

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Self Complaint of)
Vectren Energy Delivery Ohio, Inc.)
Regarding Its Pooling Service Tariffs and) Case No. 17-2284-GA-SLF
Application of Commission Rules)
Concerning Customer Information)

**SUR-REPLY FILED INSTANTER
OF THE RETAIL ENERGY SUPPLY ASSOCIATION**

Vectren claims in its May 31 response that RESA¹ supports Vectren’s core position² and that no party opposes Vectren’s request in this matter.³ Those statements are incorrect. RESA’s positions are threefold as to Vectren’s self-complaint and they are not in agreement with Vectren’s positions. As RESA’s reply comments clearly indicate:

- RESA opposes any guidance from the Commission in this matter because (i) there appears to be no controversy or dispute that is affecting Vectren’s current service at this time and (ii) without broker participation, there is no ability to develop a complete factual record on the complaint.⁴
- RESA has not expressed support for Vectren’s core position that a utility should not provide an eligible-customer list to a Commission-certified entity that is unwilling/unable to obtain utility approval and is not providing and does not intend to provide service to customers. RESA’s position is narrower, that competitive retail natural gas marketers actively providing natural gas commodity service should receive eligible customer lists while marketers not actively engaged (i.e., not intending to participate) should not receive eligible customer lists.⁵

¹ The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

² Vectren Response at 1.

³ *Id.* at 2.

⁴ RESA Reply Comments at 2.

⁵ *Id.* at 1 and 3.

- RESA opposes any advisory opinion regarding the precedence of statutes, tariffs, and rules or any opinion that allows utility tariff provisions that restrict market participation or limit the development of the competitive markets.⁶

RESA also opposes Vectren's request to address issues related to the confidentiality of customer information in the context of this self-complaint. As stated in RESA's reply comments, "RESA opposes any attempt to use other Commission rules on confidentiality (like the rules cited by Vectren in its complaint) to limit the use of the eligible customer list."⁷

RESA appreciates the opportunity to file this sur-reply *instanter* to ensure Vectren's statements in its filing are corrected for the record.

Respectfully Submitted,

/s/ Gretchen L. Petrucci

Michael J. Settineri (0073369), Counsel of Record

Gretchen L. Petrucci (0046608)

Vorys, Sater, Seymour and Pease LLP

52 E. Gay Street

P.O. Box 1008

Columbus, OH 43216-1008

614-464-5462

mjsettineri@vorys.com

glpetrucci@vorys.com

Counsel for the Retail Energy Supply Association

⁶ *Id.* at 4

⁷ RESA Reply Comments at 4.

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served upon the persons below via electronic mail this 18th day of June 2018.

/s/ Gretchen L. Petrucci

Gretchen L. Petrucci

Mark A. Whitt at:	whitt@whitt-sturtevant.com
Andrew J. Campbell at:	campbell@whitt-sturtevant.com
Rebekah J. Glover at:	glover@whitt-sturtevant.com
William Wright at:	william.wright@ohioattorneygeneral.gov
Kevin F. Moore at:	kevin.moore@occ.ohio.gov
Bryce McKenney at:	bryce.mckenney@occ.ohio.gov
Colleen L. Mooney at:	cmooney@ohiopartners.org