

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, JULY 16, 2020

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APPLICATION OF

TELCO PROS INC.  
d/b/a TPI EFFICIENCY

CASE NO. PUR-2019-00092

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

ORDER FOR NOTICE AND COMMENT

On August 8, 2019, the State Corporation Commission ("Commission") granted Telco Pros Inc. d/b/a TPI Efficiency ("TPI Efficiency" or "Company") License No. A-69 to provide competitive aggregation services for electricity and natural gas to commercial and industrial customers throughout the service territories open to retail competition in Virginia.<sup>1</sup> The Commission's Order Granting License held the case open for consideration of any subsequent amendments or modifications to the license granted therein.<sup>2</sup>

On July 1, 2020, TPI Efficiency filed with the Commission an application to amend License No. A-69 ("Amendment Application"). Therein the Company seeks additional authority to market aggregation services for electricity and natural gas to eligible governmental<sup>3</sup> and residential customers in the service territories in Virginia that are open to retail competition.<sup>4</sup>

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<sup>1</sup> *Application of Telco Pros Inc. d/b/a TPI Efficiency, For a license to do business as an electricity and natural gas aggregator, Case No. PUR-2019-00092, Doc. Con. Cen. No. 190820016, Order Granting License, (Aug. 8, 2019).*

<sup>2</sup> *Id.* at 2.

<sup>3</sup> In its Amendment Application, the Company indicated that it wished to provide services to a customer class that it identified as "educational." For licensure purposes, publicly owned educational facilities are classified as governmental, and privately held educational facilities would be in a customer class other than governmental depending on the size of the customer.

<sup>4</sup> 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

TPI Efficiency 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.<sup>5</sup>

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that review of TPI Efficiency's Amendment Application should proceed in this docket; the Company should serve this Order upon appropriate persons; the Commission's Staff ("Staff") should conduct an investigation of the Amendment Application and present its findings in a report ("Staff Report"); and interested persons should have an opportunity to comment on the Amendment 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) The review of TPI Efficiency's Amendment Application shall proceed in this docket.
- (2) License No. A-69 to provide competitive aggregation services for electricity and natural gas shall remain in full effect during the review period of the Amendment Application.
- (3) 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"),<sup>6</sup> a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.

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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 permitted only pursuant to the customer classes, load parameter, and renewable energy sources as set forth in the Code of Virginia ("Code").

<sup>5</sup> 20 VAC 5-312-10 *et seq.*

<sup>6</sup> 5 VAC 5-20-10 *et seq.*

(4) A copy of the Amendment Application may be viewed or downloaded from the Commission's website: <https://scc.virginia.gov/pages/Case-Information>.

(5) On or before July 27, 2020, TPI Efficiency shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.<sup>7</sup>

(6) In accordance with the Commission's revised operating procedures during the COVID-19 emergency, all comments, pleadings, and documents shall be submitted electronically to the Clerk of the Commission to the extent authorized by the Commission's Rules of Practice.<sup>8</sup>

(7) On or before August 3, 2020, the Company shall file proof of service as ordered herein with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, or by filing electronically at <https://scc.virginia.gov/clk/efiling/>.

(8) Any interested person may request a public copy of the Amendment Application, accompanying materials, and this Order by directing a request in writing to Karl Shaw, COO, Telco Pros Inc. d/b/a TPI Efficiency, 2019 Center Street, Suite 502, Cleveland, Ohio 44113, [compliance@tpiefficiency.com](mailto:compliance@tpiefficiency.com). Where possible, the person's request shall include an electronic

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<sup>7</sup> See *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

<sup>8</sup> See *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) extended by Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020). According to the March 19, 2020 Order, all pleadings should be submitted electronically to the extent authorized by 5 VAC 5-20-150 of the Rules of Practice. Those seeking to hand deliver and physically file or submit a pleading or document to be filed in a case pending before the Commission must contact the Commission's Clerk's Office at (804) 371-9838 to arrange the delivery. Further, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may not be processed for an indefinite period of time due to the COVID-19 emergency.

mail address to which the Company may send the requested documents. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(9) Comments on the Amendment Application may be filed on or before August 12, 2020, with the Clerk of the Commission at: <https://scc.virginia.gov/casecomments/Submit-Public-Comments> or at the mailing address in Ordering Paragraph (7). A copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the email address set forth in Ordering Paragraph (8). Such comments simultaneously shall be sent electronically to Richard Michaux, Senior Utility Accountant, State Corporation Commission, at [Richard.Michaux@scc.virginia.gov](mailto:Richard.Michaux@scc.virginia.gov). All comments shall refer to Case No. PUR-2019-00092.

(10) The Staff shall analyze TPI Efficiency's Amendment Application and shall present its findings in a Staff Report to be filed on or before August 19, 2020.

(11) On or before August 26, 2020, the Company and any party who filed comments on the Amendment Application may file with the Clerk of the Commission at, <https://scc.virginia.gov/clk/efiling/>, any response to the Staff Report. If not filed electronically, an original and fifteen (15) copies of the response shall be filed with the Clerk of the Commission at the address in Ordering Paragraph (7).

(12) All documents filed in paper form with 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.

(13) 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 electronic mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(14) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to:

Karl Shaw, COO, Telco Pros Inc. d/b/a TPI Efficiency, 2019 Center Street, Suite 502, Cleveland, Ohio 44113, [compliance@tpiefficiency.com](mailto:compliance@tpiefficiency.com); 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, [MBrowder@oag.state.va.us](mailto:MBrowder@oag.state.va.us).

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