

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, SEPTEMBER 7, 2023

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APPLICATION OF

AQUA VIRGINIA, INC.

CASE NO. PUR-2023-00073

For an Increase in Rates

ORDER FOR NOTICE AND HEARING

On July 27, 2023, Aqua Virginia, Inc. ("Aqua" or "Company") filed with the State Corporation Commission ("Commission") an application pursuant to Chapter 10 of Title 56 (§ 56-232 *et seq.*) of the Code of Virginia ("Code"), Rule 5 VAC 5-20-80 of the Commission's Rules of Practice and Procedure ("Rules of Practice"), and Rule 20 VAC 5-201-10 *et seq.* of the Rules Governing Utility Rate Applications and Annual Informational Filings, requesting authority for a general increase in rates ("Application").¹ The Company requests that its new rates become effective, subject to refund, pending a final order in this matter, no later than 180 days after the Company's Application is deemed complete.²

Aqua states that its Application follows the Company's most recent base rate proceeding in Case No. PUR-2020-00106 and indicates that the Company requests an increase in rates for water and wastewater service to produce an increase in water revenues of \$5,214,892 and an increase in wastewater revenues of \$1,696,121, for a combined increase of \$6,911,013.³ According to the Application, the requested increases constitute an approximate 33.88% increase

¹ Application at 1.

² *Id.* at 5. The Memorandum of Completeness in this case was filed on August 10, 2023, finding the Application complete as of August 9, 2023.

³ *Id.* at 2.

in water revenues and a 21.08% increase in wastewater revenues, for a combined increase of 29.49%.⁴ Aqua further notes that, by final order entered March 21, 2023, the Commission approved Aqua's Water and Wastewater Infrastructure Service Charge ("WWISC") Riders.⁵ The Company states that since Aqua requests an increase in base rates, the Company proposes changes to the water and wastewater rate design in order to accommodate the reset of the WWISC Riders to \$0. Accordingly, the increase the Company is requesting includes the WWISC.⁶

Aqua states that the requested increase in base rate revenue reflects its costs and revenues for the twelve-month Test Year ended March 31, 2023.⁷ The Company has proposed, as appropriate for ratemaking purposes, a capital structure consisting of 48.73% long-term debt, 0.00% short-term debt, and 51.27% common equity and an authorized return on equity capital of 10.50%.⁸

For a comprehensive list of the Company's proposed rates, please see the rate schedule included in the notice section of this Order.

The Company has also requested authorization to make one change to the Rules and Regulations of its tariff.⁹ The proposed change includes increasing the connection fees for water

⁴ *Id.*

⁵ *Application of Aqua Virginia, Inc., For Approval of a Water and Wastewater Infrastructure Service Charge Plan and for Authority to Implement Water and Wastewater WWISC Riders*, Case No. PUR-2022-00113, Doc. Con. Cen. No. 230340011, Final Order (Mar. 21, 2023).

⁶ Direct Testimony of John J. Aulbach, II, at 8.

⁷ Direct Testimony of Richard F. Hale, Jr., at 4.

⁸ Application at 5.

⁹ *Id.* at 3.

and wastewater to \$2,500 and \$4,500, respectively, and is discussed in greater detail in the Company's Schedule 41 attached to the Application.¹⁰

Aqua notes that the Company and Great Bay Utilities, Inc. ("Great Bay") filed a Joint Petition with the Commission in Case No. PUR-2023-00044 to request approval to merge Great Bay (a wholly-owned subsidiary of Aqua and a certificated water utility) into the Company with Aqua as the surviving entity.¹¹ With that merger having been approved by the Commission, Aqua's instant Application includes a request for an increase in rates charged to the customers of the Great Bay system(s).¹²

Finally, in conjunction with the filing of its Application, the Company filed a Motion for Protective Order and a proposed protective order that establishes procedures governing the use of confidential information in this proceeding.

NOW THE COMMISSION, having considered this matter, is of the opinion and finds that Aqua should provide notice of its Application; a public hearing should be scheduled for the purpose of receiving testimony and evidence on the Application as well as public witness testimony; interested persons and the public should have an opportunity to file comments on the Application or participate as respondents in this proceeding; and the Staff should be directed to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon. We further find that a Hearing Examiner should be appointed to

¹⁰ *Id.*

¹¹ *Id.* at 1, n.1.

¹² *Id.* See also *Joint Petition of Aqua Virginia, Inc. and Great Bay Utilities, Inc., For approval of a change in control of all of the assets of a public utility*, Case No. PUR-2023-00044, Doc. Con. Cen. No. 230830143, Final Order (Aug. 21, 2023).

conduct further proceedings in this matter on behalf of the Commission, including ruling on Aqua's Motion for Protective Ruling.

We note that the proposed revenue requirement, if approved, would result in an increase to customer bills. Pursuant to Code § 56-238, the Commission suspends Aqua's proposed rates for a period of 180 days, the maximum allowed by law. In so doing, the Commission notes its awareness of the economic pressures that are impacting all utility customers. We are sensitive to the effects of rate increases, especially in times such as these. The Commission, however, must follow the laws applicable to this case, as well as the findings of fact supported by the evidence in the record.

To promote administrative efficiency and timely service of filings upon participants, 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.

Accordingly, IT IS ORDERED THAT:

(1) 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.

(2) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the 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 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.

(3) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct further proceedings in this matter on behalf of the Commission, including ruling on Aqua's Motion for Protective Order, and to file a final report. 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) Pursuant to Code § 56-238, Aqua may, but is not required to, implement its proposed rates on an interim basis, subject to refund with interest, for service rendered on and after February 5, 2024.

(5) On or before December 5, 2023, Aqua shall file a bond with the Commission in the amount of \$6,911,013 payable to the Commission and conditioned to ensure the prompt refund by the Company to those entitled thereto of all amounts the Company shall collect in excess of such rates and charges as the Commission may finally fix and determine.

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

(a) The portion of the hearing for the receipt of testimony from public witnesses on the Application shall be convened telephonically on April 30, 2024.

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

¹³ Such electronic copies shall be sent to: OHEParalegals@scc.virginia.gov.

(c) On or before April 23, 2024, 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 April 30, 2024, the Hearing Examiner appointed to this case will telephone sequentially each person who has signed up to testify as provided above.

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

(7) The evidentiary portion of the hearing shall be convened at 10 a.m., on April 30, 2024, or at the conclusion of the public witness portion of the hearing, whichever is later, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive testimony and evidence of Aqua, any respondents, and Staff on the Application.

(8) An electronic copy of the public version of the Application may be obtained by submitting a written request to counsel for the Company: John K. Byrum, Jr., Esquire, Woods Rogers Vandeventer Black PLC, 901 East Byrd Street, Suite 1550, Richmond, Virginia, 23219, jbyrum@woodsrogers.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

(9) On or before October 27, 2023, Aqua shall cause the following notice to be published as display advertising (not classified) on one (1) occasion in newspapers of general circulation throughout the Company's Virginia service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
AQUA VIRGINIA, INC.,
FOR A GENERAL INCREASE IN RATES AND
FOR AUTHORITY TO REVISE THE TERMS AND
CONDITIONS APPLICABLE TO WATER AND WASTEWATER SERVICE
CASE NO. PUR-2023-00073

- **Aqua Virginia Inc. ("Aqua") has applied for approval of a general increase in rates.**
- **Aqua requests a total increase in revenue requirement of about \$6,911,013 million.**
- **A Hearing Examiner appointed by the Commission will hear the case on April 30, 2024.**
- **Further information about this case is available on the State Corporation Commission's website at: scc.virginia.gov/pages/Case-Information.**

On July 27, 2023, Aqua Virginia, Inc. ("Aqua" or "Company") filed with the State Corporation Commission ("Commission") an application pursuant to Chapter 10 of Title 56 (§ 56-232 et seq.) of the Code of Virginia ("Code"), Rule 5 VAC 5-20-80 of the Commission's Rules of Practice and Procedure ("Rules of Practice"), and Rule 20 VAC 5-201-10 *et seq.* of the Rules Governing Utility Rate Applications and Annual Informational Filings, requesting authority for a general increase in rates ("Application"). The Company requests that its new rates become effective, subject to refund, pending a final order in this matter, no later than 180 days after the Company's Application is deemed complete.

Aqua states that its Application follows the Company's most recent base rate proceeding in Case No. PUR-2020-00106 and indicates that the Company requests an increase in rates for water and wastewater service to produce an increase in water revenues of \$5,214,892 and an increase in wastewater revenues of \$1,696,121, for a combined increase of \$6,911,013. According to the Application, the requested increases constitute an approximate 33.88% increase in water revenues and a 21.08% increase in wastewater revenues, for a combined increase of 29.49%. Aqua further notes that, by final order entered March 21, 2023, the

Commission approved Aqua's Water and Wastewater Infrastructure Service Charge ("WWISC") Riders. The Company states that since Aqua requests an increase in base rates, the Company proposes changes to the water and wastewater rate design in order to accommodate the reset of the WWISC Riders to \$0. Accordingly, the increase the Company is requesting includes the WWISC.

Aqua states that the requested increase in base rate revenue reflects its costs and revenues for the twelve-month Test Year ended March 31, 2023. The Company has proposed, as appropriate for ratemaking purposes, a capital structure consisting of 48.73% long-term debt, 0.00% short-term debt, and 51.27% common equity and an authorized return on equity capital of 10.50%.

The rates proposed for water and wastewater service in this Application are as follows:

**WATER SERVICE RATE SCHEDULE BY GROUP -
Water 0 (W0), Water 1 (W1), Water 2 (W2), and Water 3 (W3)**

METERED ACCOUNTS: Metered connections shall be charged the monthly base facility charge plus the gallonage charge for all gallons used as set forth below:

Base Facilities Charge Water Group 0: (Residential and Non-residential) - No bill will be rendered for less than the minimum charge set forth below:

Monthly Water Base Facility Charge - Water Group 0 (W0)

Meter Size	<u>W0</u>	Gallons Included in W0 Allowance
Less than 1"	\$38.00	3,000
1"	\$91.55	7,500
1.5"	\$183.08	15,000
2"	\$292.95	24,000
3"	\$585.88	48,000
4"	\$915.45	75,000
6"	\$1,830.92	150,000

Gallonge Charge: (Residential and Non-residential) Per
1,000 gallons used over allowance listed above:

W0
 \$8.58

Base Facilities Charge Water Group 1 and Water
Group 2: (Residential and Non-residential) - No bill will be
 rendered for less than the minimum charge set forth below:

Monthly Water Base Facility Charge - Water Group 1
(W1), Water Group 2 (W2), and Water Group 3 (W3)

Meter Size	W1	W2	W3
Less than 1"	\$25.44	\$25.44	\$15.54
1"	\$57.81	\$57.81	-
1.5"	\$115.63	\$115.63	-
2"	\$185.01	\$185.01	-
3"	\$370.01	\$370.01	-
4"	\$578.15	\$578.15	-
6"	\$1,156.29	\$1,156.29	-

Gallonge Charge: (Residential and Non-residential) Per
1,000 gallons used for all meter sizes by Water Group:

	W1	W2	W3
	\$9.35	\$10.47	\$4.13
Powhatan Irrigation	\$5.60		

UNMETERED ACCOUNTS Unmetered connections
 shall be charged as set forth below:

Flat Rate (Unmetered) Water Service

	<u>W0</u>	<u>W1</u>	<u>W2</u>	<u>W3</u>
Residential	\$48.50	\$61.25	\$61.25	\$61.25
Non-residential	\$119.58	\$119.58	\$119.58	\$119.58

PRIVATE FIRE SERVICE FEES: The monthly fee charged for each private fire service connection and/or private fire hydrant shall be as follows for W0, W1, and W2:

<u>Connection Size</u>	<u>Monthly Minimum Charge</u>
1"	\$11.90
1.5"	\$23.80
2"	\$38.09
3"	\$76.18
4"	\$119.02
6"	\$238.06

**WASTEWATER SERVICE RATE SCHEDULE BY GROUP -
Sewer 0 (S0), Sewer 1 (S1), & Sewer 2 (S2)**

METERED ACCOUNTS Metered connections shall be charged the monthly base facility charge plus the gallonage charge for all gallons used as set forth below:

Base Facility Charge: (Residential and Non-residential) - No bill will be rendered for less than the minimum charges set forth below:

**Monthly Wastewater Base Facility Charge –
Sewer Group 0 (S0)**

Meter Size	S0	Gallons Included in Allowance
Residential Any Size	\$60.00	3,000

Gallonage Charge: (Residential) Per 1,000 gallons used over allowance listed above:

S0
\$16.41 *Monthly usage charges are limited to 6,000 gallons*

Non-Residential Meter Size	<u>S0</u>	Gallons Included in Allowance
<1"	\$60.00	3,000
1"	\$150.00	7,500
1.5"	\$300.00	15,000
2"	\$480.00	24,000
3"	\$960.00	48,000
4"	\$1,500.00	75,000
6"	\$3,000.00	150,000

Gallonge Charge: (Non-residential) Per 1,000 gallons used over allowance listed above:

S0
\$19.69

Monthly Wastewater Base Facility Charge Sewer Group 1 (S1) and Sewer Group 2 (S2)

Meter Size	<u>S1</u>	<u>S2</u>
Residential Any Size	\$38.50	\$38.50
Non-Residential		
<1"	\$38.50	\$38.50
1"	\$87.51	\$87.51
1.5"	\$175.00	\$175.00
2"	\$279.99	\$279.99
3"	\$560.00	\$560.00
4"	\$874.99	\$874.99
6"	\$1,749.99	\$1,749.99

Gallonge Charge: (Residential and Non-residential)

	<u>S1</u>	<u>S2</u>
Residential	\$16.29	\$18.40 <i>Monthly residential usage charges are limited to 6,000 gallons</i>
Non-Residential	\$18.24	\$20.61

UNMETERED ACCOUNTS Unmetered connections shall be charged as set forth below:

Flat Rate (Unmetered) Service:

	<u>S0</u>	<u>S1</u>	<u>S2</u>
Residential	\$106.62	\$106.62	\$106.62
Non-residential	\$277.01	\$277.01	\$277.01

The Company has also requested authorization to make one change to the Rules and Regulations of its tariff. The proposed change includes increasing the connection fees for water and wastewater to \$2,500 and \$4,500, respectively, and is discussed in

greater detail in the Company's Schedule 41 attached to the Application.

Aqua notes that the Company and Great Bay Utilities, Inc. ("Great Bay") filed a Joint Petition with the Commission in Case No. PUR-2023-00044 to request approval to merge Great Bay (a wholly-owned subsidiary of Aqua and a certificated water utility) into the Company with Aqua as the surviving entity. With that merger having been approved by the Commission, Aqua's instant Application includes a request for an increase in rates charged to the customers of the Great Bay system(s).

The details of these and other proposals are set forth in the Company's Application. Interested persons are encouraged to review the Company's Application, testimony and supporting exhibits for the details of these proposals.

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

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled a public hearing on the Application. The Commission noted that the proposed revenue requirement, if approved, would result in an increase to customer bills. Pursuant to Code § 56-238, the Commission suspended Aqua's proposed rates for a period of 180 days, the maximum allowed by law. In so doing, the Commission noted its awareness of the economic pressures that are impacting all utility customers and stated that it is sensitive to the effects of rate increases, especially in times such as these. The Commission stated, however, that it must follow the laws applicable to this case, as well as the findings of fact supported by the evidence in the record.

On April 30, 2024, at 10 a.m., the Hearing Examiner will hold a telephonic portion of the hearing, for the purpose of receiving the testimony of public witnesses. On or before April 23, 2024, 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 Hearing Examiner 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 portion of the hearing will be webcast at scc.virginia.gov/pages/Webcasting.

On April 30, 2024, at 10 a.m., or at the conclusion of the public witness portion of the hearing, whichever is later, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, the Hearing Examiner will convene a hearing to receive testimony and evidence related to the Application from Aqua, any respondents, and the Commission's Staff.

To promote administrative efficiency and timely service of filings upon participants, the Commission has directed the electronic filing of testimony and pleadings, unless they contain confidential information, and has required electronic service on parties to this proceeding.

An electronic copy of the public version of the Application may be obtained by submitting a written request to counsel for the Company: John K. Byrum, Jr., Esquire, Woods Rogers Vandevanter Black PLC, 901 East Byrd Street, Suite 1550, Richmond, Virginia, 23219, jbyrum@woodsrogers.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

On or before April 23, 2024, any interested person may submit 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 submit comments electronically may file 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-2023-00073.

On or before January 30, 2024, 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. Notices of participation shall include the

email address of the party or its counsel. The respondent shall serve a copy of the notice of participation on counsel to Aqua. 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-2023-00073.

On or before February 27, 2024, each respondent may file electronically 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 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 Commission's Staff, the Aqua, and all other respondents. In all filings, respondents shall comply with the Commission's Rules of Practice, as modified by the Commission's Order for Notice and Hearing, 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-2023-00073.

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

AQUA VIRGINIA, INC.

(10) On or before October 27, 2023, Aqua shall serve a copy of the notice prescribed in Ordering Paragraph (9) of this Order directly on the Company's customers in accordance with

the provisions of Code § 56-237.1 B. Service shall either be made by first-class mail to the customary place of business or residence of the person served or may be included as a prominent and legible bill insert in each customer's respective bill. For those customers who have expressly approved service of bills and other correspondence by electronic means, the notice prescribed in Ordering Paragraph (9) of the Notice Order may be sent electronically.

(11) On or before October 27, 2023, Aqua shall serve a copy of this Order for Notice and Hearing on the following local officials, to the extent the position exists, in each county, city, and town in which the Company provides service in the Commonwealth of Virginia: the chairman of the board of supervisors and county attorney of each county, and the mayor or manager (or equivalent official) and city or town attorney of every city and town. Service shall be made electronically where possible; if electronic service is not possible, service shall be made by either personal delivery or first-class mail to the customary place of business or residence of the person served.

(12) On or before November 17, 2023, Aqua shall file proof of the notice and service required by Ordering Paragraphs (9), (10) and (11), including the name, title, and address of each official served, with the Clerk of the Commission by filing electronically at scc.virginia.gov/clk/efiling.

(13) On or before April 23, 2024, any interested person may file comments on the Application by following the instructions found 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-2023-00073.

(14) On or before January 30, 2024, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation 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 in Ordering Paragraph (13). Such notice of participation shall include the email addresses of such parties or their counsel. The respondent shall serve a copy of the notice of participation on counsel to Aqua. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the 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-2023-00073.

(15) Within five (5) business days of receipt of a notice of participation as a respondent, Aqua shall serve upon the respondent a copy of the Application and supporting materials, unless these materials already have been provided to the respondent.

(16) On or before February 27, 2024, 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 by U.S. mail to the Clerk of the Commission at the address in Ordering Paragraph (13). 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 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-2023-00073.

(17) Staff shall investigate the Application. On or before March 26, 2024, 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 Aqua and all respondents.

(18) On or before April 9, 2024, Aqua 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. Aqua shall serve a copy of its rebuttal testimony and exhibits on Staff and all respondents.

(19) All 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.

(20) The Rules of Practice 5 VAC 5-20-260, *Interrogatories 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.¹⁴ Except as modified herein, discovery shall be in accordance with Part IV of the Rules of Practice, 5 VAC 5-20-240 *et seq.*

(21) This matter is continued.

Commissioner Patricia L. West participated in this matter.

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.

¹⁴ 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-2023-00073, in the appropriate box.