



Public Utilities Commission

22-0716-GA-GAG
PUCO USE ONLY - Version 1.07

Date Received	Case Number	Certification Number
	- GA-GAG	

CERTIFICATION APPLICATION OHIO NATURAL GAS GOVERNMENTAL AGGREGATORS

Please **type or print** all required information. Identify all attachments with an exhibit label and title (*Example: Exhibit B-1 - Authorizing Ordinance*). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus, Ohio 43215-3793.

This PDF form is designed so that you may directly input information onto the form. You may also download the form by saving it to your local disk.

SECTION A - APPLICANT INFORMATION

A-1 Applicant information:

Note: If filing as a township or village, please include the name of the County where the township or village is located in the applicant name. For example, Miami Township, Hamilton County

Legal Name Licking County

Address 20 South Second Street, Newark, OH 43055

Telephone No. 740-670-5110

Web site address www.lcounty.com

Current PUCO Certificate Number

Effective Dates

County Licking



A-2 Contact person for regulatory or emergency matters:

Name Mark R. Frye

Title Energy Consultant for Licking County

Business Address 5577 Airport Highway, Suite 101, Toledo, OH 43615

Telephone No. 419-539-9180

Fax No. 419-539-9185

Email Address mfrye@palmerenergy.com

A-3 Contact person for Commission Staff use in investigating customer complaints:

Name Mark R. Frye

Title Energy Consultant for Licking County

Business address 5577 Airport Highway, Suite 101, Toledo, OH 43615

Telephone No. 419-539-9180

Fax No. 419-539-9185

Email Address mfrye@palmerenergy.com

A-4 Applicant's address and toll-free number for customer service and complaints:

Customer service address 5577 Airport Highway, Suite 101, Toledo, OH 43615

Toll-Free Telephone No. 877-410-5214

Fax No. 419-539-9185

Email Address mfrye@palmerenergy.com

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician EC Date Processed 03/22/2022

SECTION B - APPLICANT AUTHORITY AND AGGREGATION PROGRAM INFORMATION

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED

- B-1** **Exhibit B-1 "Authorizing Ordinance,"** provide a copy of the adopted ordinance or resolution that reflects voter authorization to form a governmental aggregation program pursuant to Sections 4929.26 and 4929.27 of the Ohio Revised Code.
- B-2** **Exhibit B-2 "Operation and Governance Plan,"** provide a copy of the applicant's plan for operation and governance of its aggregation program adopted pursuant to Sections 4929.26(C) or 4929.27(B) of the Revised Code. The Operation and Governance Plan should include all information pursuant to Rule 4901:1-28-03 of the Ohio Administrative Code.
- B-3** **Exhibit B-3 "Automatic Aggregation Disclosure Notification,"** if the aggregation program provides for automatic aggregation in accordance with Section 4929.26(A) of the Revised Code, provide a copy of the disclosure notification required by Section 4929.26(D) of the Revised Code,
- B-4** **Exhibit B-4 "Opt-Out Notice,"** provide a draft copy of the applicant's opt out notice that comports with the Opt-Out disclosure requirements pursuant to Rule 4901:1-28-04 of the Ohio Administrative Code. *(Ten days prior to public dissemination, the applicant shall docket with the Commission, the finalized Opt-Out notice that provides or offers natural gas aggregation service.)*
- B-5** **Exhibit B-5 "Experience,"** provide a detailed description of the applicant's experience and plan for: providing aggregation services *(including contracting with consultants, broker/aggregators, retail natural gas suppliers)*; providing billing statements; responding to customer inquiries and complaints; and complying with all applicable provisions of Commission rules adopted pursuant to Section 4929.22 of the Ohio Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code.

Applicant Signature and Title Timothy B. Bell, Licking County Commissioner

Sworn and subscribed before me this 16th day of August Month 2022 Year

Christel Hamper
Signature of official administering oath

Christel Hamper, Notary
Print Name and Title

5/13/23
My commission expires on



CHRISTEL HAMPER
Notary Public, State of Ohio
My Commission Expires
05-13-2023



The Public Utilities Commission of Ohio

Ohio Natural Gas Governmental Aggregation
Affidavit Form
(Version 1.07)

In the Matter of the Application of)

Licking County)

for a Certificate or Renewal Certificate to Provide)
Natural Gas Governmental Aggregation Service in)
Ohio.

Case No. []-GA-GAG

County of Licking
State of Ohio

Timothy Bubb

[Affiant], being duly sworn/affirmed, hereby states that:

- (1) The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant.
- (2) The applicant will timely file an annual report of its intrastate gross receipts and sales of hundred cubic feet of natural gas pursuant to Sections 4905.10(A), 4911.18(A), and 4929.23(B), Ohio Revised Code.
- (3) The applicant will timely pay any assessment made pursuant to Section 4905.10 or Section 4911.18(A), Ohio Revised Code.
- (4) Applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
- (5) Applicant will cooperate with the Public Utilities Commission of Ohio and its staff in the investigation of any consumer complaint regarding any service offered or provided by the applicant.
- (6) Applicant will comply with Section 4929.21, Ohio Revised Code, regarding consent to the jurisdiction of the Ohio courts and the service of process.
- (7) Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the certification or certification renewal application within 30 days of such material change, including any change in contact person for regulatory or emergency purposes or contact person for Staff use in investigating customer complaints.
- (8) Affiant further sayeth naught.

Affiant Signature & Title

Timothy Bubb Licking County Commissioner

Sworn and subscribed before me this

16th

day of

August

Month

2022

Year

Christel Hamper

Signature of Official Administering Oath

Christel Hamper - Notary

Print Name and Title

My commission expires on

5/13/23



CHRISTEL HAMPER
Notary Public, State of Ohio
My Commission Expires
05-13-2023

(Ohio Natural Gas Governmental Aggregator) Page 3 of 3

Licking County

Exhibit B-1

Authorizing Ordinance/Resolution

Natural Gas

RESOLUTION

**IN THE MATTER OF AUTHORIZATION TO ADOPT THE PLAN OF
OPERATION AND GOVERNANCE FOR LICKING COUNTY NATURAL
GAS AGGREGATION PROGRAM**

WHEREAS, the Ohio Revised Code provides that a Board of County Commissioners may aggregate natural gas consumers within the unincorporated portion of its county and requires it to adopt a plan to govern the operations of the aggregation program; and,

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of the competitive retail natural gas market through lower natural gas rates, which they would not otherwise be able to have individually; and,

WHEREAS, this Board seeks to establish a governmental aggregation program with opt-out provisions pursuant to the authority conferred by Section 4929.26, Ohio Revised Code, for the residents, business and other natural gas consumers within the County, either on its own or in conjunction jointly with any other City, township, county or other political subdivision of the State of Ohio, as permitted by law; and,

WHEREAS, The Licking County, Board of County Commissioners shall follow the process of governmental aggregation as set out in Ohio Revised Code section 4929.26 and the rules set out by the Public Utilities Commission of Ohio (PUCO); and,

WHEREAS, it is necessary for this Board to adopt a plan of operation and governance before further actions can be taken to establish the Licking County Natural Gas Aggregation Program; NOW, THEREFORE,

BE IT RESOLVED by the Board of County Commissioners, County of Licking, State of Ohio:

That we do hereby approve and adopt the Plan of Operation and Governance of the Licking County Natural Gas Aggregation Program, which is attached hereto and made a part thereof.

BE IT FURTHER RESOLVED that the Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board held in compliance with Ohio's Sunshine Law.

Motion by **BUBB** seconded by **FLOWERS**

that the resolution be adopted was carried by the following vote:

YEAS:

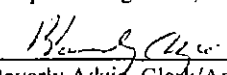
NAYS:

CC: Michael L. Smith, Auditor
Bob Snaveley, Palmer Energy

FILE

Rick Black
Timothy E. Bubb
Duane H. Flowers

Adopted: August 18, 2022


Beverly Adzic, Clerk/Administrator

Licking County

Exhibit B-2

Operation and Governance Plan

Natural Gas

Licking County

Natural Gas Aggregation Program Plan of Operation and Governance

Approved August 18, 2022

Purpose

The goal of this "opt-out" governmental aggregation program is to facilitate additional choices for the supply of natural gas for eligible residential and commercial consumers, pursuant to Ohio Revised Code section 4929.26.

The Licking County Natural Gas Aggregation Program seeks to aggregate the retail natural gas loads of consumers located in the County to obtain the lowest price for the supply of natural gas. Participation in the County of Licking aggregation program is limited to individuals who are not already under contract with an alternative CRNGS.

This program is voluntary. Every eligible customer has the opportunity to decline to be a member of the aggregation program and to remain with Columbia Gas of Ohio (COH) or to enter into a natural supply contract with any other competitive retail natural gas services provider (CRNGS).

Process

On May 3, 2022, the City of Newark, City of Heath, City of Johnstown, Village of Alexandria, Village of Lewisville, and Village of Hanover, Licking County, Ohio voters approved the development of a form of natural gas government aggregation, known as opt-out aggregation. The County shall follow the process of governmental aggregation as set out in Ohio Revised Code section 4929.26 and the rules set out by the Public Utilities Commission of Ohio (PUCO).

These communities decided to utilize their aggregation jointly through Licking County, Ohio as permitted under Section 4929.26 of the Ohio Revised Code. A municipal corporation may automatically aggregate its residents after passage of an opt-out ordinance, approval by a majority of the voters and adoption of a Plan of Operation. The County has accomplished all of these requirements.

The process will entail selection of a Competitive Retail Natural Gas Supplier (CRNGS), mailing opt-out notices to eligible customers, generating a list of participants who did not opt out, then transferring the participants to the chosen CRNGS.

County of Licking Aggregation Program

The purpose of the aggregation program is to reduce the amount consumers pay for natural gas. The County will not buy and resell the natural gas for the participants of the program. Instead, The County of Licking and its energy consultant will competitively bid and negotiate a contract with a CRNGS to provide natural gas to the members of the aggregation program.

The County of Licking will obtain the list of customers within its boundaries from Columbia Gas of Ohio, either by zip code or by method provided by the utility. The County will have its CRNGS cleanse the data to ensure that it does not contain customers with alternate suppliers, PIPP customers, and any other excludable consumers, and only those who live within the jurisdictional boundary. The County will then have its CRNGS send an opt-out notice to each eligible customer which discloses the offered price for natural gas along with any applicable contract terms. The opt-out notice will clearly inform potential customers that they may opt-out of the program during the 21-day period following the mailing of the notification, along with instructions on how to opt-out. Customers who opt-out of the County's aggregation program during this initial notification period will remain with Columbia Gas of Ohio unless and until the customer chooses an alternative CRNGS or chooses to opt-in to the aggregation program at a later date.

Operation

All necessary technical analysis, competitive procurement of services, regulatory approvals, accounting and fiscal management, contract maintenance, communications, program coordination and administrative support will be professionally provided by existing staff and an energy consultant, as well as the chosen CRNGS.

Funding

The primary expenses associated with operating this program are printing and mailing cost of the opt-out notices, and fees for an energy consultant. Instead of paying for these costs upfront, it shall be The County's goal to have the chosen CRNGS absorb these fees into their offered rates of the program participants.

Notification of Customers

All eligible customers in The County of Licking will receive opt-out information in the mail. The County of Licking will adhere to all eligibility requirements of R.C. 4929.26. Essentially, eligible customers cannot be under contract to buy natural gas from an alternate CRNGS or a mercantile customer.

The opt-out notice shall clearly inform customers of the offered rate, and that they have the right to opt-out of The County's aggregation program within twenty-one days after the mailing of the notice without paying a switching fee. The opt-out notice will fully describe how to opt-out. After the completion of the opt-out process, the residents who did not opt out will be included in The County's aggregation program.

Customer opt-out

Customers may opt-out of The County of Licking aggregation program at no charge within the twenty-one day period following the mailing of the notice containing the rates and terms of the aggregation program. Customers who return the required opt-out notice will remain customers of Columbia Gas of Ohio. The County will offer the twenty-one day period during which customers can opt-out of the aggregation program without charge at least every two years pursuant state law.

Customer opt-in

The County of Licking intends on having its supplier allow customers who move into or within The County of Licking to opt into The County's aggregation program by calling and voluntarily signing up with the supplier. The County will strive to provide these new customers with a rate similar to those who had been in the pool from the beginning. Additionally, the County's supplier may obtain a refreshed customer list from Columbia Gas of Ohio approximately every six months. The County's supplier may then send aggregation information to those eligible customers identified on the refresher list. Whether this information is in opt-in or opt-out format will depend on the negotiated language of the supplier contract. If interim opt outs are to take place; a twenty-one day opt-out will occur in the manner described above.

Joining the Program at a later date

Residents of the County who initially chose to opt-out of the Program, for whatever reason, and wish to enroll at a later date, will be treated the same as a new resident. That is they will not automatically become part of the existing program, but will be given an opportunity to enroll. However, the County cannot guarantee that rates, terms and conditions to consumers enrolling in the Aggregation after the initial 21 day opt-out period, will match those of the initial enrollee.

Disputes

The procedure for handling complaints will be in accordance with the rules set by the PUCO, and handled by the retail natural gas supplier. Dispute resolution provisions will also be in accordance with PUCO regulations. The opt-out package will contain the telephone numbers and websites for the PUCO and the Ohio Consumers Counsel, as well as the supplier's toll-free number.

The County of Licking supplier will maintain this toll free number for all customer related questions and complaints. The County shall require that the personnel assigned to

answer these calls be trained and provided the knowledge specific to The County's program.

Termination of natural gas supply program

The natural gas supply program may be terminated at the expiration of the supply contract without any extension, renewal or subsequent supply contract being negotiated.

In either event, the aggregation pool customers will return to Columbia Gas of Ohio unless and until they switch to an alternate supplier. Each individual customer receiving natural gas supply service under The County of Licking aggregation program will receive notification of the termination of the program before termination.

Rates

The Department of Public Utilities shall receive proposals from CRNGS using a competitive selection process. Bidders will be requested to provide a fixed price, floating price, a percent off rate, or a combination of the above. If consumers will have the option of choosing between fixed and floating prices, the opt-out package will contain ample and easy to understand information to aid the consumer in deciding which option best suits their natural gas needs. The County will decide which pricing structure(s), to offer based on the bids received, and an analysis of the current and projected market status as well as the bids received.

Billing and Payment

The County of Licking will continue to have Columbia Gas of Ohio bill customers monthly, using an itemized format approved by the PUCO. The County will not become involved in any payment delinquency issues and thus will not require any type of consumer credit or deposit. If The County's supplier wishes to pursue payment delinquency issues, details of the supplier's credit and deposit policies will be included in the opt-out package.

Columbia Gas of Ohio will continue to deliver the natural gas purchased on the County's aggregation program through its natural gas distribution system. Participants with questions or concerns regarding service delivery or safety, such as a natural gas outage or gas odor should continue to contact Columbia Gas of Ohio. Meter readings and other billing questions should also continue to be directed to Columbia Gas of Ohio.

Questions or concerns regarding the aggregation program should be directed to the CRNGS or the County of Licking.

//

Question or Concern	Contact	Telephone Number
Gas Odor or leaks	Columbia Gas of Ohio Delivery	1-800-344-4077
Turn on or off gas service	Columbia Gas of Ohio Delivery	1-800-344-4077
Billing Disputes	Columbia Gas of Ohio Delivery	1-800-344-4077
Enroll or opt-out of program	CRNGS	1-800-XXX-XXXX
Program Questions or Concerns	CRNGS	1-800-XXX-XXXX
Unresolved Disputes	Public Utilities Commission of Ohio	1-800-686-7826 (voice) 1-800-686-1750 (TDD)
Unresolved Disputes	Ohio Consumers Council	1-877-742-5622 or occ@occ.state.oh.us

Liability

The County shall not be liable to Members in the Aggregation Group for any claims whatsoever arising out of the aggregation program or the provision of aggregation services by the County or the Provider. Aggregation Group members shall assert any such claims solely against the Provider pursuant to the Power Supply Agreement, under which such participants are express third-party beneficiaries.

Copies of Plan

Copies of this plan are available from the County of Licking free of charge. Call The County at 740-670-5110, for a copy or for more information.

Consumer Right to Contact PUCO

Any natural gas customer, including any participant in The County of Licking Natural Gas Aggregation Program, may contact the Public Utilities Commission of Ohio (PUCO) for information, or make a complaint against the Program, the Provider, or CGO. The PUCO may be reached toll free at 1-800-686-7826. The PUCO may be reached at 1-800-686-1570 for all TDD/TYY calls. The Ohio Consumers' Counsel may be reached at 1-877-742-5622.

12

Licking County

Exhibit B-3 and B-4

Automatic Aggregation

Disclosure

Opt – Out Notice

Natural Gas

DRAFT

**Sample Customer
Sample Address
Sample City, OH Zip**

**This notification is in regards
to your gas service at:
Sample Address**

Sample City, Oh Zip

Oct__ 20XX

Dear Customer,

Licking County is providing you the opportunity to join other residents to save money on the natural gas you use. Savings are possible through governmental aggregation, where your community officials bring together citizens to gain group buying power for the purchase of natural gas from a competitive retail natural gas service provider certified by the Public Utilities Commission of Ohio. Your community voters approved this program on May 3, 2022.

Your community has selected __XX Energy_____ as the program supplier. XX Energy will provide a program that offers a variable price calculated monthly using the NYMEX last day settle price plus basis rate/Ccf beginning with _____ meter read cycle through _____ meter read cycle.

About the New Program

- Basis Rate \$0.000 per Ccf for Oct 20XX through Sept 20XX
- Columbia Gas of Ohio is still your utility and will continue to provide monthly billing and service.
- You will still contact Columbia Gas of Ohio for all service calls and emergencies.
- Budget billing and auto payments are still available from Columbia Gas of Ohio.
- Call Columbia Gas of Ohio Monday – Friday 7am- 7pm at 800-344-4077

You're Automatically Enrolled

There is no cost to enroll. Enrollment is automatic for those who are eligible, but participation is voluntary. You may opt-out of this program without penalty at any time for any reason by providing notice to XX Energy.

How to Opt-Out

You don't need to do anything to get this new rate; however, if you do not want to be automatically enrolled in the aggregation program, please respond with one of the options below by Nov ____ 20XX:

1. **Mail:** Return the form below in the pre-addressed envelope
2. **Phone:** Call XX Energy at 1-888-XXX-XXXX
3. **Web:** Visit www.XXEnergy.com

We look forward to providing this program
Sincerely,

XX Energy

14

DRAFT

* To receive these savings, **you should not respond.** Return the opt-out form only if you do not want to participate in the County's natural gas governmental aggregation program.

Option 1: Do nothing and save.
If you want to participate in this program and save, you do not need to return this form. Your enrollment is automatic.

OR

Option 2: Opt out by returning this form.
If you do not want to participate in this program, you must return this form before the due date.

OPT-OUT FORM

XX Energy

I do not want to participate in the Licking County Natural Gas Aggregation Program.

_____ Home Cell (please circle one) Opt Out Code: _____
Phone number

_____ City/State _____ Zip
Service Address

Dominion East Ohio Account Number: _____

_____ Date
Account holder's signature

Licking County

Exhibit B-5

Experience

Natural Gas

Experience

Licking County officials are experienced in negotiating and providing for common services for the County. However, due to the complexity of Governmental Aggregation, the County has selected Palmer Energy Company, to assist them in designing, implementing and maintaining the Program.

Palmer Energy Company is a Toledo based energy consulting firm founded in 1980. Palmer Energy was a natural gas industry pioneer by working on their customers' behalf as an external consultant. Purchased by Mark Frye in 1994, Palmer Energy has become a leader in unbiased energy management and consulting. While its evolution continues alongside the energy industry, Palmer Energy Company is dedicated to operating as an integral member of a client's energy management team.

Palmer Energy is also the energy consultant for The Northwest Ohio Aggregation Coalition (NOAC). NOAC is a coalition of communities in Lucas and northern Wood Counties providing governmental aggregation services for electric and natural gas customers within the Cities of Maumee, Northwood, Oregon, Perrysburg, Rossford, Sylvania, Toledo and Waterville, the Villages of Delta, Holland, Ottawa Hills and Walbridge, the Wood County Townships of Lake and Perrysburg, and all the unincorporated township areas of Lucas County (through the Board of County Commissioners, Lucas County, Ohio). Mark Frye, President of Palmer Energy, is NOAC's designated consultant and has testified on behalf of NOAC in several matters before the Public Utilities Commission of Ohio.

Licking County has been an active member in the natural gas and electric energy programs of the County Commissioners Association Service Corporation (CCAOSC). The CCAOSC Energy Programs were designed specifically to help counties save money on their natural gas and electric bills by utilizing the strength of group buying. By grouping together, counties can leverage their buying power when shopping the market, thus securing the best deals possible. The independent energy professionals of Palmer Energy Company, on behalf of the CCAOSC, obtained the best price for natural gas from various reputable suppliers through the RFP process.

Palmer Energy Company will:

- Assist the day to day administration of program (problem resolution, press releases, PUCO compliance, supplier liaison, contract review, etc.)
- Design and issue the Request for Proposal, analyze supplier responses and provide recommendations for the supply agreement.
- Review customer data provided by the utility that would serve as the basis for an opt-out notice. Provide customer service support for consumers in the County to call for information during the 21-day enrollment and opt out period for the County's Aggregation Program.
- Respond to customer inquiries, billing questions and/or complaints. While the billing of customers for the retail generation supply will be provided through the natural gas utility Columbia Gas of Ohio (COH), and the billing process will be coordinated with COH by the selected supplier, for the Aggregation Group, Palmer Energy will offer assistance as needed on behalf of the County.

- Write and prepare reports on a quarterly/annual basis to the County, PUCO, PUCO's Market Monitoring division, and the Ohio Consumers' Counsel.
- Palmer Energy is well versed in the rules adopted by the PUCO, and is thus in a position to ensure compliance with all applicable provisions of Section 4928.10 of the Revised Code, and the rules adopted by the Commission pursuant thereto.

Contact information for Palmer Energy Company

Mark R. Frye, President
5577 Airport Highway, Suite 101
Toledo, Ohio 43615
419-539-9180 (Office)
419-539-9185 (Fax)
Email: mfrye@palmerenergy.com