



Ohio Administrative Code

Rule 4901:1-24-12 Transfer or abandonment of a certificate.

Effective: July 15, 2024

(A) A competitive retail electric service (CRES) provider shall not transfer its certificate to any person without prior commission approval.

(1) A CRES provider may apply for commission approval to transfer its certificate by filing a certificate transfer application.

(2) A transfer application shall be automatically approved on the thirty-first day after filing, unless the commission acts to suspend or reject the application.

(B) A CRES provider shall not abandon the service(s) it provides under a certificate without filing an abandonment application and without commission approval. The CRES provider shall fulfill the terms of all existing contracts with customers or assign such contracts to another CRES provider prior to abandoning service.

(1) Abandonment applications should be filed under the existing certification case number at least ninety calendar days prior to the effective date on which the CRES provider will cease providing service. The application shall include copies of any notices provided pursuant to paragraphs (B)(2), (B)(3), and (B)(4) of this rule.

(2) At least ninety calendar days prior to abandoning service, a CRES provider shall provide written notice to each electric utility in whose certified territory the CRES provider operates of its intent to cease providing service. That notice shall reflect that the CRES provider has filed an abandonment application with the commission.

(3) At least ninety calendar days prior to abandoning service, a CRES provider shall provide written notice to its customers and the office of the Ohio consumer's counsel of its intent to abandon service. Such notice shall indicate the CRES provider's intent to fulfill or assign customer contracts, including the effective date of such assignment, the effective date it will cease to provide service,



and should identify the commission's toll-free number as well as the number through which hearing and speech impaired customers may contact the commission. That notice shall also provide instructions to the customers on how they may obtain replacement service(s).

(4) The CRES provider shall also provide notice of its abandonment to its existing customers by separate message that is mailed or otherwise directly delivered to the customer or by notice on customer billing statements. Where the CRES provider is billing the customers, the CRES provider shall provide notice of its abandonment. Where the electric utility is providing billing, the CRES provider may negotiate with the electric utility to provide such notice of its abandonment on each billing statement rendered to existing customers. Abandonment notices shall begin at least ninety calendar days prior to the effective date of the abandonment and shall continue to provide such notice on all subsequent monthly billing statements until the service is abandoned.

(5) If the commission does not act upon the application within ninety calendar days of the filing date, the application will be deemed automatically approved on the ninety-first day after the official filing date.