

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 5, 2018

SCC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER

APPLICATION OF

2018 OCT -5 A 10: 37

RESOURCE ENERGY SYSTEMS, LLC

CASE NO. PUR-2018-00149

For a license to conduct business as an
aggregator of electricity and natural gas

ORDER FOR NOTICE AND COMMENT

On September 20, 2018, Resource Energy Systems, LLC ("Resource Energy" or "Company") completed an application with the State Corporation Commission ("Commission") for a license to conduct business as an aggregator of electricity and natural gas ("Application").¹ The Company seeks authority to provide aggregation services to eligible commercial, industrial, and governmental customers throughout the Commonwealth of Virginia.² Resource 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.³

In conjunction with the filing of its Application, the Company filed a Motion for Entry of a Protective Order and a proposed Protective Order that establishes procedures governing the use of confidential information in this proceeding.

¹ The Company filed its Application on September 10, 2018, and the Commission's Staff ("Staff") deemed it incomplete on September 14, 2018. The Company filed supplemental information on September 20, 2018, completing its Application.

² Although Resource Energy seeks to serve customers throughout the Commonwealth of Virginia, retail choice exists only in the service territories of Washington Gas Light Company, Columbia Gas of Virginia, Inc., Virginia Electric and Power Company d/b/a Dominion Energy Virginia, 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. Access to large commercial and industrial gas customers in all gas distribution service territories has existed under FERC authority since the mid-1980s.

³ 20 VAC 5-312-10 *et seq.*

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NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Resource Energy's Application; Resource Energy should serve this Order upon appropriate persons; Staff should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should have an opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2018-00149.
- (2) As provided by § 12.1-31 of the Code and Rule 5 VAC 5-20-120, *Procedure before Hearing Examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),⁴ a Hearing Examiner hereby is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) 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>.
- (4) On or before October 18, 2018, Resource Energy shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.

⁴ 5 VAC 5-20-10 *et seq.*

(5) On or before October 25, 2018, 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.

(6) Any interested person may request a copy of the Application, accompanying materials, and this Order by directing a request in writing to Richard Plutzer, Secretary, Treasurer, Chief Financial Officer, Resource Energy Systems, LLC, 4 High Ridge Park, Suite 202, Stamford, Connecticut, 06905. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(7) Written comments on the Application may be filed on or before November 1, 2018, 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 (5). 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 (6). All comments shall refer to Case No. PUR-2018-00149.

(8) The Staff shall analyze Resource Energy's Application and shall present its findings in a Staff Report to be filed on or before November 8, 2018.

(9) On or before November 15, 2018, 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.

(10) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the

requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice").⁵

(11) 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.

(12) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

Richard Plutzer, Secretary, Treasurer, Chief Financial Officer, Resource Energy Systems, LLC, 4 High Ridge Park, Suite 202, Stamford, Connecticut, 06905; James Patrick Guy II, Esquire, LeClair Ryan, 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424; Craig G. Goodman, President, National Energy Marketers Association, 895 Roberta Lane, Suite 103, Sparks, Nevada 89431-1898; and Irene Leech, Virginia Citizens Consumer Council, 4220 North Fork Road, Elliston, Virginia 24087. A copy shall be delivered to the Commission's Office of General Counsel and Divisions of Utility Accounting and Finance and Energy Regulation.

⁵ 5 VAC 5-20-10 *et seq.*

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