

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, DECEMBER 14, 2023

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APPLICATION OF  
VIRGINIA-AMERICAN WATER COMPANY

CASE NO. PUR-2023-00194

For a general increase in rates

ORDER FOR NOTICE AND HEARING

On November 1, 2023, Virginia-American Water Company ("Virginia-American" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for a general increase in rates.<sup>1</sup> The Company filed its Application pursuant to Chapter 10 of Title 56 of the Code of Virginia ("Code")<sup>2</sup> and the Commission's Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-owned Gas and Water Utilities.<sup>3</sup> Virginia-American also filed a Motion for Protective Ruling in accordance with 5 VAC 5-20-170 of the Commission's Rules of Practice and Procedure ("Rules of Practice").<sup>4</sup>

The Company requests authority to increase its rates to produce additional annual jurisdictional sales revenues of \$19.7 million, a 30.16% increase over present pro forma revenues.<sup>5</sup> Virginia-American states that this increase includes an annual water service rate increase of \$15.2 million, or 29.00%, and a wastewater service rate increase of \$4.5 million, or

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<sup>1</sup> A memorandum of completeness was filed on November 27, 2023, finding the Application complete as of November 20, 2023.

<sup>2</sup> Code § 56-232 *et seq.*

<sup>3</sup> 20 VAC 5-201-10 *et seq.*

<sup>4</sup> 5 VAC 5-20-10 *et seq.*

<sup>5</sup> Application at 2.

34.88%.<sup>6</sup> The Company indicates that this rate request is based on a 10.95% proposed return on common equity.<sup>7</sup> A list of the Company's proposed rates is included in the notice section of this Order.

In its Application, Virginia-American proposes to complete its third and final phase of the rate consolidation that moves the Company's district-specific rates for water service to a consolidated statewide single tariff pricing ("STP") rate structure over the course of three general rate cases.<sup>8</sup> The Company states that its proposal recovers each class's revenue requirement through a single set of statewide minimum service charge rates and through volumetric rates that are specific to each rate class.<sup>9</sup> Virginia-American proposes that its consolidated base rates be effective on and after May 1, 2024, on an interim basis and subject to refund, and proposes that the final phase of consolidating the Company's Purchase Water Surcharge ("PWS") occur at the PWS's next rate change following the issuance of a final order in this proceeding, as the PWS<sup>10</sup> adjusts biannually on the first of January and June.<sup>10</sup>

The Company further requests that the Commission approve consolidated service connection fees across the Company's service territories.<sup>11</sup> Specifically, Virginia-American is proposing a consolidated \$2,000 service connection fee for 3/4" service lines.<sup>12</sup>

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<sup>6</sup> *Id.*

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

<sup>8</sup> *Id.* at 3-4.

<sup>9</sup> *Id.* at 4.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at 5.

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

Virginia-American states that it does not propose implementing the consolidated fee until after a final order is issued in this proceeding approving a final service connection fee and will continue to apply its current service connection fees during the period interim rates are in effect.<sup>13</sup>

The Company proposes a revenue decoupling mechanism ("RDM") that it states is an alternative rate design mechanism that will function as an automatic rate adjustment clause.<sup>14</sup> Virginia-American states that the RDM compares the revenues collected under the traditional customer-facing rate design with the revenues that would have been collected through a straight fixed variable pricing rate design on a forward-looking basis and accrues the differences to be either credited to customers or collected from customers at a later time.<sup>15</sup> The Company further states that it would make a filing with the Commission on or before January 31 each year, and Commission Staff ("Staff") and other parties would have 60 days to review any necessary reconciliation amount that would then be charged from April 1 through December 31 of that calendar year under the proposed RDM tariff.<sup>16</sup> The Company proposes the RDM become effective after a final order in this proceeding approving the RDM.<sup>17</sup>

Virginia-American also proposes a universal affordability tariff for water and wastewater service that would provide discounts both to the basic meter charge and to the volumetric charges on participating customers' bills whose bills for Basic Water Service are expected to

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

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

<sup>15</sup> *Id.*

<sup>16</sup> *Id.* at 5-6.

<sup>17</sup> *Id.* at 6.

exceed 2% of household income.<sup>18</sup> Should the Commission approve the proposed universal affordability tariff, the Company requests that the final approved residential volumetric rates in this proceeding be calculated to incorporate recovery from non-participating customers of the amount of discounts provided based on an assumed 10% participation.<sup>19</sup> Virginia-American further requests that it be permitted to defer the difference between the assumed discount incorporated into final rates and the actual discount provided, and the Company states that any deferred amounts would be reconciled annually and recovered or credited to customers through the Company's proposed RDM tariff.<sup>20</sup> The Company also requests authority to defer the actual administrative costs, which the Company states will vary based on actual participation in the tariff.<sup>21</sup>

In addition, the Company proposes to include electronic payment fees charged by the Company's third-party payment processor in the Company's cost of service.<sup>22</sup> Virginia-American states that if approved by the Commission, customers would not be required to pay these third-party fees in order to pay their bills from the Company.<sup>23</sup>

Virginia-American states that it completed the acquisition of the water system of the Town of Waverly ("Waverly System") on May 17, 2022.<sup>24</sup> The Company now proposes to

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

<sup>19</sup> *Id.* at 7.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.* at 8.

establish a new rate schedule for service to customers served by the Waverly System effective June 1, 2024.<sup>25</sup> The Company further proposes that the rates for the Waverly System be gradually adjusted over the course of two rate cases, with the first adjustment occurring in this proceeding, to transition into the statewide STP structure.<sup>26</sup>

Virginia-American states that it completed the acquisition of the assets of E.L. Goddard, Inc. ("Goddard Systems"), on August 2, 2023.<sup>27</sup> The Company proposes to move the rates in the Goddard Systems, which is part of the Company's Eastern District, to align with its statewide tariff proposed in this Application.<sup>28</sup>

The Company states that on June 27, 2023, it filed a petition ("Cape Charles Petition") seeking authority from the Commission to acquire the water and wastewater systems of the Town of Cape Charles ("Cape Charles Systems").<sup>29</sup> Virginia-American states that if the Cape Charles Petition is approved, the Company proposes the water rates for the Cape Charles Systems be consolidated with the Company's statewide STP rates and the wastewater rates for the Cape Charles Systems be consolidated with the Prince William wastewater rates.<sup>30</sup> The Company further proposes that at the time it closes on the acquisition of the Cape Charles Systems, the existing Cape Charles rates be made interim and then adjusted following a final

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<sup>25</sup> *Id.* at 8-9.

<sup>26</sup> *Id.* at 9.

<sup>27</sup> Direct Testimony of Charles J. Piekanski at 3 n.3; *see* Application at 9.

<sup>28</sup> Application at 9.

<sup>29</sup> *Id.* at 9-10. *See Petition of Virginia-American Water Company, For authority to acquire utility assets at fair market value pursuant to the Utility Transfers Act, Va. Code § 56-88 et seq. and 20 VAC 5-210-10 et seq., and for a Certificate of Public Convenience and Necessity pursuant to the Utilities Facilities Act, Va. Code § 56-265.3, Case No. PUR-2023-00016, Doc. Con. Cen. No. 230760097, Order for Notice and Hearing (July 31, 2023).*

<sup>30</sup> Application at 10.

order in this proceeding, with the difference between the existing Cape Charles rates and the final rates approved in this proceeding being refunded to customers with interest.<sup>31</sup>

NOW THE COMMISSION, having considered this matter, is of the opinion and finds that Virginia-American should provide notice of its Application; a public hearing should be scheduled for the purpose of receiving testimony and evidence on the Application as well as public witness testimony; interested persons and the public should have an opportunity to file comments on the Application or participate as respondents in this proceeding; and the Staff should be directed to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon. We further find that a Hearing Examiner should be appointed to conduct further proceedings in this matter on behalf of the Commission, including ruling on Virginia-American's Motion for Protective Ruling and filing a final report.

We note that the proposed revenue requirement, if approved, would result in an increase to customer bills. Pursuant to Code § 56-238, the Commission suspends Virginia-American's proposed rates for a period of 180 days, the maximum allowed by law. In so doing, the Commission notes its awareness of the economic pressures that are impacting all utility customers. The Company may, but is not required to, implement the proposed rate increase on and after May 18, 2024, on an interim basis and subject to refund with interest. The Company shall not implement the proposed consolidated service connection fee, the RDM or the universal affordability tariff on an interim basis.

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

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<sup>31</sup> *Id.*

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

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2023-00194.

(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. 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.

(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 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 Rules of Practice, a Hearing Examiner is appointed to conduct further proceedings in this matter on behalf of the Commission, including ruling on Virginia-American's Motion for Protective Order, 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.<sup>32</sup>

(5) Pursuant to Code § 56-238, Virginia-American may, but is not required to, implement its proposed rates on an interim basis, subject to refund with interest, for service rendered on and after May 18, 2024. The Company shall not implement the proposed consolidated service connection fee, the RDM or the universal affordability tariff on an interim basis.

(6) On or before March 18, 2024, Virginia-American shall file a bond with the Commission in the amount of \$19.7 million payable to the Commission and conditioned to ensure the prompt refund by the Company to those entitled thereto of all amounts the Company shall collect in excess of such rates and charges as the Commission may finally fix and determine.

(7) 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 on September 24, 2024.
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before September 18, 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 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.

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<sup>32</sup> Such electronic copies shall be sent to: [OHEParalegals@scc.virginia.gov](mailto:OHEParalegals@scc.virginia.gov).



- (d) Beginning at 10 a.m. on September 24, 2024, the Hearing Examiner appointed to this case will telephone sequentially each person who has signed up to testify as provided above.
- (e) This public witness portion of the hearing will be webcast at [scc.virginia.gov/pages/Webcasting](http://scc.virginia.gov/pages/Webcasting).

(8) The evidentiary portion of the hearing shall be convened at 10 a.m., on September 24, 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 testimony and evidence of Virginia-American, any respondents, and Staff on the Application.

(9) An electronic copy of the public version of the Application may be obtained by submitting a written request to counsel for the Company: Timothy E. Biller, Esquire, Andrea D. Gardner, Esquire, and C. Dixon Wallace III, Esquire, Hunton Andrews Kurth LLP, Riverfront Plaza, 951 East Byrd Street, Richmond, Virginia, 23219, or [tbiller@huntonak.com](mailto:tbiller@huntonak.com), [agardner@huntonak.com](mailto:agardner@huntonak.com), and [cwallace@huntonak.com](mailto:cwallace@huntonak.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).

(10) On or before January 19, 2024, Virginia-American 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 Virginia service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION BY  
VIRGINIA-AMERICAN WATER COMPANY,  
FOR A GENERAL INCREASE IN RATES  
CASE NO. PUR-2023-00194

On November 1, 2023, Virginia-American Water Company ("Virginia-American" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for a general increase in rates. The Company filed its Application pursuant to Chapter 10 of Title 56 of the Code of Virginia ("Code") and the Commission's Rules Governing Utility

Rate Applications and Annual Informational Filings of  
Investor-owned Gas and Water Utilities.

The Company requests authority to increase its rates to produce additional annual jurisdictional sales revenues of \$19.7 million, a 30.16% increase over present pro forma revenues. Virginia-American states that this increase includes an annual water service rate increase of \$15.2 million, or 29.00%, and a wastewater service rate increase of \$4.5 million, or 34.88%. The Company indicates that this rate request is based on a 10.95% proposed return on common equity.

The rates proposed for water and wastewater service in this Application are as follows:

**General Metered Water Service, effective on and after May 18, 2024 (Applicable to Alexandria, Prince William Water, Hopewell, and Eastern (including Goddard Systems) Districts):**

Minimum Service Rates	
Meter Size	Proposed Rates
5/8"	\$18.00
3/4"	\$27.00
1"	\$45.00
1 1/2"	\$75.00
2"	\$120.00
3"	\$225.00
4"	\$375.00
6"	\$750.00
8"	\$1,200.00
10"	\$1,650.00
12"	\$3,225.00
16"	\$6,870.00

Potable Volumetric Rates Per 100 Gallons		
Class	Rate Block	Proposed Rates
Residential	First 2,000 GPM	-
Residential	Over 2,000 GPM	\$1.07710
Commercial	First 2,000 GPM	-
Commercial	Over 2,000 GPM	\$0.50170
Industrial Potable	First 2,000 GPM	-
Industrial Potable	Next 13,000 GPM	\$1.06540
Industrial Potable	Next 2,229,000 GPM	\$0.75420
Industrial Potable	Next 5,236,000 GPM	\$0.44160
Industrial Potable	Next 37,400,000 GPM	\$0.16010
Industrial Potable	Over 44,880,000 GPM	\$0.23230

Non-Potable Volumetric Rates Per 100 Gallons		
Class	Rate Block	Proposed Rates
Small	First 7,480,000 GPM	\$0.26320
Small	Over 7,480,000 GPM	\$0.20540
Large	First 7,480,000 GPM	\$0.21550
Large	Over 7,480,000 GPM	\$0.17770

**Wastewater, effective on and after May 18, 2024 (Applicable to Prince William Wastewater District):**

Minimum Service Rates	
Meter Size	Proposed Rates
5/8"	\$25.00
3/4"	\$38.00
1"	\$63.00
1 1/2"	\$125.00
2"	\$200.00
3"	\$375.00
4"	\$625.00
Unmetered	\$50.00

Volumetric Rates Per 100 Gallons	
Rate Block	Proposed Rates
First 2,000 GPM	-
Over 2,000 GPM	\$1.01210

**Water service in and around the Town of Waverly, effective on and after June 1, 2024:**

Minimum Service Rates	
Meter Size	Proposed Rates
5/8"	\$18.00
3/4"	\$27.00
1"	\$45.00
1 1/2"	\$75.00
2"	\$120.00
3"	\$225.00
4"	\$375.00
6"	\$750.00
8"	\$1,200.00
10"	\$1,650.00
12"	\$3,225.00
16"	\$6,870.00

Volumetric Rates Per 100 Gallons		
Class	Rate Block	Proposed Rates
Residential	First 2,000 GPM	-
Residential	Over 2,000 GPM	\$0.60660
Commercial	First 2,000 GPM	-
Commercial	Over 2,000 GPM	\$0.37390

In its Application, Virginia-American proposes to complete its third and final phase of the rate consolidation that moves the Company's district-specific rates for water service to a consolidated statewide single tariff pricing ("STP") rate structure over the course of three general rate cases. The Company states that its proposal recovers each class's revenue requirement through a single set of statewide minimum service charge rates and through volumetric rates that are specific to each rate class. Virginia-American proposes that the final phase of consolidating the Company's Purchase Water Surcharge ("PWS") occur at the PWS's next rate change following the issuance of a final order in this proceeding, as the PWS adjusts biannually on the first of January and June.

The Company further requests that the Commission approve consolidated service connection fees across the Company's service territories. Specifically, Virginia-American is proposing a consolidated \$2,000 service connection fee for 3/4" service lines. Virginia-American states that it does not propose

implementing the consolidated fee until after a final order is issued in this proceeding approving a final service connection fee and will continue to apply its current service connection fees during the period interim rates are in effect.

The Company proposes a revenue decoupling mechanism ("RDM") that it states is an alternative rate design mechanism that will function as an automatic rate adjustment clause. Virginia-American states that the RDM compares the revenues collected under the traditional customer-facing rate design with the revenues that would have been collected through a straight fixed variable pricing rate design on a forward-looking basis and accrues the differences to be either credited to customers or collected from customers at a later time. The Company further states that it would make a filing with the Commission on or before January 31 each year, and Commission Staff ("Staff") and other parties would have 60 days to review any necessary reconciliation amount that would then be charged from April 1 through December 31 of that calendar year under the proposed RDM tariff. The Company proposes the RDM become effective after a final order in this proceeding approving the RDM.

Virginia-American also proposes a universal affordability tariff for water and wastewater service that would provide discounts both to the basic meter charge and to the volumetric charges on participating customers' bills whose bills for Basic Water Service are expected to exceed 2% of household income. Should the Commission approve the proposed universal affordability tariff, the Company requests that the final approved residential volumetric rates in this proceeding be calculated to incorporate recovery from non-participating customers of the amount of discounts provided based on an assumed 10% participation. Virginia-American further requests that it be permitted to defer the difference between the assumed discount incorporated into final rates and the actual discount provided, and the Company states that any deferred amounts would be reconciled annually and recovered or credited to customers through the Company's proposed RDM tariff. The Company also requests authority to defer the actual administrative costs, which the Company states will vary based on actual participation in the tariff.

In addition, the Company proposes to include electronic payment fees charged by the Company's third-party payment processor in the Company's cost of service. Virginia-American states that if approved by the Commission, customers would not be

required to pay these third-party fees in order to pay their bills from the Company.

Virginia-American states that it completed the acquisition of the water system of the Town of Waverly ("Waverly System") on May 17, 2022. The Company now proposes to establish a new rate schedule for service to customers served by the Waverly System effective June 1, 2024. The Company further proposes that the rates for the Waverly System be gradually adjusted over the course of two rate cases, with the first adjustment occurring in this proceeding, to transition into the statewide STP structure.

Virginia-American states that it completed the acquisition of the assets of E.L. Goddard, Inc. ("Goddard Systems"), on August 2, 2023. The Company proposes to move the rates in the Goddard Systems, which is part of the Company's Eastern District, to align with its statewide tariff proposed in this Application.

The Company states that on June 27, 2023, it filed a petition ("Cape Charles Petition") seeking authority from the Commission to acquire the water and wastewater systems of the Town of Cape Charles ("Cape Charles Systems"). Virginia-American states that if the Cape Charles Petition is approved, the Company proposes the water rates for the Cape Charles Systems be consolidated with the Company's statewide STP rates and the wastewater rates for the Cape Charles Systems be consolidated with the Prince William wastewater rates. The Company further proposes that at the time it closes on the acquisition of the Cape Charles Systems, the existing Cape Charles rates be made interim and then adjusted following a final order in this proceeding, with the difference between the existing Cape Charles rates and the final rates approved in this proceeding being refunded to customers with interest.

The details of these and other proposals are set forth in the Company's Application. Interested persons are encouraged to review the Company's Application, testimony and supporting exhibits for the details of these proposals.

TAKE NOTICE that the Commission may adopt rates, charges and/or terms and conditions that differ from those appearing in the Company's Application and supporting documents and may apportion revenues among customer classes and/or design rates in a manner differing from that shown in the Application and supporting documents.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled a public hearing on the Application. The Commission noted that the proposed revenue requirement, if approved, would result in an increase to customer bills. Pursuant to Code § 56-238, the Commission suspended Virginia-American's proposed rates for a period of 180 days, the maximum allowed by law, and permitted Virginia-American to implement the proposed rate increase on an interim basis, subject to refund with interest, on and after May 18, 2024. The Commission did not permit the proposed consolidated service connection fee, the RDM or the universal affordability tariff to be implemented on an interim basis.

On September 24, 2024, at 10 a.m., the Hearing Examiner will hold a telephonic portion of the hearing, for the purpose of receiving the testimony of public witnesses. On or before September 18, 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](https://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 portion of the hearing will be webcast at [scc.virginia.gov/pages/Webcasting](https://scc.virginia.gov/pages/Webcasting).

On September 24, 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 related to the Application from Virginia-American, any respondents, and the Commission's Staff.

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 has required electronic service on parties to this proceeding.

An electronic copy of the public version of the Application may be obtained by submitting a written request to counsel for the Company: Timothy E. Biller, Esquire, Andrea D. Gardner, Esquire, and C. Dixon Wallace III, Esquire, Hunton Andrews

Kurth LLP, Riverfront Plaza, 951 East Byrd Street, Richmond, Virginia, 23219, or [tbiller@huntonak.com](mailto:tbiller@huntonak.com), [agardner@huntonak.com](mailto:agardner@huntonak.com), and [cwallace@huntonak.com](mailto:cwallace@huntonak.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).

On or before September 18, 2024, any interested person may submit comments on the Application 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). Those unable, as a practical matter, to submit comments electronically may file 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-2023-00194.

On or before April 19, 2024, 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). 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. Notices of participation shall include the email address of the party or its counsel. The respondent shall serve a copy of the notice of participation on counsel to Virginia-American. 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-2023-00194.

On or before June 28, 2024, 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. 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 the Commission's Staff, Virginia-American, and all other respondents. 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-2023-00194.

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, the public version of the Application 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-AMERICAN WATER COMPANY

(11) On or before January 19, 2024, Virginia-American shall serve a copy of the notice prescribed in Ordering Paragraph (10) of this Order directly on the Company's customers in accordance with the provisions of Code § 56-237.1 B. Service shall either be made by first-class mail to the customary place of business or residence of the person served or may be included as a prominent and legible bill insert in each customer's respective bill. For those customers who have expressly approved service of bills and other correspondence by electronic means, the notice prescribed in Ordering Paragraph (10) of this Order may be sent electronically.

(12) On or before January 19, 2024, Virginia-American 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 and county attorney of each county, and the mayor or manager (or equivalent official) and city or town attorney of every city and town. 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.

(13) On or before March 22, 2024, Virginia-American shall file proof of the notice and service required by Ordering Paragraphs (10), (11) and (12), including the name, title, and address of each official served, with the Clerk of the Commission by filing electronically at [scc.virginia.gov/clk/efiling](http://scc.virginia.gov/clk/efiling).

(14) On or before September 18, 2024, any interested person may file comments on the Application 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-2023-00194.

(15) On or before April 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](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 (14). Such notice of participation shall include the email addresses of such parties or their counsel. The respondent shall serve a copy of the notice of participation on counsel to Virginia-American. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the 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-2023-00194.

(16) Within five (5) business days of receipt of a notice of participation as a respondent, Virginia-American 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.

(17) On or before June 28, 2024, 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 (14). 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, 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-2023-00194.

(18) Staff shall investigate the Application. On or before August 16, 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 Virginia-American and all respondents.

(19) On or before September 6, 2024, Virginia-American 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. Virginia-American shall serve a copy of its rebuttal testimony and exhibits on Staff and all respondents.

(20) 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.

(21) The Rules 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>33</sup> Except as modified herein, discovery shall be in accordance with Part IV of the Rules of Practice, 5 VAC 5-20-240 *et seq.*

(22) This matter is continued.

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.

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<sup>33</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 by Case Information," and entering the case number, PUR-2023-00194, in the appropriate box.