

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
FIDELIS UNITED ENERGY SOLUTIONS,
LLC FOR CERTIFICATION AS A
COMPETITIVE RETAIL ELECTRIC SERVICE
PROVIDER IN OHIO.

CASE NO. 19-1299-EL-AGG

IN THE MATTER OF THE APPLICATION OF
FIDELIS UNITED ENERGY SOLUTIONS,
LLC FOR CERTIFICATION AS A
COMPETITIVE RETAIL NATURAL GAS
SERVICE SUPPLIER IN OHIO.

CASE NO. 19-1300-GA-AGG

FINDING AND ORDER

Entered in the Journal on October 18, 2023

I. SUMMARY

{¶ 1} The Commission approves Fidelis United Energy Solutions, LLC's applications for certification as both a competitive retail electric service provider and a competitive retail natural gas service provider in Ohio.

II. PROCEDURAL HISTORY

{¶ 2} R.C. 4928.08 provides that retail electric service suppliers that provide competitive retail electric service (CRES) must be certified by the Commission prior to providing CRES. The Commission reviews applications for certification to determine if the applicant has the managerial, technical, and financial capability to provide CRES and whether there are reasonable financial assurances sufficient to protect customers and electric companies from default. Pursuant to R.C. 4928.08 and Ohio Adm.Code 4901:1-24-10, the application for certification shall be deemed approved 30 days after the filing of the application, unless the Commission suspends such approval.

{¶ 3} R.C. 4929.20 provides that retail natural gas suppliers that provide competitive retail natural gas service (CRNGS) must be certified by the Commission prior to providing CRNGS. The Commission reviews applications for certification to determine if the applicant has the managerial, technical, and financial capability to provide CRNGS and whether there are reasonable financial assurances sufficient to protect customers and natural gas companies from default. Pursuant to R.C. 4929.20 and Ohio Adm.Code 4901:1-27-10, the application for certification shall be deemed approved 30 days after the filing of the application, unless the Commission suspends such approval.

{¶ 4} On August 1, 2023, Fidelis United Energy Solutions, LLC (Fidelis or Applicant) filed a renewal application for certification as a CRES provider in Case No. 19-1299-EL-AGG. More specifically, Fidelis seeks recertification as a CRES power broker and aggregator in Ohio. In support of its application, Applicant provided information regarding its managerial, financial, and technical ability to provide CRES.

{¶ 5} On the same day, Fidelis filed a renewal application for certification as a CRNGS broker in Case No. 19-1300-GA-AGG. Applicant filed information regarding its managerial, financial, and technical ability to provide CRNGS in Ohio.

{¶ 6} Fidelis filed additional information regarding both of its renewal applications on August 8, 2023, and September 1, 2023.

{¶ 7} By Entry dated August 30, 2023, issued under both case numbers, the attorney examiner suspended the 30-day automatic approval process for Fidelis's applications in order to afford the Commission and Staff additional time to review the applications.

{¶ 8} On September 21, 2023, Staff filed a review and recommendation in both Case No. 19-1299-EL-AGG and Case No. 19-1300-GA-AGG. Staff notes that the renewal applications, as filed, did not include all information necessary to determine Applicant's

financial capability to operate as a CRES or CRNGS provider in Ohio. Upon Staff's request for additional information, however, Fidelis filed amendments to both applications on September 1, 2023. After review of the information provided, Staff determined that the applications show Fidelis's compliance with the requirements for providing CRES and CRNGS in Ohio. Therefore, Staff recommends that the renewal applications filed by Fidelis on August 1, 2023, as amended on September 1, 2023, be approved.

{¶ 9} Upon review of the record in both cases, including the renewal applications and Staff's recommendations, the Commission finds that Applicant appears managerially, financially, and technically fit and capable of performing as both a CRES power broker and aggregator and a CRNGS broker in compliance with all applicable regulations adopted pursuant to R.C. Chapters 4929 and 4928. Accordingly, the Commission finds that Fidelis's applications for recertification as both a CRNGS and CRES provider should be approved for a period of two years.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That Fidelis United Energy Solutions, LLC's August 1, 2023 renewal application for certification as a CRES provider in Ohio, as amended on September 1, 2023, be approved. It is, further,

{¶ 12} ORDERED, That Fidelis United Energy Solutions, LLC's August 1, 2023 renewal application for certification as a CRNGS provider in Ohio, as amended on September 1, 2023, be approved. It is, further,

{¶ 13} ORDERED, That a copy of this Finding and Order be served upon all parties of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair
Daniel R. Conway
Lawrence K. Friedeman
Dennis P. Deters
John D. Williams

PAS/dmh

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in

Case No(s). 19-1299-EL-AGG, 19-1300-GA-AGG

Summary: Finding & Order that the Commission approves Fidelis United Energy Solutions, LLC's applications for certification as both a competitive retail electric service provider and a competitive retail natural gas service provider in Ohio electronically filed by Ms. Donielle M. Hunter on behalf of Public Utilities Commission of Ohio.