

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Applications of Energy )  
Cooperative of Ohio and Eagle Energy LLC. ) Case Nos. 02-1891-GA-CRS  
for Certificates to Provide Competitive Retail ) 02-1911-GA-AGG  
Natural Gas Service in Ohio. )

FINDING AND ORDER

The Commission finds:

- (1) On July 25 and 26, 2002, Energy Cooperative of Ohio (ECO) and Eagle Energy LLC (Eagle) each filed applications for certificates to provide competitive retail natural gas service in Ohio. ECO seeks a certificate for authority to offer competitive gas service, as a marketer and aggregator, in the service territories of Columbia Gas of Ohio Inc., East Ohio Gas Company d.b.a. Dominion East Ohio, and The Cincinnati Gas & Electric Company. Eagle seeks a certificate for authority to offer competitive gas service, as an aggregator in the service territories of Columbia Gas of Ohio Inc., East Ohio Gas Company d.b.a. Dominion East Ohio, and The Cincinnati Gas & Electric Company.
- (2) In accordance with Section 4929.20, Revised Code, and Rule 4901:1-27-06, Ohio Administrative Code, ECO's and Eagle's certification applications were subject to a 30-day automatic approval process. Rule 4901:1-27-06(A)(1), Ohio Administrative Code, provides that, upon good cause shown, the Commission or an attorney examiner may suspend consideration of a certification application. If the Commission suspends a certification application, the Commission shall act to approval or deny certification within 90 days of the suspension.
- (3) By entries filed August 23, 2002, an attorney examiner suspended approval of ECO's and Eagle's certification applications.
- (4) Upon review of all of the information filed by both ECO and Eagle, we conclude that ECO and Eagle should be granted certificates to provide competitive retail natural gas services in Ohio. In accordance with Rule 4901:1-27-06(E), Ohio Administrative Code, the certificates shall be valid for a period of two years, beginning on September 26, 2002, and ending on September 26, 2004. The Commission notes that ECO sought a protective order for several exhibits attached to its application.

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A ruling upon ECO's request for a protective order will be issued at a later time.

It is, therefore,

ORDERED, That the certification applications filed by ECO and Eagle are approved. It is, further,

ORDERED, That ECO is authorized to provide competitive retail natural gas service, as a marketer and aggregator, in Ohio, for a period of two years, beginning on September 26, 2002 and ending on September 26, 2004. Eagle is authorized to provide competitive retail natural gas service, as an aggregator, in Ohio, for a period of two years, beginning on September 26, 2002 and ending on September 26, 2004. It is, further,

ORDERED, That the Docketing Division issue certificates to ECO and Eagle in accordance with this decision. It is, further,

ORDERED, That Case No. 02-1891-GA-CRS remain open for a ruling on the pending protective order request. Case No. 02-1911-GA-AGG is closed of record. It is, further,

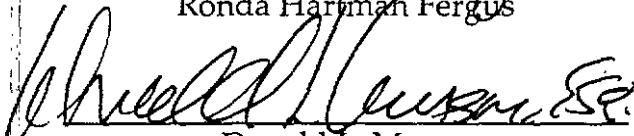
ORDERED, That a copy of this Finding and Order be served upon all parties of record in both cases.

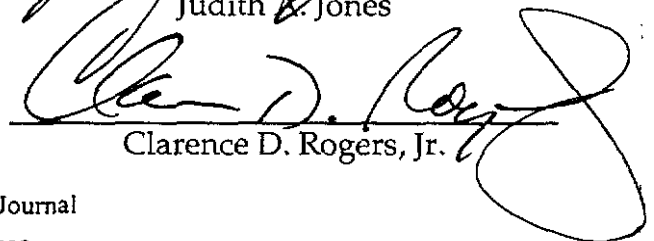
THE PUBLIC UTILITIES COMMISSION OF OHIO

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Alan R. Schriber, Chairman

  
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Ronda Hartman Fergus

  
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Judith A. Jones

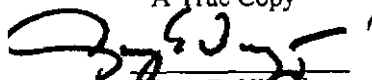
  
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Donald L. Mason

  
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Clarence D. Rogers, Jr.

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Gary E. Vigorito  
Secretary

GLP;geb