 4901-1-13(A) to extend all case deadlines.

Dated: March 23, 2020

Bruce Weston
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By Email Consent (3-22-20)

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CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing document was served by e-mail upon the persons listed below this 23rd day of March, 2020.

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Summary: Motion JOINT MOTION FOR EXTENSION OF ALL CASE DEADLINES
electronically filed by Mr. David F. Proano on behalf of Verde Energy USA Ohio, LLC