

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
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PETITION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2021-00146

For approval of the RPS Development Plan, approval and certification of the proposed CE-2 Solar Projects pursuant to §§ 56-580 D and 56-46.1 of the Code of Virginia, revision of rate adjustment clause, designated Rider CE, under § 56-585.1 A 6 of the Code of Virginia, and a prudence determination to enter into power purchase agreements pursuant to § 56-585.1:4 of the Code of Virginia

ORDER FOR NOTICE AND HEARING

During its 2020 Session, the Virginia General Assembly enacted Chapters 1193 (HB 1526) and 1194 (SB 851) of the 2020 Virginia Acts of Assembly. These duplicate Acts of Assembly, known as the Virginia Clean Economy Act ("VCEA"), became effective on July 1, 2020. The VCEA, *inter alia*, establishes a mandatory renewable energy portfolio standard ("RPS") for Virginia Electric and Power Company ("Dominion" or "Company") in new § 56-585.5 of the Code of Virginia ("Code"). Subdivision D 4 of Code § 56-585.5 requires Dominion to submit annually to the State Corporation Commission ("Commission") plans and petitions for approval of new solar and onshore wind generation capacity ("RPS Filing"). The Commission must determine whether the RPS Filing is reasonable and prudent, giving due consideration to the following factors: (i) the RPS and carbon dioxide reduction requirements in Code § 56-585.5, (ii) the promotion of new renewable generation and energy storage resources within the Commonwealth, and associated economic development, and (iii) fuel savings

projected to be achieved by the plan.¹ The Commission's final order regarding any RPS Filing is required by Code § 56-585.5 D 4 to be entered by the Commission not more than six months after the date of such filing.

On September 15, 2021, Dominion submitted its annual RPS Filing to the Commission ("2021 RPS Filing" or "Petition").² The 2021 RPS Filing requests the Commission:

- (i) Approve the Company's annual plan for the development of new solar, onshore wind, and energy storage resources ("RPS Development Plan") in connection with the new mandatory RPS program ("RPS Program") pursuant to Code § 56-585.5 D 4;
- (ii) Grant certificates of public convenience and necessity ("CPCNs") and approval to construct and operate 13 utility-scale projects totaling approximately 661 megawatts ("MW") of solar and 70 MW of energy storage ("CE-2 Projects") pursuant to Code § 56-580 D and the Commission's Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility ("Generation Rules");³
- (iii) Approve to recover through the Rider CE rate adjustment clause ("RAC") the costs of (a) the CE-2 Projects and related distribution and transmission interconnection facilities and (b) two small-scale solar projects totaling approximately 4 MW and related interconnection facilities ("CE-2 Distributed Solar Projects") pursuant to Code § 56-585.1 A 6 ("Subsection A 6") and the Commission's Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Electric Utilities ("Rate Case Rules");⁴
- (iv) Approve an update to Rider CE for recovery of costs associated with the CE-1 Solar Projects and related interconnection facilities as approved by the Commission in Case No. PUR-2020-00134;⁵ and
- (v) Make a prudence determination for the Company to enter into 24 power purchase agreements ("PPAs") for 32 separate solar and energy storage resources totaling

¹ Code § 56-585.5 D 4

² The Commission, in its Order on Motion issued on July 15, 2021, docketed this proceeding for the receipt and the Commission's consideration of Dominion's 2021 RPS Filing.

³ 20 VAC 5-302-10 *et seq.*

⁴ 20 VAC 5-204-5 *et seq.*

⁵ On April 30, 2021, the Commission approved Dominion's construction and operation of the CE-1 Solar Projects, and also approved a rate adjustment clause, designated Rider CE, for the Company to recover the costs associated with the construction of the CE-1 Solar Projects. *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Establishing 2020 RPS Proceeding for Virginia Electric and Power Company*, Case No. PUR-2020-00134, Doc. Con. Cen. No. 210440236, Final Order (Apr. 30, 2021).

approximately 253 MW of solar and 33 MW of energy storage ("CE-2 PPAs") pursuant to Code § 56-585.1:4.⁶

RPS Development Plan

Dominion states that its RPS Development Plan reports on the Company's progress toward meeting the solar, onshore wind, and energy storage development targets outlined in the VCEA and presents the Company's development plan for solar, onshore wind, and energy storage facilities through 2035.⁷ The 2021 RPS Filing shows that Dominion has a total of 1,958.1 MW of solar and onshore wind as of August 31, 2021 from facilities that are in operation, under construction, purchased, or proposed for approval, including the proposed CE-2 Projects, the CE-2 Distributed Solar Projects, and the CE-2 PPAs.⁸ For energy storage, the 2021 RPS Filing shows the Company has 103 MW of energy storage resources in operation, under construction, purchased, or proposed for approval, including the relevant proposed CE-2 Projects and CE-2 PPAs.⁹

The Company's RPS Development Plan calls for additional investment in solar, onshore wind, and energy storage through 2035. For example, by 2035, Dominion projects it will have 13,765.1 MW of utility-scale solar and onshore wind resources in operation.¹⁰ Dominion also

⁶ Code § 56-585.1:4 H permits a utility to seek a prudency determination with respect to certain new renewable facilities or PPAs and requires the Commission to rule on such petition within three months of filing. Because the prudency request in this proceeding is an integral part of the statutorily required 2021 RPS Filing as submitted by the Company, the Commission finds that the statutory requirements attendant to RPS Filings governs for purposes of this case. Accordingly, we find that the 2021 RPS Filing as a whole, including the prudency request, is subject to the requirement in Code § 56-585.5 D 4 that the Commission issue a final order within six months of filing.

⁷ Petition at 6.

⁸ 2021 RPS Development Plan at 3.

⁹ *Id.* at 6.

¹⁰ *Id.* at 5.

projects it will have 2,700 MW of energy storage resources in operation by 2035.¹¹ The Company states in furtherance of these plans, it will issue annual requests for proposals ("RFPs") for development proposals and third-party PPAs for new solar and onshore wind projects.¹²

The Company states that it plans to use the renewable energy certificates ("RECs") produced by the projects and PPAs shown in its RPS Development Plan towards its annual RPS Program requirements.¹³ The Company provides additional information related to the VCEA requirement that one percent of RECs must be from certain distributed energy resources located in the Commonwealth with a nameplate capacity of 1 MW or less.¹⁴ Dominion states that it is uncertain at this time whether sufficient RECs will be available for the 2021 compliance year to meet this requirement and that the Company may be subject to the \$75 per megawatt-hour deficiency payment described in Code § 56-585.5 D 5.¹⁵

The Company also provided a consolidated bill analysis calculating the projected monthly bill through 2035 for residential, small general service, and large general service customers for each alternative plan presented in the Company's 2021 Integrated Resource Plan Update.¹⁶ For Alternative Plan B, which the Company states is consistent with the 2021 RPS Development Plan, for example, the Company projects the monthly bill of a Virginia residential customer using 1,000 kilowatt hours ("kWh") per month to be \$197.57 by 2035, an increase of

¹¹ *Id.* at 7.

¹² *Id.* at 5.

¹³ *Id.* at 11.

¹⁴ *Id.* at 2, 11.

¹⁵ *Id.* at 11.

¹⁶ *Id.* at 11-12, Attachment 10.

\$81.39 over the May 1, 2020 level of \$116.18, using the methodology approved by the Commission in Case No. PUR-2020-00134.¹⁷ The Company's bill projections are not final and all customer rates are subject to regulatory approval.¹⁸

CE-2 Projects

The Company seeks CPCNs and approval to construct and operate the CE-2 Projects, which consist of 11 utility-scale solar generating facilities totaling approximately 561 MW ("CE-2 Solar Projects"), one solar generating facility paired with energy storage totaling approximately 100 MW of solar and 50 MW of storage ("CE-2 Solar and Storage Project"), and one stand-alone energy storage resource totaling approximately 20 MW ("CE-2 Storage Project").¹⁹ The name, size, locality, interconnection and projected commercial operation date ("COD") for each of the CE-2 Projects is provided below:²⁰

| Project Name | Size (MW) | Locality | Interconnection | COD |
|---------------------------------------|-------------------------------|---------------|-----------------|------|
| CE-2 Solar Projects | | | | |
| Camellia | 20 | Gloucester | Distribution | 2023 |
| Fountain Creek | 80 | Greenville | Transmission | 2023 |
| Otter Creek | 60 | Mecklenburg | Transmission | 2023 |
| Piney Creek | 80 | Halifax | Transmission | 2023 |
| Quillwort | 18 | Powhatan | Distribution | 2023 |
| Sebera | 18 | Prince George | Distribution | 2023 |
| Solidago | 20 | Isle of Wight | Distribution | 2023 |
| Sweet Sue | 75 | King William | Transmission | 2023 |
| Walnut | 150 | King & Queen | Transmission | 2023 |
| Winterberry | 20 | Gloucester | Distribution | 2023 |
| Winterpock | 20 | Chesterfield | Distribution | 2023 |
| CE-2 Solar and Storage Project | | | | |
| Dulles | 100 (solar) + 50 (storage) | Loudoun | Transmission | 2023 |

¹⁷ *Id.* at 11, Attachment 10, Residential Bill Projection – Plan B, Directed Methodology.

¹⁸ *Id.* at 12.

¹⁹ Petition at 8.

²⁰ Direct Testimony of Emil Avram at 12.

| CE-2 Storage Project | | | | |
|----------------------|----|--------------|--------------|------|
| Dry Bridge | 20 | Chesterfield | Distribution | 2022 |

The Company asserts that the CE-2 Projects are needed to comply with the VCEA, to serve customers' capacity and energy needs, and to comply with carbon regulations.²¹ According to the Company, the total estimated costs for the CE-2 Solar Projects are approximately \$1.1045 billion, excluding financing costs, or approximately \$1,969 per kilowatt ("kW") at the total 561 MW (nominal AC) rating.²² Dominion further states that the total estimated costs for the CE-2 Solar and Storage Project and related transmission facilities is approximately \$279.7 million, excluding financing costs, or approximately \$1,864 per kW at the total 150 MW (nominal AC) rating.²³ For the CE-2 Storage Project and related distribution facilities, the Company states that the total estimated costs are \$41.2 million, excluding financing costs, or approximately \$2,059 per kW at the total 20 MW (nominal AC) rating.²⁴

The Company states that the CE-2 Projects include projects identified through both a 2020 RFP and Company-sourced projects.²⁵ For the CE-2 Projects, the Company states that it completed full environmental justice assessments for each project and will complete community outreach as needed based on the project.²⁶

²¹ Petition at 8.

²² Direct Testimony of Emil Avram at 18.

²³ *Id.* at 21-22.

²⁴ *Id.* at 24.

²⁵ *Id.* at 14.

²⁶ *Id.* at 31.

Rider CE

Dominion asks the Commission to approve revised Rider CE for the rate year beginning May 1, 2022, and ending April 30, 2023 ("Rate Year").²⁷ The Company states it is proposing to adjust the rate year to align with an annual cadence for the petitions required by Code § 56-585.5 D 4.²⁸ To make this adjustment, the Company requests that the Rider CE rates approved by the Commission in this proceeding become effective for usage on and after May 1, 2022, in place of the Rider CE rates previously approved through May 31, 2022.²⁹

Pursuant to Subsection A 6, the Company seeks approval for its accrual of allowance for funds used during construction ("AFUDC") of the CE-2 Projects and CE-2 Distributed Solar Projects and to recover the costs of the CE-2 Projects and CE-2 Distributed Solar Projects and the related distribution and transmission interconnection facilities through Rider CE.³⁰

Additionally, the Company seeks approval for the recovery of costs associated with the CE-1 Solar Projects and related interconnection facilities approved by the Commission in Case No. PUR-2020-00134 through Rider CE.³¹ In the future, the Company anticipates seeking cost

²⁷ Petition at 12.

²⁸ *Id.*

²⁹ *Id.* at 12-13.

³⁰ *Id.* at 12. The Petition states that pursuant to the exception for facilities with rated capacities of 5 MW or less in Rule 10 of the Generation Rules, the Company is not seeking CPCNs for the CE-2 Distributed Solar Projects, but asserts that it will comply with all requirements of federal, state, and local law, including any environmental permitting requirements. *Id.* at 11-12. To the extent the Commission finds CPCNs are necessary for the CE-2 Distributed Solar Projects, however, the Company requests the Commission grant such CPCNs based on the information provided in the Petition. *Id.* at 12.

³¹ *Id.*

recovery of additional solar or onshore wind generating facilities and energy storage resources through Rider CE.³²

Pursuant to Code § 56-585.5 F, the Company proposes Rider CE to be applicable to all of the Company's Virginia retail customers as a non-bypassable charge, irrespective of whether a customer purchases electric supply service from a competitive service provider ("CSP"), subject to two exceptions.³³ The Company proposes to exempt: (1) any customer meeting the accelerated renewable energy buyer requirements pursuant to Code § 56-585.5 G, and (2) any customer with a peak demand in calendar year 2019 that exceeded 100 MW and that elected to purchase electric supply service from a CSP prior to April 1, 2019, pursuant to Code § 56-577 A 3.³⁴

The three components of the proposed total revenue requirement for the Rate Year are the Projected Cost Recovery Factor, the AFUDC Cost Recovery Factor and the Actual Cost True-Up Factor.³⁵ The annualized Projected Cost Recovery Factor revenue requirement totals approximately \$68,604,000 and \$11,881,000 for the pre- and post-COD periods, respectively.³⁶ The Company proposes an annualized AFUDC Cost Recovery Factor revenue requirement of \$1,111,000 for the pre-COD period.³⁷ Dominion states that no Actual Cost True-Up Factor is included in this proceeding, but when initiated as anticipated, the Actual Cost True-Up Factor

³² *Id.* at 20.

³³ Direct Testimony of Timothy P. Stuller at Schedule 2.

³⁴ *Id.*

³⁵ Petition at 13.

³⁶ Direct Testimony of Elizabeth B. Lecky at 9, 13.

³⁷ *Id.* at 13.

will either credit to, or recover from, customers any over/under recovery of costs from the most recently completed calendar year.³⁸ Thus, the total annualized revenue requirement requested for recovery during the pre-COD period of \$69,715,000, and the total annualized revenue requirement requested for recovery during the post-COD period of \$11,881,000, will produce approximately \$63,306,000 and \$7,719,000 in pre- and post-COD revenues, respectively.³⁹ Therefore, the Company is requesting a total revenue requirement of \$71,025,000 in Rider CE for service rendered during the Rate Year.⁴⁰

For purposes of calculating the revenue requirement in this case, Dominion utilized a rate of return on common equity ("ROE") of 9.2%. This ROE was approved by the Commission in Case No. PUR-2019-00050.⁴¹

If the proposed Rider CE for the Rate Year is approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to Dominion, implementation of its revised Rider CE on May 1, 2022, would increase the bill of a residential customer using 1,000 kWh per month by approximately \$1.13.⁴²

³⁸ *Id.* at 12-13.

³⁹ *Id.* at 13-14.

⁴⁰ Petition at 13; Direct Testimony of Elizabeth B. Lecky at 14.

⁴¹ Direct Testimony of Elizabeth B. Lecky at 5. *See Application of Virginia Electric and Power Company, For the determination of the fair rate of return on common equity pursuant to § 56-585.1:1 C of the Code of Virginia*, Case No. PUR-2019-00050, 2019 S.C.C. Ann. Rept. 400, Final Order (Nov. 21, 2019). Dominion states the Commission will set an ROE in its pending triennial review proceeding, Case No. PUR-2021-00058, and the Commission-approved ROE will be applicable for use in the Projected Cost Recovery Factor component of the revenue requirement ultimately approved as part of this proceeding. *See Direct Testimony of Elizabeth B. Lecky at 5; Application of Virginia Electric and Power Company, For a 2021 triennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1 A of the Code of Virginia*, Case No. PUR-2021-00058, Doc. Con. Cen. No. 210340128, Application (Mar. 31, 2021).

⁴² Petition at 14; Direct Testimony of Timothy P. Stuller at 8.

CE-2 PPAs Prudence Determination

In its 2021 RPS Filing, Dominion also seeks only a prudence determination for the CE-2 PPAs pursuant to Code § 56-585.1:4 H. The CE-2 PPAs consist of (i) six PPAs for utility-scale solar generating facilities totaling approximately 185 MW ("CE-2 Solar PPAs"), (ii) two PPAs for utility-scale solar generating facilities paired with energy storage totaling approximately 26 MW of solar and 13 MW of storage ("CE-2 Solar and Storage PPAs"), (iii) one PPA for a stand-alone energy storage resource totaling approximately 20 MW ("CE-2 Storage PPA"), and (iv) 15 PPAs for 23 small-scale solar generating facilities totaling approximately 42 MW ("CE-2 Distributed Solar PPAs").⁴³ The name, size, locality, interconnection and projected COD for each of the CE-2 PPAs is provided below:⁴⁴

| Project Name | Size (MW) | Locality | Interconnection | COD |
|------------------------------------|---------------------------------|--------------|-----------------|------|
| CE-2 Solar PPAs | | | | |
| 360 Solar 1 | 26.0 | Chesterfield | Distribution | 2023 |
| 360 Solar 2 | 26.0 | Chesterfield | Distribution | 2023 |
| Stratford | 15.0 | Suffolk | Distribution | 2021 |
| Surry | 20.0 | Surry | Distribution | 2023 |
| Jarratt | 48.4 | Greensville | Distribution | 2023 |
| Ho-Fel | 50.0 | Franklin | Transmission | 2023 |
| CE-2 Storage PPAs | | | | |
| Three Sisters | 20.0 | Southampton | Distribution | 2023 |
| CE-2 Solar and Storage PPAs | | | | |
| Cox | 16.0 (solar) + 8.0 (storage) | Cumberland | Distribution | 2023 |
| Sinai | 9.9 (solar) + 5.0 (storage) | Halifax | Distribution | 2023 |
| CE-2 Distributed Solar PPAs | | | | |
| USS Boykins Solar LLC 3MW | 3.0 | Southampton | Distribution | 2022 |
| Knollwood Solar | 3.0 | Pittsylvania | Distribution | 2022 |
| USS Boykins Solar LLC 1MW | 1.0 | Southampton | Distribution | 2022 |

⁴³ Petition at 14.

⁴⁴ Direct Testimony of C. Eric McMillan at 10-11.

| | | | | |
|-------------------------|-----|---------------|--------------|------|
| Rockingham Scenic Farms | 3.0 | Rockingham | Distribution | 2022 |
| CPG Suffolk (Solenis) | 3.0 | Suffolk | Distribution | 2022 |
| Elm Spring | 3.0 | Augusta | Distribution | 2022 |
| Shenvalee | 3.0 | Augusta | Distribution | 2022 |
| Sandale Solar | 3.0 | Lancaster | Distribution | 2022 |
| OYA Jack Drive | 3.0 | Dinwiddie | Distribution | 2022 |
| Nuby Run Solar | 2.0 | Isle of Wight | Distribution | 2022 |
| Carysbrook Solar 1 | 1.0 | Fluvanna | Distribution | 2022 |
| Carysbrook Solar 2 | 1.0 | Fluvanna | Distribution | 2022 |
| Carysbrook Solar 3 | 1.0 | Fluvanna | Distribution | 2022 |
| Centerpoint Solar 1 | 1.0 | Suffolk | Distribution | 2022 |
| Centerpoint Solar 2 | 1.0 | Suffolk | Distribution | 2022 |
| Centerpoint Solar 3 | 1.0 | Suffolk | Distribution | 2022 |
| Spring Run Solar 1 | 1.0 | Hanover | Distribution | 2022 |
| Spring Run Solar 2 | 1.0 | Hanover | Distribution | 2022 |
| Spring Run Solar 3 | 1.0 | Hanover | Distribution | 2022 |
| Wood Brother's Road 1 | 1.0 | Middlesex | Distribution | 2022 |
| Wood Brother's Road 2 | 1.0 | Middlesex | Distribution | 2022 |
| Wood Brother's Road 3 | 1.0 | Middlesex | Distribution | 2022 |
| Harris Rd. | 3.0 | Lancaster | Distribution | 2022 |

Dominion asserts that the CE-2 PPAs are needed to comply with the VCEA, to serve customers' capacity and energy needs, and to comply with carbon regulations.⁴⁵ The 2021 RPS Filing also states that the CE-2 PPAs have a positive customer net present value when compared to market purchases and that the Company selected the CE-2 PPAs from RFPs.⁴⁶ The Company states that it intends to recover the costs of the CE-2 PPAs through future Rider PPA, which is one of the rate recovery mechanisms in the overarching cost recovery framework that was approved by the Commission for non-bypassable RPS Program-related costs and benefits in Case No. PUR-2020-00134.⁴⁷

⁴⁵ Petition at 14.

⁴⁶ Direct Testimony of C. Eric McMillan at 13-14.

⁴⁷ *Id.* at 16.

With respect to environmental justice impacts of the CE-2 PPAs, the Company states it evaluated such impacts at a high level based on the Company's lack of control over the projects.⁴⁸ In particular, the Company states that it conducts high level demographic screening, reviews the spatial distribution of the portfolio of projects, and encourages developers to address environmental justice concerns up front.⁴⁹

On-going Waiver Request

The Company's Petition includes certain on-going waiver requests. The Company states that the Rate Case Rules require projected and actual costs and the estimated annual revenue requirement by project.⁵⁰ The Company asserts that, based on the number of projects, providing this information for each project is voluminous for the Company to prepare and for the Commission, Commission Staff ("Staff"), and parties to review.⁵¹ While Dominion provided costs and revenue requirements by project in the Petition and therefore is not requesting a waiver of the requirements to provide this information in the present proceeding, the Company seeks a continuing waiver of these requirements in future Rider CE proceedings. Instead, the Company proposes to show the revenue requirements for the projects for which it seeks recovery in a consolidated format based on logical groupings.⁵²

The Company states that the Rate Case Rules also require key documentation supporting projected and actual costs and supporting calculations and assumptions for the estimated annual

⁴⁸ Direct Testimony of Emil Avram at 31; Direct Testimony of C. Eric McMillan at 15.

⁴⁹ Direct Testimony of Emil Avram at 31; Direct Testimony of C. Eric McMillan at 15-16.

⁵⁰ Petition at 20.

⁵¹ *Id.*

⁵² *Id.*

revenue requirement. The Company asserts that information responsive to these requirements is voluminous and not easily reviewed in hard copy format.⁵³ While Dominion filed this information in its present Petition, it seeks a continuing waiver in future Rider CE proceedings to provide these key documents and supporting calculations in hard copy and proposes instead to provide this information to case participants in electronic format only.⁵⁴

Environmental Review

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board ("Board") must consult on wetland impacts prior to the siting of electric utility facilities that require a CPCN. As provided by Section 3 of the Department of Environmental Quality – State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts, Staff has advised DEQ, acting on behalf of the Board, that Dominion filed the 2021 RPS Filing and that the Board's consultation is required.⁵⁵

In addition to the consultation on wetlands, Code §§ 10.1-1186.2:1 B and 56-46.1 G direct the Commission and the DEQ to coordinate the environmental review of proposed generating plants and associated facilities. Additionally, Code § 56-46.1 A provides for the Commission to receive and to consider reports on the proposed facilities from state environmental agencies. Accordingly, Staff has requested the DEQ to coordinate an

⁵³ *Id.* at 21.

⁵⁴ *Id.*

⁵⁵ Letter from K. Beth Clowers, Esquire, State Corporation Commission, dated September 16, 2021, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2021-00146.

environmental review of the proposed CE-2 Projects by the appropriate agencies and to provide a report on the review.⁵⁶

Motion for Protective Order

Finally, in conjunction with the filing of its 2021 RPS Filing, on September 15, 2021, the Company filed the Motion of Virginia Electric and Power Company for Entry of a Protective Order and Additional Protective Treatment ("Motion for Protective Order") and a proposed protective order that establishes procedures governing the use of confidential and extraordinarily sensitive information in this proceeding.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; Dominion should provide public notice of its 2021 RPS Filing; hearings should be scheduled for the purpose of receiving testimony from public witnesses and evidence on the 2021 RPS Filing; interested persons should have an opportunity to file comments on the 2021 RPS Filing and to participate as respondents in this proceeding; and the Staff should be directed to investigate the 2021 RPS Filing and file testimony and exhibits containing its findings and recommendations thereon. We further appoint a Hearing Examiner to rule on any discovery matters that may arise during the course of this proceeding, including the Motion for Protective Order. We decline at this time to rule on the Company's requests for continuing waiver of certain filing requirements under the Rate Case Rules and take those requests under advisement.

The Commission 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

⁵⁶ Letter from K. Beth Clowers, Esquire, State Corporation Commission, dated September 16, 2021, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2021-00146.

take additional actions going forward, that could impact the procedures in this proceeding.⁵⁷

Consistent with these actions, in regard to the terms of the procedural framework established below, the Commission will, among other things, direct the electronic filing of testimony and pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

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

Accordingly, IT IS ORDERED THAT:

(1) All pleadings, briefs, or other documents required to be served in this matter should be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and*

⁵⁷ 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).

format, of the Commission's Rules of Practice and Procedure ("Rules of Practice").⁵⁸

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.⁵⁹

(2) 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.

(3) As provided by § 12.1-31 of the Code and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice, a Hearing Examiner is appointed to rule on any discovery matters that may arise during the course of this proceeding, including the Motion for Protective Order.

(4) The Commission hereby schedules a telephonic hearing for the receipt of testimony from public witnesses on the 2021 RPS Filing, as follows:

⁵⁸ 5 VAC 5-10-20 *et seq.*

⁵⁹ 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 be subject to delayed processing due to COVID-19 public health issues.

- (a) A hearing for the receipt of testimony from public witnesses on the 2021 RPS Filing shall be convened telephonically at 1 p.m., on December 13, 2021, with no public witness present in the Commission's courtroom.⁶⁰
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before December 8, 2021, 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 1 p.m., on December 13, 2021, 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.

(5) On December 14, 2021, at 9 a.m., either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, a hearing will be convened to receive testimony and evidence from the Company, any respondents, and the Staff. Further details on this hearing will be provided by subsequent Commission Order.

(6) An electronic copy of the public version of the Company's 2021 RPS Filing 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 from the Commission's website: scc.virginia.gov/pages/Case-Information.

⁶⁰ The Commission will convene counsel of record in this proceeding to attend the public witness hearing virtually.

(7) On or before October 29, 2021, the Company shall cause the following notice, together with a copy of the "Map for Publication" for each of the CE-2 Projects contained in the project summaries in Schedules 2 through 14 of the Direct Testimony of Emil Avram, to be published as display advertising (not classified) on one (1) occasion in newspapers of general circulation throughout the Company's service territory within Virginia:

NOTICE TO THE PUBLIC OF RENEWABLE PORTFOLIO
STANDARD (RPS) FILING BY
VIRGINIA ELECTRIC AND POWER COMPANY
D/B/A DOMINION ENERGY VIRGINIA
CASE NO. PUR-2021-00146

- Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion") has submitted its 2021 Renewable Portfolio Standard ("RPS") Filing. The Filing includes Dominion's RPS Development Plan and requests for approval to construct 13 new utility-scale projects and to enter into 24 new power purchase agreements.
- Dominion requests approval of revised Rider CE with a revenue requirement of \$71,025,000 over the rate year beginning May 1, 2022, and concluding April 30, 2023. According to Dominion, this amount would increase a typical residential customer's bill using 1,000 kilowatt hours per month by \$1.13.
- The State Corporation Commission will hold a telephonic hearing in this case on December 13, 2021, at 1 p.m., for the receipt of public witness testimony.
- An evidentiary hearing will be held on December 14, 2021, at 9 a.m., either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means. Further details on this hearing will be provided by subsequent Commission Order.
- Further information about this case is available on the SCC website at: scc.virginia.gov/pages/Case-Information.

During its 2020 Session, the Virginia General Assembly enacted Chapters 1193 (HB 1526) and 1194 (SB 851) of the 2020 Virginia Acts of Assembly. These duplicate Acts of Assembly, known as the Virginia Clean Economy Act ("VCEA"), became effective on July 1, 2020. The VCEA, inter alia, establishes a mandatory renewable energy portfolio standard ("RPS") for Virginia Electric and Power Company ("Dominion" or "Company") in new § 56-585.5 of the Code of Virginia ("Code"). Subdivision D 4 of Code § 56-585.5 requires Dominion to submit annually to the State Corporation Commission ("Commission") plans and petitions for approval of new solar and onshore wind generation capacity ("RPS Filing"). The Commission must determine whether the RPS Filing is reasonable and prudent, giving due consideration to the following factors: (i) the RPS and carbon dioxide reduction requirements in Code § 56-585.5, (ii) the promotion of new renewable generation and energy storage resources within the Commonwealth, and associated economic development, and (iii) fuel savings projected to be achieved by the plan. The Commission's final order regarding any RPS Filing is required by Code § 56-585.5 D 4 to be entered by the Commission not more than six months after the date of such filing.

On September 15, 2021, Dominion submitted its annual RPS Filing to the Commission ("2021 RPS Filing" or "Petition"). The 2021 RPS Filing requests the Commission:

- (i) Approve the Company's annual plan for the development of new solar, onshore wind, and energy storage resources ("RPS Development Plan") in connection with the new mandatory RPS program ("RPS Program") pursuant to Code § 56-585.5 D 4;
- (ii) Grant certificates of public convenience and necessity ("CPCNs") and approval to construct and operate 13 utility-scale projects totaling approximately 661 megawatts ("MW") of solar and 70 MW of energy storage ("CE-2 Projects") pursuant to Code § 56-580 D and the Commission's Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility;
- (iii) Approve to recover through the Rider CE rate adjustment clause ("RAC") the costs of (a) the CE-2 Projects and related distribution and transmission interconnection facilities and (b) two small-scale solar projects totaling approximately 4 MW and related interconnection facilities ("CE-2 Distributed Solar Projects") pursuant to Code § 56-585.1 A 6 ("Subsection A 6") and the Commission's

- Rules Governing Utility Rate Applications and Annual Informational Filings of Investor Owned Electric Utilities;
- (iv) Approve an update to Rider CE for recovery of costs associated with the CE-1 Solar Projects and related interconnection facilities as approved by the Commission in Case No. PUR-2020-00134; and
 - (v) Make a prudence determination for the Company to enter into 24 power purchase agreements ("PPAs") for 32 separate solar and energy storage resources totaling approximately 253 MW of solar and 33 MW of energy storage ("CE-2 PPAs") pursuant to Code § 56-585.1:4.

RPS Development Plan

Dominion states that its RPS Development Plan reports on the Company's progress toward meeting the solar, onshore wind, and energy storage development targets outlined in the VCEA and presents the Company's development plan for solar, onshore wind and energy storage facilities through 2035. The 2021 RPS Filing shows that Dominion has a total of 1,958.1 MW of solar and onshore wind as of August 31, 2021, from facilities that are in operation, under construction, purchased, or proposed for approval, including the proposed CE-2 Projects, the CE-2 Distributed Solar Projects, and the CE-2 PPAs. For energy storage, the 2021 RPS Filing shows the Company has 103 MW of energy storage resources in operation, under construction, purchased, or proposed for approval, including the relevant proposed CE-2 Projects and CE-2 PPAs.

The Company's RPS Development Plan calls for additional investment in solar, onshore wind, and energy storage through 2035. For example, by 2035, Dominion projects it will have 13,765.1 MW of utility-scale solar and onshore wind resources in operation. Dominion also projects it will have 2,700 MW of energy storage resources in operation by 2035.

The Company states that it plans to use the renewable energy certificates ("RECs") produced by the projects and PPAs shown in its RPS Development Plan towards its annual RPS Program requirements. Dominion states that it is uncertain at this time whether sufficient RECs will be available for the 2021 compliance year to meet this requirement and that the Company may be subject to the \$75 per megawatt-hour deficiency payment described in Code § 56-585.5 D 5.

The Company also provided a consolidated bill analysis calculating the projected monthly bill through 2035 for residential,

small general service, and large general service customers for each alternative plan presented in the Company's 2021 Integrated Resource Plan Update. For Alternative Plan B, which the Company states is consistent with the 2021 RPS Development Plan, for example, the Company projects the monthly bill of a Virginia residential customer using 1,000 kilowatt hours ("kWh") per month to be \$197.57 by 2035, an increase of \$81.39 over the May 1, 2020 level of \$116.18, using the methodology approved by the Commission in Case No. PUR-2020-00134. The Company's bill projections are not final and all customer rates are subject to regulatory approval.

CE-2 Projects

The Company seeks CPCNs and approval to construct and operate the CE-2 Projects, which consist of 11 utility-scale solar generating facilities totaling approximately 561 MW ("CE-2 Solar Projects"), one solar generating facility paired with energy storage totaling approximately 100 MW of solar and 50 MW of storage ("CE-2 Solar and Storage Project"), and one stand-alone energy storage resource totaling approximately 20 MW ("CE-2 Storage Project"). The name, size, locality, interconnection and projected commercial operation date ("COD") for each of the CE-2 Projects is provided below:

| Project Name | Size (MW) | Locality | Interconnection | COD |
|---------------------------------------|-------------------------------|---------------|-----------------|------|
| CE-2 Solar Projects | | | | |
| Camellia | 20 | Gloucester | Distribution | 2023 |
| Fountain Creek | 80 | Greensville | Transmission | 2023 |
| Otter Creek | 60 | Mecklenburg | Transmission | 2023 |
| Piney Creek | 80 | Halifax | Transmission | 2023 |
| Quillwort | 18 | Powhatan | Distribution | 2023 |
| Sebera | 18 | Prince George | Distribution | 2023 |
| Solidago | 20 | Isle of Wight | Distribution | 2023 |
| Sweet Sue | 75 | King William | Transmission | 2023 |
| Walnut | 150 | King & Queen | Transmission | 2023 |
| Winterberry | 20 | Gloucester | Distribution | 2023 |
| Winterpock | 20 | Chesterfield | Distribution | 2023 |
| CE-2 Solar and Storage Project | | | | |
| Dulles | 100 (solar) + 50 (storage) | Loudoun | Transmission | 2023 |
| CE-2 Storage Project | | | | |
| Dry Bridge | 20 | Chesterfield | Distribution | 2022 |

The Company asserts that the CE-2 Projects are needed to comply with the VCEA, to serve customers' capacity and energy needs, and to comply with carbon regulations. According to the Company, the total estimated costs for the CE-2 Solar Projects are

approximately \$1.1045 billion, excluding financing costs, or approximately \$1,969 per kilowatt ("kW") at the total 561 MW (nominal AC) rating. Dominion further states that the total estimated costs for the CE-2 Solar and Storage Project and related transmission facilities is approximately \$279.7 million, excluding financing costs, or approximately \$1,864 per kW at the total 150 MW (nominal AC) rating. For the CE-2 Storage Project and related distribution facilities, the Company states that the total estimated costs are \$41.2 million, excluding financing costs, or approximately \$2,059 per kW at the total 20 MW (nominal AC) rating.

The Company states that the CE-2 Projects include projects identified both through a 2020 RFP and Company-sourced projects. For the CE-2 Projects, the Company states that it completed full environmental justice assessments for each project and will complete community outreach as needed based on the project. Maps for the proposed CE-2 Projects accompany this notice.

Rider CE

Dominion asks the Commission to approve revised Rider CE for the rate year beginning May 1, 2022, and ending April 30, 2023 ("Rate Year"). The Company states it is proposing to adjust the rate year to align with an annual cadence for the petitions required by Code § 56-585.5 D 4, such that Rider CE rates approved by the Commission in this proceeding become effective for usage on and after May 1, 2022, in place of the Rider CE rates previously approved through May 31, 2022.

Pursuant to Subsection A 6, the Company seeks approval for its accrual of allowance for funds used during construction ("AFUDC") of the CE-2 Projects and CE-2 Distributed Solar Projects and to recover the costs of the CE-2 Projects and CE-2 Distributed Solar Projects and the related distribution and transmission interconnection facilities through Rider CE. Additionally, the Company seeks approval for the recovery of costs associated with the CE-1 Solar Projects and related interconnection facilities approved by the Commission in Case No. PUR-2020-00134 through Rider CE. In the future, the Company anticipates seeking cost recovery of additional solar or onshore wind generating facilities and energy storage resources through Rider CE.

Pursuant to Code § 56-585.5 F, the Company proposes Rider CE to be applicable to all of the Company's Virginia retail

customers as a non-bypassable charge, irrespective of whether a customer purchases electric supply service from a competitive service provider ("CSP"), subject to two exceptions. The Company proposes to exempt: (1) any customer meeting the accelerated renewable energy buyer requirements pursuant to Code § 56-585.5 G, and (2) any customer with a peak demand in calendar year 2019 that exceeded 100 MW and that elected to purchase electric supply service from a CSP prior to April 1, 2019, pursuant to Code § 56-577 A 3.

The Company is requesting a total revenue requirement of \$71,025,000 in Rider CE for service rendered during the Rate Year.

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

If the proposed Rider CE for the Rate Year is approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to Dominion, implementation of its revised Rider CE on May 1, 2022, would increase the bill of a residential customer using 1,000 kWh per month by approximately \$1.13.

CE-2 PPAs Prudence Determination

In its 2021 RPS Filing, Dominion also seeks only a prudence determination for the CE-2 PPAs pursuant to Code § 56-585.1:4 H. The CE-2 PPAs consist of (i) six PPAs for utility-scale solar generating facilities totaling approximately 185 MW ("CE-2 Solar PPAs"), (ii) two PPAs for utility-scale solar generating facilities paired with energy storage totaling approximately 26 MW of solar and 13 MW of storage ("CE-2 Solar and Storage PPAs"), (iii) one PPA for a stand-alone energy storage resource totaling approximately 20 MW ("CE-2 Storage PPA"), and (iv) 15 PPAs for 23 small-scale solar generating facilities totaling approximately 42 MW ("CE-2 Distributed Solar PPAs").

The Company states that it intends to recover the costs of the CE-2 PPAs through future Rider PPA, which is one of the rate recovery mechanisms in the overarching cost recovery framework that was approved by the Commission for non-bypassable RPS Program-related costs and benefits in Case No. PUR-2020-00134.

With respect to environmental justice impacts of the CE-2 PPAs, the Company states it evaluated such impacts at a high level based on the Company's lack of control over the projects. In particular, the Company states that it conducts high level demographic screening, reviews the spatial distribution of the portfolio of projects and encourages developers to address environmental justice concerns up front.

The foregoing is not an exhaustive list of all the proposals contained in the Company's Petition. Interested persons are encouraged to review the Company's Petition and supporting documents for the details of these and other proposals.

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

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 for Notice and Hearing for further instructions concerning Confidential or Extraordinarily Sensitive Information.

The Commission entered an Order for Notice and Hearing that, among other things, scheduled public hearings on Dominion's Petition. On December 13, 2021, at 1 p.m., 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 December 8, 2021, 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 December 14, 2021, at 9 a.m., either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, a hearing will be convened to receive testimony and evidence from the Company, any respondents, and the Commission's Staff. Further details on this hearing will be provided by subsequent Commission order.

Electronic copies of the public version of the Petition 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 from the Commission's website: scc.virginia.gov/pages/Case-Information.

On or before December 13, 2021, any interested person may file comments on the Petition 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 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-2021-00146.

On or before November 9, 2021, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission at: scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to submit a notice of participation electronically may submit 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-2021-00146.

On or before November 16, 2021, 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, and each witness's testimony shall include a summary not to exceed one page. Any respondent unable, as a practical matter, to submit testimony and exhibits electronically may submit such by U.S. mail to the Clerk of the Commission at the address listed above. All testimony and exhibits shall be served on the Commission's 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 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-2021-00146.

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, and the public version of other documents filed in this case may be viewed on the Commission's website at: scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY

- (8) 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.

(9) On or before November 12, 2021, the Company shall file proof of the notice and service required by Ordering Paragraphs (7) and (8), including the name, title, address and electronic mail address (if applicable) of each official served, with the Clerk of the State Corporation Commission by filing electronically at scc.virginia.gov/clk/efiling/.

(10) On or before December 13, 2021, any interested person may file written comments on the Petition 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-2021-00146.

(11) On or before November 9, 2021, 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 submit a notice of participation electronically may submit such notice by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (10). Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. 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 must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00146.

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

(13) On or before November 16, 2021, 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 submit testimony and exhibits electronically may submit such by U.S. mail to the Clerk of the Commission at the address in Ordering Paragraph (10). 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, the respondent shall comply with the Commission's Rules of Practice, including 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2021-00146.

(14) On or before November 16, 2021, the Staff shall investigate the Petition and file with the Clerk of the Commission its testimony and exhibits concerning the Petition, and each Staff witness's testimony shall include a summary not to exceed one page. A copy thereof shall be served on counsel to the Company and all respondents.

(15) On or before December 3, 2021, Dominion shall file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer, and each rebuttal witness's testimony shall include a summary not to exceed one page. The Company shall serve a copy of the rebuttal testimony and exhibits on the Staff and all respondents.

(16) 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.

(17) The Commission's Rule 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 five (5) 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.⁶¹ 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.*

(18) This matter is continued.

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

⁶¹ The assigned Staff attorney is identified on the Commission's website: scc.virginia.gov/Case-Information, by clicking "Docket Search," and clicking "Search by Case Information," and entering the case number, PUR-2021-00146, in the appropriate box.