

## STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 1, 2020

*Document Control Center 04/01/20@3.13 PM*COMMONWEALTH OF VIRGINIA, *ex rel*

STATE CORPORATION COMMISSION

CASE NO. CLK-2020-00007

*Ex Parte: Electronic service among parties  
during COVID-19 emergency*ORDER REQUIRING ELECTRONIC SERVICE

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 state<sup>1</sup> and federal executive levels, as well as the declarations of emergency issued by the Supreme Court of Virginia.<sup>2</sup>

NOW THE COMMISSION, upon consideration of these emergency directives and declarations and § 12.1-13 of the Code of Virginia, hereby requires that pursuant to Rule 140, *Filing and service*, of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-10 *et seq.*, all pleadings, briefs, or other documents that are required to be served on parties to a proceeding or on the Commission's Staff shall be served by electronic mail service unless electronic mail service is incapable of being performed. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent

---

<sup>1</sup> See Governor Ralph S. Northam's Executive Order No. 51, Declaration of a State of Emergency Due to Novel Coronavirus, COVID-19, issued March 12, 2020; Executive Order No. 53, Temporary Restrictions on Restaurants, Recreational, Entertainment, Gatherings, Non-Essential Retail Businesses, and Closure of K-12 Schools Due to Novel Coronavirus (COVID-19), issued March 23, 2020; and Executive Order No. 55, Temporary Stay At Home Order Due to Novel Coronavirus (COVID-19), issued March 30, 2020.

<sup>2</sup> See Order Declaring a Judicial Emergency in Response to COVID-19 Emergency issued by the Supreme Court of Virginia on March 16, 2020, and Order Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency on March 27, 2020.

practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

This requirement shall be effective as of the date of this Order and until further orders of the Commission.

Accordingly, IT IS SO ORDERED, and this case is continued.