

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 24, 2022

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APPLICATION OF

2022 AUG 24 P 1:56

VIRGINIA ELECTRIC AND POWER COMPANY

For approval and certification of the Coastal Virginia Offshore Wind Commercial Project and Rider Offshore Wind, pursuant to § 56-585.1:11, § 56-46.1, § 56-265.1 *et seq.*, and § 56-585.1 A 6 of the Code of Virginia

CASE NO. PUR-2021-00142

ORDER GRANTING RECONSIDERATION

On August 5, 2022, the State Corporation Commission ("Commission") issued a Final Order in this docket. On August 22, 2022, Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion" or "Company") filed a Petition for Limited Reconsideration ("Petition"). Dominion "requests that the Commission grant reconsideration of the Final Order and amend it to exclude its performance guarantee condition, as required by [Code § 56-585.1:11] and other authority, and for all the reasons set forth herein."¹

In addition, Dominion states that: "[T]he Company is requesting modification of the Commission's Final Order to allow consideration of the limited issues raised in this Petition. In doing so, the Company respectfully asks that the Commission *not* suspend the Final Order, including its approval of Rider OSW, which is in the process of being implemented and is set to go into effect on September 1, 2022, subject to true-up."²

NOW THE COMMISSION, upon consideration hereof, grants reconsideration for the purpose of continuing jurisdiction over this matter. The Final Order is hereby suspended

¹ Petition at 26.

² *Id.* at 2 n.7 (emphasis in original).

pending the Commission's reconsideration of the Final Order, and Rider OSW is approved on an interim basis at this time.³ Finally, the Commission orders additional pleadings to be filed herein as directed below.⁴

Accordingly, IT IS ORDERED THAT:

- (1) Reconsideration is granted for the purpose of continuing jurisdiction over this matter.
- (2) Pending the Commission's reconsideration, the Final Order is hereby suspended.
- (3) Dominion is hereby authorized to implement Rider OSW, as approved in the August 5, 2022 Final Order, on an interim basis pending further order of the Commission.
- (4) On or before September 13, 2022, each respondent in this proceeding that objects to the Petition in any regard shall file a response thereto.
- (5) On or before September 22, 2022, Dominion shall file a reply to the response(s).
- (6) In addition to addressing the other issues raised in the Petition, the parties' pleadings shall also address the extent to which the presumption in Code § 56-585.1:11 C 1 ("provided that such costs shall be presumed to be reasonably and prudently incurred") may be rebutted.
- (7) 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.

³ See, e.g., *Super Fresh Food Markets of Virginia, Inc. v. Ruffin*, 263 Va. 555, 563 (2002) ("[W]e hold that the language of the [trial court's] order purporting to extend the period of the trial court's jurisdiction beyond the post-judgment twenty-one day time period of Rule 1:1 was ineffective because that order did not modify, vacate, or suspend the final judgment rendered by the [trial court's] order.").

⁴ In addition to addressing the other issues raised in the Petition, the parties' pleadings shall also address the extent to which the presumption in Code § 56-585.1:11 C 1 ("provided that such costs shall be presumed to be reasonably and prudently incurred") may be rebutted.