

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION CLERK'S OFFICE
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AT RICHMOND, MARCH 16, 2020

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APPLICATION OF

BUDDERFLY, INC.

CASE NO. PUR-2020-00024

For a license as an electricity aggregator

ORDER FOR NOTICE AND COMMENT

On February 18, 2020, Budderfly, Inc. ("Budderfly" or "Company"), completed an application with the State Corporation Commission ("Commission") for a license to act as an aggregator for electricity service ("Application").¹ Budderfly seeks authority to provide electricity aggregation services throughout Virginia to eligible commercial, industrial, governmental, and residential customers.² In its Application, Budderfly 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 ("Retail Access Rules").³

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Budderfly's Application; Budderfly should serve this Order upon the appropriate persons; Staff shall conduct an investigation of the Application and present its

¹ Budderfly initially filed its Application on February 11, 2020. On February 18, 2020, the Company filed additional information concerning its dispute resolution procedure.

² Pursuant to § 56-577 of the Code of Virginia, retail choice for electricity is only permitted pursuant to the customer classes, load parameters, and renewable energy sources set forth therein, and exists only in the service territories of Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("DEV"), Appalachian Power Company, and the electric cooperatives.

³ 20 VAC 5-312-10 *et seq.*

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-2020-00024.
- (2) As provided by Code § 12.1-31 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 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 March 23, 2020, Budderfly shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.
- (5) On or before March 30, 2020, 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 public copy of the Application, accompanying materials, and this Order by directing a request in writing to David Eldredge, VP of Finance, Budderfly, Inc., 2 Trap Falls Road, Suite 500, Shelton, Connecticut 06484. 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 April 6, 2020, 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-2020-00024.

(8) The Staff shall analyze Budderfly's Application and shall present its findings in a Staff Report to be filed on or before April 13, 2020.

(9) On or before April 20, 2020, 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.

(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:
David Eldredge, VP of Finance, Budderfly, Inc., 2 Trap Falls Road, Suite 500, Shelton,
Connecticut 06484. 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.

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