



<u>Company</u>	<u>CRNGS Certificate Expiration</u>	<u>Renewal Request Filing Date</u>
ACN Energy Inc.	8/17/04	8/17/04
Direct Energy	8/17/04	7/19/04
Plymouth Inventory Inc.	8/23/04	8/12/04

- (3) In accordance with Section 4929.20, Revised Code, and Rules 4901:1-27-06(A) and 4901:1-27-09(C), Ohio Administrative Code, the CRNGS certificate renewal applications are subject to a 30-day automatic approval process, if not suspended. By not filing the renewal applications at least 30 days prior to the expiration dates contained on the CRNGS certificates of these three companies, the companies have not allowed the 30-day automatic approval process to take place while the current certification is in effect. The examiner notes that the Commission is also reviewing a number of other CRNGS certification renewal requests, some of which were also filed late. The examiner concludes that short extensions can be granted (inasmuch as nothing in the Commission's administrative rules or the enabling statutes preclude such). The examiner believes that a short extension of the existing certification is warranted so that CRNGS certification of these three companies does not lapse while these renewal requests are under consideration. For simplicity, the examiner will grant each company a 30-day extension, effective with the date of this entry and effective until the Commission orders otherwise. By making this ruling, the examiner is not condoning or expressing an opinion on the actions of these three companies. She is only noting that the CRNGS certification expiration dates, the renewal request filing dates, and the concern for continued CRNGS certification while the renewal applications are under consideration. Furthermore, the examiner is not ruling upon the renewal requests or Direct Energy's transfer request. Those renewal requests and the transfer request will be considered and addressed separately by the Commission.
- (4) The attorney examiner notes that Direct Energy has also argued in its motion that its renewal application was not untimely. The examiner does not agree with these arguments. As noted above, Direct Energy's certificate expires on August 17, 2004 and it filed its renewal application on July 19, 2004, which is

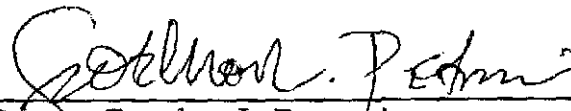
not at least 30 days in advance of the expiration date indicated on its certificate.

It is, therefore,

ORDERED, That the requests of ACN Energy Inc., Direct Energy and Plymouth Inventory Inc. to extend their current CRNGS certification are granted. Accordingly, the current CRNGS certifications of ACN Energy Inc. (02-023(1)), of Direct Energy's transferor (02-024(1)) and of Plymouth Inventory Inc. (02-029(1)) shall now expire on September 17, 2004, unless the Commission orders otherwise at a later time. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record in Case Nos. 02-1829-GA-CRS, 02-1929-GA-CRS and 02-1890-GA-CRS.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By:  Gretchen L. Petrucci  
Attorney Examiner

/vrm 

Entered in the Journal  
AUG 17 2004



Renee J. Jenkins  
Secretary