



**GOVERNMENT OF THE VIRGIN ISLANDS
OF THE
UNITED STATES**
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Public Services Commission

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OF THE UNITED STATES**

Public Services Commission

<p>IN RE:</p> <p>SOLAR DELIVERED, LLC COMPLAINT ON BEHALF OF SUNNY ISLE CONCESSIONS, LLC (“SUBWAY”)</p> <p>vs.</p> <p>THE VIRGIN ISLANDS WATER AND POWER AUTHORITY</p> <hr style="width: 40%; margin-left: 0;"/>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Docket No. 627</p> <p>Order No. <u>7</u>/2015</p>
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ORDER

WHEREAS, on February 12, 2014, the Virgin Islands Public Services Commission (hereinafter “the Commission or PSC”) received a written complaint from Solar Delivered, LLC. (hereinafter “Solar Delivered”) on behalf of their client, Subway Restaurant, located in Sunny Isles Food Court (hereinafter “Subway” or “Sunny Isle Concessions”), Christiansted St. Croix, seeking participation in the Virgin Islands Water and Power Authority’s (hereinafter “WAPA” or the “Authority”) Net Metering program; and

WHEREAS, on March 10, 2014, the PSC’s staff, members of the Authority’s staff, Solar Delivered, LLC and a representative from the Sunny Isles management office met in an informal meeting to address matters in the complaint;

WHEREAS, the parties were unable to reach an agreement, Solar Delivered and the Authority were informed that the matter would be discussed at the next PSC’s meeting; and

WHEREAS, at the PSC’s June 23, 2014, meeting in Order No. 44/2014, the Commission appointed Attorney Andrew Simpson as the Hearing Examiner to preside over the proceedings of Docket 627; and

WHEREAS, on September 15, 2015, the Authority filed a Notice of Appeal with the Superior Court of Virgin Islands Division St. Thomas St. John; and

WHEREAS, on September 16, 2014, Solar Delivered, LLC withdrew its February 12, 2014 Complaint filed with the PSC; and

WHEREAS, on September 23, 2014, the PSC’s staff sent written correspondence to the Attorney General of the United States Virgin Islands, the Honorable Vincent Frazer, seeking a special designation as a Special Assistant Attorney General to represent the Commission in the pending appeal before the Superior Court of Virgin Islands Division St. Thomas St. John ; and

WHEREAS, on September 29, 2014, the Commission met in regular session in the Commission’s offices on both St. Thomas and St. Croix; and

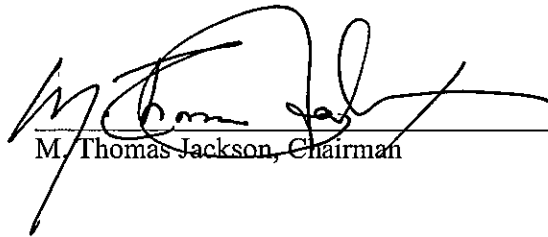
WHEREAS, upon review and deliberation the Commission voted to:

1. Ratify the actions of the General Counsel to seek assistance from the Attorney General in responding to WAPA’s Notice of Appeal; and
2. Accept the withdrawal of Solar Delivered, LLC’s February 12, 2014 Complaint and thereby **CLOSE** docket 627; and

So Ordered.

For the Commission

Date: October 24, 2014



M. Thomas Jackson, Chairman