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**Petition of Virginia Electric and Power Company
For a declaratory judgment
Case No. PUR-2019-00117**

Dear Mr. Peck:

Pursuant to Ordering Paragraph (1) of the State Corporation Commission's August 8, 2019 Scheduling Order in the above referenced matter, enclosed for filing please find the Pre-Hearing Brief of Virginia Electric and Power Company. Please do not hesitate to contact me with any questions or concerns.

Sincerely,



Timothy E. Biller

Enclosure

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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

PETITION OF)
)
VIRGINIA ELECTRIC AND POWER)
COMPANY) CASE NO. PUR-2019-00117
)
For a declaratory judgment)

PRE-HEARING BRIEF OF VIRGINIA ELECTRIC AND POWER COMPANY

INTRODUCTION

On July 15, 2019, Virginia Electric and Power Company (“Dominion Energy Virginia” or “Company”) filed a Petition for Declaratory Judgment (“Petition”) pursuant to Rule 100 of the Rules of Practice and Procedure of the State Corporation Commission (“Commission”), 5 VAC 5-20-100. In its Petition, Dominion Energy Virginia requested that the Commission issue an order (1) confirming that, for a competitive service provider (“CSP”) to serve customers under Va. Code § 56-577(A)(5) (“Section A5”), it must have control of sufficient renewable generation resources, including renewable capacity and associated renewable energy, to enable it to serve the full load requirements of the customers it intends to serve consistent with the standard approved by the Commission for Appalachian Power Company’s (“APCo”) Rider WWS in Case No. PUR-2017-00179,¹ and (2) declaring that Direct Energy Business, LLC (“Direct Energy”), a CSP seeking to serve customers in the Company’s service territory, has not satisfactorily demonstrated that it can serve customers “electric energy provided 100 percent from renewable energy” pursuant to Section A5.

¹ Order Approving Tariff, *Application of Appalachian Power Company, For approval of a 100% renewable energy rider pursuant to § 56-577 A 5 of the Code of Virginia*, Case No. PUR-2017-00179 (Jan. 7, 2019) (“Rider WWS Order”).

On August 7, 2019, a hearing was held on Direct Energy's July 22, 2019, motion for temporary injunctive relief and request for expedited action filed in this case. Following that hearing, the Commission issued a Scheduling Order on August 8, 2019, which, among other things, instructed the parties and Commission Staff to file briefs addressing any legal issue relevant to Dominion Energy Virginia's Petition, the recommended specific minimum standards to be applied to Direct Energy, whether Direct Energy meets such standard, and any other issue that the participants assert as relevant. The Commission's Scheduling Order instructed that such briefs be filed on or before August 16, 2019. Accordingly, this Brief is timely filed.

The fundamental issues in this case are (i) whether a CSP seeking to provide service to Virginia customers under Section A5 must be held to some sort of standard to demonstrate that it is prepared to provide sufficient renewable energy to meet its customers' full load requirements, and (ii) what that standard should be.

Commission precedent² as well as the express language of the Virginia Code³ resolve any doubt that the Commission possesses the requisite authority to set the parameters of providing electric service under Section A5, and the time is ripe for the Commission to specify a uniform standard by which a CSP seeking to provide service under Section A5 (or *any* entity seeking to provide service pursuant to Section A5), must demonstrate its ability to provide service in a manner that fully complies with and achieves the purpose of the statute. In fashioning the uniform standard, the Commission should follow its prior holdings in the Rider WWS Order (setting forth a standard that ensured the customer's *full load* would be served 100 percent from renewable

² See Final Order, *Appalachian Power Company v. Collegiate Clean Energy, LLC*, Case No. PUR-2018-00039 at 4 (Sept. 21, 2018) (holding that "[f]or purposes of implementing retail choice under Code § 56-577, the Commission exercises a legislative function delegated to it by the General Assembly").

³ See Va. Code § 56-577 B, which instructs the Commission to make rules and regulations as necessary to implement the requirements of Section A5.

energy),⁴ and the APCo Order (in which the Commission expressly noted that the CSP “was meeting or exceeding the standard applied to Rider WWS”).⁵ Following that guidance, the Commission should approve a standard consistent with its ruling for APCo in the Rider WWS Order, which requires that the provider identify the specific renewable energy portfolio from which a customer’s full load requirements will be supplied 100 percent from renewable energy (including not just the electrons but also sufficient control over those electrons so that they can be made available for delivery to customers to a degree that meets customers’ full load at all times, including times of peak demand), in addition to matching renewable generation with a participating customer’s load on a monthly basis.⁶ This Brief discusses the Commission’s clear, established statutory authority for adopting such a standard for demonstrating compliance with Section A5 requirements, the need for such a standard, and what the standard should entail. This Brief also explains why Direct Energy has failed to demonstrate that it is capable of meeting the recommended standard.

THE COMMISSION’S STATUTORY AUTHORITY TO ADOPT A STANDARD FOR
DEMONSTRATING COMPLIANCE WITH SECTION A5 REQUIREMENTS

1. The Commission has the power and is charged with the duty of regulating the provision of electric utility service within the Commonwealth, including the statutes, regulations, and tariffs that apply to service by CSPs, pursuant to Va. Const. art. IX, § 2. As the Commission has previously expressed, “[f]or purposes of implementing retail choice under Code § 56-577, the Commission exercises a legislative function delegated to it by the General Assembly.”⁷ Because

⁴ See Rider WWS Order at 4-5.

⁵ Final Order at 7, *Appalachian Power Company v. Collegiate Clean Energy, LLC*, Case No. PUR-2018-00134 (Jun. 11, 2019) (“APCo Order”).

⁶ See Rider WWS Order at 5-6 and n.14.

⁷ Final Order at 4, *Appalachian Power Company v. Collegiate Clean Energy, LLC*, Case No. PUR-2018-00039 (Sept. 21, 2018).

the legislature has not specified any uniform standard to ensure that a customer's full load is served with 'electric energy provided 100 percent from renewable energy,' the Commission retains the authority and discretion to determine the appropriate standard as part of its duty to implement Section A5 of the Code.⁸

2. In addition, the General Assembly specifically has required that the "Commission shall promulgate such rules and regulations as may be necessary to implement the provisions of [Section 56-577 of the Code]."⁹ In establishing this mandate, the General Assembly placed no specific restriction on the Commission's discretion to make rules or regulations that give effect to the requirements of the Code. Accordingly, the Commission is empowered with a broad discretion to establish, among other things, minimum standards to provide service as contemplated by the statute.

THE APPROPRIATE STANDARD FOR DEMONSTRATING COMPLIANCE WITH
SECTION A5 REQUIREMENTS

3. The issues and arguments raised thus far during the course of this case indicate a clear need for the Commission to adopt a uniform standard for determining whether a customer's full load is "provided 100 percent from renewable energy." As the Company emphasized throughout the Petition and during the August 7, 2019, hearing on Direct Energy's motion, in order to be meaningful, this standard must include a demonstration that the provider controls sufficient generation resources to meet the customer's full load requirements around the clock: not just each month, but each and every day and night during the month. The Company submits that such

⁸ Final Order at 6, *Petition of English Biomass Partners, LLC for a declaratory judgment*, Case No. PUR-2017-00117, Doc. Con. Cen. No. 180440050 (April 20, 2018), citing *Virginia Electric and Power Co. v. State Corp. Comm'n*, 284 Va. 726, 741 (2012) (where the Commission stated, "we presume that where the General Assembly has not placed an express limitation in a statutory grant of authority, it intended for the Commission, as an expert body, to exercise sound discretion.").

⁹ Va. Code § 56-577 B.

control consists of either ownership of or contractual rights to firm generation capacity and associated energy with the capability or providing the customers' full load requirements over the intended contract term.

4. As an initial matter, the Commission has never held that control of sufficient renewable generation resources is unnecessary under Section A5 to serve a customer's full load. The Commission has recently declined to exercise its discretion under Section A5 to impose PJM Interconnection, LLC's ("PJM") *specific* capacity requirements in another case.¹⁰ However, the Commission was careful to limit its decision to the specific facts of that case and in no way rejected a standard that included renewable capacity requirements. By stating that it "does not find it necessary *at this time* to adopt a specific renewable capacity standard to be applicable to CSPs providing competitive service under Section A5,"¹¹ the Commission (1) expressly acknowledged the concept of "renewable capacity," and (2) foreshadowed that in an appropriate case the Commission would address the need to adopt a specific renewable capacity standard. Dominion Energy Virginia respectfully submits that this is that case.

5. The Commission need not make this decision from a blank slate. Indeed, the appropriate standard is embodied in the Commission's decision for APCo's Rider WWS. In that order, the Commission cited three principles for a tariff to be considered just and reasonable under Section A5.¹² The second of those is that "the tariff must supply the customer's full load requirements with electric energy provided 100 percent from 'renewable energy' as defined by statute."¹³ The Commission further concluded that APCo would meet the requirements of Section

¹⁰ See APCo Order at 5, where the Commission explained that its decision in that case was "based on the facts and circumstances of this case," and the Commission made this decision after reviewing the facts in the record and noting that the CSP in that instance had control of sufficient capacity to serve its customers, albeit not allocated to those customers consistent with PJM's reliability requirements.

¹¹ *Id.* at 6 (emphasis added).

¹² See Rider WWS Order at 5-6.

¹³ *Id.* at 6.

A5 because (1) APCo's proposal "identifie[d] the specific renewable energy portfolio from which a customer's full load requirements will be supplied by 100 percent 'renewable energy' as defined by statute" (quoting the Company's commitment "to sell the *output* of the Company's renewable generation facilities" and not merely just to purchase and retire renewable energy certificates on behalf of APCo's customers), and (2) APCo would "match renewable generation with a participating customer's load on a *monthly* basis."¹⁴

6. The critical aspect of this standard is that the customer's full load, including peaks, is satisfied. As the Commission found, APCo demonstrated for Rider WWS that it has sufficient control over generation assets (*i.e.*, capacity) with its portfolio of renewable resources capable of, and dedicated to, serving the full load of Rider WWS customers around the clock. By measuring and matching the energy produced by this renewable portfolio, APCo had also shown that the energy was, in fact, being provided by the renewable portfolio. Based on the specific evidence in that case, the Commission found that APCo had sufficient control over renewable generation assets to meet the customers' load at all times. That adequate level of control of this renewable portfolio was the clear predicate to allowing APCo to use a monthly matching standard.

7. The Commission extended this same standard to CSPs in the APCo Order, finding that "it is reasonable to apply similar standards to both utilities and CSPs."¹⁵ The Commission further found that the CSP in that proceeding was "meeting or exceeding the standard applied to Rider WWS."¹⁶ Consistent with this finding, procurement and control of sufficient generation that is capable of meeting the full load requirements of customers around the clock is what Dominion Energy Virginia believes should be applied to all (including CSPs) seeking to provide service

¹⁴ *Id.* at 5-6 and n.14 (emphasis in original).

¹⁵ APCo Order at 6-7.

¹⁶ *Id.* at 7.

under Section A5; that standard provides the necessary assurance that the electric energy being provided is 100 percent from renewable sources – as required by the statute.

8. Direct Energy's offers merely to match energy procured with a customer's total monthly load — irrespective of peak loads or any attempt to show that the generation will be available throughout the month to serve customers — will not, on its own, satisfy the two-fold standard approved in the Rider WWS Order. Rather, just as APCo demonstrated in order to obtain approval of its Rider WWS, a CSP needs to demonstrate “a high degree of statistical certainty of meeting both the capacity and energy requirements of participating customers 100 percent of the time.”¹⁷ Regardless of the amount of renewable energy a CSP has purchased through contractual agreements with generators, if the CSP does not have the ability to control and rely on those purchased generation resources to allow it to meet its customers' round-the-clock needs each day of the month, then those customers are not receiving “electric energy provided 100 percent from renewable energy,” as required by the statute. The resulting problem is easy to predict. For example, there could foreseeably be a scenario in which a CSP, under an energy-only contract containing only a set monthly generation output requirement, has purchased rights to a particular renewable energy product through which the CSP could feasibly meet its customers' aggregate monthly MWh usage in the span of just a few hours during one day out of an entire month. If the CSP is not required to show that it has control of, and the ability to call upon, that renewable generation resource at any time during the month, day or night, then the CSP could satisfy the monthly matching standard by only purchasing just the few hours' worth of renewable generation; it would then be serving its customers' load for the rest of the month with non-renewable energy taken from the grid. This scenario is contrary to the purpose of Section A5, which is to serve

¹⁷ PUR-2017-00179, Post-Hearing Brief of Appalachian Power Company at 10 (Aug. 7, 2018) (citing Hearing Exhibit 4 at 3-4 in that case).

customers' full load 100 percent from renewable energy.¹⁸ This example illustrates why a standard as low as that proposed by Direct Energy—*i.e.*, that there is no obligation to demonstrate meeting full load requirements 100 percent from renewable energy—cannot satisfactorily meet the statutory goal of Section A5.

9. This statutory objective *can* be achieved, however, through the adoption of a uniform standard that ensures a service provider has adequate control over renewable generation such that it is capable of meeting the full demands of the customer. Ultimately, the ability to call upon renewable generation assets when, and to the full extent needed, is necessary to truly serve the customer's load. Importantly, nothing in Section A5 suggests, or should be read to suggest, that in enacting that statute the General Assembly, *sub silencio*, chose to except CSPs from the standard requirements that customers' full loads be served.¹⁹

10. As the example discussed above illustrates, securing control over renewable generation is as equally important as procuring the sufficient number of actual electrons, because customers take retail service on a real-time basis, with their load varying during peak and off-peak times. The purpose of Section A5—to provide retail customers who wish to purchase electric energy provided 100 percent from renewable energy with the authority to choose their supplier in limited circumstances—is not served if CSPs are allowed to only purchase cheaper energy during off-peak hours, when their customers are likely to be using less power, and yet still say they are providing “100% renewable energy” to those customers even if the customers' energy demands during peak times are actually met by energy generated from non-renewable sources.

¹⁸ Final Order, *Petition of English Biomass Partners, LLC for a declaratory judgment*, Case No. PUR-2017-00117, Doc. Con. Cen. No. 180440050 (April 20, 2018).

¹⁹ *See id.* at 5-7 (determining that the reasonable reading of Section A5 was to require CSPs to serve a customer's full load).

11. It is important to note that 20 VAC 5-312-20(F)—the Commission’s existing rule containing general requirements for a CSP selling electricity supply service or natural gas supply service at retail—does not merely require a CSP to procure sufficient “energy” (meaning the actual electrons needed to meet customers’ demand). Instead, this rule requires that a CSP must “[p]rocure sufficient *electric generation and transmission service* ... to serve the requirements of its firm customers.” This is because the practical realities of providing electricity service not only require that a sufficient amount of electrons be procured, but also that the customer can be served by generating resources that will have the capability to make those electrons available for delivery to end-use customers at the time and to the full extent that the customers need them.

12. Dominion is *not* advocating against the monthly matching standard embodied in the Rider WWS Order. It is important to highlight the distinction, however, between (1) the requirement—confirmed by the Commission in the Rider WWS Order²⁰—that a CSP must serve a customer’s full load 100 percent from renewable energy under Section A5 (which must mean that the CSP possesses adequate control over generation that is *capable* of supplying its customers’ full demand around the clock, throughout the day and night, including times of peak and non-peak demand), and (2) an after-the-fact, monthly matching standard used to demonstrate that the total amount of renewable energy procured by the CSP matches its customers’ aggregate load. Essential to a CSP’s ability to serve its customers’ full load is having an ownership or contractual right to call upon the renewable energy it has procured on demand whenever, and to the full extent, the customers need it. This can only be accomplished by planning and assembling a renewable energy portfolio with the intent and capability to continuously meet the customers’ full load around the

²⁰ Rider WWS Order at 4-5 (stating that “the Commission further clarifies that certain basic principles inform our analysis of a 100 percent renewable energy tariff proposed under this statute,” including the principle that “the tariff must supply the customer’s *full load requirements* with electric energy provided 100 percent from ‘renewable energy’ as defined by statute.” (emphasis added)).

clock with renewable resources. The monthly matching standard (as discussed in the Rider WWS Order²¹ and during the August 7, 2019, hearing on Direct Energy's motion for preliminary injunctive relief) merely establishes that the supplier has purchased roughly the same amount of energy its customers will consume on an average, aggregated basis for purposes of the regulatory reporting regime. The monthly reporting standard does not (and was not intended to) encompass all the statutory requirements under Section A5, and it certainly has never been intended to impact the level of service required under Section A5. In order to satisfy the requirements of Section A5, CSPs must be able to demonstrate that their customers' peak loads can and will be continuously met with a portfolio of renewable energy resources that the provider has a contractual right to draw from, and this important detail is not confirmed by a monthly matching standard on its own. Thus, the Commission should recognize the difference between planning and assembling a renewable energy portfolio to generate enough energy to serve the customers' load each and every day, on the one hand, and after-the-fact measuring of the customers' total monthly energy usage, on the other hand. Indeed, the Commission should make this distinction meaningful by holding that Section A5 requires a demonstration of both the customers' monthly aggregate load and sufficient renewable energy generated from *specifically identified, dedicated renewable generation resources* to cover the customers' peaks loads on a real-time, or virtually real-time, basis.²²

13. Generation capacity (or the control over and right to call upon electricity to be delivered to the customer when, and to the full extent, needed by the customer) is necessary in

²¹ Rider WWS Order at 6.

²² See Rider WWS Order at 5-6; see also Hearing Exhibit 4 in Case No. PUR-2017-00179 (Direct Testimony of William K. Castle) which explained that APCo's diverse portfolio of non-dispatchable resources (including wind, hydro, and solar energy) in varied geographic areas "has a very high statistical certainty of meeting both the capacity and energy requirements of participating customers," described the portfolio's actual minimum hourly Virginia-jurisdictional production during calendar years 2011-2016, the average monthly production, the nameplate capacity of the portfolio, and the PJM capacity value of the portfolio, and then explained that this was sufficient to meet the energy and capacity requirements of approximately 30,000 residential customers or their commercial equivalent.

order to deliver energy to a customer and cannot be divorced from the electricity itself in actually providing service to customers. If a CSP seeking to provide Section A5 service is only required to show that its electrons were generated by a renewable source within the span of a month without also showing that renewable capacity has been secured to actually deliver those electrons to the customer during the customer's peak and non-peak demand times, then the true ends of Section A5 will not be satisfied.

14. Generation capacity is not a new concept in providing service to customers. Selling power has always required not only being able to move electrons through a distribution system, but also having sufficient generation resources to ensure that those electrons are on the distribution system when customers need them. While the concept of capacity has expanded with the opening of wholesale energy and capacity markets, the ultimate need to ensure that sufficient electrons are on the system to serve customers has not changed. Indeed, despite the complexity of its capacity markets, PJM's glossary nonetheless defines capacity as "the total amount of electricity resources *available to use if needed*. Throughout the year, PJM must have enough resources, plus an additional reserve, *to supply the greatest amount of electricity used in one hour.*"²³ Similarly, in asserting that CSPs must have sufficient renewable capacity, Dominion Energy Virginia is urging that the CSP be required to demonstrate that it has secured control over generating resources in an amount that will be available, at any time of the day or night, to adequately meet the CSP's customers' needs. In other words, the CSP must ensure that the renewable resources that will be generating energy for the CSP's customers are also dedicated to serving the CSP's customers' load. Without this showing, there will be no way to ensure that the renewable electrons purchased by the CSP are actually available to serve the CSP's customers when needed, and without this

²³ See PJM Glossary, available at https://www.pjm.com/Glossary.aspx#index_C, accessed on Aug. 12, 2019 (emphasis added).

assurance, there can be no showing that the CSP is providing electric energy 100 percent from renewable energy.

15. Both APCo and Collegiate Clean Energy, LLC (the CSP discussed in the APCo Order) have shown the Commission that they have sufficient renewable capacity under their control that is available to meet the full load requirements of their respective customers at all times.²⁴ Dominion Energy Virginia submits that each CSP should be required to demonstrate its ability to do the same for its customers, for the duration of its contractual service period with the customers, as a prerequisite to providing service under Section A5.

16. In sum, in order to be confident that CSPs providing service to Virginia customers under Section A5 are truly serving the customers' full load with electric energy provided 100 percent from renewable energy, as required by the statute, the Commission should adopt a standard, to be uniformly applied to all CSPs and other entities seeking to provide service under Section A5, for demonstrating that the CSP has both procured sufficient renewable energy to serve the customer (referring to electrons, which will be reflected by the retirement or retention of the Renewable Energy Certificates associated with those electrons) and has secured sufficient control over, and contractual rights to call upon, that renewable energy (meaning capacity) to serve the customer's full load at all times.

APPLICATION OF THE RECOMMENDED STANDARD TO DIRECT ENERGY

17. As explained in Dominion Energy Virginia's Petition, in response to inquiries from Dominion Energy Virginia as to how Direct Energy intends to meet the statutory standard for the provision of "electric energy provided 100 percent from renewable energy" under Section A5,

²⁴ See Hearing Exhibit 4 in Case No. PUR-2017-00179 (Direct Testimony of William K. Castle) (discussing that the generation portfolio proposed for Rider WWS would be available to meet customers' capacity and energy requirements); see also APCo Order at 7.

Direct Energy submitted response letters to Dominion Energy Virginia²⁵ providing limited information regarding contracted-for energy that Direct Energy will purchase that is generated from renewable sources, but specifically refused to provide any documentation or information confirming that it has control of any renewable capacity needed to serve the full load of the customers that it currently seeks to enroll.²⁶ Direct Energy even asserts that “the concept of ‘renewable capacity’ in regards to a [CSP] does not exist under Virginia law,” citing the APCo Order.²⁷

18. Based on Direct Energy’s responses (or lack thereof) to the Company’s inquiries, Direct Energy has not shown that it has control of *any* renewable generation, much less *sufficient* renewable generation to continuously meet its customers’ energy needs. Indeed, as demonstrated in the August 7, 2019, hearing, Direct Energy has no ability to ensure that the energy it has contracted for will even be available to it to serve its customers.²⁸ Based on the evidence submitted to the Commission, Direct Energy cannot substantiate how it will be able to even provide its customers’ monthly energy requirements, let alone have any ability to serve the customers’ peak demands. Moreover, Direct Energy’s responses indicate that it does not believe it is subject to any obligations to come close to these basic requirements in connection with providing Section A5 service.²⁹ Therefore, because Direct Energy has neither demonstrated the ability to provide sufficient renewable energy (for example, by committing to match procured energy that it can

²⁵ See Exhibit 2 to the Petition (June 19, 2019 letter from Ronald M. Cerniglia, Director – Corporate & Regulatory Affairs, Direct Energy to Dominion Energy Virginia) and Exhibit 4 to the Petition (July 1, 2019 letter from Ronald M. Cerniglia, Director – Corporate & Regulatory Affairs, Direct Energy to Dominion Energy Virginia).

²⁶ Petition at 6.

²⁷ Exhibit 4 to the Petition at 1, stating that “[a]n attempt by Appalachian Power Company to have the Commission apply this concept to a CSP was rejected earlier this month: ‘the Commission does not find it necessary at this time to adopt a specific renewable capacity standard to be applicable to CSPs providing competitive service under Section A 5.’” (citing APCo Order at 6).

²⁸ See, e.g., August 7, 2019 Hearing Transcript in Case No. PUR-2019-00117 at 46-52, 58-65, 74-76, 92-93.

²⁹ See Exhibit 4 to the Petition.

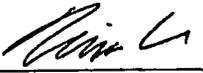
assure will be available with customer load on a monthly basis) nor sufficient renewable capacity (by demonstrating the requisite control over a planned portfolio of renewable resources that can be called upon when needed in order to serve full load around the clock, including its customers' peak loads), Direct Energy has failed to meet the recommended standard for demonstrating compliance with Section A5 requirements.

CONCLUSION

WHEREFORE, Petitioner Dominion Energy Virginia appreciates this opportunity to brief these important legal issues for the Commission's consideration, and for the reasons set forth above, provided by Dominion Energy Virginia witnesses in testimony at the August 7, 2019, hearing, and those set forth in the Petition, respectfully requests that the Commission enter an order providing the following relief requested in the Petition:

- (A) confirming that, for a competitive service provider to serve customers under Section A5, it must have control of sufficient renewable generation resources, including renewable generation capacity and associated renewable energy, to enable it to serve the full load requirements of the customers it intends to serve consistent with the standard approved by the Commission for APCo in the Rider WWS Order;
- (B) declaring that Direct Energy has not satisfactorily demonstrated that it can serve customers "electric energy provided 100 percent from renewable energy" pursuant to Section A5; and
- (C) providing any other relief as the Commission may deem appropriate.

Respectfully submitted,

By: 
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VERIFICATION

I, Robert Trexler, Director-Regulation, of Virginia Electric and Power Company, have read the foregoing Pre-Hearing Brief of Virginia Electric and Power Company, Case No. PUR-2019-00117, know the contents thereof, and state under penalty of perjury, pursuant to Virginia Code § 8.01-4.3, that the facts contained therein are true and correct to the best of my information, belief, and knowledge.

/s/ Robert Trexler
Signature

Director-Regulation
Title

August 16, 2019
Date

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of August, 2019 a true copy of the foregoing Pre-Hearing Brief of Virginia Electric and Power Company was delivered by hand or mailed, first-class, postage prepaid, to the following:

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