

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, JANUARY 23, 2019

REGULATORY OFFICE
CONTROL CENTER
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APPLICATION OF

ECO-ENERGY NATURAL GAS, LLC

CASE NO. PUR-2019-00007

For a license to conduct business as a
competitive service provider of natural gas

ORDER FOR NOTICE AND COMMENT

On January 14, 2019, Eco-Energy Natural Gas, LLC ("Eco-Energy" or "Company"), filed an application with the State Corporation Commission ("Commission") for a license to conduct business as a competitive service provider of natural gas ("Application"). The Company seeks authority to be licensed as a competitive energy supplier for natural gas to eligible commercial, industrial, and governmental customers in the service territories of Virginia Natural Gas, Inc., Washington Gas Light Company, Columbia Gas of Virginia, Inc., and Roanoke Gas Company.¹ Eco-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.²

In conjunction with the filing of its Application, the Company filed a Motion for Protective Order to prevent the public disclosure of certain confidential and proprietary information provided in this proceeding.

¹ While Eco-Energy seeks Commission approval to serve customers throughout the service territories of Virginia Natural Gas, Inc., Washington Gas Light Company, Columbia Gas of Virginia, Inc., and Roanoke Gas Company, retail choice only exists in the service territories of Washington Gas Light Company and Columbia Gas of Virginia, Inc. Access to large commercial and industrial gas customers in all gas distribution service territories has existed under Federal Energy Regulatory Commission authority since the mid-1980s.

² 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 Eco-Energy's Application; Eco-Energy should serve this Order for Notice and Comment ("Order") upon appropriate persons; the Commission's Staff ("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-2019-00007.

(2) As provided by § 12.1-31 of the Code of Virginia and 5 VAC 5-20-120, *Procedure before Hearing Examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), a Hearing Examiner hereby is appointed to rule on any discovery issues that may arise during the course of this proceeding, including ruling on the Company's Motion for Protective Order.

(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 January 30, 2019, Eco-Energy shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.

(5) On or before February 6, 2019, 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 Eric M. Page, Esquire, Eckert Seamans Cherin & Mellott, LLC, 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.

(7) Written comments on the Application may be filed on or before February 12, 2019, 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 on 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-2019-00007.

(8) The Staff shall analyze Eco-Energy's Application and shall present its findings in a Staff Report to be filed on or before February 15, 2019.

(9) On or before February 21, 2019, 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.³

(11) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within five (5) calendar days after receipt of the same. Interrogatories or requests for production, as well as the responses thereto, shall be transmitted electronically, or by facsimile, as well as by first class mail. Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(12) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Todd Harman, Tax Director, 6100 Tower Circle, Suite 500, Franklin, Tennessee 37067; Eric M. Page, Esquire, Eckert Seamans Cherin & Mellott, LLC, 919 East Main Street, Suite 1300, Richmond, Virginia 23219; 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 also shall be delivered to the Commission's Office of General Counsel and Divisions of Utility Accounting and Finance and Public Utility Regulation.

³ 5 VAC 5-20-10 *et seq.*

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T. Borden Ellis, Esquire
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Roanoke Gas Company
Mr. John S. D'Orazio, President
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Roanoke, Virginia 24011

Virginia Natural Gas, Inc.
Mr. Jim Kibler, President
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Virginia Beach, Virginia 23452

Washington Gas Light Company
Mr. Adrian Chapman, President and COO
6801 Industrial Road
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