

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
JUST ENERGY SOLUTIONS INC. FOR
CERTIFICATION AS A COMPETITIVE
RETAIL ELECTRIC SERVICE AND
COMPETITIVE RETAIL NATURAL GAS
SERVICE PROVIDER IN OHIO.

CASE NO. 01-1123-EL-CRS

CASE NO. 02-1828-GA-CRS

IN THE MATTER OF THE APPLICATION OF
HUDSON ENERGY SERVICES LLC FOR
CERTIFICATION AS A COMPETITIVE
RETAIL ELECTRIC SERVICE AND
COMPETITIVE RETAIL NATURAL GAS
PROVIDER IN OHIO.

CASE NO. 12-1894-EL-CRS

CASE NO. 12-2488-GA-CRS

IN THE MATTER OF THE APPLICATION OF
INTERACTIVE ENERGY GROUP LLC FOR
CERTIFICATION AS A COMPETITIVE
RETAIL ELECTRIC SERVICE AND
COMPETITIVE RETAIL NATURAL GAS
SERVICE PROVIDER IN OHIO.

CASE NO. 17-1991-EL-AGG

CASE NO. 17-1992-GA-AGG

ENTRY

Entered in the Journal on March 22, 2023

I. SUMMARY

{¶ 1} The Commission approves the request to lift the reporting requirement previously set by the Commission in its March 24, 2021 Entry.

II. DISCUSSION

{¶ 2} Just Energy Solutions, Inc. (Just Energy),¹ Hudson Energy Services, LLC (Hudson Energy),² and Interactive Energy Group, LLC (Interactive Energy)³ (collectively, Just Energy Companies) are, each, both electric services companies as defined in R.C. 4928.01(A)(9) and retail natural gas suppliers as defined in R.C. 4929.01(N), and, as such, are subject to the jurisdiction of the Commission.

{¶ 3} Ohio Adm.Code 4901:1-24-11 requires CRES suppliers, and similarly, Ohio Adm.Code 4901:1-27-11 requires CRNGS suppliers, to inform the Commission of any material change to the information supplied in a certification renewal application within 30 calendar days of such material change. Among other items, “material change” includes the filing for reorganization, protection from creditors, or any other form of bankruptcy with any court.

{¶ 4} On March 9, 2021, the Just Energy Companies filed a petition for reorganization under Chapter 15 of the United States Bankruptcy Code.

¹ Just Energy’s certification as a competitive retail electric service (CRES) supplier in this state, the subject matter of Case No. 01-1123-EL-CRS, was first granted on June 12, 2001, and has been renewed every two years since, most recently on August 19, 2021. Just Energy’s certification as a competitive retail natural gas service (CRNGS) supplier in this state, the subject matter of Case No. 02-1828-GA-CRS, was first granted on August 19, 2002, and has been renewed every two years since, most recently on March 1, 2023.

² Hudson Energy’s CRES certification, the subject matter of Case No. 12-1894-EL-CRS, was first granted on July 25, 2012, and has been renewed consistently every two years since, most recently on July 25, 2022. Hudson Energy’s CRNGS certification, the subject matter of Case No. 12-2488-GA-CRS, was first granted on October 10, 2012, and has been renewed consistently every two years since, most recently on November 28, 2022.

³ Interactive Energy’s CRES certification, the subject matter of Case No. 17-1991-EL-AGG, was first granted on October 20, 2017, and has been renewed consistently every two years since, most recently on October 21, 2021. Interactive Energy’s CRNGS certification, the subject matter of Case No. 17-1992-GA-AGG, was first granted on October 24, 2017, and has been renewed consistently every two years since, most recently on October 18, 2021.

{¶ 5} On March 12, 2021, the Just Energy Companies filed notices of material change, providing formal notice to the Commission of the bankruptcy filing.

{¶ 6} By Entry issued March 24, 2021, the Commission directed the Just Energy Companies to file, by April 26, 2021, a report which would answer certain questions posed within the Entry regarding the Just Energy Companies' operations in light of their bankruptcy filing. The Entry also directed the Just Energy Companies to update the report every 90 days, or in the event of any material change in the information submitted to the Commission.

{¶ 7} The Just Energy Companies timely filed their initial report on April 9, 2021. Subsequent report updates were timely filed on July 8 and October 4 of 2021; and on January 3, April 4, July 5, and October 3 of 2022.

{¶ 8} On January 3, 2023, the Just Energy Companies filed a document which they request to have the Commission consider and accept as their final report update. Within it, the Just Energy Companies: (1) provide updated answers to all the questions initially posed by the Commission, which, throughout, have remain unchanged; (2) notify the Commission of material change in the ownership structure of the Just Energy Companies which has occurred as a result of the bankruptcy proceeding; (3) note that this change in their ownership structure has occurred as a the result of a transaction which was authorized on November 14, 2022 by order of the Federal Energy Regulatory Commission (FERC); (4) note that the transaction closed on December 16, 2022; (5) fully detail their new corporate ownership structure; (6) note that the transaction has allowed the Just Energy Companies and their affiliates to continue as going concerns; (7) note that, with the transaction's closing, the Just Energy Companies have emerged from the bankruptcy proceeding; and (8) note that the bankruptcy proceeding is now complete. The document also identifies a website at which one may obtain information regarding the finalization of the bankruptcy proceeding.

{¶ 9} As a final matter, the Just Energy Companies request that the reporting directive, established by the March 24, 2021 Entry, now be lifted, in light of the fact that the Just Energy Companies have emerged from the bankruptcy proceeding.

{¶ 10} The Commission finds that good cause has been shown and that the request to lift the reporting requirement should be granted.

III. ORDER

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That the circumstances reported by the Just Energy Companies, as described above, be observed. It is further,

{¶ 13} ORDERED, That the reporting requirements established in these cases, by Entry issued on March 24, 2021, are lifted. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

DEF/dr

**This foregoing document was electronically filed with the Public Utilities
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3/22/2023 2:38:00 PM

in

Case No(s). 01-1123-EL-CRS, 02-1828-GA-CRS, 12-1894-EL-CRS, 12-2488-GA-CRS, 17-1991-EL-AGG, 17-1992-GA-AGG

Summary: Entry approving the request to lift the reporting requirement previously set by the Commission in its March 24, 2021 Entry. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio.