

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)	
SUNWAVE USA HOLDINGS INC.)	
for a license as an alternative gas supplier.)	Case No. U-20863
_____)	

At the November 19, 2020 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Sally A. Talberg, Commissioner
Hon. Tremaine L. Phillips, Commissioner

ORDER

On August 10, 2020, Sunwave USA Holdings Inc. (Sunwave) applied for a license to operate as an alternative gas supplier (AGS) in Michigan pursuant to 2002 PA 634, MCL 460.9 *et seq.* (Act 634). As part of its application, Sunwave provided information to demonstrate compliance with the AGS license requirements set forth in Act 634 and the Commission’s March 12, 2003 order in Case No. U-13694 (March 12 order) establishing the AGS licensing procedure.

Act 634 requires an AGS to have the necessary financial, managerial, and technical capabilities to serve customers within the state of Michigan.¹ In accordance with the March 12 order, the Commission Staff (Staff) must review the application of the prospective AGS for conformance with Act 634 and with the Commission’s orders. The Staff then must recommend appropriate action regarding that application to the Commission.

¹ See, Section 9b(3) of Act 634, MCL 460.9b(3).

The Staff has reviewed Sunwave's license application and information, as well as the history of its affiliates. Based on this review, the Staff recommends that Sunwave be granted a license to operate as an AGS in Michigan.

The Staff observed that Sunwave currently provides natural gas and electricity to just under 8,000 customers in Maryland, New Jersey, Rhode Island, New Hampshire, Ohio, Illinois, Virginia, Connecticut, Pennsylvania, Massachusetts, and New York. On August 20, 2020, Sunwave was granted an alternative electric supplier license in Case No. U-20796 to provide service to electric choice customers in Michigan.

The Staff further observed that Sunwave's key personnel have extensive experience in the energy industry, including risk management, load forecasting, nominations and scheduling, commodity procurement, and marketing. The Staff also found that Sunwave is equipped to respond to customer inquiries and complaints in a timely manner through its current customer call center. Based on its review, the Staff has determined that Sunwave has sufficient experience and expertise to serve customers in Michigan's Gas Customer Choice Program. The Commission agrees.

Sunwave provided the Staff with a bond in the amount of \$100,000. Based on its review of the audited consolidated financial statements and the satisfied bond requirement, the Staff determined that Sunwave's financial capabilities and availability meet Act 634 requirements. The Commission agrees.

Act 634 requires Sunwave to maintain an office within the state of Michigan.² Sunwave's Michigan office is located at 3200 Greenfield Road, Suite 300, Dearborn, MI 48120. The Staff determined that Sunwave has met the office requirements for licensing. The Commission agrees.

² See, Section 9b(2) of Act 634, MCL 460.9b(2).

Based on Sunwave's submissions and the Staff's review, the Commission finds that Sunwave's request to be licensed as an AGS is reasonable, is in the public interest, and should be approved. The Commission further finds that the AGS license should be conditioned upon compliance with all of the applicable provisions of Act 634, the Commission's orders and administrative rules, and each of the delivering natural gas utilities' tariffs. Failure to comply with any of these provisions may result in revocation of the license or other penalties.

THEREFORE, IT IS ORDERED that:

- A. Sunwave USA Holdings Inc. is granted a license as an alternative gas supplier.
- B. Sunwave USA Holdings Inc. shall comply with the regulatory requirements specified in 2002 PA 634, MCL 460.9 *et seq.*; the Commission's orders and administrative rules; and each of the delivering natural gas utilities' tariffs.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel.

Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungp1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Daniel C. Scripps, Chair

Sally A. Talberg, Commissioner

Tremaine L. Phillips, Commissioner

By its action of November 19, 2020.

Lisa Felice, Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

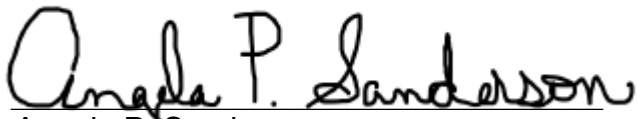
Case No. U-20863

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on November 19, 2020 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).


Brianna Brown

Subscribed and sworn to before me
this 19th day of November 2020.



Angela P. Sanderson
Notary Public, Shiawassee County, Michigan
As acting in Eaton County
My Commission Expires: May 21, 2024

Service List for Case: U-20863

Name	Email Address
Laura Jurasek	ljurasek@gosunwave.com
Michael Olowin	molowin@gosunwave.com
Sunwave USA Holdings Inc.	molowin@gosunwave.com