

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 13, 2020

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APPLICATION OF

DYNAMIS ENERGY, LLC

CASE NO. PUR-2020-00032

For a license as an electricity and
natural gas aggregator

ORDER FOR NOTICE AND COMMENT

On February 18, 2020, Dynamis Energy, LLC ("Dynamis" or "Company") filed an application with the State Corporation Commission ("Commission") for a license to do business as an electricity and natural gas aggregator in the Commonwealth of Virginia ("Application").¹ The Company seeks authority to offer electricity and natural gas aggregation services to eligible commercial and industrial customers throughout Virginia.² Dynamis 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

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

¹ The Commission's Staff ("Staff") deemed the Company's Application incomplete as filed. Dynamis provided supplemental information on March 2, 2020, completing its Application.

² Retail choice for natural gas service presently exists only 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. Retail choice for electricity exists only in the service territories of 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 parameter, and renewable energy sources as set forth in the Code of Virginia ("Code").

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-2020-00032.
- (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 20, 2020, Dynamis shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.
- (5) On or before March 27, 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 Michelle Castro, Treasurer, Dynamis Energy, LLC, 9150 SW 49th Place, Suite A, Gainesville, Florida 32608. 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 3, 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-2020-00032.

(8) The Staff shall analyze Dynamis's Application and shall present its findings in a Staff Report to be filed on or before April 10, 2020.

(9) On or before April 17, 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:
Michelle Castro, Treasurer, Dynamis Energy, LLC, 9150 SW 49th Place, Suite A, Gainesville,
Florida 32608; and 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. 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.

Appalachian Power Company
d/b/a American Electric Power Company
Mr. William A. Castle
Director, Regulatory Services, VA/TN
1051 East Cary Street, Suite 1100
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Virginia Electric & Power Company
d/b/a Dominion Energy Services, Inc.
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Riverside 2, Legal
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Central Virginia Electric Cooperative
Mr. Gary E. Wood
President & CEO
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Craig-Botetourt Electric Cooperative
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Kentucky Utilities Company
d/b/a Old Dominion Power Company
Allyson K. Sturgeon
Sr. Counsel, Reg & Trans
LG&E and KU Energy LLC
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Shenandoah Valley Electric Cooperative
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Southside Electric Cooperative
Mr. Jeffrey S. Edwards
President & CEO
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**Kentucky Utilities Company
d/b/a Old Dominion Power Company
Robert M. Conroy
VP, State Regulation & Rates
LG&E and KU Energy LLC
220 W. Main Street
Louisville, KY 40202**

**Columbia Gas of Virginia, Inc.
Brentley K. Archer, President
1809 Coyote Drive
Chester, Virginia 23836-2400**

**Roanoke Gas Company
Paul W. Nester, President
P.O. Box 13007
Roanoke, Virginia 24011**

**Southwestern Virginia Gas Company
James E. McClain, II, President and CEO
208 Lester Street
Martinsville, Virginia 24112**

**Atmos Energy Corporation
J. Kevin Dobbs, President
810 Crescent Centre Drive, Suite 600
Franklin, Tennessee 37067-6226**

**Appalachian Natural Gas Distribution
Company
John W. Ebert, President
220 West Valley Street
Abingdon, Virginia 24210**

**Virginia Natural Gas, Inc.
James R. Kibler, President
544 S. Independence Blvd.
Virginia Beach, Virginia 23452**

**Washington Gas Light Company
Adrian P. Chapman, President and CEO
1000 Maine Avenue, SW, Suite 700
Washington, D.C. 20024**