



## Ohio Administrative Code

### Rule 122:23-1-07 Signature; failure to report; trade secrets.

Effective: [October 30, 2017](#)

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(A) The application for certification and each report submitted by an applicant pursuant to rules 122:23-1-01 to 122:23-1-10 of the Administrative Code shall include a certification signed by an authorized representative of the applicant that the information contained in the application or report is true, correct, and complete.

(B) If the applicant fails to submit to the director any report as and when the report is due, or if the applicant submits a report that omits any required information, the applicant will not be in compliance with the requirements of section 5727.75 of the Revised Code. The director will notify the applicant in writing of any failure to file a report as required. If the applicant does not file the report or the omitted information within thirty days after the date of the director's notice, the director may initiate the process to revoke the certification of the applicant's qualified energy project as provided in rule 122:23-1-08 of the Administrative Code. If information omitted from a report is a certificate to be provided by a third party, including a public official or public authority, and the certificate is omitted because the third party has not responded to a timely request for such information for a reason other than the applicant's noncompliance with requirements related to the certificate, the director will not consider the report to be delinquent if the applicant includes in the report a copy of the request made to the third party for the certificate, pursues the request for the certificate diligently, and provides a copy of the certificate to the director promptly after it is received.

(C) Information that qualifies as a trade secret under Ohio law may be exempt from release as a public record. State law generally requires that documents containing both trade secret information and non-confidential information be disclosed with trade secret information redacted. To assist the director in identifying trade secret information submitted to the director as part of an application for certification or otherwise in connection with the certification of a qualified energy project, the applicant should mark trade secret information by placing an asterisk before and after each line containing trade secret information and underlining the information considered to be a trade secret.