

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 17, 2022

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PETITION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2022-00033

For revision of rate adjustment clause:  
Rider CCR, for the recovery of costs incurred to comply  
with § 10.1-1402.03 of the Code of Virginia,  
pursuant to Code § 56-585.1 A 5 e

ORDER FOR NOTICE AND HEARING

On February 28, 2022, pursuant to § 56-585.1 A 5 e of the Code of Virginia ("Code"), Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion" or "Company") filed a petition ("Petition") with the State Corporation Commission ("Commission") for an annual update with respect to its coal combustion residuals ("CCR") rate adjustment clause, designated Rider CCR, for the recovery of costs incurred to comply with the requirements of Virginia Senate Bill 1355,<sup>1</sup> codified as Code § 10.1-1402.03.<sup>2</sup>

On October 26, 2021, by its Order Approving Rate Adjustment Clause in Case No. PUR-2021-00045 ("2021 Order"), the Commission approved the Company's request for approval of Rider CCR, for the recovery of costs associated with certain environmental projects involving CCR removal (collectively, "Projects") at the Company's Bremo Power Station, Chesterfield

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<sup>1</sup> 2019 Va. Acts ch. 651.

<sup>2</sup> Petition at 1. Pursuant to Code § 56-585.1 A 7, the Commission must issue an order on the Petition within eight months of the date of filing.

Power Station, Possum Point Power Station, and Chesapeake Energy Center (collectively, "Power Stations").<sup>3</sup>

Dominion states that it is filing this annual update to inform the Commission of the status of the Projects at the Power Stations.<sup>4</sup> Dominion also presents the results of the Class 3 Rail Study the Commission directed the Company to perform in the 2021 Order.<sup>5</sup>

In this proceeding, Dominion asks the Commission to approve Rider CCR for the rate year beginning December 1, 2022 through November 30, 2023 ("Rate Year").<sup>6</sup> The Company states that the two components of the revenue requirement are the Projected Cost Recovery Factor and the Actual Cost True-Up Factor.<sup>7</sup> The Company requests a Projected Cost Recovery Factor revenue requirement of \$224,086,077, and an Actual Cost True-Up Factor revenue requirement of \$6,876,988.<sup>8</sup> Thus, the Company proposes a total revenue requirement of \$230,963,066 for service rendered during the Rate Year.<sup>9</sup>

For purposes of calculating the revenue requirement in this case, Dominion states that it utilizes a rate of return on common equity of 9.35% for the period subsequent to the Commission's Final Order in Case No. PUR-2021-00058, which was issued on

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<sup>3</sup> *Petition of Virginia Electric and Power Company, For approval of a rate adjustment clause, designated Rider CCR, for the recovery of costs incurred to comply with § 10.1-1402.03 of the Code of Virginia, pursuant to Virginia Code § 56-585.1 A 5 e, Case No. PUR-2021-00045, Doc. Con. Cen. No. 211040083, Order Approving Rate Adjustment Clause (Oct. 26, 2021);* Petition at 4.

<sup>4</sup> Petition at 4-5.

<sup>5</sup> *See id.* at 5; 2021 Order at 8.

<sup>6</sup> Petition at 10.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at 10-11.

<sup>9</sup> *Id.* at 11.

November 18, 2021 ("Triennial Review Final Order"), and an ROE of 9.2% for the period prior to the Triennial Review Final Order, consistent with the ROEs approved by the Commission in Case Nos. PUR-2019-00050 and PUR-2017-00038.<sup>10</sup>

Dominion asserts that it will utilize the same methodology to calculate Rider CCR rates in the instant proceeding as was approved in its previous Rider CCR filing.<sup>11</sup>

Dominion proposes that revised Rider CCR be effective for usage on and after December 1, 2022.<sup>12</sup> If the revised Rider CCR 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 CCR on December 1, 2022, would increase the monthly bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.01.<sup>13</sup>

Dominion also requests a waiver, in part, of Rules 20 VAC 5-204-60 ("Rule 60") and 20 VAC 5-204-90 ("Rule 90") of the Commission's Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Electric Utilities ("Rate Case Rules")<sup>14</sup>

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<sup>10</sup> *Id.* at 9-10. See also *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. 211160097, Final Order (Nov. 18, 2021); *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); *Application of Virginia Electric and Power Company, For the determination of the fair rate of return on common equity to be applied to its rate adjustment clauses*, Case No. PUR-2017-00038, 2017 S.C.C. Ann. Rept. 475, Final Order (Nov. 29, 2017).

<sup>11</sup> Petition at 11.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> 20 VAC 5-204-5 *et seq.*

with respect to Schedule 46.<sup>15</sup> Rule 60 states that an application for a rate adjustment clause filed pursuant to Chapter 23 of Title 56 of the Code shall include Schedule 46, "Rate Adjustment Clauses and Prudency Determinations Pursuant to Chapter 23 (§ 56-576 *et. seq.*) of the Code of Virginia." Schedule 46 requires an applicant to provide certain information, including key documents supporting the projected and actual costs recovered through the rate adjustment clause, such as economic analyses, contracts, studies, investigations, results from requests for proposals, and cost/benefit analyses.<sup>16</sup> According to Dominion, the supporting documentation responsive to this requirement is voluminous and not easily reviewed in hard copy (paper) format, and therefore the Company seeks waiver of the requirement to file 12 hard copies of the information.<sup>17</sup> Instead, the Company proposes to: (i) provide the Commission with one hard copy and three electronic copies on compact discs, which were included with the filing, and (ii) provide the documentation to Commission Staff ("Staff") and any future case participants in electronic format.<sup>18</sup>

Finally, in conjunction with the filing of its Petition on February 28, 2022, the Company filed the Motion of Virginia Electric and Power Company for Entry of a Protective Order and Additional Protective Treatment ("Motion for Protective Ruling") and a proposed protective order that establishes procedures governing the use of confidential and extraordinarily sensitive information in this proceeding.

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<sup>15</sup> Petition at 13-14.

<sup>16</sup> Rate Case Rule 90, Schedule 46 instructions, § (c) (1) (iii).

<sup>17</sup> Petition at 14.

<sup>18</sup> *Id.*

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 Petition; hearings should be scheduled for the purpose of receiving testimony from public witnesses and evidence on the Petition; interested persons should have an opportunity to file comments on the Petition and to participate as respondents in this proceeding; and Staff should be directed to investigate the Petition and file testimony and exhibits containing its findings and recommendations thereon. We also appoint a Hearing Examiner to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion for Protective Ruling and filing a final report containing the Hearing Examiner's findings and recommendations. Further, for purposes of making the Petition complete and commencing this proceeding, we grant Dominion's request to waive in part the requirements under Rule 60 and Rule 90 of the Rate Case Rules with respect to the filing of certain Schedule 46 materials.

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 take additional actions going forward, that could impact the procedures in this proceeding.<sup>19</sup> 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

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<sup>19</sup> See, e.g., *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic Service of Commission Orders*, Case No. CLK-2020-00004, 2020 S.C.C. Ann. Rept. 76, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020), *extended by* 2020 S.C.C. Ann. Rept. 77, 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, 2020 S.C.C. Ann. Rept. 77, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) ("Revised Operating Procedures Order"), *extended by* 2020 S.C.C. Ann. Rept. 78, 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, 2020 S.C.C. Ann. Rept. 79, Order Requiring Electronic Service (Apr. 1, 2020).

pleadings, unless they contain confidential information, and require electronic service on parties to this proceeding.

We note that the proposed Rider CCR, if approved, would result in an increase to customer bills for the Rate Year. 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) This matter is docketed and assigned Case No. PUR-2022-00033.

(2) 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 format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice").<sup>20</sup>

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.<sup>21</sup>

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<sup>20</sup> 5 VAC 5-10-20 *et seq.*

<sup>21</sup> 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 the COVID-19 public health issues.

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the 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.

(4) As provided by § 12.1-31 of the Code and Rule 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission. A copy of each filing made with the Commission's Clerk's office in this matter shall also be sent electronically to the Office of the Hearing Examiners.<sup>22</sup>

(5) The Commission hereby schedules a telephonic hearing for the receipt of testimony from public witnesses on the Petition, as follows:

- (a) A hearing for the receipt of testimony from public witnesses on the Petition shall be convened telephonically at 10 a.m., on August 22, 2022, with no public witness present in the Commission's courtroom.<sup>23</sup>
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before August 18, 2022, 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](http://scc.virginia.gov/pages/Webcasting); (ii) by completing and

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<sup>22</sup> Such electronic copies shall be sent to: Wendy.Starkey@scc.virginia.gov and LeaAnn.Robertson@scc.virginia.gov.

<sup>23</sup> The Commission will convene counsel of record in this proceeding to attend the public witness hearing virtually.

emailing the PDF version of this form to [SCCInfo@scc.virginia.gov](mailto:SCCInfo@scc.virginia.gov); or (iii) by calling (804) 371-9141.

- (d) Beginning at 10 a.m., on August 22, 2022, 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](http://scc.virginia.gov/pages/Webcasting).

(6) On August 23, 2022, at 10 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 or Hearing Examiner's Ruling.

(7) An electronic copy of the public version of the Company's 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](mailto:eryan@mcguirewoods.com). Interested persons also may download unofficial copies from the Commission's website: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).

(8) On or before April 19, 2022, the Company shall cause the following notice 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 PETITION BY  
VIRGINIA ELECTRIC AND POWER COMPANY  
FOR REVISION OF A RATE ADJUSTMENT CLAUSE,  
DESIGNATED RIDER CCR, FOR THE RATE YEAR  
COMMENCING DECEMBER 1, 2022  
CASE NO. PUR-2022-00033

- Virginia Electric and Power Company ("Dominion") has filed a Petition with the State Corporation Commission ("Commission") for an annual update with respect to its coal combustion residuals ("CCR") rate adjustment clause, designated Rider CCR, for the recovery of costs incurred to comply with the requirements of Virginia Senate Bill 1355, codified as Code § 10.1-1402.03.
- Dominion requests approval for recovery in Rider CCR of a total revenue requirement of \$230,963,066. According to Dominion, this amount would increase the bill of a typical residential customer using 1,000 kilowatt hours of electricity per month by \$0.01.
- A Hearing Examiner appointed by the Commission will hold a telephonic hearing in this case on August 22, 2022, at 10 a.m., for the receipt of public witness testimony.
- An evidentiary hearing will be held on August 23, 2022, at 10 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 or Hearing Examiner's Ruling.
- Further information about this case is available on the Commission website at: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).

On February 28, 2022, pursuant to § 56-585.1 A 5 e of the Code of Virginia ("Code"), Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion" or "Company") filed a petition ("Petition") with the State Corporation Commission ("Commission") for an annual update with respect to its coal combustion residuals ("CCR") rate adjustment clause, designated Rider CCR, for the recovery of costs incurred to comply with the requirements of Virginia Senate Bill 1355, codified as Code § 10.1-1402.03.

On October 26, 2021, by its Order Approving Rate Adjustment Clause in Case No. PUR-2021-00045 ("2021 Order"), the Commission approved the Company's request for approval of Rider CCR, for the recovery of costs associated with certain environmental projects involving CCR removal (collectively, "Projects") at the Company's Bremono Power Station, Chesterfield Power Station, Possum Point Power Station, and Chesapeake Energy Center (collectively, "Power Stations").

Dominion states that it is filing this annual update to inform the Commission of the status of the Projects at the Power Stations. Dominion also presents the results of the Class 3 Rail Study the Commission directed the Company to perform in the 2021 Order.

In this proceeding, Dominion asks the Commission to approve Rider CCR for the rate year beginning December 1, 2022 through November 30, 2023 ("Rate Year"). The Company states that the two components of the revenue requirement are the Projected Cost Recovery Factor and the Actual Cost True-Up Factor. The Company requests a Projected Cost Recovery Factor revenue requirement of \$224,086,077, and an Actual Cost True-Up Factor revenue requirement of \$6,876,988. Thus, the Company proposes a total revenue requirement of \$230,963,066 for service rendered during the Rate Year.

For purposes of calculating the revenue requirement in this case, Dominion states that it utilizes a rate of return on common equity of 9.35% for the period subsequent to the Commission's Final Order in Case No. PUR-2021-00058, which was issued on November 18, 2021 ("Triennial Review Final Order"), and an ROE of 9.2% for the period prior to the Triennial Review Final Order, consistent with the ROEs approved by the Commission in Case Nos. PUR-2019-00050 and PUR-2017-00038.

Dominion asserts that it will utilize the same methodology to calculate Rider CCR rates in the instant proceeding as was approved in its previous Rider CCR filing.

Dominion proposes that revised Rider CCR be effective for usage on and after December 1, 2022. If the revised Rider CCR 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 CCR on December 1, 2022, would increase the monthly bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.01.

Interested persons are encouraged to review Dominion's Petition and supporting documents in full for details about 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 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 August 22, 2022, at 10 a.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 August 18, 2022, 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](https://scc.virginia.gov/pages/Webcasting); (ii) by completing and emailing the PDF version of this form to

SCCInfo@scv.virginia.gov; or (iii) by calling (804) 371-9141. This public witness hearing will be webcast at scv.virginia.gov/pages/Webcasting.

On August 23, 2022, at 10 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 or Hearing Examiner's Ruling.

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.

On or before August 22, 2022, any interested person may submit comments on the Petition electronically by following the instructions on the Commission's website: scv.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-2022-00033.

On or before May 31, 2022, 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: scv.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file 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-2022-00033.

On or before June 28, 2022, each respondent may file electronically with the Clerk of the Commission at [scc.virginia.gov/clk/efiling](http://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 file testimony and exhibits electronically may file 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-2022-00033.

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 the Petition and other documents filed in this case may be viewed on the Commission's website at: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).

VIRGINIA ELECTRIC AND POWER COMPANY

(9) 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.

(10) On or before May 10, 2022, the Company shall file proof of the notice and service required by Ordering Paragraphs (8) and (9), 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/](http://scc.virginia.gov/clk/efiling/).

(11) On or before August 22, 2022, any interested person may submit written comments on the Petition by following the instructions found on the Commission's website:

[scc.virginia.gov/casecomments/Submit-Public-Comments](http://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-2022-00033.

(12) On or before May 31, 2022, 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](http://scc.virginia.gov/clk/efiling). Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (11). 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-2022-00033.

(13) Within five (5) 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.

(14) On or before June 28, 2022, each respondent may file with the Clerk of the Commission, at [scc.virginia.gov/clk/efiling](http://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 file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address in Ordering Paragraph (11). 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-2022-00033.

(15) On or before July 19, 2022, 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.

(16) On or before August 2, 2022, 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.

(17) 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 herein, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(18) 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 seven (7) 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.<sup>24</sup> 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.*

(19) Dominion's request to waive in part the requirements under Rule 60 and Rule 90 of the Rate Case Rules with respect to the filing of certain Schedule 46 materials is granted as described herein.

(20) 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.

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<sup>24</sup> The assigned Staff attorney is identified on the Commission's website: [scc.virginia.gov/Case-Information](http://scc.virginia.gov/Case-Information), by clicking "Docket Search," and clicking "Search by Case Information," and entering the case number, PUR-2022-00033, in the appropriate box.