



Ohio Administrative Code Rule 4901:1-24-05 Affidavits.

Effective: December 1, 2014

(A) An application for certification shall be made on forms supplied by the commission. The application forms shall provide for sufficient information to enable the commission to assess an applicant's managerial, financial, and technical capability to provide the service it intends to offer and its ability to comply with commission rules or orders adopted pursuant to Chapter 4928. of the Revised Code.

(B) The applicant shall complete the appropriate application form (e.g., retail electric generation provider, aggregator, power broker, or governmental aggregator) in its entirety and supply all required attachments, affidavits, and evidence of capability specified by the form at the time an application is filed.

(1) Retail electric generation providers and power marketers shall file general, technical, managerial, and financial information as set forth in the application. This information includes but is not limited to:

(a) Ownership and organizational descriptions.

(b) Managerial experience and capabilities.

(c) Credit ratings and relevant financial information, including financial statements, financial arrangements, and forecasted financial statements.

(d) Technical ability and experience in scheduling and providing power under contract agreements.

(e) Statements as to whether the applicant has ever been terminated from any choice program; if applicant's certification has ever been revoked or suspended; if applicant has ever been in default for failure to deliver; or if there are pending or past regulatory or judicial actions or findings against applicant or past rulings finding against the applicant.



(2) Aggregators and power brokers shall file general, managerial, and financial information as set forth in the application. This information includes but is not limited to:

(a) Ownership and organizational descriptions.

(b) Managerial experience and capabilities.

(c) Credit ratings and relevant financial information, including financial statements, financial arrangements, and forecasted financial statements.

(d) Financial capability as depicted on publicly available information and applicable credit ratings.

(e) Statements as to whether the applicant's certification has ever been revoked or suspended, or if there are pending or past regulatory or judicial actions or findings against the applicant, or past rulings finding against the applicant.

(3) Governmental aggregators shall file general information as set forth in the application. This information includes but is not limited to:

(a) Copies of its operation and governance plans.

(b) Descriptions of experience.

(C) An applicant for certification or certification renewal shall file a completed and notarized original application signed by a principal officer of the applicant and in accordance with the application instructions, the required number of conformed copies, including all supporting attachments and affidavits, with the commission's docketing division.

(1) The date that the commission's docketing division stamps an application received shall serve as the official filing date with the commission.

(2) In accordance with rule 4901:1-24-10 of the Administrative Code, the commission may deny



without prejudice any application that is not complete or does not include the attachments, documentation, and affidavits required by the application form.

(3) In accordance with this chapter, in instances where information and/or documentation required by these rules is not available at the time of filing an application, an applicant may substitute a notarized affidavit by an officer of the applicant stating that the applicant will file such information and/or documentation with the commission at least ten business days prior to offering or providing any competitive retail electric service (CRES) to a customer in this state. The affidavit shall be accompanied by an explanation as to why such information is not available for inclusion with the application.

(D) All CRES providers shall include, in their certification application, the name, telephone number, and electronic mail address of a contact person who will respond to commission concerns pertaining to consumer complaints.