

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE ANNUAL
REPORTS FOR CALENDAR YEAR 2019 FOR
THE FISCAL ASSESSMENT OF ALL
REGULATED ENTITIES.

CASE NO. 20-01-AU-RPT

ENTRY

Entered in the Journal on January 12, 2021

{¶ 1} Pursuant to R.C. 4905.10, by Entry issued January 29, 2020, the Commission directed all regulated entities to file a 2019 annual report for fiscal assessment through the Commission's web-based filing system known as the PUCO Community by April 30, 2020.

{¶ 2} On March 9, 2020, the governor signed Executive Order 2020-01D, declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. Further, on March 22, 2020, as amended on April 2, 2020, the Director of the Ohio Department of Health issued an order (Stay at Home Order) intended to ensure that the maximum number of Ohioans self-isolate in their residences to the maximum extent feasible, while enabling essential services to continue and help slow the spread of COVID-19.

{¶ 3} In light of the governor's declaration of a state of emergency and the Stay at Home Order, by Entry dated April 22, 2020, in Case No. 20-01-AU-RPT, the Commission extended the April 30, 2020 annual report deadline to June 29, 2020.

{¶ 4} By attorney examiner Entry issued June 30, 2020, the deadline for filing the required annual reports was extended to July 6, 2020, due to a state-wide issue affecting the Commission's web-based filing system shortly before the deadline set forth in the April 22, 2020 Commission Entry in this matter.

{¶ 5} On October 20, 2020, CleanChoice Energy, Inc. (CleanChoice) filed a motion for leave to file an amended annual report. In support, CleanChoice explains that it timely submitted an annual report on June 22, 2020, however, due to a year-end adjustment, it was

discovered that the revenue amounts had been incorrectly listed in the annual report filed on June 22, 2020. By this motion, CleanChoice seeks leave to amend its 2019 annual report to list the correct revenue amount. Upon the granting of this motion, CleanChoice will submit an amended annual report electronically via the Commission's web-based filing system.

{¶ 6} nTherm, LLC (nTherm), a certificated retail generation, power marketer, aggregation, and power broker as well as a certificated competitive natural gas, aggregation, broker, and marketer, filed a motion for leave to amend annual reports on October 23, 2020. nTherm submits that it filed annual reports for both certificates on August 31, 2020. Due to an inadvertent error however, the revenue amounts were incorrectly listed in the annual reports. nTherm maintains that it has taken steps to ensure that this mistake does not occur again and stands ready to file amended annual reports with the appropriate revenue amounts immediately upon receiving permission from the Commission to submit the filings.

{¶ 7} On October 29, 2020, a motion for leave to file an amended annual report was filed by Vesta Solutions, Inc. (Vesta). Vesta is authorized to provide competitive emergency telecommunications services in Ohio and states that its annual report was filed on May 20, 2020. After the filing of the annual report, Vesta discovered an inadvertent error in the reported information. Consequently, Vesta seeks leave to amend its annual report. Upon the granting of its motion, Vesta commits to making arrangements with the Commission's fiscal office to submit the amended annual report electronically through the Commission's web-based filing system.

{¶ 8} A motion for leave to amend its annual report was filed by Volunteer Energy Services, Inc. (Volunteer Energy or the Company), a certificated electric aggregation and power broker, on November 19, 2020. Volunteer Energy states that it filed the annual report on April 17, 2020, however, Commission Staff noticed a discrepancy in sale volumes contained in the annual report and the volumes contained in the RPS Compliance Report

filed on April 20, 2020, in Case No. 20-904-EL-ACP and reported the inconsistency to the Company. Volunteer Energy has confirmed that the volumes contained in the RPS Compliance Report are the correct volumes and accordingly request leave to amend the 2019 annual report to show the correct volumes. The Company clarifies that the revenue reported in the 2019 annual report was correct.

{¶ 9} On December 4, 2020, Reliant Energy Northeast, LLC (Reliant) filed a motion for leave to amend its 2019 annual report in order to correct the sales volumes and corresponding revenue amounts reported. Reliant is authorized to provide competitive retail electric and natural gas services in Ohio. Reliant submitted its 2019 annual report on April 24, 2020. Following a Commission Staff inquiry regarding sales volumes in Reliant's RPS Compliance Report filed on April 15, 2020, in Case No. 20-809-EL-ACP, it was discovered that the sales volumes contained in the 2019 annual report inadvertently omitted part of one month's sales information. Through this motion, Reliant requests leave to amend its 2019 annual report to identify the correct volumes and revenues. Upon approval of this motion, Reliant will proceed to amend and resubmit the 2019 annual report electronically.

{¶ 10} The attorney examiner determines that the motions for leave to submit amended annual reports filed by CleanChoice, nTherm, Vesta, Volunteer Energy, and Reliant are reasonable and are, therefore, granted. CleanChoice, nTherm, Vesta, Volunteer Energy, and Reliant shall have until January 27, 2021, to amend their 2019 annual reports as discussed above.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That the motions filed by CleanChoice, nTherm, Vesta, Volunteer Energy, and Reliant be granted in accordance with Paragraph 10. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon CleanChoice, nTherm, Vesta, Volunteer Energy, and Reliant.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Jeffrey R. Jones

By: Jeffrey R. Jones
Attorney Examiner

GAP/mef

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Case No(s). 20-0001-AU-RPT

Summary: Attorney Examiner Entry granting the motions filed by CleanChoice, nTherm, Vesta, Volunteer Energy, and Reliant as detailed herein electronically filed by Ms. Mary E Fischer on behalf of Jeffrey R. Jones, Attorney Examiner, Public Utilities Commission of Ohio