

## STATE CORPORATION COMMISSION

AT RICHMOND, MAY 5, 2020

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APPLICATION OF

VIRGINIA NATURAL GAS, INC.

CASE NO. PUR-2019-00207

For approval and certification of natural gas facilities, the Header Improvement Project, and for approval of Rate Schedules and Terms and Conditions for Pipeline Transportation Service

ORDER ON MOTIONS

On December 6, 2019, Virginia Natural Gas, Inc. ("VNG" or "Company"), filed an application ("Application") with the State Corporation Commission ("Commission") for approval and certification of natural gas facilities pursuant to the Utility Facilities Act, Virginia Code §§ 56-265.1 and 56-265.2 ("Project"). Through its Application VNG also seeks approval to implement Rate Schedules HP-TRFT, HP-FT, HP-LFT, and HP-IT and Terms and Conditions for Pipeline Transportation Service.

On December 23, 2019, the Commission issued an Order for Notice and Hearing that, among other things, established a procedural schedule for this case. Pursuant thereto, the following filed notices to participate as respondents: (1) Appalachian Voices and Virginia Interfaith Power & Light; (2) Chesapeake Bay Foundation, Inc. ("CBF"); and (3) Sierra Club and Chesapeake Climate Action Network ("Sierra Club and CCAN").

On April 21, 2020, the Company filed a Motion for Leave to File Supplemental Rebuttal Testimony and for Expedited Consideration ("Motion for Leave"). On April 24, 2020, CBF, Sierra Club and CCAN ("Joint Movants") filed a Motion to Suspend Procedural Schedule and

Continue Public Comment Period. Pursuant to subsequent orders of the Commission, responses and replies to both motions have been received in this matter.

NOW THE COMMISSION, upon consideration hereof, is of the opinion and finds as follows.

First, the Commission grants VNG's unopposed motion to file supplemental rebuttal testimony. In doing so, however, the Commission notes that the response of the Commission's Staff ("Staff") to the Motion for Leave asserts that such testimony "raises more questions than it answers."<sup>1</sup> Staff explains that this "reach[es] the very core of Staff's investigation" and the Company's previously-asserted "driving [] need for the Project," and, moreover, that "an entirely new application may be before the Commission."<sup>2</sup>

Next, the Commission denies Joint Movants' motion to suspend the previously-noticed procedural schedule in this matter. For purposes of the instant Application and other pending cases, the Commission has implemented reasonable and widely followed procedural accommodations in order to fulfill its statutory obligations in a manner consistent with the Commonwealth's existing social distancing protocols for the protection of the public and that are designed to protect the health of those who wish to offer public witness testimony. Under the previously-noticed schedule, public testimony will be received on May 12, 2020, and the evidentiary hearing commences on May 13, 2020. If necessary, the Commission will by subsequent order provide for additional public testimony after the conclusion of the evidentiary hearing.

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<sup>1</sup> Staff's April 28, 2020 Response at 4.

<sup>2</sup> *Id.*

Accordingly, IT IS SO ORDERED, and 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.