

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
AK ELECTRIC SUPPLY LLC FOR
CERTIFICATION AS A COMPETITIVE
RETAIL ELECTRIC SERVICE PROVIDER IN
OHIO.

CASE NO. 03-2272-EL-CRS

ENTRY

Entered in the Journal on June 30, 2020

{¶ 1} On April 17, 2020, the above-captioned application was filed for certification as a competitive retail electric service (CRES) provider in the state of Ohio.

{¶ 2} Pursuant to Ohio Adm.Code 4901:1-24-10(A), an application for certification shall be deemed approved 30 days after the filing of the application, unless the Commission suspends such approval. Additionally, Ohio Adm.Code 4901:1-24-10(A)(1) provides that, upon good cause shown, the Commission or an attorney examiner may suspend consideration of a certification application.

{¶ 3} 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.

{¶ 4} 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.

{¶ 5} 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 case, however, the application was subject to the tolling provisions of the March 16, 2020 Entry and was 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.

{¶ 6} Additional information and investigation are necessary in order to complete a review of this application. Therefore, the attorney examiner finds that good cause exists to suspend the 30-day automatic approval process for this application in order that the Commission and its staff may further review this matter.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That the automatic approval process be suspended for this application for certification as a competitive retail electric service provider in the state of Ohio. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/David M. Hicks

By: David M. Hicks
Attorney Examiner

GAP/kck

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in

Case No(s). 03-2272-EL-CRS

Summary: Attorney Examiner Entry ordering that the automatic approval process be suspended for this application for certification as a competitive retail electric service provider in the state of Ohio. electronically filed by Kelli C King on behalf of David M. Hicks, Attorney Examiner, Public Utilities Commission of Ohio