

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Santanna)
Natural Gas Corporation d/b/a Santanna Energy)
Services for Waivers of Certain Rules in Ohio) Case No. 23-0171-GE-WVR
Adm.Code 4901:1-21-06 and 4901:1-29-06 to)
Authorize Electronic Enrollment and Third-Party)
Verification by Digital Confirmation.)

**SUPPLEMENTAL RESPONSES AND OBJECTIONS OF
SANTANNA NATURAL GAS CORPORATION
TO THE FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
PROPOUNDED BY THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

(May 5, 2023)

INTRODUCTION

Pursuant to Ohio Adm.Code 4901-1-16, 4901-1-17, 4901-1-18, 4901-1-19, and 4901-1-20, Santanna Natural Gas Corporation d/b/a Santanna Energy Services (Santanna), by and through counsel, hereby submits its Responses and Objections to the Office of the Ohio Consumers' Counsel's (OCC) First Set of Interrogatories and Requests for Production of Documents propounded upon Santanna in the above-captioned proceeding on April 6, 2023 (Discovery Requests).

To afford customers additional options for completing enrollment and verification, on March 1, 2023 and as amended on April 12, 2023, Santanna filed a pro-consumer application to waive certain Ohio Adm.Code 4901:1-21-06 and 4901:1-29-06 provisions governing the enrollment and third-party verification (TPV) processes for new customers enrolled through certain sales channels to the extent that the rules require wet signatures, audio recordings, or verbal TPVs (collectively, Application). Santanna's responses to these Discovery Requests are being

OCC-INT-01-012. Please identify how sales agents directly employed by Santanna are compensated (*e.g.*, hourly, commission) and how much compensation sales agents receive for each completed enrollment in competitive electric or natural gas goods and services.

RESPONSE: Objection. See General Objections. Specifically, Santanna objects to OCC-INT-01-012 as it seeks information that is not relevant to the subject matter of the Application filed in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See General Objection Nos. 1, 4, 7, and Ohio Adm.Code 4901-1-16(B). Additionally, this request seeks information that is otherwise outside the scope of Ohio Adm.Code 4901-1-16 and the Application. See General Objection No. 4. Santanna also objects to the extent that OCC is inquiring into information that is confidential, trade secret, and/or competitively sensitive information. See General Objection No. 10. Santanna further objects to the request on the grounds that it is overly broad and unduly burdensome. See General Objection Nos. 1 and 7.

PREPARED BY: Counsel

OCC-INT-01-013. Please identify how sales agents who are not directly employed by Santanna are compensated (*e.g.*, hourly, commission) and how much compensation sales agents receive for each completed enrollment in Santanna's competitive electric or natural gas goods and services.

RESPONSE: Objection. See General Objections. Specifically, Santanna objects to OCC-INT-01-013 as it seeks information that is not relevant to the subject matter of the Application filed in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See General Objection Nos. 1, 4, 7, and Ohio Adm.Code 4901-1-16(B). Additionally, this request seeks information that is otherwise outside the scope of Ohio Adm.Code 4901-1-16 and the Application. See General Objection No. 4. Santanna also objects to the extent that OCC is inquiring into information that is confidential, trade secret, and/or competitively sensitive information. See General Objection No. 10. Santanna further objects to the request on the grounds that it is overly broad and unduly burdensome. See General Objection Nos. 1 and 7.

PREPARED BY: Counsel

OCC-INT-01-014. If Santanna pays sales agents (directly employed or not) on a commission basis (either solely or in combination with an hourly rate), what is the commission rate paid?

RESPONSE: Objection. See General Objections. Specifically, Santanna objects to OCC-INT-01-014 as it seeks information that is not relevant to the subject matter of the Application filed in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See General Objection Nos. 1, 4, 7, and Ohio Adm.Code 4901-1-16(B). Additionally, this request seeks information that is otherwise outside the scope of Ohio Adm.Code 4901-1-16 and the Application. See General Objection No. 4. Santanna also objects to the extent that OCC is inquiring into information that is confidential, trade secret, and/or competitively sensitive information. See General Objection No. 10. Santanna further objects to the request on the grounds that it is overly broad and unduly burdensome. See General Objection Nos. 1 and 7.

PREPARED BY: Counsel

OCC-INT-01-015. If Santanna pays sales agents (directly employed or not) an hourly rate (either solely or in combination with commissions), what is the hourly rate paid?

RESPONSE: Objection. See General Objections. Specifically, Santanna objects to OCC-INT-01-015 as it seeks information that is not relevant to the subject matter of the Application filed in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See General Objection Nos. 1, 4, 7, and Ohio Adm.Code 4901-1-16(B). Additionally, this request seeks information that is otherwise outside the scope of Ohio Adm.Code 4901-1-16 and the Application. See General Objection No. 4. Santanna also objects to the extent that OCC is inquiring into information that is confidential, trade secret, and/or competitively sensitive information. See General Objection No. 10. Santanna further objects to the request on the grounds that it is overly broad and unduly burdensome. See General Objection Nos. 1 and 7.

PREPARED BY: Counsel

OCC-INT-01-018. Please identify the name and business address of each third-party vendor that Santanna has used since 2021 to retain sales agents for the purpose of performing door-to-door solicitations in Ohio.

RESPONSE: Objection. See General Objections. Specifically, Santanna objects to OCC-INT-01-018 as it seeks information that is not relevant to the subject matter of the Application filed in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See General Objection Nos. 1, 4, 7, and Ohio Adm.Code 4901-1-16(B). Additionally, this request seeks information that is otherwise outside the scope of Ohio Adm.Code 4901-1-16 and the Application. See General Objection No. 4. Santanna also objects to the extent that OCC is inquiring into information that is confidential, trade secret, and/or competitively sensitive information. See General Objection No. 10. Santanna further objects to the request on the grounds that it is overly broad and unduly burdensome. See General Objection Nos. 1 and 7.

PREPARED BY: Counsel

waiver request and future enrollment and TPV processes for new customers if the Application is approved, see also Responses to Staff-DR-1 for additional information on Santanna's proposal.

OCC-INT-01-019. For each of the methods Santana uses to market and sell competitive electric or natural gas goods and services, please describe how Santanna trains its sales agents (directly employed or not) to fully comply with the PUCO's rules regarding customer enrollment.

RESPONSE: Objection. See General Objections. Specifically, Santanna objects to OCC-INT-01-019 as it seeks information that is not relevant to the subject matter of the Application filed in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence, and seeks to obtain "each" such information or irrelevant documents. See General Objection Nos. 1, 4, 7, and Ohio Adm.Code 4901-1-16(B). Additionally, this request seeks information that is otherwise outside the scope of Ohio Adm.Code 4901-1-16 and the Application. See General Objection No. 4. Santanna also objects to the extent that OCC is inquiring into information that is confidential, trade secret, and/or competitively sensitive information. See General Objection No. 10. Santanna further objects to the request because it is overly broad, unduly burdensome, vague, and includes no reasonable temporal restrictions. See General Objection Nos. 1, 7, 8, and 9. Finally, Santanna objects that this request seeks information that is publicly available and/or already in OCC's possession, custody, or control. See General Objection No. 6.

Subject to, and without waiver of, these objections, Santanna states as follows: As it pertains to Santanna's waiver request and future enrollment and third-party verification (TPV) processes for new customers if the Application is approved, Santanna does not currently train any sales agents as the new processes have not been implemented. Nonetheless, see the Application for information on anticipated training on digital/electronic enrollment and TPV processes.

PREPARED BY: Counsel

SUPPLEMENTAL RESPONSE: Subject to, and without waiver of, the previously asserted objections set forth above, Santanna responds further as follows: As it pertains to Santanna's

OCC-INT-01-020. How does Santanna monitor and verify its sales agents' compliance with the PUCO's rules regarding customer enrollment?

RESPONSE: Objection. See General Objections. Specifically, Santanna objects to OCC-INT-01-020 as it seeks information that is not relevant to the subject matter of the Application filed in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See General Objection Nos. 1, 4, 7, and Ohio Adm.Code 4901-1-16(B). Additionally, this request seeks information that is otherwise outside the scope of Ohio Adm.Code 4901-1-16 and the Application. See General Objection No. 4. Santanna also objects to the extent that OCC is inquiring into information that is confidential, trade secret, and/or competitively sensitive information. See General Objection No. 10. Santanna further objects to the request on the grounds that it is overly broad and unduly burdensome. See General Objection Nos. 1 and 7. Finally, Santanna objects that this request seeks information that is publicly available and/or already in OCC's possession, custody, or control. See General Objection No. 6.

Subject to, and without waiver of, these objections, Santanna states as follows: As it pertains to Santanna's waiver request and future enrollment and TPV processes for new customers if the Application is approved, Santanna does not currently monitor or verify compliance as the new processes have not been implemented. Nonetheless, see the Application for information on anticipated monitoring and verification of compliance regarding digital/electronic enrollment and TPV processes.

PREPARED BY: Counsel

SUPPLEMENTAL RESPONSE: Subject to, and without waiver of, the previously asserted objections set forth above, Santanna responds further as follows: As it pertains to Santanna's waiver request and future enrollment and TPV processes for new customers if the Application is approved, see also Responses to Staff-DR-1 for additional information on Santanna's proposal.

As to objections,

/s/ Kimberly W. Bojko

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon the following parties via electronic mail on May 5, 2023.

/s/ Kimberly W. Bojko
Kimberly W. Bojko
Counsel for Santanna Natural Gas Corporation

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5/22/2023 5:19:20 PM

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Case No(s). 23-0171-GE-WVR

Summary: Memorandum Attachments to OCC's Memorandum Contra Santanna's Motion for Protective Order to Deny OCC's Consumer Protection Discovery by Office of The Ohio Consumers' Counsel electronically filed by Mrs. Tracy J. Greene on behalf of O'Brien, Angela D..