

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, DECEMBER 21, 2020

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PETITION OF

APPALACHIAN POWER COMPANY

CASE NO. PUR-2020-00251

For approval to continue rate adjustment clause,  
the EE-RAC, and for approval of new energy  
efficiency programs pursuant to §§ 56-585.1 A 5 c  
and 56-596.2 of the Code of Virginia

ORDER FOR NOTICE AND HEARING

On November 30, 2020, Appalachian Power Company ("APCo" or "Company"), pursuant to §§ 56-585.1 A 5 and 56-596.2 of the Code of Virginia ("Code") and the Final Order of the State Corporation Commission ("Commission") in Case No. PUR-2019-00122,<sup>1</sup> filed with the Commission its Petition for approval of the continued implementation of a rate adjustment clause – the "EE-RAC" – to recover the costs of its existing portfolio of energy efficiency ("EE") and demand response ("DR") programs, as well as for approval of five new programs and one pilot program and to continue two previously approved programs.<sup>2</sup>

In its Petition, APCo seeks approval to implement five new EE/DR programs and one new EE pilot program and to continue two existing programs. Specifically, the Company requests that the Commission permit it to implement the following proposed programs for a five-year period starting January 2022: (1) Residential Home Energy Report Program;

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<sup>1</sup> *Petition of Appalachian Power Company, For approval to continue rate adjustment clause, the EE-RAC, and for approval of new energy efficiency programs pursuant to §§ 56-585.1 A 5 c and 56-596.2 of the Code of Virginia, Case No. PUR-2019-00122, Doc. Con. Cen. No. 200550013, Order Approving Rate Adjustment Clause (May 21, 2020).*

<sup>2</sup> Supporting testimony and other documents also were filed with the Petition.

(2) Residential Efficient Products Program; (3) Residential Energy Efficiency Kit Program; (4) Residential Home Performance Program; and (5) Business Energy Solutions Program.<sup>3</sup>

APCo also seeks Commission approval of a three-year Volt VAR Optimization Pilot Program.<sup>4</sup>

The Company further requests that the Commission permit it to continue, for an additional five years, the following programs, which the Commission initially approved for a three-year period ending December 31, 2021: (1) Residential Bring Your Own SMART Thermostat Program and (2) Small Business Direct Install Program.<sup>5</sup>

APCo requests approval to continue the EE-RAC for the rate year of July 1, 2021, through June 30, 2022 ("2021 Rate Year"), to recover: (i) 2021 Rate Year costs associated with the Company's EE/DR programs ("Projected Factor"); and (ii) any (over)/under recovery of costs associated with the EE/DR Portfolio as of June 30, 2021 ("True-Up Factor").<sup>6</sup> APCo calculated the margin on operating expenses for the Projected Factor based on a return on common equity ("ROE") of 9.42%, authorized by the Commission in Case No. PUR-2018-00048, but subject to modification based on the Commission's final order in Case No. PUR-2020-00015.<sup>7</sup> The Company proposes a total EE-RAC revenue requirement of \$16,586,746 for the 2021 Rate Year,

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<sup>3</sup> Petition at 4.

<sup>4</sup> *Id.* at 5.

<sup>5</sup> *Id.*

<sup>6</sup> *See id.* at 5-6; Prefiled Direct Testimony of Zachary L. Bacon ("Bacon Direct") at 5-6.

<sup>7</sup> Petition at 6; Bacon Direct at 5. *See Application of Appalachian 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-2018-00048, Doc. Con. Cen. No. 181120212, Final Order (Nov. 7, 2018); *Application of Appalachian Power Company, For a 2020 triennial review of its base rates, terms and conditions pursuant to § 56-585.1 of the Code of Virginia*, Case No. PUR-2020-00015, Doc. Con. Cen. No. 201140127, Final Order (Nov. 24, 2020).

which consists of a Projected Factor in the amount of \$18,359,696, and a True-Up Factor credit of \$1,772,950.<sup>8</sup> APCo is not requesting recovery of lost revenues in this proceeding.<sup>9</sup>

If the proposed EE-RAC for the 2021 Rate Year is approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to the Company, implementation of the proposed EE-RAC would increase the monthly bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.39 or 0.37%.<sup>10</sup> The Company also states that when designing EE-RAC rates, it excluded all customers that have opted out and that have energy demand above one megawatt.<sup>11</sup>

APCo requests a waiver of Rules 20 VAC 5-201-60 ("Rule 60") and 20 VAC 5-201-90 ("Rule 90") of the Rules Governing Utility Rate Applications and Annual Informational Filings ("Rate Case Rules")<sup>12</sup> with respect to Schedule 45.<sup>13</sup> Rule 60 of the Rate Case Rules requires that an application filed pursuant to Code § 56-585.1 A 5 include Schedule 45, "Return on Equity Peer Group Benchmark," with the utility's direct testimony. Rule 90 of the Rate Case Rules states that Schedule 45 must include "documentation supporting the return on equity benchmark proposed pursuant to § 56-585.1 A 2 a and b of the Code . . . ." In support of its request for waiver of Schedule 45, APCo states that the ROE applicable to this Petition already

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<sup>8</sup> Petition at 6; Bacon Direct at 6.

<sup>9</sup> Petition at 6.

<sup>10</sup> *Id.*; Prefiled Direct Testimony of Shane R. Williams at 3.

<sup>11</sup> Petition at 6.

<sup>12</sup> 20 VAC 5-201-10 *et seq.*

<sup>13</sup> Petition at 10.

has been determined in Case No. PUR-2018-00048, and the Company will update the ROE based on the Commission's final order in Case No. PUR-2020-00015.<sup>14</sup>

APCo also requests a waiver of Rule 60 and Rule 90 with respect to certain Schedule 46 materials.<sup>15</sup> Rule 60 requires that an application filed pursuant to Code § 56-585.1 A 6 include Schedule 46, "Projected Rate Adjustment Clause Pursuant to § 56-585.1 A 4, A 5 b, c and d or A 6 of the Code of Virginia," with the utility's direct testimony. Rule 90 states that the Company must "provide all documents, contracts, studies, investigations or correspondence that support projected costs proposed to be recovered via a rate adjustment clause." According to APCo, the supporting documentation responsive to this request is voluminous and designated confidential by the Company.<sup>16</sup> In lieu of physical production, the Company states that it has made available electronic copies of these documents to the Staff of the Commission ("Staff") and will make them available to respondents via an electronic data room established for this proceeding.<sup>17</sup>

In conjunction with the filing of its Petition on November 30, 2020, the Company also filed a Motion for Protective Ruling ("Motion") and a proposed protective ruling that establishes procedures governing the use of confidential information in this proceeding.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; APCo should provide public notice of its Petition; a public hearing should be scheduled for the purpose of receiving testimony and evidence on the Petition; interested persons should have an opportunity to file comments on the Petition or participate as a

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<sup>14</sup> *Id.*

<sup>15</sup> *See id.* at 10-11.

<sup>16</sup> *Id.* at 11.

<sup>17</sup> *Id.*

respondent in this proceeding; and the Commission's Staff should be directed to investigate the Petition and file testimony and exhibits containing its findings and recommendations thereon. We also find that a Hearing Examiner should be assigned to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion and filing a final report containing the Hearing Examiner's findings and recommendations. Additionally, we grant APCo's request to waive the filing of Schedule 45 and to waive the filing of certain Schedule 46 materials in hard copy for purposes of making the Petition complete and commencing this proceeding.

The Commission further takes judicial notice of the ongoing public health emergency related to the spread of the coronavirus, or COVID-19, and the declarations of emergency issued at both the state and federal levels.<sup>18</sup> 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

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<sup>18</sup> See, e.g., Executive Order No. 51, Declaration of a State of Emergency Due to Novel Coronavirus, COVID-19, issued March 12, 2020, by Governor Ralph S. Northam. See also Executive Order No. 53, Temporary Restrictions on Restaurants, Recreational, Entertainment, Gatherings, Non-Essential Retail Businesses, and Closure of K-12 Schools Due to Novel Coronavirus (COVID-19), issued March 23, 2020, by Governor Ralph S. Northam, and Executive Order No. 55, Temporary Stay at Home Order Due to Novel Coronavirus (COVID-19), issued March 30, 2020, by Governor Ralph S. Northam. These and subsequent Executive Orders related to COVID-19 may be found at: <https://www.governor.virginia.gov/executive-actions/>.

<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, Doc. Con. Cen. No. 200330035, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020), extended by Doc. Con. Cen. No. 200520105, 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, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) ("Revised Operating Procedures Order"), extended by Doc. Con. Cen. No. 200520105, 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, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

below, the Commission will, among other things, direct the electronic filing of testimony and pleadings, unless they contain confidential information, and require electronic service on parties to this proceeding.

For clarification, we note that the proposed EE-RAC, if approved, would result in an increase to customer bills. We realize that the current COVID-19 public health crisis has caused devastating economic effects that impact all utility customers. We responded to this economic emergency by, among other actions, suspending for approximately six months customer disconnections from utility service and directing Virginia utilities to offer extended payment plans, without late fees for those who are current on such plans, to protect customers from service disconnections. 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-2020-00251.
- (2) All pleadings 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. For the duration of the COVID-19 emergency, 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>20</sup>

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<sup>20</sup> As noted in the Revised Operating Procedures Order, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may not be processed for an indefinite period of time due to the COVID-19 emergency.

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Commission's 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 Code § 12.1-31 and 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, including ruling on the Company's Motion and filing a final report containing the Hearing Examiner's findings and recommendations.

(5) Due to the ongoing public health emergency related to the spread of the coronavirus, or COVID-19, 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 May 18, 2021, with no witness present in the Commission's courtroom.<sup>21</sup>
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before May 14, 2021, 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>21</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 May 18, 2021, 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) A hearing shall be convened on May 19, 2021, at 10 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means to receive the testimony and evidence of 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 Company's Petition may be obtained by submitting a written request to counsel for the Company, Noelle J. Coates, Esquire, American Electric Power Service Corporation, 3 James Center, 1051 East Cary Street, Suite 1100, Richmond, Virginia 23219, or [njcoates@aep.com](mailto:njcoates@aep.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 January 19, 2021, the Company shall cause the following notice to be published as display advertising (not classified) on one occasion in newspapers of general circulation throughout the Company's service territory in Virginia:



NOTICE TO THE PUBLIC OF A PETITION BY  
APPALACHIAN POWER COMPANY,  
FOR APPROVAL TO CONTINUE  
RATE ADJUSTMENT CLAUSE, THE EE-RAC,  
AND FOR APPROVAL OF NEW ENERGY EFFICIENCY PROGRAMS  
PURSUANT TO  
§§ 56-585.1 A 5 c AND 56-596.2 OF THE CODE OF VIRGINIA  
CASE NO. PUR-2020-00251

- **Appalachian Power Company ("APCo") requests a total of \$16,586,746 for its 2021 EE-RAC. According to APCo, this amount would increase the bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.39.**
- **A Hearing Examiner appointed by the Commission will hear public witness testimony on the case on May 18, 2021, at 10 a.m.; and testimony and evidence of APCo, Staff, and any respondents on May 19, 2021.**
- **Further information about this case is available on the SCC website at: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).**

On November 30, 2020, Appalachian Power Company ("APCo" or "Company"), pursuant to §§ 56-585.1 A 5 and 56-596.2 of the Code of Virginia and the Final Order of the State Corporation Commission ("Commission") in Case No. PUR-2019-00122, filed with the Commission its Petition for approval of the continued implementation of a rate adjustment clause – the "EE-RAC" – to recover the costs of its existing portfolio of energy efficiency ("EE") and demand response ("DR") programs, as well as for approval of five new programs and one pilot program and to continue two previously approved programs.

In its Petition, APCo seeks approval to implement five new EE/DR programs and one new EE pilot program and to continue two existing programs. Specifically, the Company requests that the Commission permit it to implement the following proposed programs for a five-year period starting January 2022: (1) Residential Home Energy Report Program; (2) Residential Efficient Products Program; (3) Residential Energy Efficiency Kit Program; (4) Residential Home Performance Program; and (5) Business Energy Solutions Program. APCo also seeks Commission approval of a three-year Volt VAR Optimization Pilot

Program. The Company further requests that the Commission permit it to continue, for an additional five years, the following programs, which the Commission initially approved for a three-year period ending December 31, 2021: (1) Residential Bring Your Own SMART Thermostat Program and (2) Small Business Direct Install Program.

APCo requests approval to continue the EE-RAC for the rate year of July 1, 2021, through June 30, 2022 ("2021 Rate Year"), to recover: (i) 2021 Rate Year costs associated with the Company's EE/DR programs ("Projected Factor"); and (ii) any (over)/under recovery of costs associated with the EE/DR Portfolio as of June 30, 2021 ("True-Up Factor"). APCo calculated the margin on operating expenses for the Projected Factor based on a return on common equity of 9.42%, authorized by the Commission in Case No. PUR-2018-00048, but subject to modification based on the Commission's final order in Case No. PUR-2020-00015. The Company proposes a total EE-RAC revenue requirement of \$16,586,746 for the 2021 Rate Year, which consists of a Projected Factor in the amount of \$18,359,696, and a True-Up Factor credit of \$1,772,950. APCo is not requesting recovery of lost revenues in this proceeding.

If the proposed EE-RAC for the 2021 Rate Year is approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to the Company, implementation of the proposed EE-RAC would increase the monthly bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.39 or 0.37%. The Company also states that when designing EE-RAC rates, it excluded all customers that have opted out and that have energy demand above one megawatt.

Interested persons are encouraged to review the Petition and supporting documents for the details of 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 emergency related to the spread of the coronavirus, or COVID-19, and the declarations of emergency issued at both

the state and federal levels. 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. For the duration of the COVID-19 emergency, 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 Commission's 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 APCo's Petition. On May 18, 2021, 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 May 14, 2021, 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 emailing the PDF version of this form to [SCCInfo@scc.virginia.gov](mailto:SCCInfo@scc.virginia.gov); or (iii) by calling (804) 371-9141. This public witness hearing will be webcast at [scc.virginia.gov/pages/Webcasting](http://scc.virginia.gov/pages/Webcasting).

On May 19, 2021, 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 Petition and other supporting documents, as well as the Commission's Order for Notice and Hearing, may be obtained by submitting a written request to counsel for the Company, Noelle J. Coates, Esquire, 3 James Center, American Electric Power Service Corporation, 1051 East Cary Street, Suite 1100, Richmond, Virginia 23219, or [njcoates@aep.com](mailto:njcoates@aep.com).

On or before May 12, 2021, any interested person may file comments on the Petition either electronically by following the instructions on the Commission's website: [scc.virginia.gov/casecomments/Submit-Public-Comments](http://scc.virginia.gov/casecomments/Submit-Public-Comments) or by filing such comments with 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-2020-00251.

On or before March 3, 2021, 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: [scc.virginia.gov/clk/efiling](http://scc.virginia.gov/clk/efiling) or at the physical address set forth above. Such notice of participation shall include the email addresses of such parties or their counsel. 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. All filings shall refer to Case No. PUR-2020-00251. For additional information about participation as a respondent, any person or entity should obtain a copy of the Commission's Order for Notice and Hearing.

On or before March 3, 2021, each respondent may file with the Clerk of the Commission, either electronically or at the physical address set forth above, and serve on the Commission's Staff, the Company, and all other respondents, 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. 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-2020-00251.

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 Company's Petition, the Commission's Order for Notice and Hearing, 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).

APPALACHIAN POWER COMPANY

(9) On or before January 19, 2021, the Company shall serve a copy of this Order for Notice and Hearing on the following local officials, to the extent the position exists, in each county, city, and town in which the Company provides service in the Commonwealth of Virginia: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent official) of every city and town; and the county, city, or town attorney. Service shall be made electronically where possible; if electronic service is not possible, service shall be made by either personal delivery or first-class mail to the customary place of business or residence of the person served.<sup>22</sup>

(10) On or before February 17, 2021, the Company shall file with the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, proof of the notice and service required by Ordering Paragraphs (8) and (9), including the name, title, and address of each official served.

(11) On or before May 12, 2021, any interested person may file written comments on the Petition by following the instructions on the Commission's website:

[scc.virginia.gov/casecomments/Submit-Public-Comments](http://scc.virginia.gov/casecomments/Submit-Public-Comments) or by filing such comments with the

<sup>22</sup> See the Commission's April 1, 2020 Order in Case No. CLK-2020-00007. See *supra* n.19.

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-2020-00251.

(12) On or before March 3, 2021, 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: [scc.virginia.gov/clk/efiling](http://scc.virginia.gov/clk/efiling) or at the physical address set forth above. Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to 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-2020-00251.

(13) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon each respondent a copy of the Petition and this Order for Notice and Hearing unless these materials already have been provided to the respondent.

(14) On or before March 3, 2021, each respondent may file with the Clerk of the Commission, either electronically or at the physical address set forth above, and serve on the Staff, the Company, and all other respondents, 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. In all filings, respondents shall comply with the Commission's Rules of Practice, as modified herein, 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-2020-00251.

(15) The Staff shall investigate the Petition. On or before March 31, 2021, the Staff shall file with the Clerk of the Commission, its testimony and exhibits, and each Staff witness's testimony shall include a summary not to exceed one page. The Staff shall serve a copy thereof on counsel to APCo and all respondents.

(16) On or before April 23, 2021, APCo shall file with the Clerk of the Commission: (a) 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; and (b) a summary not to exceed one page of each direct witness's testimony if not previously included therewith. The Company shall simultaneously serve a copy of the testimony and exhibits on the Staff and all respondents.

(17) All 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, 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 to parties 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, 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>23</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) The Company's request for waiver of the requirements of 20 VAC 5-201-60 and 20 VAC 5-201-90 with respect to Schedule 45 and Schedule 46 is granted as set forth in this Order for Notice and Hearing.

(20) This matter is continued.

A COPY hereof shall be sent by the Clerk of the Commission to: Noelle J. Coates, Esquire, American Electric Power Service Corporation, 3 James Center, 1051 East Cary Street, Suite 1100, Richmond, Virginia 23219, [njcoates@aep.com](mailto:njcoates@aep.com); James R. Bacha, Esquire, American Electric Power Service Corporation, 1 Riverside Plaza, Columbus, Ohio 43215, [jrbacha@aep.com](mailto:jrbacha@aep.com); Timothy E. Biller, Esquire, Hunton Andrews Kurth, 951 East Byrd Street, Richmond, Virginia 23219, [tbiller@huntonak.com](mailto:tbiller@huntonak.com); and C. Meade Browder, Jr., Senior Assistant Attorney General, Office of the Attorney General, Division of Consumer Counsel, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219, [MBrowder@oag.state.va.us](mailto:MBrowder@oag.state.va.us).

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<sup>23</sup> The assigned Staff attorney is identified on the Commission's website, [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information), by clicking "Docket Search," then clicking "Search Cases," and entering the case number, PUR-2020-00251, in the appropriate box.