BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application of Lower Watt, LLC for Certification as a Competitive Retail Natural Gas Aggregator/Broker

Case No. 17-1549-GA-AGG

MOTION FOR EXTENSION OF CERTIFICATE

Pursuant to Ohio Administrative Code 4901:1-27-04, and the Public Utilities Commission of Ohio's waiver ruling in Case No. 20-1077-GE-WVR,¹ Lower Watt, LLC ("Lower Watt") seeks an extension of Certificate No. 17-615G (2), which was issued in Case No. 17-1549-GA-AGG. The expiration date of Certificate No. 17-615G (2) was August 5, 2021. Lower Watt successfully submitted an application to renew its natural gas certificate through the PUCO Community, which was docketed on October 4, 2021, including supporting attachments. Also, on October 7, 2021, Lower Watt submitted confidential exhibits supporting its renewal application under seal (and an acknowledgement was included on the docket).

Due to disruptions caused by the COVID-19 pandemic, Lower Watt did not file its renewal application before the expiration of its Ohio natural gas certificate. Lower Watt filed its renewal application on October 4, 2021 and in conjunction retained Ohio counsel to assist with this motion.

¹ 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 Rule Contained in Ohio Adm.Code Chapters 4901:1-24 and 4901:27, Case No. 20-1077-GE-WVR, Entry at ¶ 6(a) (June 3, 2020).

WHEREFORE, Lower Watt respectfully requests that Certificate No. 17-615G (2) be extended from August 5, 2021, until a renewal certificate is issued, and Lower Watt be authorized to continue to operate during the pendency of the renewal application certification review.

Respectfully submitted,

<u>/s/ Gretchen L. Petrucci</u> Gretchen L. Petrucci (0046608) Vorys, Sater, Seymour and Pease LLP 52 East Gay Street Columbus, Ohio 43215 (614) 464-5407 <u>glpetrucci@vorys.com</u> (Willing to receive service via email)

Counsel for Lower Watt, LLC

MEMORANDUM IN SUPPORT OF MOTION FOR EXTENSION OF CERTIFICATE

Lower Watt, LLC ("Lower Watt") did not meet the date for its renewal application in Case No. 17-1549-GA-AGG and its Ohio natural gas certificate expired on August 5, 2021, because business was interrupted as a result of the COVID-19 pandemic. Lower Watt apologizes for this delay. Lower Watt filed its renewal application on October 4, 2021, utilizing the Commission's online process for its preparation and submittal of the filing.

Rule 4901:1-27-04 of the Ohio Administrative Code provides that a supplier may request an extension of a prior certificate and such a motion requesting an extension of a previous certificate will be deemed automatically approved (unless ruled otherwise by the Commission or an Attorney Examiner within three business days), if a renewal application is filed no later than 60 calendar days after the expiration date of the certificate. Lower Watt submits that it met this criteria. Additionally, Lower Watt requests that the certificate be extended in accordance with the Commission's June 3, 2020 decision² to allow an extension of a previous certificate for up to 90 days while the renewal application is reviewed.

Lower Watt requests an extension of Certificate No. 17-615G (2) issued in Case No. 17-1549-GA-AGG from August 5, 2021, until such time as a renewal certificate is issued.

Respectfully submitted,

<u>/s/ Gretchen L. Petrucci</u> Gretchen L. Petrucci (0046608) Vorys, Sater, Seymour and Pease LLP 52 East Gay Street Columbus, Ohio 43215 (614) 464-5407 <u>glpetrucci@vorys.com</u> (Willing to receive service via email)

Counsel for Lower Watt, LLC

² 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, Case No. 20-1077-GE-WVR, Entry at ¶ 6(a) (June 3, 2020).

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Summary: Motion for Extension of Certificate and Memorandum in Support electronically filed by Mrs. Gretchen L. Petrucci on behalf of Lower Watt, LLC