

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 19, 2020

SEC. CLERK'S OFFICE
PLANT CONTROL CENTER

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COMMONWEALTH OF VIRGINIA, *ex rel*

STATE CORPORATION COMMISSION

CASE NO.: CLK-2020-00005

Ex Parte: Revised Operating Procedures During COVID-19 Emergency

ORDER REGARDING THE STATE CORPORATION COMMISSION'S
REVISED OPERATING PROCEDURES DURING COVID-19 EMERGENCY

The State Corporation Commission ("Commission") takes judicial notice of the ongoing public health emergency relating to the spread of the coronavirus, or COVID-19, and the declarations of emergency issued at both the state¹ and federal levels, as well as the Order Declaring a Judicial Emergency In Response to COVID-19 Emergency issued by the Supreme Court of Virginia on March 16, 2020 ("Judicial Emergency Declaration"). Accordingly, pursuant to these emergency directives, the Judicial Emergency Declaration and § 12.1-13 of the Code of Virginia ("Code"), effective March 20, 2020 and until May 15, 2020, unless such date is extended by Order of the Commission, the Commission is instituting the following operating procedures to protect the health and safety of both the general public and the Commission's employees.

- (1) In lieu of submitting any business entity, fictitious name or Uniform Commercial Code document to the Office of the Clerk ("Clerk's Office") in paper, persons should use electronic filing options. A list of available electronic filing options for the Clerk's Information System is attached as Exhibit 1 to this

¹ See Executive Order No. 51, Declaration of a State of Emergency Due to Novel Corona Virus. COVID-19, issued March 12, 2020, by Governor Ralph S. Northam.

Order. Submissions by mail or commercial mail equivalents (FedEx, etc.) will be accepted but, due to the emergency, may not be processed for an indefinite period of time.

(2) The Commission has suspended in-person access to the Clerk's Office, as follows:

(a) All pleadings should be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and Format* of the Commission's Rules of Practice of Procedure, as modified herein. Any person seeking to hand deliver and physically file or submit any pleading or other document required to be filed in a case pending before the Commission shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery; and,

(b) For all other business, the Commission is directing the use of electronic filing systems, email, or telephone, in that order, for best services. Any person seeking to hand deliver and physically submit any other document or payment to the Commission, shall instead deliver such filing or submission to the designated drop box located at the Security Desk in the 1st Floor lobby of the Tyler Building. To the extent feasible, documents deposited in this drop box by 4:45 p.m. on any given business day will be dated and deemed submitted on that day. Documents deposited after this time will be dated and deemed submitted on the next business day.

(3) Pursuant to Rule 5 VAC 5-20-10, *Applicability*, of the Commission's Rules of Practice and Procedure and until further Order of the Commission, Rule 5 VAC 5-20-150, *Copies and Format*, is hereby modified to authorize that electronic filings made in the Clerk's Office may exceed the 100-page limit otherwise prescribed therein. Such authorization is subject to such size, technical, and process limitations as may be prescribed by the Clerk's Office and set forth on the Commission's website at:

<http://www.scc.virginia.gov/clk/efiling/>.

IT IS SO ORDERED this 19th day of March, 2020.

The following filings and submission may be accomplished online in CIS:

Business Entities and Individuals

- Annual Registration Fees
- Reinstatements/Restoration
- Name Reservations
- Fictitious Name Certificates
- Registered Names (non-Virginia Businesses)
- Statement of Change of Registered Office and/or Registered Agent
- Statement of Resignation of Registered Agent
- Certificate of Good Standing/Statement of Fact of Existence
- Copies of business entity documents (uncertified)

Virginia Corporations

- Articles of Incorporation
- Articles of Amendment
- Articles of Dissolution
- Articles of Conversion
- Articles of Restatement
- Articles of Termination
- Garnishment Designations
- Annual Reports

Foreign (non-Virginia) Corporations

- Application for a Certificate of Authority to Transact Business in Virginia
- Application for an Amended Certificate of Authority
- Application for a Certificate of Withdrawal
- Articles of Domestication

Virginia Limited Liability Companies

- Articles of Organization
- Articles of Amendment
- Articles of Cancellation
- Articles of Conversion
- Articles of Restatement
- Garnishment Designations

Foreign (non-Virginia) Limited Liability Companies

- Application for a Certificate of Registration to Transact Business in Virginia
- Application for an Amended Certificate of Registration
- Application for a Certificate of Cancellation

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- Articles of Domestication

General Partnerships

- Statement of Partnership Authority

Virginia Limited Partnerships

- Certificate of Limited Partnership
- Certificate of Amendment of a Certificate of Limited Partnership
- Certificate of Cancellation
- Statement of Registration as a Virginia Registered Limited Liability Partnership (LLP)
- Statement of Amendment of a Statement of Registration of a Registered LLP
- Statement of Cancellation of a Statement of Registration of a Registered LLP
- Annual Continuation Report

Foreign (non-Virginia) Limited Partnerships

- Application for a Certificate of Registration to Transact Business in Virginia
- Application for an Amended Certificate of Registration
- Application for a Certificate of Cancellation
- Statement of Registration as a Foreign Registered Limited Liability Partnership (LLP)
- Statement of Amendment of a Statement of Registration of a Foreign Registered LLP
- Statement of Cancellation of a Statement of Registration of a Foreign Registered LLP

Virginia Business Trusts

- Articles of Trust
- Articles of Amendment
- Articles of Cancellation
- Articles of Conversion
- Articles of Restatement

Foreign (non-Virginia) Business Trusts

- Application for a Certificate of Registration to Transact Business in Virginia
- Application for an Amended Certificate of Registration
- Application for a Certificate of Cancellation
- Articles of Domestication

Uniform Commercial Code Filings

- UCC-1
- UCC-3
- UCC-5

UCC-11 Search Requests

The following filings and submissions cannot be filed online and will be accepted in paper form:

1. Fictitious name releases
2. Public service authority – all filings
3. General Partnership – subsequent filings
4. Amended and Restated Articles
5. Mergers
6. Cancellation of a Filing (prior to its effective date)
7. Pre-reviews
8. Articles of Share Exchange
9. Articles of Correction
10. Articles of Revocation of Dissolution
11. Articles of Surrender
12. LLP Restoration
13. Statement of Registration (adding LLP status to GPs)