

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATIONS
FOR CERTIFICATION AS A COMPETITIVE
RETAIL ELECTRIC SERVICE PROVIDER
FILED BY:

AEP ENERGY, INC.,
TMGES, INC.,
VILLAGE OF LYONS,
VILLAGE OF GRAND RAPIDS,
CITY OF BELPRE,
ST. CLAIR TOWNSHIP, HENRY
COUNTY,
PUTNAM COUNTY,
MUSKINGUM COUNTY,
RIVERSIDE ENERGY INC.,
DELAWARE TOWNSHIP,
DELAWARE COUNTY,
VILLAGE OF DRESDEN,
M3 CONSULTING, LLC, D/B/A/ M3
ENERGY,
CITY OF TORONTO,
ENERGY ALLIANCES, INC.,
THE BRIO ENERGY
CORPORATION,
WAYNE TOWNSHIP, JEFFERSON
COUNTY,
MT. PLEASANT TOWNSHIP,
JEFFERSON COUNTY,
CLEARCREEK TOWNSHIP,
WARREN COUNTY,
CHAMPION TOWNSHIP,
TRUMBULL COUNTY,
VILLAGE OF MINERVA,
CITY OF BEAVERCREEK,
MANAGEMENT SERVICES
PARTNERS, LLC,
OE RETAIL SERVICES LLC,
CUMMINS & ASSOCIATES
TELECOMMUNICATIONS, AND
VILLAGE OF LEETONIA.

CASE NO. 10-384-EL-CRS
CASE NO. 12-256-EL-AGG
CASE NO. 12-345-EL-GAG
CASE NO. 12-674-EL-GAG
CASE NO. 12-884-EL-GAG
CASE NO. 12-1038-EL-GAG

CASE NO. 12-1117-EL-GAG
CASE NO. 12-1118-EL-GAG
CASE NO. 12-1119-EL-GAG
CASE NO. 12-1261-EL-AGG

CASE NO. 14-328-EL-GAG
CASE NO. 14-371-EL-GAG

CASE NO. 14-405-EL-AGG
CASE NO. 14-428-EL-GAG
CASE NO. 14-491-EL-AGG

CASE NO. 14-509-EL-AGG

CASE NO. 16-456-EL-GAG

CASE NO. 16-558-EL-GAG

CASE NO. 16-562-EL-GAG

CASE NO. 16-591-EL-GAG
CASE NO. 18-491-EL-GAG
CASE NO. 18-518-EL-GAG

CASE NO. 18-640-EL-AGG
CASE NO. 20-654-EL-AGG
CASE NO. 20-678-EL-AGG
CASE NO. 20-714-EL-GAG

FINDING AND ORDER

Entered in the Journal on May 20, 2020

I. SUMMARY

{¶ 1} The Commission approves the applications in the above-captioned proceedings for certification as competitive retail electric service providers.

II. DISCUSSION

{¶ 2} R.C. 4928.08 provides that retail electric suppliers, including brokers and aggregators, must be certified by the Commission prior to providing competitive retail electric service (CRES). The Commission reviews applications for certification to determine if the applicant has the managerial, technical, and financial capability to provide CRES and whether there are reasonable financial assurances sufficient to protect customers and electric companies from default.

{¶ 3} Applications were filed in the above-captioned proceedings for certification as CRES providers in the state of Ohio.

{¶ 4} Pursuant to R.C. 4928.08 and Ohio Adm.Code 4901:1-24-10, an application for certification shall be deemed approved 30 days after the filing of the application, unless the Commission suspends such approval.

{¶ 5} 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.

{¶ 6} On March 16, 2020, an attorney examiner issued an Entry in Case No. 20-591-AU-UNC, directing that 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, including the 30-day automatic approval process for applications and renewal applications for certification to provide CRES, as well as the 90-day period for the Commission to take action to approve or deny a suspended application. Further, the attorney examiner indicated that, during the declared emergency, Staff would continue to investigate pending applications and the Commission would act on such applications on a case-by-case basis. *In re 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 (Mar. 16, 2020) at ¶ 5.

{¶ 7} The applications filed in the above-captioned proceedings were, thus, subject to the March 16, 2020 Entry and suspended from automatic approval during the state of emergency.

{¶ 8} Staff filed reports of its review of each application, indicating that the applicants satisfy the statutory requirements for certification as CRES providers, and recommending that the applications be approved.

{¶ 9} Upon review of the filed applications, as well as Staff's recommendation, the Commission finds that each applicant is managerially, financially, and technically fit and capable of performing competitive retail electric service and that the applicant is managerially, financially, and technically fit and capable of complying with all applicable commission rules and orders adopted pursuant to Chapter 4928 of the Revised Code. Accordingly, each application should be approved.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the applications filed in the above-captioned cases be approved. It is, further,

{¶ 12} ORDERED, That the Commission's Docketing Division issue each applicant a certificate to provide CRES in the state of Ohio. It is, further,

{¶ 13} ORDERED, That a copy of this Finding and Order be served upon all parties of record.

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

DMH/kck

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in

Case No(s). 10-0384-EL-CRS, 12-0256-EL-AGG, 12-0345-EL-GAG, 12-0674-EL-GAG, 12-0884-EL-GAG

Summary: Finding & Order approving the applications in the above-captioned proceedings for certification as competitive retail electric service providers. electronically filed by Ms. Mary E Fischer on behalf of Public Utilities Commission of Ohio