

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, AUGUST 25, 2020

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CASE NO. PUR-2020-00106

APPLICATION OF
AQUA VIRGINIA, INC.
For an Increase in Rates

ORDER FOR NOTICE AND HEARING

On July 30, 2020, 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") requesting authority to increase its rates and charges and to revise other terms and conditions applicable to its water and wastewater service ("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

As noted by the Company, Aqua comprises 168 water and 9 wastewater systems and employs a full-time staff of more than 50 people to service these systems in 37 counties across the Commonwealth.³ The Company states its headquarters are located in Rockville, Virginia; with the Rockville office also functioning as the Company's operational center with small regional offices located in Lake Monticello and Roanoke.⁴ Per Aqua, the Company serves

¹ Application at 1.

² *Id.* at 5. The Memorandum of Completeness in this case was filed on August 7, 2020, finding the Application complete as of July 31, 2020.

³ Direct testimony of John J. Aulbach, II, P.E. ("Aulbach") at 6.

⁴ *Id.* at 6-7.

2020 AUG 25 A 10:21

approximately 33,000 customers, 97% of which are residential ratepayers; only a small portion of the remaining 3% of Aqua's customers are governmental and, therefore, non-jurisdictional.⁵ Because the number of non-jurisdictional customers is quite small and all but three of such customers pay rates that are the same as the Company's regulated rates, Aqua has asserted and the Commission has agreed, that preparation of a full jurisdictional cost of service study would not produce any significant impact on the development of jurisdictional rates.⁶ Per the Commission's Order on Waiver in this docket, Aqua was directed to file "all required rate schedules with its Application (including Schedule 40(c)), excepting Schedules 40 (a) and 40 (b)."⁷

Aqua states that it has been six years since its last rate increase⁸ and indicates that the proposed rates and charges are designed to increase the Company's annual base rate revenue by approximately \$1,732,585 per year, which includes an increase in rates for water and wastewater service, to produce an increase in water revenues of \$1,475,615 and an increase in wastewater revenues of \$256,970.⁹ The requested increases constitute a 10.8% increase in water revenues and a 3.4% increase in wastewater revenues, for a combined increase of 8.2%.¹⁰

⁵ Application at 6.

⁶ *Id.* See also, *Application of Aqua Virginia, Inc. For an Increase in Rates*, PUR-2020-00106, Doc. Con. Cen. No. 200630034, Order on Waiver at 3 (June 8, 2020) ("Order on Waiver").

⁷ Application at 6. See also, Order on Waiver at 3.

⁸ Application at 2.

⁹ *Id.*

¹⁰ *Id.*

Aqua states that the requested increase in annual base rate revenue reflects its costs and revenues for the twelve-month Test Year ended March 31, 2020.¹¹ The Company has proposed, as appropriate for ratemaking purposes, a capital structure consisting of 50.42% long-term debt, 1.08% short-term debt and 48.49% common equity and an authorized return on equity capital of 11.20%.¹²

Aqua has also included in its Application, pursuant to guidance from the Commission's April 29, 2020 Order in Case No. PUR-2020-00074, a request for its recorded COVID-19-related costs in the amount of \$153,913,¹³ presently booked as a regulatory asset for accounting purposes.¹⁴ For ratemaking purposes, Aqua requests a three-year normalization of the COVID-19-related costs that represent costs incurred from April 1, 2020, and projected through December 31, 2020.¹⁵ The Company also states that given its requested base rate increase, Aqua has proposed changes to the water and wastewater rate design in order to accommodate the reset of its Water and Wastewater Infrastructure Service Charge.¹⁶ As further basis for its requested increase to its rates and charges, the Company cites operational efficiency improvements, water and wastewater system capital investments and cost of capital treatment for information technology assets.¹⁷

¹¹ Direct testimony of Richard F. Hale, Jr. ("Hale") at 4.

¹² Application at 5.

¹³ *See id.* at Schedule 29 at 24.

¹⁴ Hale at 6.

¹⁵ *Id.*

¹⁶ Aulbach at 8.

¹⁷ Application at 2-3.

Finally, the Company has also requested certain changes to its tariff.¹⁸ The proffered changes include, *inter alia*, a new section regarding controls on substances disposed of into the wastewater system, elimination of sewer volumetric allowances for portable handheld irrigation deduction meters, and additional changes discussed in greater detail in the Company's Schedule 41 attached to the Application.¹⁹

Aqua also seeks to further combine its water and wastewater tariff groups in progression towards the uniform consolidated rates for water and sewer service required by Virginia law.²⁰ The Company proposes reducing its current tariff's three water rate groups (W1, W2, W3) to two (W1 and W2), and establishing new rate groups W0 and S0 for certain water and sewer systems whose rates are significantly below those of current Rate Groups W1 and S1.²¹ Non-consolidated systems whose current rates are similar to those of current Rate Groups have been assigned to those current groups whose rates they most closely match.²² The Company states that this proposal continues to reduce the differences between the rate groups and implements the authorized movement toward uniform water and wastewater rates while adhering to the goals of gradualism and the avoidance/minimization of rate shock in utility rate increases.²³

¹⁸ Application at 3.

¹⁹ *Id.*

²⁰ Code § 56-235.11 B and C.

²¹ Application at 4-5.

²² *Id.* at 5.

²³ Code § 56-235.11 B and C.

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 Company's Application; a procedural schedule should be established to allow interested persons an opportunity to file written or electronic comments on the Company's Application or to participate in this proceeding as a respondent; and the Commission's Staff ("Staff") should be directed to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon. We also find that a Hearing Examiner should be appointed to conduct all further proceedings in this matter on behalf of the Commission and to file a final report.

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.²⁴ The Commission has taken certain actions, and may take additional actions going forward, that could impact the procedures in this proceeding.²⁵

²⁴ See, e.g., Executive Order No. 51, Declaration of a State of Emergency Due to Novel Coronavirus, COVID-19, issued March 12, 2020, by Governor Ralph S. Northam. See also Executive Order No. 53, Temporary Restrictions on Restaurants, Recreational, Entertainment, Gatherings, Non-Essential Retail Businesses, and Closure of K-12 Schools Due to Novel Coronavirus (COVID-19), issued March 23, 2020, by Governor Ralph S. Northam, and Executive Order No. 55, Temporary Stay at Home Order Due to Novel Coronavirus (COVID-19), issued March 30, 2020, by Governor Ralph S. Northam. These and subsequent Executive Orders related to COVID-19 may be found at: <https://www.governor.virginia.gov/executive-actions/>.

²⁵ 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).

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.

Also, in light of the current COVID-19 public health crisis that has caused devastating economic effects that impact all utility customers, we will suspend Aqua's proposed rates for 180 days, the maximum allowed by law.²⁶ We have further responded to this economic emergency by, among other actions, temporarily suspending customer service disconnections for customers of Virginia utilities during the pandemic emergency.²⁷ We note that the proposed revenue requirement, if approved, would result in an increase to customer bills, and 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 evidence in the record. That is what we will do in this proceeding.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2020-00106.

(2) All pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice").²⁸ Confidential and

²⁶ See Code § 56-238.

²⁷ *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200320175, Order Suspending Disconnection of Service and Suspending Tariff Provisions Regarding Utility Disconnections of Service (Mar. 16, 2020), *extended by* Doc. Con. Cen. No. 200410196, Order Extending Suspension of Service Disconnections (Apr. 9, 2020), and Doc. Con. Cen. No. 200630135, Order on Suspension of Service Disconnections (June 12, 2020).

²⁸ 5 VAC 5-10-20 *et seq.*

Extraordinarily Sensitive information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. For the duration of the COVID-19 emergency, 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.²⁹

(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 Code § 12.1-31 and Rule 5 VAC 5-20-120, *Procedures 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 and to file a final report.

(5) 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 January 27, 2021.

(6) On or before November 20, 2020, Aqua shall file a bond with the Commission in the amount of \$1,732,585 payable to the Commission and conditioned to insure the prompt refund

²⁹ As noted in the Commission's 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 due to the COVID-19 emergency.

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.

(7) A public hearing on the Application shall be convened on April 20, 2021, at 10 a.m., to receive the testimony of public witnesses and the evidence of the Company, any respondents, and the Staff. Further details on the hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.

(8) Interested persons may obtain a copy of the Company's Application by submitting a written request to counsel for Aqua, John K. Byrum, Jr., Esquire, Woods Rogers PLC, 901 East Byrd Street, Suite 1550, Richmond, Virginia, 23219, jbyrum@woodsrogers.com. Where possible, the interested person's request shall include an electronic mail address to which the Company may send the requested documents. The Company shall provide the documents by electronic means where possible. Interested persons may also download unofficial copies from the Commission's website: <https://scc.virginia.gov/pages/Case-Information>.

(9) On or before October 1, 2020, 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-2020-00106

- **Aqua Virginia Inc. ("Aqua") has applied for approval of a general increase in rates.**
- **Aqua requests a total annual increase in revenue requirement of about \$1.7 million per year.**
- **A Hearing Examiner appointed by the Commission will hear the case on April 20, 2021.**
- **Further information about this case is available on the State Corporation Commission's website at:
<https://scc.virginia.gov/pages/Case-Information>.**

On July 30, 2020, 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") requesting authority to increase its rates and charges and to revise other terms and conditions applicable to its water and wastewater service ("Application").

As noted by the Company, Aqua comprises 168 water and 9 wastewater systems in 37 counties across the Commonwealth. Per Aqua, the Company serves approximately 33,000 customers, 97% of which are residential ratepayers; only a small portion of the remaining 3% of Aqua's customers are governmental.

Aqua indicates that the proposed rates and charges are designed to increase the Company's annual rate base revenue by approximately \$1,732,585 per year to produce an increase in water revenues of \$1,475,615 and an increase in wastewater revenues of \$256,970. The requested increases constitute a 10.8% increase in water revenues and a 3.4% increase in wastewater revenues, for a combined increase of 8.2%.

Aqua states that the requested increase in annual base rate revenue reflects its costs and revenues for the twelve-month Test Year ended March 31, 2020. The Company has proposed as appropriate for ratemaking purposes, a capital structure consisting of 50.42% long-term debt, 1.08% short-term debt and 48.49% common equity and an authorized return on equity capital of 11.20%.

Aqua has also included in its Application a request for its recorded COVID-19-related expenses in the amount of \$153,913, presently booked as a regulatory asset for accounting purposes. Aqua requests a three-year normalization of the COVID-19-related costs, which represent costs incurred from April 1, 2020 and projected through December 31, 2020. The Company's Application also includes pro forma adjustments for Aqua's Water and Wastewater Infrastructure Surcharge ("WWISC") revenue requirement. Per Aqua, the Company's WWISC Rider has, accordingly, been reset to zero. As further basis for its requested increase to its rates and charges, the Company cites operational efficiency improvements, water and wastewater system capital investments and cost of capital treatment for information technology assets.

Through its Application, Aqua also seeks to further combine its water and wastewater groups towards the uniform consolidated rates for water and sewer service required by Virginia law. The Company proposes reducing the current three water rate groups (W1, W2, W3) to two (W1 and W2), and establishing new rate groups W0 and S0 for certain water and sewer systems whose rates are significantly below those of current Rate Groups W1 and S1. Non-consolidated systems whose current rates are similar to those of current Rate Groups have been assigned to those current groups whose rates they most closely match. The Company states that this proposal continues to reduce the differences between the rate groups and implements movement toward uniform water and wastewater rates while adhering to the goals of gradualism and the avoidance/minimization of rate shock in utility rate increases. Details concerning these proposed rate group changes are provided in the Company's Schedules 42 and 43 attached to the Application.

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), and Water 2 (W2)**

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 Allowance
Less than 1"	\$ 25.30	3,000
1"	\$ 63.25	7,500
1½"	\$ 126.50	15,000
2"	\$ 202.40	24,000
3"	\$ 404.80	48,000
4"	\$ 632.50	75,000
6"	\$1,265.00	150,000

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

W0:
\$6.05

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)
and Water Group 2 (W2)**

Meter Size	<u>W1</u>	<u>W2</u>
Less than 1"	\$ 18.81	\$ 18.81
1"	\$ 42.74	\$ 42.74
1½"	\$ 85.48	\$ 85.48
2"	\$136.77	\$136.77
3"	\$273.55	\$273.55
4"	\$427.42	\$427.42
6"	\$854.84	\$854.84

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

	<u>W1</u>	<u>W2</u>
	\$6.45	\$8.07
Powhatan Irrigation	\$3.87	

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>
Residential	\$ 45.00	\$ 45.00	\$ 45.00
Non-residential	\$104.00	\$104.00	\$104.00

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

<u>Connection Size</u>	<u>Monthly Minimum Charge</u>
1 inch	\$ 9.13
1½ inch	\$ 18.26
2 inch	\$ 29.21
3 inch	\$ 58.42
4 inch	\$ 91.29
6 inch	\$182.58

**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	<u>S0</u>	Gallons Included in Allowance
Residential Any Size	\$48.00	3,000

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

S0
\$12.47

		Gallons Included in Allowance
Non-Residential		
Meter Size	<u>S0</u>	
less than 1"	\$ 48.00	3,000
1"	\$ 120.00	7,500
1½"	\$ 240.00	15,000
2"	\$ 384.00	24,000
3"	\$ 768.00	48,000
4"	\$1,200.00	75,000
6"	\$2,400.00	150,000

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

S0
\$14.96

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	\$ 33.38	\$ 33.38

Non-Residential

less than 1"	\$ 33.38	\$ 33.38
1"	\$ 75.87	\$ 75.87
1½"	\$ 151.74	\$ 151.74
2"	\$ 242.78	\$ 242.78
3"	\$ 485.55	\$ 485.55
4"	\$ 758.68	\$ 758.68
6"	\$1,517.36	\$1,517.36

Gallonge Charge: (Residential and Non-residential)

	<u>S1</u>	<u>S2</u>	
Residential	\$13.38	\$15.74	<i>Monthly residential usage charges are limited to 6,000 gallons</i>
Non-Residential	\$16.06	\$18.89	

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	\$ 85.58	\$ 85.58	\$ 85.58
Non-residential	\$277.01	\$277.01	\$277.01

Finally, the Company has also requested certain changes to its tariff. These changes include: (1) An additional voluntary service connection fee of \$750 for a customer receiving both water and wastewater service from the Company for measuring irrigation/outdoor water usage; (2) elimination of sewer volumetric allowances for portable handheld irrigation deduction meters; and (3) changes to grinder pump installation and maintenance, and additional changes discussed in greater detail in the Company's Schedule 41 attached to the Application.

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 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 that, among other things, suspends the Company's proposed rates for the maximum period allowed by law, given the COVID-19 pandemic, and permits the Company to place its proposed rates, charges, and terms and conditions of service into effect on an interim basis, subject to refund, effective January 27, 2021.

The Commission's Order for Notice and Hearing scheduled a public hearing at 10 a.m. on April 20, 2021, to receive the testimony of public witnesses and the evidence of the Company, any respondents, and the Commission's Staff. Further details on the 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. For the duration of the COVID-19 emergency, 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 Comment for further instructions concerning Confidential or Extraordinarily Sensitive Information.

Interested persons may download unofficial copies of the Application from the Commission's website:

<https://scc.virginia.gov/pages/Case-Information>. Copies of these documents also may be obtained, at no charge, by submitting a written request to counsel for the Company: John K. Byrum, Jr., Esquire, Woods Rogers PLC, 901 East Byrd Street, Suite 1550, Richmond, Virginia, 23219, jbyrum@woodsrogers.com.

On or before April 1, 2021, any interested person may file written comments on the Application with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, or <https://scc.virginia.gov/casecomments/Submit-Public-Comments>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All such comments shall refer to Case No. PUR-2020-00106.

Any person or entity may participate as a respondent in this proceeding by filing a notice of participation on or before November 13, 2020. If not filed electronically, an original and fifteen (15) copies of a notice of participation shall be filed with the Clerk of the Commission at the address set forth above. A copy of the notice of participation shall be sent to counsel for Aqua at the address set forth above. Pursuant to Rule 5 VAC 5-20-80, *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 shall be represented by counsel as required by Rule 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2020-00106. For additional information about participation as a respondent, any person or entity should obtain a copy of the Commission's Order for Notice and Hearing.

On or before February 12, 2021, each respondent may file with the Clerk of the Commission, 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. If not filed electronically, an original and fifteen (15) copies of such testimony and exhibits shall be submitted to the Clerk of the Commission at the address above. 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 2020-00106.

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.

The Company's Application, the Commission's Rules of Practice, and the Commission's Order for Notice and Comment may be viewed at: <https://scc.virginia.gov/pages/Case-Information>.

AQUA VIRGINIA, INC.

(10) On or before October 1, 2020, 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.

(11) On or before October 15, 2020, Aqua shall file proof of the notice and service required by Ordering Paragraphs (9) and (10), including the name, title, and address 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.

(12) On or before April 1, 2021, any interested person may file written comments on the Application with the Clerk of the Commission at the address set forth in Ordering Paragraph (11). Any interested person desiring to file comments electronically may do so on or before April 1, 2021, by following the instructions found on the Commission's website:

<https://scc.virginia.gov/casecomments/Submit-Public-Comments>. Compact disks or any other form of electronic storage medium cannot be filed with the comments. All comments shall refer to Case No. PUR-2020-00106.

(13) On or before November 13, 2020, any person or entity may participate as a respondent in this proceeding by filing a notice of participation. If not filed electronically, an original and fifteen (15) copies of a notice of participation shall be filed with the Clerk of the Commission at the address in Ordering Paragraph (11), and each respondent shall serve a copy of the notice of participation on counsel to Aqua at the electronic mail address set forth in Ordering Paragraph (8). Pursuant to Rule 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 shall 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-2020-00106.

(14) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of this Order for Notice and Hearing, a

copy of the Application, and all materials filed by the Company with the Commission, unless these materials already have been provided to the respondent.

(15) On or before February 12, 2021, each respondent may file with the Clerk of the Commission 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. If not filed electronically, an original and fifteen (15) copies of such testimony and exhibits shall be filed with the Clerk of the Commission at the address set forth in Ordering Paragraph (11). In all filings, respondents shall comply with the Commission's Rules of Practice, 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-2020-00106.

(16) The Staff shall investigate the Application. On or before March 15, 2021, Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of testimony and exhibits concerning the Application, and each Staff witness's testimony shall include a summary not to exceed one page. Staff shall serve a copy thereof on counsel to the Company and all respondents.

(17) On or before April 7, 2021, 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. The Company shall serve a copy thereof on Staff and all respondents. If not filed electronically, an original and fifteen (15) copies of such rebuttal testimony and exhibits shall be filed with the Clerk of the Commission at the address set forth in Ordering Paragraph (11).

(18) 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.

(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 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.³⁰ 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 case is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to: John K. Byrum, Jr., Esquire, Woods Rogers PLC, 901 East Byrd Street, Suite 1550, Richmond, Virginia, 23219, jbyrum@woodsrogers.com; C. Meade Browder, Jr., Senior Assistant Attorney General, Office of the Attorney General, Division of Consumer Counsel, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424, MBrowder@oag.state.va.us; and a copy shall be delivered to

³⁰ The assigned Staff attorney is identified on the Commission's website, <https://scc.virginia.gov/pages/Case-Information> by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2020-00106, in the appropriate box.

the Commission's Office of General Counsel and Divisions of Public Utility Regulation and Utility Accounting and Finance.

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