

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 29, 2017

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2017 JUN 29 P 2:31

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. PUE-2013-00045

Concerning the establishment of a renewable energy
pilot program for third party power purchase agreements

ORDER UPDATING GUIDELINES

On March 14, 2013, the Virginia General Assembly enacted Chapter 382 of the 2013 Virginia Acts of Assembly ("2013 Legislation") requiring the State Corporation Commission ("Commission") to conduct a renewable energy pilot program for third party power purchase agreements within the service territory of Virginia Electric and Power Company and to establish certain guidelines regarding implementation of this pilot program. Pursuant to the 2013 Legislation, on November 14, 2013, the Commission established a pilot program and developed Guidelines Regarding Notice Information for a Third Party Renewable Power Purchase Agreement ("Guidelines").

On April 5, 2017, the Virginia General Assembly approved Chapter 803 of the 2017 Virginia Acts of Assembly ("2017 Amendments"), which, among other things, re-enacted the 2013 Legislation with amendments requiring that a pilot program now be conducted within the certificated service territory of each investor-owned electric utility in Virginia, excepting any utility described in § 56-580 G of the Code of Virginia. As a result, updates to the *Applicability* and *Program Cap Management* sections of the Guidelines are necessary.

2017 JUN 29 P 2:31

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that the Guidelines should be updated as set forth in Attachment A to this Order to reflect the 2017 Amendments.¹

Accordingly, IT IS ORDERED THAT:

(1) The instant case is moved from "closed" to "active" status in the records maintained by the Clerk of the Commission and is restored to the Commission's docket for the purpose of updating the Commission's Guidelines.

(2) The Guidelines, which were established pursuant to Chapter 382 of the 2013 Virginia Acts of Assembly, are hereby updated as set forth in Attachment A to this Order to reflect the amendments enacted by Chapter 803 of the 2017 Virginia Acts of Assembly.

(3) Any renewable third party power purchase agreement established pursuant to the pilot program shall be established in accordance with these Guidelines and shall comply with the attendant statutory requirements.

(4) This case is dismissed.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

Senator John S. Edwards, P.O. Box 1179, Roanoke, Virginia 24006; Delegate David E. Yancey, P.O. Box 1163, Newport News, Virginia 23601; Terry G. Kilgore, P.O. Box 669, Gate City, Virginia 24251; David J. Toscano, 211 East High Street, Charlottesville, Virginia 22902; the Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219; Horace P. Payne, Jr., Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219; Eric W. Hurlocker, Esquire, GreeneHurlocker, PLC, 1807 Libbie Avenue,

¹ A copy of the Guidelines that highlights the updates included in Attachment A also is attached to this Order as Attachment B. A copy of the Guidelines set forth in Attachment A and Attachment B also may be viewed at <http://www.scc.virginia.gov/pur/pilot.aspx>.

Suite 102, Richmond, Virginia 23226; Frank Rambo, Esquire, Southern Environmental Law Center, 103 East Water Street, Suite 201, Charlottesville, Virginia 22902; Kenneth G. Hutcheson, Esquire, Virginia Alternative and Renewable Energy Association, P.O. Box 1320, Richmond, Virginia 23218; Noelle J. Coates, Esquire, American Electric Power Service Corporation, 3 James Center, 1051 East Cary Street, Suite 1100, Richmond, Virginia 23219; Taylor Brown, SunTribe Solar, 108 2nd Street, SW, #10, Charlottesville, Virginia 22902; Ryann Coles, Altenergy Incorporated, 331 North Lewis Street, Staunton, Virginia 24401; and C. Meade Browder, Jr., Esquire, Office of the Attorney General, Division of Consumer Counsel, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219. A copy also shall be delivered to the Commission's Office of General Counsel and Division of Public Utility Regulation.