

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, JANUARY 10, 2024

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APPLICATION OF

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VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2023-00217

For approval of its 2023 DSM Update
pursuant to § 56-585.1 A 5 of the Code of Virginia

ORDER FOR NOTICE AND HEARING

On December 11, 2023, Virginia Electric and Power Company ("Dominion" or "Company") made a filing pursuant to § 56-585.1 A 5 of the Code of Virginia ("Code"), the Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Electric Utilities¹ of the State Corporation Commission ("Commission"), the Commission's Rules Governing Utility Promotional Allowances,² the Commission's Rules Governing Cost/Benefit Measures Required for Demand-Side Management Programs,³ the Commission's Rules Governing the Evaluation, Measurement, and Verification of the Effects of Utility-Sponsored Demand-Side Management Programs,⁴ and the directive contained in Ordering Paragraph (4) of the Commission's August 4, 2023 Final Order in Case No. PUR-2022-00210.⁵ Specifically, Dominion filed with the Commission an application requesting: (1) approval to implement new demand-side management programs (individually, "DSM Program" or

¹ 20 VAC 5-204-5 *et seq.* ("Rate Case Rules").

² 20 VAC 5-303-10 *et seq.*

³ 20 VAC 5-304-10 *et seq.*

⁴ 20 VAC 5-318-10 *et seq.*

⁵ *Application of Virginia Electric and Power Company, For approval of its 2022 DSM Update pursuant to § 56-585.1 A 5 of the Code of Virginia*, Case No. PUR-2022-00210, Doc. Con. Cen. No. 230810132, Final Order (Aug. 4, 2023) ("2022 DSM Order").

"programs" and collectively with other DSM Programs, the "DSM Portfolio") as "Phase XII," which includes new DSM Programs to supplement the overall DSM Portfolio;⁶ and (2) approval of an annual update to continue the rate adjustment clauses designated Riders C1A, C2A, and C4A (collectively, the "Application").⁷

In its Application, the Company requests approval to implement the following new DSM Programs as the Company's "Phase XII" programs, which include "energy efficiency" ("EE") and "demand response" ("DR") DSM Programs, as these terms are defined by Code § 56-576:⁸

- Residential New Construction (EE)
- Residential Smart Thermostat Purchase (EE)
- Residential Smart Thermostat (DR)
- Non-residential New Construction (EE)

Dominion requests authorization to operate the Phase XII DSM Programs without predetermined closure dates.⁹

Dominion proposes an aggregate total cost cap for the Phase XII programs in the amount of approximately \$102.4 million.¹⁰ Additionally, the Company requests the ability to exceed the spending cap by no more than 15%.¹¹

⁶ Application at 2.

⁷ *Id.*

⁸ *Id.* at 8.

⁹ *Id.* at 9.

¹⁰ *Id.* at 10.

¹¹ *Id.*

The Company asserts that the total amount of spending proposed in this Application on EE programs, when combined with the Company's prior requests for EE spending since the passage of the 2018 Grid Transformation and Security Act ("GTSA"),¹² consists of a proposal for approximately \$797 million of the required \$870 million, excluding any amount of projected lost revenues.¹³ Further, the Company asserts that the total amount of spending proposed in this Application on EE programs targeting low-income individuals, when combined with the Company's prior requests for EE spending since the passage of the GTSA and the Virginia Clean Economy Act,¹⁴ consists of a proposal for approximately \$110 million of the proposed \$797 million, excluding any amount of projected lost revenues.¹⁵

Additionally, Dominion proposes modifications to existing DSM Phase VIII Programs, including updated eligibility requirements for the Phase VIII Small Business Improvement Enhanced Program. Specifically, the Company proposes to remove the locations cap that limits the Phase VIII Small Business Improvement Enhanced Program participation to privately-owned businesses with five or fewer qualifying locations within the Company's service territory.¹⁶ In addition, Dominion proposes additional program measure offerings for the Phase VIII Non-residential Energy Efficiency Midstream Program.¹⁷

¹² 2018 Va. Acts ch. 296.

¹³ Direct Testimony of Jarvis E. Bates ("Bates Direct") at 9.

¹⁴ 2020 Va. Acts chs. 1193, 1194.

¹⁵ Bates Direct at 10.

¹⁶ Application at 10-11.

¹⁷ *Id.* at 11.

The Company seeks Commission approval of the use of the gross savings metric to measure the Company's actual and projected compliance or noncompliance with the total energy savings requirements of Code § 56-596.2.¹⁸ Contemporaneously with the Application, the Company filed a legal memorandum addressing this issue ("Legal Memorandum").

Further, the Company asserts that the DSM Phase II Non-residential Distribution Generation Program is no longer cost effective and proposes to explore options to wind down the program.¹⁹

The Company requests, through revised Riders C1A, C2A, and C4A, recovery of projected costs for September 1, 2024 through August 31, 2025 ("2024 Rate Year") associated with the Phases II through XII programs.²⁰

The two key components of the proposed Riders C1A, C2A, and C4A are the Projected Revenue Requirement, which incorporates operating expenses for all programs and capital costs (including amortization expense related to the Phase X - Voltage Optimization Program) that are projected to be incurred during the 2024 Rate Year, and a Monthly True-up Adjustment, which compares actual costs for the calendar year 2022 True-up period to the actual revenues collected during the same period.²¹ In the Application, Dominion requests the following:²²

¹⁸ *Id.* at 11.

¹⁹ *Id.* at 11-12.

²⁰ *See* Case Nos. PUE-2011-00093, PUE-2013-00072, PUE-2014-00071, PUE-2015-00089, PUE-2016-00111, PUR-2018-00168, PUR-2019-00201, PUR-2020-00274, and PUR-2021-00247.

²¹ Direct Testimony of Justin A. Wooldridge at 5-6.

²² Application at 15.

Rider	Total Revenue Requirement	Projected Revenue Requirement	Monthly True-up Adjustment
C1A	\$7,875,404	\$9,870,090	(\$1,994,686)
C2A	(\$1,934,282)	(\$56,946)	(\$1,877,336)
C4A	\$86,681,623	\$106,743,020	(\$20,061,397)
Combined	\$92,622,744		

If the proposed Riders C1A, C2A, and C4A for the 2024 Rate Year are approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to the Company, implementation of the proposed Riders C1A, C2A, and C4A on September 1, 2024, would decrease the monthly bill of a residential customer using 1,000 kilowatt-hours of electricity per month by \$0.16.²³ The Company represents that it has calculated the revised Riders C1A, C2A, and C4A rates in accordance with the same methodology approved in the 2022 DSM Order.²⁴

Dominion states that the Company has complied with the Commission directives and filing requirements relevant to this instant filing, specifically the Commission's directives in its Final Order in the Company's Evaluation, Measurement, and Verification ("EM&V") proceeding, Case No. PUR-2020-00156.²⁵ ²⁶ The Company requests Commission approval of Phase XII Program EM&V Plans.²⁷

²³ Application at 16.

²⁴ Direct Testimony of Emilia L. Catron at 3.

²⁵ See *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: In the matter of baseline determination, methodologies for evaluation, measurement, and verification of existing demand-side management programs, and the consideration of a standardized presentation of summary data for Virginia Electric and Power Company*, Case No. PUR-2020-00156, 2021 S.C.C. Ann. Rept. 260, Final Order (Oct. 27, 2021).

²⁶ Application at 6; Direct Testimony of Dan Feng ("Feng Direct") at 3-4.

²⁷ Application at 21. See Feng Direct at Appendix B for the Phase XII EM&V Plans for Dominion.

The Company also requests a waiver, in part, of the requirements of 20 VAC 5-204-60 ("Rule 60") and 20 VAC 5-204-90 ("Rule 90") of the Rate Case Rules with respect to paper copies of certain Filing Schedule 46 materials.²⁸ The Company states that the documentation responsive to the requirement in the Rate Case Rules that the Company provide key documents, including economic analyses, contracts, studies, investigations, results from requests for proposals, and cost benefit analyses that support projected costs proposed to be recovered via the rate adjustment clause "is voluminous and not easily reviewed in hard copy (paper) format."²⁹ The Company proposes instead to provide such documentation to the Staff of the Commission ("Staff") and any other future case participants in electronic format and provide the Commission with one hard copy and three electronic copies on compact discs.³⁰ The Company states that it will make the electronic documents available via an e-room contemporaneously with this filing, with immediate access available to Staff.³¹

Finally, in conjunction with the filing of its Application on December 11, 2023, the Company filed the Motion of Virginia Electric and Power Company for Entry of a Protective Ruling and Additional Protective Treatment ("Motion for Protective Ruling") and a proposed protective ruling that establishes procedures governing the use of Confidential and Extraordinarily Sensitive Information in this proceeding.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that Dominion should provide public notice of its Application; a public hearing should be

²⁸ Application at 18.

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

scheduled for the purpose of receiving testimony and evidence on the Application; interested persons should have an opportunity to file comments on the Application or participate as a respondent in this proceeding; and Staff should be directed to investigate the Application 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 for Protective Ruling and filing a final report containing the Hearing Examiner's findings and recommendations. Additionally, 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 paper copies of certain documentation required by Schedule 46 for purposes of making the Application complete and commencing this proceeding.

To promote administrative efficiency and timely service of filings upon participants, 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.

Accordingly, IT IS ORDERED THAT:

(1) This matter hereby is docketed and assigned Case No. PUR-2023-00217.

(2) All pleadings 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").³² 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

³² 5 VAC 5-20-10 *et seq.*

submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and 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 Staff is impeded from preparing its case.

(4) As provided by Code § 12.1-31 and Rule 5 VAC 5-20-120, *Procedure before hearing examiners*, of the 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 for Protective Ruling, and to file a final report. 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.³³

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

- (a) The portion of the hearing for the receipt of testimony from public witnesses on the Application shall be convened telephonically at 10 a.m. on May 21, 2024.
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.

³³ Such electronic copies shall be sent to oheparalegals@scc.virginia.gov.

- (c) On or before May 15, 2024, 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 Hearing Examiner 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; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.
- (d) Beginning at 10 a.m. on May 21, 2024, the Hearing Examiner will telephone sequentially each person who has signed up to testify as provided above.
- (e) This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

(6) The evidentiary portion of the hearing on the Application shall be convened at 10 a.m. on May 21, 2024, or at the conclusion of the public witness portion of the hearing, whichever is later, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive the testimony and evidence of the Company, any respondents, and Staff.

(7) An electronic copy of the Company's Application may be obtained by submitting a written request to counsel for the Company, Vishwa B. Link, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or vlink@mcguirewoods.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

(8) On or before February 19, 2024, 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 in Virginia:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
VIRGINIA ELECTRIC AND POWER COMPANY
FOR APPROVAL OF ITS 2023 DSM UPDATE
PURSUANT TO § 56-585.1 A 5 OF THE CODE OF VIRGINIA
CASE NO. PUR-2023-00217

- Virginia Electric and Power Company ("Dominion") has applied for approval to: implement new demand-side management ("DSM") programs, which includes new programs to supplement the overall DSM Portfolio, as well as associated requests for additional funding; to expand the eligibility for a previously-approved DSM program; and to revise its Riders C1A, C2A, and C4A, through which Dominion recovers the costs of its DSM programs.
- Dominion requests a total of \$92,622,744 for its 2024 Riders C1A, C2A, and C4A. According to Dominion, this amount would decrease the bill of a residential customer using 1,000 kilowatt-hours of electricity per month by \$0.16.
- A Hearing Examiner appointed by the Commission will hold the telephonic portion of the hearing in this case on May 21, 2024, at 10 a.m., for the receipt of public witness testimony.
- An evidentiary hearing will be held on May 21, 2024, at 10 a.m., or at the conclusion of the public witness portion of the hearing, whichever is later, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219.
- Further information about this case is available on the Commission's website at:
scc.virginia.gov/pages/Case-Information

On December 11, 2023, Virginia Electric and Power Company ("Dominion" or "Company") made a filing pursuant to § 56-585.1 A 5 of the Code of Virginia ("Code"), the Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Electric Utilities of the State

Corporation Commission ("Commission"), the Commission's Rules Governing Utility Promotional Allowances, the Commission's Rules Governing Cost/Benefit Measures Required for Demand-Side Management Programs, the Commission's Rules Governing the Evaluation, Measurement, and Verification of the Effects of Utility-Sponsored Demand-Side Management Programs, and the directive contained in Ordering Paragraph (4) of the Commission's August 4, 2023 Final Order in Case No. PUR-2022-00210. Specifically, Dominion filed with the Commission an application requesting: (1) approval to implement new demand-side management programs (individually, "DSM Program" or "programs" and collectively with other DSM Programs, the "DSM Portfolio") as "Phase XII," which includes new DSM Programs to supplement the overall DSM Portfolio; and (2) approval of an annual update to continue the rate adjustment clauses designated Riders C1A, C2A, and C4A (collectively, the "Application").

In its Application, the Company requests approval to implement the following new DSM Programs as the Company's "Phase XII" programs, which include "energy efficiency" ("EE") and "demand response" ("DR") DSM Programs, as these terms are defined by Code § 56-576:

- Residential New Construction (EE)
- Residential Smart Thermostat Purchase (EE)
- Residential Smart Thermostat (DR)
- Non-residential New Construction (EE)

Dominion requests authorization to operate the Phase XII DSM Programs without predetermined closure dates. Dominion proposes an aggregate total cost cap for the Phase XII programs in the amount of approximately \$102.4 million. Additionally, the Company requests the ability to exceed the spending cap by no more than 15%.

The Company asserts that the total amount of spending proposed in this Application on EE programs, when combined with the Company's prior requests for EE spending since the passage of the 2018 Grid Transformation and Security Act ("GTSA"), consists of a proposal for approximately \$797 million of the required \$870 million, excluding any amount of projected lost revenues. Further, the Company asserts that the total amount of spending proposed in this Application on EE programs targeting low-income individuals, when combined with the Company's prior requests for EE spending since the passage of the GTSA and the

Virginia Clean Economy Act, consists of a proposal for approximately \$110 million of the proposed \$797 million, excluding any amount of projected lost revenues.

Additionally, Dominion proposes modifications to existing DSM Phase VIII Programs, including updated eligibility requirements for the Phase VIII Small Business Improvement Enhanced Program. Specifically, the Company proposes to remove the locations cap that limits the Phase VIII Small Business Improvement Enhanced Program participation to privately-owned businesses with five or fewer qualifying locations within the Company's service territory. In addition, Dominion proposes additional program measure offerings for the Phase VIII Non-residential Energy Efficiency Midstream Program.

The Company seeks Commission approval of the use of the gross savings metric to measure the Company's actual and projected compliance or noncompliance with the total energy savings requirements of Code § 56-596.2.

Further, the Company asserts that the DSM Phase II Non-residential Distribution Generation Program is no longer cost effective and proposes to explore options to wind down the program.

The Company requests, through revised Riders C1A, C2A, and C4A, recovery of projected costs for September 1, 2024 through August 31, 2025 ("2024 Rate Year") associated with the Phases II through XII programs.

The two key components of the proposed Riders C1A, C2A, and C4A are the Projected Revenue Requirement, which incorporates operating expenses for all programs and capital costs (including amortization expense related to the Phase X - Voltage Optimization Program) that are projected to be incurred during the 2024 Rate Year, and a Monthly True-up Adjustment, which compares actual costs for the calendar year 2022 True-up period to the actual revenues collected during the same period. In the Application, Dominion requests the following:

Rider	Total Revenue Requirement	Projected Revenue Requirement	Monthly True-up Adjustment
C1A	\$7,875,404	\$9,870,090	(\$1,994,686)
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C4A	\$86,681,623	\$106,743,020	(\$20,061,397)
Combined	\$92,622,744		

If the proposed Riders C1A, C2A, and C4A for the 2024 Rate Year are approved, the impact on customer bills would depend on the customer's rate schedule and usage. According to the Company, implementation of the proposed Riders C1A, C2A, and C4A on September 1, 2024, would decrease the monthly bill of a residential customer using 1,000 kilowatt-hours of electricity per month by \$0.16. The Company represents that it has calculated the revised Riders C1A, C2A, and C4A rates in accordance with the same methodology approved in the 2022 DSM Order.

Dominion states that the Company has complied with the Commission directives and filing requirements relevant to this instant filing, specifically the Commission's directives in its Final Order in the Company's Evaluation, Measurement, and Verification ("EM&V") proceeding, Case No. PUR-2020-00156. The Company requests Commission approval of Phase XII Program EM&V Plans.

Interested persons are encouraged to review the Application 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 Application and supporting documents and thus may adopt rates that differ from those appearing in the Company's Application and supporting documents.

The Commission entered an Order for Notice and Hearing that, among other things, scheduled public hearings on Dominion's Application. On May 21, 2024, at 10 a.m., the Hearing Examiner will hold a telephonic hearing for the purpose of receiving the testimony of public witnesses. On or before May 15, 2024, 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 Hearing Examiner 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; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141. This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

Beginning at 10 a.m. on May 21, 2024, the Hearing Examiner will telephone sequentially each person who has signed up to testify as provided above.

On May 21, 2024, at 10 a.m., or at the conclusion of the public witness portion of the hearing, whichever is later, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, the Hearing Examiner will convene a hearing to receive testimony and evidence from the Company, any respondents, and Staff on the Company's Application.

To promote administrative efficiency and timely service of filings upon participants, the Commission has directed the electronic filing of testimony and pleadings, unless they contain confidential information, and required electronic service on parties to this proceeding.

An electronic copy of the public version of the Company's Application may be obtained by submitting a written request to counsel for the Company, Vishwa B. Link, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or vlink@mcguirewoods.com.

On or before May 14, 2024, any interested person may submit comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such 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-2023-00217.

On or before March 19, 2024, 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. 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. 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 Rule 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2023-00217.

On or before March 26, 2024, each respondent may file with the Clerk of the Commission, at 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 listed above. Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on Staff, the Company, and all other respondents simultaneous with its filing. In all filings, respondents 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-2023-00217.

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 public version of the Company's Application and other documents filed in this case, the Commission's Rules of Practice, and the Commission's Order for Notice and Hearing may be viewed at: 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 March 11, 2024, 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 Commission at scc.virginia.gov/clk/efiling/.

(11) On or before May 14, 2024, any interested person may submit comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such 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-2023-00217.

(12) On or before March 19, 2024, 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. 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 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-2023-00217.

(13) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of the public version of the Application and supporting materials, unless these materials already have been provided to the respondent.

(14) On or before March 26, 2024, each respondent may file with the Clerk of the Commission, at 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 listed 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 Staff, the Company, and all other respondents simultaneous with its filing. In all filings, respondents shall comply with the 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-2023-00217.

(15) Staff shall investigate the Application. On or before April 9, 2024, 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. Staff shall serve a copy thereof on counsel to the Company and all respondents.

(16) On or before April 23, 2024, 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 its rebuttal testimony and exhibits on Staff and all respondents.

(17) On or before April 9, 2024, Staff shall, and any respondent may, file a response to the Company's Legal Memorandum. A copy of such response shall be served upon all case participants simultaneous with its filing.

(18) 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 Rules of Practice.

(19) 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 five (5) business 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 Staff.³⁴ Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(20) 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.

(21) This matter is continued.

³⁴ The assigned Staff attorney is identified on the Commission's website, scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2023-00217, in the appropriate box.

Commissioner James C. Dimitri participated in this matter.

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.