

THE PUBLIC UTILITIES COMMISSION OF OHIO

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

INDEPENDENT ENERGY	CASE No. 04-592-EL-AGG
CONSULTANTS, INC.,	
SUMMIT ENERGY SERVICES, INC.,	CASE No. 10-645-EL-AGG
WASHINGTON TOWNSHIP,	CASE No. 10-703-EL-GAG
STARK COUNTY,	
BOARD OF ERIE COUNTY	CASE No. 10-712-EL-GAG
COMMISSIONERS,	
LAKE TOWNSHIP, STARK	CASE No. 10-730-EL-GAG
COUNTY,	
DAYBREAK ENERGY LLC,	CASE No. 14-640-EL-AGG
BARRANCA ENERGY	CASE No. 14-708-EL-AGG
PROCUREMENT SERVICES, LLC	
HB HAYES & ASSOCIATES LLC,	CASE No. 14-742-EL-AGG
D/B/A ALTERNATIVE ENERGY	
SOURCE,	
PREMIER ENERGY GROUP, LLC,	CASE No. 14-916-EL-AGG
SOURCEONE, INC. (DE),	
VILLAGE OF TILTONSVILLE,	CASE No. 14-944-EL-AGG
JEFFERSON COUNTY,	
VILLAGE OF CARROLLTON,	CASE No. 14-959-EL-GAG
CARROLL COUNTY,	
ELECTRIC ADVISORS, INC.,	CASE No. 14-968-EL-GAG
FAYETTE COUNTY,	CASE No. 14-998-EL-AGG
FAIRFIELD COUNTY,	CASE No. 14-1033-EL-GAG
IDT ENERGY, INC.,	CASE No. 14-1096-EL-GAG
YARDI SYSTEMS, INC.,	CASE No. 16-699-EL-CRS
RENAISSANCE POWER & GAS,	CASE No. 16-715-EL-AGG
INC.,	
EVOLUTION ENERGY PARTNERS	CASE No. 16-738-EL-CRS
LLC,	
HARRISON TOWNSHIP, LICKING	CASE No. 16-843-EL-AGG
COUNTY,	
MILL TOWNSHIP, TUSCARAWAS	CASE No. 16-937-EL-GAG
COUNTY,	
OHIO INDUSTRIAL ENERGY, LLC,	CASE No. 16-955-EL-GAG
ENERCONNEX, LLC,	CASE No. 16-1101-EL-AGG
FAIRFIELD TOWNSHIP, BUTLER	CASE No. 16-1176-EL-AGG
COUNTY,	

JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, HOLCIM (US),INC.,	CASE No. 16-1189-EL-GAG
WHITEWATER TOWNSHIP, HAMILTON COUNTY, STEUBENVILLE TOWNSHIP, JEFFERSON COUNTY, VILLAGE OF DELTA,	CASE No. 16-1214-EL-GAG CASE No. 16-1245-EL-CRS CASE No. 16-1364-EL-GAG
SIERRA POWER BROKERS, LLC, MAVERICK SALES SOLUTIONS, INC, D/B/A MAVERICK ENERGY CONSULTING, INC.,	CASE No. 16-1366-EL-GAG CASE No. 16-1407-EL-GAG CASE No. 18-680-EL-AGG
VILLAGE OF SOUTH ZANESVILLE, SMART COLUMBUS ENERGY LLC, AND SELECTED POWER INC.	CASE No. 18-800-EL-AGG CASE No. 18-1026-EL-GAG CASE No. 20-920-EL-AGG CASE No. 20-936-EL-AGG

FINDING AND ORDER

Entered in the Journal on June 17, 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} On May 20, 2020, an attorney examiner issued an Entry in Case No. 20-591-AU-UNC directing that the tolling provision of the March 16, 2020 Entry be terminated effective June 1, 2020. Due to the date of filing in the above-captioned cases, however, the applications listed above were subject to the tolling provisions of the March 16, 2020 Entry

and were suspended from automatic approval during the tolling. *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 (May 20, 2020) at ¶ 6.

{¶ 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). 04-0592-EL-AGG, 10-0645-EL-AGG, 10-0703-EL-GAG, 10-0712-EL-GAG, 10-0730-EL-GA

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