

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 9, 2020

SCC-CLERK'S OFFICE
REGULATORY CONTROL CENTER

2020 JUN -9 P 4: 46

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. PUR-2020-00114

Ex Parte: Aggregation Pilot Program
pursuant to 2020 Va. Acts ch. 796

ORDER ON PILOT PROGRAM

The following legislation becomes effective July 1, 2020:

§1. That the State Corporation Commission (the Commission) shall conduct a pilot program under which two or more nonresidential customers that, as of February 25, 2019, had filed applications seeking to aggregate their load pursuant to subdivision A 4 of § 56-577 of the Code of Virginia within the service territory of a Phase II Utility, as that term is defined in subsection A of § 56-585.1 of the Code of Virginia, shall be permitted to purchase electric energy from any supplier of electric energy licensed to sell electric energy within the Commonwealth, subject to the following terms, conditions, and restrictions:

a. A pilot program shall be conducted within the certified service territory of the Phase II Utility in which such nonresidential customers are located.

b. The aggregated load participating in the pilot program shall not exceed 200 megawatts.

c. All customers participating in the pilot program shall be subject in all respects to the provisions of subdivision A 3 of § 56-577 of the Code of Virginia (with participation in this pilot program being deemed to satisfy subdivision A 4 of § 56-577 of the Code of Virginia), with the load set forth in each application being treated as a single, individual customer for purposes of said subdivision, and shall submit an annual report to the Commission by March 31 each year to demonstrate that, for the preceding calendar year, such load continued to meet the demand limitations of subdivision A 3 of § 56-577 of the Code of Virginia.

§2. The Commission shall review the pilot program established pursuant to §1 of this act in 2022.¹

NOW THE COMMISSION, upon consideration of the above, orders as follows.

- 1) The pilot program required by Chapter 796 ("Aggregation Pilot") shall commence on July 1, 2020.
- 2) Prior to participating in the Aggregation Pilot, nonresidential customers satisfying the criteria in Chapter 796 shall file with the Commission (in the instant docket) a notice of intent to participate in the pilot, which at a minimum shall include:
 - a. The case number of the Commission proceeding in which the nonresidential customers had filed an application seeking to aggregate load as referenced in Chapter 796;
 - b. The "individual demand during the most recent calendar year"² of each nonresidential customer that will be participating in the Aggregation Pilot and the aggregated total demand for all of the customers; and
 - c. Certification that the notice of intent to participate has been served on counsel for the Company.
- 3) The notice of intent to participate can be filed at any time prior to participating in the Aggregation Pilot. The Commission, however, will not accept any such notice – and will inform the filer and the Company thereof – if doing so results in the "aggregated load participating in the pilot program [to] exceed 200 megawatts" as limited by Chapter 796.
- 4) As required by Chapter 796, "[a]ll customers participating in the pilot program ... shall submit an annual report to the Commission by March 31 each year to demonstrate that, for the preceding calendar year, such load continued to meet the demand limitations of subdivision A 3 of § 56-577 of the Code of Virginia." Such reports shall be filed in the instant docket.

Accordingly, IT IS SO ORDERED, and this matter is CONTINUED.

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

Joseph K. Reid, III, Esquire, Elaine S. Ryan, Esquire, Sarah R. Bennett, Esquire, and Timothy D.

¹ 2020 Va. Acts ch. 796 ("Chapter 796"). Virginia Electric and Power Company ("Company") is the Phase II Utility under Code § 56-585.1 A.

² Code § 56-577 A 4.

Patterson, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219; and David J. DePippo, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219. A copy also shall be sent electronically to the Commission's Office of General Counsel and Divisions of Public Utility Regulation and Utility Accounting and Finance.

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