

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the)	
Village of Wellsville for Certification as an)	Case No. 17-1909-EL-GAG
Electric Governmental Aggregator)	
)	

MOTION FOR EXTENSION OF CERTIFICATE EXPIRATION DATE

Now comes Dynegy Energy Services (East), LLC (“Dynegy”), by and through counsel, on behalf of the Village of Wellsville, and respectfully moves that the Public Utilities Commission of Ohio (“Commission”) extend the expiration date of the Village’s certificate to provide governmental aggregation services (Case No. 17-0909-EL-GAG; Certificate No. 17-1223E(2)) to June 25, 2021, or for such longer period the Commission deems appropriate, for the reasons explained in this motion.

The Village of Wellsville contracts with Dynegy for competitive retail electric service (“CRES”). In addition to serving as the supplier for the Village’s governmental aggregation program, Dynegy and its counsel assist the Village with required filings with the Commission, including notices of material change, opt-out notices, and application renewal filings. The Village’s most recent certificate, Certificate No. 17-1223E(2), became effective on May 5, 2019, with an expiration date of May 5, 2021. Due to an inadvertent oversight, the Village’s renewal application was not filed within the timeframe required by Ohio Adm.Code 4901:1-24-09. In Case No. 20-1077-GE-WVR, the Commission waived certain rules pertaining to providers’ untimely filing of certification renewal applications:

Ohio Adm.Code 4901:1-24-04 and Ohio Adm.Code 4901:1-27-04 are waived to the extent that a CRES/CRNGS provider, when failing to file a certification renewal application prior to the expiration of the existing certificate, must now file a certification renewal application under the existing certification case number instead of filing it in a new case. Additionally, if a CRES/CRNGS provider currently requests an extension of the previous certificate

under this section, the extension lasts for the duration of the new application review. The portions of these rules addressing the duration of the extension are waived for the purpose of more specifically defining the length of extension allowed. Now, a CRES/CRNGS provider may request, no later than 60 days after the expiration date on the certificate, to extend its previous certificate *for up to 90 days* while the new application is reviewed.

Entry, *In the Matter of the Commission's Consideration of a New Electronic Certification Processing System for Providers of Competitive Retail Electric Service and Competitive Retail Natural Gas Service and the Waiver of Applicable Procedural Rules Contained in Ohio Adm.Code Chapters 4901:1-24 and 4901:1-27*, ¶ 6(a) (emphasis in original).

Consistent with the Commission's Entry, Dynegy respectfully requests that the Commission grant an extension of the Village's certificate until June 25, 2021, or for such longer period the Commission deems appropriate, to cover the duration of the thirty-day review period for the Village's renewal application, which is being filed concurrently with this motion. *See* Ohio Adm.Code 4901:1-24-10(A) ("If the commission does not act upon an application for certification or certification renewal within thirty days of the filing date, the application shall be deemed automatically approved pursuant to section 4928.08 of the Revised Code on the thirty first day after the official filing date."). Dynegy notes that less than sixty days have passed since the expiration of the Village's certificate, and that the Commission's Entry authorizes extension of the Village's prior certificate for up to ninety days from the date of expiration (through August 3, 2021). Therefore, the requested extension is within the boundaries set by the Commission's Entry.

There have been no material changes to the operation of the Village of Wellsville's governmental aggregation program, and the Village has done nothing that would warrant suspension or rescission of its authority to serve as a governmental aggregator, but for the untimely filing of a renewal application. The requested extension will permit the Village to

obtain a certificate renewal under this case number and avoid undue hardship to the Village and to Village residents participating in the aggregation program. Thus, Dynegy respectfully submits that the requested extension is reasonable and in the public interest and should be granted.

Dated: May 26, 2021

Respectfully submitted,

/s/ David F. Proaño

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Case No(s). 17-0909-EL-GAG

Summary: Motion for Extension of Certificate Expiration Date electronically filed by Mr. David F. Proano on behalf of Dynegy Energy Services (East), LLC