

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, MAY 24, 2022

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

SCC-CLERK'S OFFICE
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2022 MAY 24 P 12: 23

CASE NO. PUR-2022-00064

220540002

To revise its fuel factor pursuant to
§ 56-249.6 of the Code of Virginia

ORDER ESTABLISHING 2022-2023 FUEL FACTOR PROCEEDING

On May 5, 2022, Virginia Electric and Power Company ("Company" or "Dominion") filed with the State Corporation Commission ("Commission") its application ("Application") pursuant to § 56-249.6 of the Code of Virginia ("Code") seeking an increase in its fuel factor effective for usage on and after July 1, 2022. The Application describes the Company's (i) projected jurisdictional fuel expense for the July 1, 2022 through June 30, 2023 fuel year ("Rate Year"), and (ii) projected June 30, 2022 fuel deferral balance. The Application states that together, these components would translate into a total proposed fuel factor rate of 4.4568 cents per kilowatt hour ("¢/kWh") for the Rate Year.¹

The Application presents two potential mitigation plans for the Commission's consideration in which the Company's projected June 30, 2022 fuel deferral balance could be spread over two years in one plan, and three years in another plan, thereby reducing the proposed

¹ Application at 2. The Company's current fuel rate for the July 1, 2021 through June 30, 2022 fuel year is 2.0448¢/kWh, as established in *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to § 56-249.6 of the Code of Virginia*, Case No. PUR-2021-00097, Doc. Con. Cen. No. 2106500047, Order Establishing 2021-2022 Fuel Factor (June 29, 2021).

fuel factor rate.² The Company requests that the Commission establish a three-year mitigation plan, and a corresponding fuel rate of 3.5379¢/kWh for the Rate Year.³

The Company's proposed fuel rate (3.5379¢/kWh), reflected in Fuel Charge Rider A, consists of both current and prior period factors.⁴ According to the Application, the Company's proposed current period factor for Fuel Charge Rider A of 3.0784¢/kWh is designed to recover the Company's estimated Virginia jurisdictional fuel expenses, including purchased power expenses, of approximately \$2.278 billion for the Rate Year.⁵ The Company's proposed prior period factor for Fuel Charge Rider A of 0.4595¢/kWh is designed to collect approximately one-third of the Company's \$1.020 billion projected fuel deferral balance as of June 30, 2022, or \$288.8 million, as adjusted downward to reflect Dominion's proposed accounting change for market-based rate ("MBR") customers.⁶ The Company asserts this adjustment does not impact the proposed fuel rates for non-MBR customers.⁷

² Application at 3, 4. The Company states that the total projected June 30, 2022 fuel deferral balance is substantial, largely due to the increase in commodity prices over the past year. *Id.* at 2. The Company further states that forward commodity prices have also risen significantly over the Company's last year's forecast, especially for natural gas and purchased power. Direct Testimony of Gregory A. Workman at 4.

³ Application at 4. The three-year mitigation proposal would, if approved, amortize the Company's \$1.020 billion projected June 30, 2022 fuel deferral balance for recovery equally over the fuel periods July 1, 2022 - June 30, 2023, July 1, 2023 - June 30, 2024, and July 1, 2024 - June 30, 2025 (a total of 36 months). *Id.* at 3. The two-year mitigation proposal would, correspondingly, amortize the aforesaid fuel deferral balance for recovery over the fuel periods July 1, 2022 - June 30, 2023, and July 1, 2023 - June 30, 2024. *Id.* at 3.

⁴ *Id.* at 2.

⁵ *Id.*

⁶ Direct Testimony of Timothy P. Stuller ("Stuller Testimony") at 2, 3. The amount of \$288.8 million represents one-third of \$866.5 million, which is the Company's calculation of its deferral balance as of June 30, 2022, adjusted to exclude fuel costs associated with Dominion customers under certain MBR schedules. Stuller Testimony at Schedule 6.

⁷ Direct Testimony of J. Scott Gaskill at 12.

In total, Dominion's proposed fuel rate of 3.5379¢/kWh represents a 1.4931¢/kWh increase from the fuel factor rate of 2.0448¢/kWh presently in effect.⁸ According to the Company, this proposal would result in an annual fuel revenue increase of approximately \$1.105 billion over the Rate Year.⁹ The total proposed fuel factor would increase the average weighted monthly bill of a residential customer using 1,000 kWh of electricity per month by \$14.93, or approximately 12.2%.¹⁰

In this Application, the Company is also seeking approval of an accounting change as it relates to the funding of the fuel factor for customers taking service under the approved MBR schedules, Rate Schedule MBR, Rate Schedule MBR-GS-3, Rate Schedule MBR-GS-4, and the SCR Rate Schedule (collectively, the "MBR Customers"). The Company asserts that this proposed accounting change will more timely align the timing of the fuel expense incurred by the Company and the revenues received through the market-based charges from these customers. Per the Company, this change holds both MBR and non-MBR customers harmless and is intended to resolve a timing mismatch between revenue and fuel expense that exists for customers taking service on these voluntary rate schedules.¹¹

Finally, in conjunction with the filing of its Application on May 5, 2022, the Company filed the Motion of Virginia Electric and Power Company for Entry of a Protective Order

⁸ Stuller Testimony at Schedule 10.

⁹ *Id.* at 1-2.

¹⁰ *Id.* at 8.

¹¹ Application at 5. Per the Company, under this proposal, MBR-customer revenues would fund their share of actual fuel costs on a real-time basis instead of contributing to an over- or under-recovery of fuel costs. MBR revenue would be removed from the fuel deferral process. The Company proposes that this accounting change take effect on July 1, 2022. The Application's proposed Fuel Charge Rider A incorporates this change, specifying how MBR revenues are treated with respect to the fuel deferral. *Id.*

("Motion for Protective Order") and a proposed protective order 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; a public hearing 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 of the Commission ("Staff") should be directed to investigate the Application and to file testimony and exhibits containing its findings and recommendations thereon. The Commission further finds that inasmuch as the hearing of this matter will occur subsequent to July 1, 2022—the beginning of the Company's 2022-2023 fuel year—the Company's proposed fuel factor of 3.5379¢/kWh may, at the Company's election, be placed into effect on an interim basis for usage on and after July 1, 2022.

We also 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 Order and filing a final report containing the Hearing Examiner's findings and recommendations.

The Commission further takes judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. The Commission has taken certain actions, and

may take additional actions going forward, that could impact the procedures in this proceeding.¹²

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.

For clarification, we note that Dominion's proposed fuel factor, if approved, would result in an increase to customer bills. We realize that the current COVID-19 public health issues have caused devastating economic effects that impact all utility customers. We responded to this economic emergency by, among other actions, suspending for approximately six months customer disconnections from utility service and directing Virginia utilities to offer extended payment plans, without late fees for those who are current on such plans, to protect customers from service disconnections. 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.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2022-00064.

¹² 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) ("Revised Operating Procedures Order"), *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).

(2) The Company's proposed fuel factor of 3.5379¢/kWh may, at the Company's election, be placed into effect on an interim basis for usage on and after July 1, 2022.

(3) 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, including ruling on the Company's Motion for Protective Order and filing a final report containing the Hearing Examiner's findings and recommendations. A copy of each filing made with the Commission's Clerk's office in this matter shall also be sent electronically to the Office of the Hearing Examiners.¹³

(4) All pleadings in this matter shall be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's 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.¹⁴

(5) 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 Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and Staff are instructed to work together to agree upon the manner in which

¹³ Such electronic copies shall be sent to: Wendv.Starkey@scc.virginia.gov, LeaAnn.Robertson@scc.virginia.gov and Kaitlyn.McClure@scc.virginia.gov.

¹⁴ As noted in the Revised Operating Procedures Order, 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.

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 Staff is impeded from preparing its case.

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

(a) A hearing for the receipt of testimony from public witnesses on the Application shall be convened telephonically at 10 a.m., on July 6, 2022, with no witness present in the Commission's courtroom.¹⁵

(b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.

(c) On or before June 30, 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 July 6, 2022, the Commission will telephone sequentially each person who has signed up to testify as provided above. This hearing will not be convened, and the parties will be notified of such if no person signs up to testify as a public witness.

(e) This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

(7) A public evidentiary hearing on the Application shall be convened at 10 a.m. on July 7, 2022, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive testimony and evidence offered by the Company, respondents, and the Staff on the Application.

¹⁵ The Commission will convene counsel of record in this proceeding to attend the public witness hearing virtually.

(8) 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, Elaine S. Ryan, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or eryan@mcguirewoods.com. Interested persons also may download unofficial copies of the public version of the Application and other documents filed in this case from the Commission's website: scc.virginia.gov/pages/Case-Information.

(9) On or before June 9, 2022, Dominion shall publish the following notice 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
 VIRGINIA ELECTRIC AND POWER COMPANY'S
 REQUEST TO REVISE ITS FUEL FACTOR
CASE NO. PUR-2022-00064

- **Virginia Electric and Power Company ("Dominion") has filed its application pursuant to § 56-249.6 of the Code of Virginia seeking to increase its fuel factor from 2.0448 cents per kilowatt hour ("¢/kWh") to 3.5379¢/kWh, effective for usage on and after July 1, 2022.**
- **According to Dominion, the total proposed fuel factor would increase the average weighted monthly bill of a residential customer using 1,000 kWh of electricity per month by \$14.93, or approximately 12.2%.**
- **A Hearing Examiner appointed by the Commission will hold a telephonic hearing in this case on July 6, 2022, at 10 a.m. for the receipt of public witness testimony.**
- **An evidentiary hearing will be held on July 7, 2022, at 10 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, VA 23219, to receive the testimony and evidence of the Company, any respondents, and the Staff.**
- **Further information about this case is available on the SCC website at: scc.virginia.gov/case.**

On May 5, 2022, Virginia Electric and Power Company ("Company" or "Dominion") filed with the State Corporation Commission ("Commission") its application ("Application") pursuant to § 56-249.6 of the Code of Virginia seeking an increase in its fuel factor from 2.0448 cents per kilowatt hour ("¢/kWh") to 3.5379¢/kWh, effective for usage on and after July 1, 2022.

The Company's proposed fuel factor, reflected in Fuel Charge Rider A, consists of both current and prior period factors. The Company's proposed current period factor for Fuel Charge Rider A of 3.0784¢/kWh is designed to recover the Company's estimated Virginia jurisdictional fuel expenses, including

purchased power expenses, of approximately \$2.278 billion for the period July 1, 2022, through June 30, 2023 ("Rate Year"). The Company's proposed prior period factor for Fuel Charge Rider A of 0.4595¢/kWh is designed to collect approximately one-third of the Company's \$1.020 billion projected fuel deferral balance as of June 30, 2022, or \$288.8 million as adjusted for a proposed accounting change ("Three-Year Mitigation proposal"). The amount of \$288.8 million represents one-third of \$866.5 million, which is the Company's calculation of its fuel deferral balance as of June 30, 2022, adjusted to exclude fuel costs associated with Dominion's customers under certain market-based rate ("MBR") schedules. The Company asserts this adjustment does not impact the proposed fuel rates for non-MBR customers.

In total, Dominion's proposed fuel factor (under its Three-Year Mitigation proposal) represents a 1.4931¢/kWh increase from the fuel factor rate presently in effect of 2.0448¢/kWh which was approved by the Commission in Case No. PUR-2021-00097. According to the Company, this proposal would result in an annual fuel revenue increase of approximately \$1.105 billion over the Rate Year. The total proposed fuel factor would increase the average weighted monthly bill of a residential customer using 1,000 kWh of electricity by \$14.93, or approximately 12.2%.

Dominion's proposed fuel factor of 3.5379¢/kWh represents one of three potential fuel rates presented by the Company for the Rate Year. As described in the Application, the Company presented another alternative in which one-half of the Company's \$1.020 billion projected fuel deferral balance as of June 30, 2022 would be collected from the Company's customers during the Rate Year; the remainder would be collected during the period July 1, 2023, through June 30, 2024 ("Two-Year Mitigation proposal"). In the final alternative, the projected \$1.020 billion fuel deferral balance would be fully recovered during the Rate Year ("Full Recovery proposal"). The Application presents each of these alternative treatments of this deferral balance for the Commission's consideration.

In sum, Dominion states that the total fuel factor for the three alternative recovery proposals is as follows: (1) 4.4568¢/kWh for Full Recovery; (2) 3.5379¢/kWh for the Three-Year Mitigation; and (3) 3.7676¢/kWh for the Two-Year Mitigation. Implementation of the Three-Year and Two-Year Mitigation proposals would result in an annual fuel revenue increase of approximately \$1.105 billion or \$1.275 billion, respectively, over

the Rate Year. Implementation of the full recovery rate would result in an annual fuel revenue increase of approximately \$1.785 billion over the Rate Year.

For a residential customer using 1,000 kWh per month, the average weighted monthly bill would increase under the three alternative recovery proposals as follows: (1) increase \$24.12 from \$122.01 to \$146.13, or by 19.8%, based on the Full Recovery proposal; (2) increase \$14.93 from \$122.01 to \$136.94, or by 12.2%, based on the Three-Year Mitigation proposal; and (3) increase \$17.23 from \$122.01 to \$139.24, or by 14.1%, based on the Two-Year Mitigation proposal.

The hearing of this matter will occur subsequent to July 1, 2022—the beginning of the Company's 2022-2023 fuel year. Consequently, the Commission has authorized the Company, at its election, to place its proposed fuel factor of 3.5379¢/kWh into effect on an interim basis for usage on and after July 1, 2022.

The Commission has taken judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter shall 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 Establishing 2022-2023 Fuel Factor Proceeding 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, Elaine S. Ryan, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or eryan@mcguirewoods.com.

The Commission entered an Order Establishing 2022-2023 Fuel Factor Proceeding that, among other things, scheduled public hearings on Dominion's Application. On July 6, 2022, at 10 a.m., a Hearing Examiner appointed by the Commission will hold a telephonic hearing, with no witness present in the Commission's courtroom, for the purpose of receiving the testimony of public witnesses. On or before June 30, 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 July 7, 2022, at 10 a.m., in the Commission's second floor courtroom located in the Tyler Building, 11300 East Main Street, Richmond, Virginia 23219, 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 Application.

On or before June 30, 2022, any interested person may file comments on the Application electronically by following the instructions on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to file comments electronically may file such comments by U.S. mail to 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-2022-00064.

On or before June 16, 2022, 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: scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. A copy of the notice of participation as a respondent also must be sent to counsel for 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-2022-00064.

On or before June 16, 2022, each respondent may file with the Clerk of the Commission, at scc.virginia.gov/clk/efiling, any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Staff, the Company, and all other respondents simultaneous with its filing. In all filings, respondents shall comply with the Commission's Rules of Practice, as modified by the Commission's Order Establishing 2022-2023 Fuel Factor Proceeding, 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-2022-00064.

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 Establishing 2022-2023 Fuel Factor Proceeding, 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 Commission's Rules of Practice, the Company's Application, the Commission's Order Establishing 2022-2023 Fuel Factor Proceeding, and other documents filed in this case may be viewed on the Commission's website:
scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY

(10) 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.

(11) On or before June 21, 2022, the Company shall file with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, or electronically at scc.virginia.gov/clk/efiling, proof of the notice and service required by Ordering Paragraphs (9) and (10), including the name, title, address, and electronic mail address (if applicable) of each official served.

(12) On or before June 30, 2022, any interested person may file written comments on the Company's Application by following the instructions on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to 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-2022-00064.

(13) On or before June 16, 2022, 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: scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically, may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. 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-2022-00064.

(14) Within three (3) calendar days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of this Order Establishing 2022-2023 Fuel Factor Proceeding as well as a copy of the public version of the Application and supporting materials filed by the Company with the Commission in this docket, unless these materials already have been provided to the respondent.

(15) On or before June 16, 2022, each respondent may file with the Clerk of the Commission, at scc.virginia.gov/clk/efiling any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Staff, the Company, and all other respondents simultaneous with its filing. In all filings, respondents shall comply with the Commission's Rules of Practice, as modified by the Commission's Order Establishing 2022-2023 Fuel Factor Proceeding, 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-2022-00064.

(16) The Staff shall investigate the Application. On or before June 24, 2022, the Staff shall file with the Clerk of the Commission its testimony and exhibits, and each Staff witness's testimony shall include a summary not to exceed one page. Staff shall serve a copy thereof on counsel to Dominion and all respondents.

(17) On or before June 29, 2022, the Company shall file with the Clerk of the Commission: (a) 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; and (b) a summary not to exceed one page of each direct witness's testimony if not previously included therewith. The Company simultaneously shall serve a copy of the testimony and exhibits on the Staff and all respondents.

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

(19) 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 three (3) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260, 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 Staff.¹⁶ Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(20) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to:

Paul E. Pfeffer, Esquire, and Lisa Crabtree, Esquire, Dominion Energy Services, Inc., 120 Tredegar

¹⁶ 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-2022-00064, in the appropriate box.

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