



Ohio Administrative Code Rule 4901:1-27-05 Affidavits.

Effective: December 1, 2014

(A) An application for certification or certification renewal 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, its ability to provide reasonable financial assurances sufficient to protect customers and natural gas companies from the consequences of default, and its ability to comply with commission rules or orders.

(B) The applicant shall complete the appropriate application form (e.g., retail natural gas marketer, retail gas aggregator/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) A natural gas marketer 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 nominating, scheduling, and providing natural gas to retail customers.

(e) Proof of an Ohio office and an employee in this state in accordance with division (G) of section 4929.22 of the Revised Code.



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as to whether the applicant has ever been terminated from any choice program; if applicant's certification has ever been revoked or suspended; if applicant has ever been in default for failure to deliver; or if there are pending or past regulatory or judicial actions against the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

(2) A retail natural gas aggregator/retail natural gas broker 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) Proof of an Ohio office and an employee in this state in accordance with division (G) of section 4929.22 of the Revised Code.

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

(f) 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 against the applicant or past rulings finding against the applicant.

(3) A governmental aggregator 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 in accordance with the application



instructions, 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 4901:1-27-10 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 competitive retail natural gas service 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 retail natural gas suppliers or governmental aggregators 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. If any of the required information relating to the contact person should change, the retail natural gas supplier or governmental aggregator shall file notice of such changes with the commission within thirty days of such material change in accordance with paragraph (B)(8) of rule 4901:1-27-11 of the Administrative Code.