

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 28, 2021

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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

2021 JUN 28 P 2: 42

CASE NO. PUR-2021-00113

For revision of rate adjustment clause:
Rider R, Bear Garden Generating Station,
for the rate years commencing April 1, 2022, and
April 1, 2023

ORDER FOR NOTICE AND HEARING

On June 8, 2021, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") a biennial update of the Company's rate adjustment clause, Rider R ("Application") pursuant to § 56-585.1 A 6 of the Code of Virginia ("Code").¹ Through its Application, the Company seeks to recover costs associated with the Bear Garden Generating Station ("Bear Garden" or "Project"), a natural gas- and oil-fired combined cycle electric generating facility and associated transmission interconnection facilities located in Buckingham County, Virginia.²

¹ On June 23, 2021, pursuant to 5 VAC 5-20-160 of the Commission's Rules of Practice and Procedure ("Rules of Practice"), 5 VAC 5-20-10 *et seq.*, the Commission's Staff ("Staff") filed a Memorandum of Completeness/Incompleteness stating that, upon granting the requested waiver, the Application was complete as of June 18, 2021, and that the Commission's final order in this matter is statutorily due in nine (9) months, or by March 18, 2022. See Code § 56-585.1 A 8.

² Application at 1; Direct Testimony of Jared R. Robertson at 1.

In Case No. PUE-2008-00014,³ the Commission approved Dominion's construction and operation of Bear Garden. In Case No. PUE-2009-00017,⁴ the Commission approved a rate adjustment clause, designated Rider R, for Dominion to recover costs associated with the development of the Project.⁵ Bear Garden became fully operational in 2011.⁶

In this proceeding, Dominion has asked the Commission to approve a biennial update procedure for Rider R with two consecutive rate years.⁷ The proposed rate years for this proceeding are April 1, 2022, through March 31, 2023 ("Rate Year 1"), and April 1, 2023, through March 31, 2024 ("Rate Year 2").⁸ The two components of the proposed total revenue requirement for Rate Year 1 are the Projected Cost Recovery Factor and the Actual Cost True-Up Factor.⁹ For Rate Year 1, the Company is requesting a Projected Cost Recovery Factor revenue requirement of \$54,374,000 and an Actual Cost True-Up Factor revenue requirement of \$4,785,000.¹⁰ Thus, the Company is requesting a total revenue requirement of \$59,159,000 for

³ *Application of Virginia Electric and Power Company, For a certificate to construct and operate a generating facility; for certificates of public convenience and necessity for a transmission line: Bear Garden Generating Station and Bear Garden-Bremo 230 kV Transmission Interconnection Line*, Case No. PUE-2008-00014, 2009 S.C.C. Ann. Rept. 296, Final Order (Mar. 27, 2009).

⁴ *Application of Virginia Electric and Power Company, For Approval of a Rate Adjustment Clause for Recovery of the Costs of the Bear Garden Generating Station and Bear Garden-Bremo 230 kV Transmission Interconnection Line*, Case No. PUE-2009-00017, 2009 S.C.C. Ann. Rept. 416, Order Approving Rate Adjustment Clause (Dec. 16, 2009).

⁵ Application at 2-3.

⁶ *Id.* at 5.

⁷ *Id.* at 7.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.* at 7-8; Direct Testimony of Jared R. Robertson at 5-6, 9.

service rendered during Rate Year 1.¹¹ The total revenue requirement for Rate Year 2 is comprised only of a Projected Cost Recovery Factor.¹² For Rate Year 2, Dominion seeks approval of a total revenue requirement of \$54,940,000.¹³

For purposes of calculating the revenue requirements in this case, Dominion used a rate of return on common equity ("ROE") of 9.2%. This ROE was approved by the Commission in Case No. PUR-2019-00050.¹⁴

If the proposed Rider R revenue requirements for Rate Year 1 and Rate Year 2 are approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to Dominion, for Rate Year 1, implementation of its proposed Rider R on April 1, 2022, would increase the bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.07.¹⁵ The Company states that, for Rate Year 2, implementation of its proposed Rider R on April 1, 2023, would decrease the bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.07 as compared to Rate Year 1.¹⁶ Dominion indicates it has calculated the proposed Rider R rates in accordance with the same

¹¹ Application at 8; Direct Testimony of Jared R. Robertson at 11.

¹² Application at 7.

¹³ *Id.* at 8; Direct Testimony of Jared R. Robertson at 11. For billing purposes, Dominion requests a rate effective date for usage on and after April 1, 2022, or the first day of the month that is at least 15 days following the date of any Commission order approving Rider R, if such date is later than April 1, 2022, for Rate Year 1. For Rate Year 2, the Company requests a rate effective date for usage on and after April 1, 2023. See Application at 9; Direct Testimony of Shana M. Taylor at 1.

¹⁴ Application at 6; Direct Testimony of Jared R. Robertson at 4. See *Application of Virginia Electric and Power Company, For the determination of the fair rate of return on common equity pursuant to § 56-585.1:1 C of the Code of Virginia*, Case No. PUR-2019-00050, 2019 S.C.C. Ann. Rept. 400, Final Order (Nov. 21, 2019).

¹⁵ Application at 9; Direct Testimony of Shana M. Taylor at 8.

¹⁶ Direct Testimony of Shana M. Taylor at 9.

methodology as used for rates approved by the Commission in the most recent Rider R proceeding, Case No. PUR-2020-00101.¹⁷

This Application is one of six filings Dominion made on or about June 8, 2021, for recovery of funds related to capital projects. If the revenue requirements in these filings are approved as proposed, the cumulative impact would be a monthly increase of approximately \$0.41 for a residential customer using 1,000 kilowatt hours per month for the period April 1, 2022, through March 31, 2023.

Dominion also requests a waiver, in part, of Rules 20 VAC 5-204-60 ("Rule 60") and 20 VAC 5-204-90 ("Rule 90") of the Commission's Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Electric Utilities, 20 VAC 5-204-5 *et seq.* ("Rate Case Rules") with respect to Schedule 46. Rule 60 states that an application for a rate adjustment clause filed pursuant to Chapter 23 of Title 56 of the Code shall include Schedule 46, which is entitled "Rate Adjustment Clauses and Prudency Determinations Pursuant to Chapter 23 (§ 56-576 *et seq.*) of the Code of Virginia."¹⁸ Schedule 46 requires an applicant to provide certain information, including "[k]ey documents supporting the projected and actual costs recovered through the rate adjustment clause, such as: economic analyses, support used by senior management for major cost decisions as determined by the applicant, contracts, studies, investigations, results from requests for proposals, cost-benefit analyses, and other items supporting the costs that have not been provided in previous applications." According to

¹⁷ *Id.* at 5.

¹⁸ Application at 11-12.

Dominion, the supporting documentation responsive to this requirement is voluminous and therefore the Company proposes to provide the documentation in electronic format only.¹⁹

Finally, in conjunction with the filing of its Application, the Company filed the Motion of Virginia Electric and Power Company for Entry of a Protective Ruling ("Motion for Protective Ruling") and a proposed protective ruling that establishes procedures governing the use of confidential information in this proceeding.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; the Company should provide public notice of its Application; public hearings should be scheduled for the purpose of receiving testimony and evidence on the Application; interested persons should have an opportunity to file comments on the Application or to participate in this proceeding as a respondent; and the Staff should be directed to investigate the Application and to file testimony and exhibits containing its findings and recommendations thereon.

We find that a Hearing Examiner should be assigned to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion for Protective Ruling and filing a final report containing the Hearing Examiner's findings and recommendations.

Further, for purposes of making the Application complete and commencing this proceeding, we grant Dominion's request to waive in part the requirements under Rule 60 and Rule 90 of the Rate Case Rules with respect to the filing of certain Schedule 46 materials.

¹⁹ *Id.* at 11.

The Commission takes judicial notice of the ongoing public health emergency related to the spread of the coronavirus, or COVID-19, and the declarations of emergency issued at both the state and federal levels.²⁰ The Commission has taken certain actions, and may take additional actions going forward, which could impact the procedures in this proceeding.²¹ Consistent with these actions, in regard to the terms of the procedural framework established below, the Commission will, among other things, direct the electronic filing of testimony and pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

We note that the proposed Rider R, if approved, would result in an increase to customer bills. We realize that the current COVID-19 public health crisis has caused devastating economic effects that impact utility customers. We have responded to this economic emergency by, among other actions, directing Virginia utilities to offer extended payment plans, without late fees for those who are current on such plans, to protect customers from service disconnection. We are sensitive to the effects of rate increases, especially in times such as these. The Commission, however, must and will follow the laws applicable to this case, as well as the findings of fact supported by evidence in the record.

²⁰ See, e.g., Executive Order No. 51, Declaration of a State of Emergency Due to Novel Coronavirus, COVID-19, issued March 12, 2020, by Gov. Ralph S. Northam. This and subsequent Executive Orders related to COVID-19 may be found at: <https://www.governor.virginia.gov/executive-actions/>.

²¹ See, e.g., *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic Service of Commission Orders*, Case No. CLK-2020-00004, Doc. Con. Cen. No. 200330035, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020), *extended by* Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020), *extended by* Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2021-00113.

(2) All pleadings in this matter should be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of the Rules of Practice. Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.²²

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Commission's Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. 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 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.

(4) As provided by § 12.1-31 of the Code and Rule 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission.

(5) The Commission hereby schedules a telephonic hearing for the receipt of testimony from public witnesses on the Company's Application, as follows:

²² As noted in the Commission's March 19, 2020 Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency in Case No. CLK-2020-00005, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may not be processed for an indefinite period of time due to the COVID-19 emergency. *See id.*

- (a) A hearing for the receipt of testimony from public witnesses on the Company's Application shall be convened telephonically at 10 a.m. on January 26, 2022, with no public witness present in the Commission's courtroom.²³
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before January 21, 2022, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.
- (d) Beginning at 10 a.m. on January 26, 2022, the Commission will telephone sequentially each person who has signed up to testify as provided above.
- (e) This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

(6) A public evidentiary hearing on the Application shall be convened at 10 a.m. on January 27, 2022, either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, to receive testimony and evidence offered by the Company, respondents, and the Staff on the Application. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.

(7) An electronic copy of the public version of the Company's Application may be obtained by submitting a written request to counsel for the Company, Lisa R. Crabtree, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or lcrabtree@mcguirewoods.com. Interested persons also may download unofficial copies of the

²³ The Commission will convene counsel of record in this proceeding to attend the public witness hearing virtually.

public version of the Application and other documents filed in this case from the Commission's website: scc.virginia.gov/pages/Case-Information.

(8) On or before August 18, 2021, the Company shall cause the following notice to be published as display advertising (not classified) on one occasion in newspapers of general circulation throughout the Company's service territory in Virginia:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
VIRGINIA ELECTRIC AND POWER COMPANY
D/B/A DOMINION ENERGY VIRGINIA
FOR APPROVAL OF A RATE ADJUSTMENT CLAUSE:
RIDER R, BEAR GARDEN GENERATING STATION
CASE NO. PUR-2021-00113

- Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion") has applied for approval to revise its rate adjustment clause, Rider R.
- In this case, Dominion has asked the State Corporation Commission ("Commission") to approve a biennial update procedure for Rider R with two consecutive rate years. The proposed rate years for this proceeding are April 1, 2022, through March 31, 2023 ("Rate Year 1"), and April 1, 2023, through March 31, 2024 ("Rate Year 2").
- For Rate Year 1, Dominion requests a revenue requirement of \$59,159,000, which would increase the bill of a typical residential customer using 1,000 kilowatt hours of electricity per month by \$0.07.
- For Rate Year 2, Dominion requests a revenue requirement of \$54,940,000, which would decrease the bill of a typical residential customer using 1,000 kilowatt hours of electricity per month by \$0.07 as compared to Rate Year 1.
- A Hearing Examiner appointed by the Commission will hold a telephonic hearing in this case on January 26, 2022, at 10 a.m., for the receipt of public witness testimony.
- An evidentiary hearing will be held on January 27, 2022, at 10 a.m., either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.
- Further information about this case is available on the SCC website at: scc.virginia.gov/pages/Case-Information.

On June 8, 2021, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") a biennial update of the Company's rate adjustment clause, Rider R ("Application") pursuant to § 56-585.1 A 6 of the Code of Virginia. Through its Application, the Company seeks to recover costs associated with the Bear Garden Generating Station ("Bear Garden" or "Project"), a natural gas- and oil-fired combined cycle electric generating facility and associated transmission interconnection facilities located in Buckingham County, Virginia.

In Case No. PUE-2008-00014, the Commission approved Dominion's construction and operation of Bear Garden. In Case No. PUE-2009-00017, the Commission approved a rate adjustment clause, designated Rider R, for Dominion to recover costs associated with the development of the Project. Bear Garden became fully operational in 2011.

In this proceeding, Dominion has asked the Commission to approve a biennial update procedure for Rider R with two consecutive rate years. The proposed rate years for this proceeding are April 1, 2022, through March 31, 2023 ("Rate Year 1"), and April 1, 2023, through March 31, 2024 ("Rate Year 2"). The two components of the proposed total revenue requirement for Rate Year 1 are the Projected Cost Recovery Factor and the Actual Cost True-Up Factor. For Rate Year 1, the Company is requesting a Projected Cost Recovery Factor revenue requirement of \$54,374,000 and an Actual Cost True-Up Factor revenue requirement of \$4,785,000. Thus, the Company is requesting a total revenue requirement of \$59,159,000 for service rendered during Rate Year 1. The total revenue requirement for Rate Year 2 is comprised only of a Projected Cost Recovery Factor. For Rate Year 2, Dominion seeks approval of a total revenue requirement of \$54,940,000.

For purposes of calculating the revenue requirements in this case, Dominion used a rate of return on common equity ("ROE") of 9.2%. This ROE was approved by the Commission in Case No. PUR 2019-00050.

If the proposed Rider R revenue requirements for Rate Year 1 and Rate Year 2 are approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to Dominion, for Rate Year 1, implementation of its proposed Rider R on April 1, 2022, would increase the bill of a residential customer using 1,000 kilowatt hours of electricity per

month by approximately \$0.07. The Company states that, for Rate Year 2, implementation of its proposed Rider R on April 1, 2023, would decrease the bill of a residential customer using 1,000 kilowatt hours of electricity per month by approximately \$0.07 as compared to Rate Year 1. Dominion indicates it has calculated the proposed Rider R rates in accordance with the same methodology as used for rates approved by the Commission in the most recent Rider R proceeding, Case No. PUR-2020-00101.

This Application is one of six filings Dominion made on or about June 8, 2021, for recovery of funds related to capital projects. If the revenue requirements in these filings are approved as proposed, the cumulative impact would be a monthly increase of approximately \$0.41 for a residential customer using 1,000 kilowatt hours of electricity per month for the period April 1, 2022, through March 31, 2023.

Interested persons are encouraged to review Dominion's Application and supporting documents in full for details about these and other proposals.

TAKE NOTICE that the Commission may apportion revenues among customer classes and/or design rates in a manner differing from that shown in the Application and supporting documents and thus may adopt rates that differ from those appearing in the Company's Application and supporting documents.

The Commission entered an Order for Notice and Hearing that, among other things, scheduled public hearings on Dominion's Application. On January 26, 2022, at 10 a.m., a Hearing Examiner appointed by the Commission will hold a telephonic hearing for the purpose of receiving the testimony of public witnesses, with no public witness present in the Commission's courtroom. On or before January 21, 2022, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141. This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

On January 27, 2022, at 10 a.m., either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, a Hearing Examiner appointed by the Commission will convene a hearing to receive testimony and evidence offered by the Company, any respondents, and the Commission's Staff on the Company's Application. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.

The Commission has taken judicial notice of the ongoing public health emergency related to the spread of the coronavirus, or COVID-19, and the declarations of emergency issued at both the state and federal levels. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter should be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Commission's Rules of Practice, the Commission has directed that service on parties and the Commission's Staff in this matter shall be accomplished by electronic means. Please refer to the Commission's Order for Notice and Hearing for further instructions concerning Confidential or Extraordinarily Sensitive Information.

An electronic copy of the public version of the Company's Application may be obtained by submitting a written request to counsel for the Company, Lisa R. Crabtree, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or lcrabtree@mcguirewoods.com.

On or before January 26, 2022, any interested person may file comments on the Application by following the instructions on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments or by filing such comments with the Clerk of the State Corporation Commission c/o Document Control Center, P.O. Box 2118,

Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2021-00113.

On or before November 3, 2021, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission at the address above or at scc.virginia.gov/clk/efiling. Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00113.

On or before November 23, 2021, each respondent may file with the Clerk of the Commission, at the address above or at scc.virginia.gov/clk/efiling, and serve on the Commission's Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case, and each witness's testimony shall include a summary not to exceed one page. In all filings, respondents shall comply with the Commission's Rules of Practice, including 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2021-00113.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Hearing, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The public version of the Company's Application and other documents filed in this case, the Commission's Rules of Practice, and the Commission's Order for Notice and Hearing may be viewed at: scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY
d/b/a DOMINION ENERGY VIRGINIA

(9) The Company shall serve each official listed in 20 VAC 5-204-10 J 1 as provided by 20 VAC 5-204-10 J 2.

(10) On or before September 15, 2021, the Company shall file proof of the notice and service required by Ordering Paragraphs (8) and (9), including the name, title, address, and electronic mail address (if applicable) of each official served, with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, or by filing electronically at scc.virginia.gov/clk/efiling.

(11) On or before January 26, 2022, any interested person may file comments on the Application by following the instructions on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments or by filing such comments with the Clerk of the Commission at the address in Ordering Paragraph (10). All comments shall refer to Case No. PUR-2021-00113.

(12) On or before November 3, 2021, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission at the address in Ordering Paragraph (10) or at scc.virginia.gov/clk/efiling. Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by

5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00113.

(13) Within three (3) business days of receipt of a notice of participation as a respondent, the Company shall serve a copy of the public version of its Application on the respondent.

(14) On or before November 23, 2021, each respondent may file with the Clerk of the Commission, at the address in Ordering Paragraph (10) or at scc.virginia.gov/clk/efiling, and serve on the Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case, and each witness's testimony shall include a summary not to exceed one page. In all filings, respondents shall comply with the Commission's Rules of Practice, as modified herein, including, but not limited to: 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2021-00113.

(15) On or before December 15, 2021, the Staff shall investigate the Application and file with the Clerk of the Commission its testimony and exhibits concerning the Application, and each Staff witness's testimony shall include a summary not to exceed one page. A copy thereof shall be served on counsel to the Company and all respondents.

(16) On or before January 12, 2022, Dominion shall file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer, and each rebuttal witness's testimony shall include a summary not to exceed one page. The Company shall serve a copy of its rebuttal testimony and exhibits on the Staff and all respondents.

(17) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, all

filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(18) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to the Staff.²⁴ Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(19) The Company's request for waiver of the requirements of Rule 60 and Rule 90 of the Rate Case Rules with respect to the filing of certain Schedule 46 materials is granted as set forth in this Order.

(20) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

²⁴ The assigned Staff attorney is identified on the Commission's website, scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2021-00113 in the appropriate box.