

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, AUGUST 30, 2016

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2016 AUG 30 P 4: 29

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APPLICATION OF

DIRECT ENERGY SERVICES, LLC

CASE NO. PUE-2016-00088

For a license to conduct business as an
electricity competitive service provider

ORDER FOR NOTICE AND COMMENT

On August 22, 2016, Direct Energy Services, LLC ("Direct Energy" or "Company"), filed an application with the State Corporation Commission ("Commission") for a license to conduct business as an electricity competitive service provider ("Application"). In its Application, the Company seeks to serve residential customers throughout the Commonwealth of Virginia.¹ Direct Energy attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services, 20 VAC 5-312-10 *et seq.*

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Direct Energy's Application; that Direct Energy should serve this Order upon appropriate persons; that the Staff of the Commission ("Staff") should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and that interested persons should have an opportunity to comment on the Application.

¹ The Company filed a letter on August 23, 2016, clarifying that its Application requests authority to provide services as a competitive service provider of electricity throughout the Commonwealth of Virginia. Although the Company seeks to serve customers throughout the Commonwealth of Virginia, retail choice exists only in the service territories of Dominion Virginia Power, Appalachian Power Company, and the electric cooperatives. Moreover, retail choice for electricity is only permitted pursuant to the customer classes, load parameters, and renewable energy sources as set forth in the Code of Virginia.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUE-2016-00088.

(2) A copy of the Application and supporting documents shall be made available for public inspection in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. A copy of the Application also may be downloaded from the Commission's website: <http://www.scc.virginia.gov/case>.

(3) On or before September 9, 2016, Direct Energy shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.

(4) On or before September 14, 2016, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.

(5) Any interested person may request a copy of the Application, accompanying materials, and this Order by directing a request in writing to: Eric M. Page, Esquire, Eckert Seamans Cherin & Mellott, LLC, SunTrust Center, 919 East Main Street, Suite 1300, Richmond, Virginia 23219. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(6) Written comments on the Application may be filed on or before September 19, 2016, by either of the following methods. An original and fifteen (15) copies of any comments may be filed with the Clerk of the Commission at the address set forth in Ordering Paragraph (4). In the alternative, comments may be submitted electronically by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/case>. A hard copy of such comments,

whether submitted in writing or electronically, shall be served upon the Company at the address set forth in Ordering Paragraph (5). All comments shall refer to Case No. PUE-2016-00088.

(7) The Staff shall analyze Direct Energy's Application and shall present its findings in a Staff Report to be filed on or before September 26, 2016.

(8) On or before September 30, 2016, the Company and any party who filed comments on the Application may file with the Clerk of the Commission an original and fifteen (15) copies of any response to the Staff Report.

(9) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile or electronic mail as well as by first class mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-10 *et seq.*

(10) This matter is continued generally.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Eric M. Page, Esquire, Eckert Seamans Cherin & Mellott, LLC, SunTrust Center, 919 East Main Street, Suite 1300, Richmond, Virginia 23219; Colin Fitzsimmons, G&RA Senior Specialist, 409 N. 2nd Street, Suite 203, Harrisburg, Pennsylvania 17101; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 North Ninth Street, Richmond, Virginia 23219; Craig G. Goodman, President, National Energy Marketers Association, 3333 K Street, NW, Suite 425, Washington, D.C. 20007; and Irene Leech, Virginia Citizens Consumer Council, 4220 North Fork Road, Elliston, Virginia 24087. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Utility Accounting and Finance and Energy Regulation.

ATTACHMENT A

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