

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, MAY 24, 2024

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APPLICATION OF

FIREFLY ENERGY LLC

CASE NO. PUR-2024-00076

For certificates of public convenience and necessity for solar generating and associated facilities in Pittsylvania County, Virginia

ORDER FOR NOTICE AND HEARING

On April 26, 2024, Firefly Energy LLC ("Firefly" or "Applicant") filed with the State Corporation Commission ("Commission"), pursuant to §§ 56-46.1, 56-265.2, and 56-580 D of the Code of Virginia ("Code"), and the Commission's Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility, 20 VAC 5-302-10 *et seq.*, an application and supporting documents ("Application") for certificates of public convenience and necessity ("CPCNs") for a solar generating facility, transmission lines, and associated facilities in Pittsylvania County, Virginia.<sup>1</sup>

Specifically, Firefly seeks Commission authority to construct, own, and operate:

(1) solar photovoltaic generating facilities with a capacity of up to 150 megawatts ("MW") alternating current ("AC") ("Solar Generating Facilities") and (2) the necessary infrastructure to interconnect the Solar Generating Facilities to the transmission grid, which includes 34.5 kilovolt ("kV") feeder lines ("Feeder Lines") to interconnect the Solar Generating Facilities with a

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<sup>1</sup> Application at 1.

collector substation ("Collector Substation") and a short 230 kV generation-tie line ("Gen-Tie Line") to interconnect the Collector Substation to the transmission grid (collectively, "Project").<sup>2</sup>

The Applicant represents that the Project site consists of approximately 3,170 acres comprised of 19 parcels in an unincorporated area in Pittsylvania County.<sup>3</sup> Firefly states that of that acreage, only approximately 1,829 acres will be disturbed for the Project due to various setback requirements.<sup>4</sup> Further, the Applicant states that the Project will be located on land zoned either A-1 (Agriculture) or M-1 (Light Industry), which includes undeveloped woodland, planted silvicultural land, cleared timber land, agricultural fields and pasture lands.<sup>5</sup> Firefly indicates that the Pittsylvania County Zoning Ordinance requires that the Project obtain a Special-Use Permit, which the Applicant filed with Pittsylvania County on December 30, 2021 and was approved by the Board of Zoning Appeals on April 11, 2022.<sup>6</sup>

The Applicant states that the Solar Generating Facilities will use solar photovoltaic ("PV") modules mounted on racking systems supported by a pile-driven foundation design.<sup>7</sup> The Applicant further states that the racking configuration is expected to be a single-axis tracking configuration with north-south trending rows that will track the sun from east to west over the course of the day.<sup>8</sup> The PV modules will electrically connect into strings that will connect to

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<sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 2.

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

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

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

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

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

combiner boxes located throughout the Solar Generating Facilities.<sup>9</sup> The output power cables from the combiner boxes will be consolidated and feed the direct current ("DC") electricity to inverters which convert the DC to AC.<sup>10</sup> Each inverter will be fully enclosed, pad mounted, and stand approximately 90 inches in height.<sup>11</sup> The AC output from the inverters will be routed through an AC collection system and consolidated within the system switchgear.<sup>12</sup> The final output from the Solar Generating Facilities will be processed through a step-up transformer to match the interconnection voltage.<sup>13</sup>

Firefly states that all energy generated by the Project will be routed to the Project Collector Substation via the 34.5 kV Feeder Lines.<sup>14</sup> The Collector Substation will be located near the southern portion of the Project off of Cardwell Lane, where the energy from the Project will be stepped up to 230 kV.<sup>15</sup> The Collector Substation includes the main circuit breaker and utility metering equipment and would be enclosed separately, and pad-mounted together with the generator step-up ("GSU") transformer.<sup>16</sup> Both the GSU and the primary switchgear stand approximately 30 feet in height with conductors that increase the total height to approximately 34 feet, while lighting masts for security will stand approximately 60 to 65 feet in height.<sup>17</sup>

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<sup>9</sup> *Id.* at 3.

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

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

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

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

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

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

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

<sup>17</sup> *Id.* at 3-4.

Firefly asserts that its Application supports a finding that the Project: (i) will have no material adverse effect upon the reliability of electric service provided by any regulated public utility and will necessitate only relatively minor upgrades to the electric transmission system;<sup>18</sup> (ii) is not contrary to the public interest;<sup>19</sup> (iii) would minimize environmental impacts, and that the Applicant will comply with all necessary conditions imposed by the regulatory agencies with oversight responsibilities for all environmental aspects of the Project to ensure protection of public health and the environment;<sup>20</sup> (iv) will promote economic development;<sup>21</sup> and (v) considers the elements associated with environmental justice.<sup>22</sup>

Firefly states that in order to meet the proposed Project schedule, it respectfully requests the Commission issue a final order on or before December 31, 2024.<sup>23</sup>

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board consult on wetland impacts prior to the siting of electric utility facilities that require a CPCN. As required by Paragraph 3 of the Department of Environmental Quality – State Corporation Commission Memorandum of Agreement Regarding Wetland Impacts Consultation (July 2003),<sup>24</sup> the Staff of the Commission ("Staff") has advised the Department of

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<sup>18</sup> *Id.* at 10.

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

<sup>20</sup> *Id.* at 6-7.

<sup>21</sup> *Id.* at 4, 9.

<sup>22</sup> *Id.* at 7-9; *see also id.* at Exhibit M.

<sup>23</sup> *Id.* at 10.

<sup>24</sup> *In re Receiving comments on a draft memorandum of agreement between the State Water Control Board and the State Corporation Commission*, Case No. PUE-2003-00114, 2003 S.C.C. Ann. Rept. 474, Order Distributing Memorandum of Agreement (July 30, 2003).

Environmental Quality ("DEQ"), acting on behalf of the State Water Control Board, that the Applicant filed its Application, and that consultation may be required.<sup>25</sup>

In addition to consultation on wetlands, Code § 56-46.1 G directs the Commission and DEQ to coordinate the environmental review of proposed electric generating plants and associated facilities. Moreover, Code § 56-46.1 A provides for the Commission to receive and to consider reports on the proposed facilities from state environmental agencies. Pursuant to the Code and consistent with the Department of Environmental Quality – State Corporation Commission Memorandum of Agreement Regarding Coordination of Reviews of the Environmental Impacts of Proposed Electric Generating Plants and Associated Facilities (August 2002),<sup>26</sup> the Commission receives and considers reports on the proposed facilities from state environmental agencies. Accordingly, Staff has requested DEQ to coordinate an environmental review of the Project by the appropriate agencies and to provide a report on the review.<sup>27</sup>

Finally, in conjunction with the filing of its Application, Firefly filed a Motion for Protective Ruling Governing Confidential Information and the Treatment of Extraordinarily Sensitive Information ("Motion") and a proposed protective ruling that establishes procedures governing the use of confidential information in this proceeding.

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<sup>25</sup> Letter from Michael Zielinski, Esquire, State Corporation Commission, dated May 3, 2024, to David L. Davis, CPWD, PWS, Director, Office of Wetlands & Stream Protection, DEQ, filed in Case No. PUR-2024-00076.

<sup>26</sup> *In re Receiving comments on a draft memorandum of agreement between the Department of Environmental Quality and the State Corporation Commission*, Case No. PUE-2002-00315, 2002 S.C.C. Ann. Rept. 559, Order Distributing Memorandum of Agreement (Aug. 14, 2002).

<sup>27</sup> Letter from Michael Zielinski, Esquire, State Corporation Commission, dated May 3, 2024, to Bettina Rayfield, DEQ, filed in Case No. PUR-2024-00076.

NOW THE COMMISSION, upon consideration of the Application and applicable law, is of the opinion and finds that: this matter should be docketed; the Applicant should give notice of the Application to interested persons and the public; 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 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 the Applicant's Motion.

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 is docketed and assigned Case No. PUR-2024-00076.
- (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. 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 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 the Applicant's Motion, 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>28</sup>

(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 on October 7, 2024.
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before October 1, 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>28</sup> Such electronic copies shall be sent to: [OHEParalegals@scc.virginia.gov](mailto:OHEParalegals@scc.virginia.gov).

(d) Beginning at 10 a.m. on October 7, 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).

(6) The evidentiary portion of the hearing shall be convened at 10 a.m., on October 7, 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 the Applicant, any respondents, and Staff on the Application.

(7) An electronic copy of the public version of the Application may be obtained by submitting a written request to counsel for the Applicant: Andrew J. Flavin, Esquire, Troutman Pepper Hamilton Sanders LLP, 1001 Haxall Point, 15<sup>th</sup> Floor, Richmond, Virginia 23219, or [andy.flavin@troutman.com](mailto:andy.flavin@troutman.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 June 26, 2024, the Applicant shall cause to be sent by first class mail a copy of the notice and map prescribed in Ordering Paragraph (9) to all owners, as of the date of this Order, of: (1) property contiguous to the Project site for which a CPCN has been requested, and (2) property within the route of the proposed interconnection facilities, as indicated on the map of the route filed with the Commission, which requirement shall be satisfied by mailing to such persons at such addresses as are indicated in the land books maintained by the commissioner of revenue, director of finance, treasurer, or other officer of the county or municipality designated as provided by Code § 58.1-3100 *et seq.*

(9) On or before June 26, 2024, the Applicant shall publish on one (1) occasion, the map of the proposed Project, as provided in Exhibit R to the Application, and the following notice as



display advertising (not classified) in a newspaper or newspapers of general circulation in

Pittsylvania County, Virginia:

NOTICE TO THE PUBLIC OF AN APPLICATION BY  
FIREFLY ENERGY, LLC, FOR CERTIFICATES OF PUBLIC  
CONVENIENCE AND NECESSITY FOR SOLAR  
GENERATING AND ASSOCIATED FACILITIES IN  
PITTSYLVANIA COUNTY, VIRGINIA  
CASE NO. PUR-2024-00076

On April 26, 2024, Firefly Energy LLC ("Firefly" or "Applicant") filed with the State Corporation Commission ("Commission"), pursuant to §§ 56-46.1, 56-265.2, and 56-580 D of the Code of Virginia ("Code"), and the Commission's Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility, 20 VAC 5-302-10 *et seq.*, an application and supporting documents ("Application") for certificates of public convenience and necessity ("CPCNs") for a solar generating facility, transmission lines, and associated facilities in Pittsylvania County, Virginia.

Specifically, Firefly seeks Commission authority to construct, own, and operate: (1) solar photovoltaic generating facilities with a capacity of up to 150 megawatts ("MW") alternating current ("AC") ("Solar Generating Facilities"); and (2) the necessary infrastructure to interconnect the Solar Generating Facilities to the transmission grid, which includes 34.5 kilovolt ("kV") feeder lines ("Feeder Lines") to interconnect the Solar Generating Facilities with a collector substation ("Collector Substation") and a short 230 kV generation-tie line ("Gen-Tie Line") to interconnect the Collector Substation to the transmission grid (collectively, "Project").

The Applicant represents that the Project site consists of approximately 3,170 acres comprised of 19 parcels in an unincorporated area in Pittsylvania County. Firefly states that of that acreage, only approximately 1,829 acres will be disturbed for the Project due to various setback requirements. Further, the Applicant states that the Project will be located on land zoned either A-1 (Agriculture) or M-1 (Light Industry), which includes undeveloped woodland, planted silvicultural land, cleared timber land, agricultural fields and pasture lands. Firefly indicates that the Pittsylvania County Zoning Ordinance requires that the Project obtain a Special-Use Permit, which the Applicant filed with

Pittsylvania County on December 30, 2021, and was approved by the Board of Zoning Appeals on April 11, 2022.

The Applicant states that the Solar Generating Facilities will use solar photovoltaic ("PV") modules mounted on racking systems supported by a pile-driven foundation design. The Applicant further states that the racking configuration is expected to be a single-axis tracking configuration with north-south trending rows that will track the sun from east to west over the course of the day. The PV modules will electrically connect into strings that will connect to combiner boxes located throughout the Solar Generating Facilities. The output power cables from the combiner boxes will be consolidated and feed the direct current ("DC") electricity to inverters which convert the DC to AC. Each inverter will be fully enclosed, pad mounted, and stand approximately 90 inches in height. The AC output from the inverters will be routed through an AC collection system and consolidated within the system switchgear. The final output from the Solar Generating Facilities will be processed through a step-up transformer to match the interconnection voltage.

Firefly states that all energy generated by the Project will be routed to the Project Collector Substation via the 34.5 kV Feeder Lines. The Collector Substation will be located near the southern portion of the Project off of Cardwell Lane, where the energy from the Project will be stepped up to 230 kV. The Collector Substation includes the main circuit breaker and utility metering equipment and would be enclosed separately, and pad-mounted together with the generator step-up ("GSU") transformer. Both the GSU and the primary switchgear stand approximately 30 feet in height with conductors that increase the total height to approximately 34 feet, while lighting masts for security will stand approximately 60 to 65 feet in height.

Firefly asserts that its Application supports a finding that the Project: (i) will have no material adverse effect upon the reliability of electric service provided by any regulated public utility and will necessitate only relatively minor upgrades to the electric transmission system; (ii) is not contrary to the public interest; (iii) would minimize environmental impacts, and that the Applicant will comply with all necessary conditions imposed by the regulatory agencies with oversight responsibilities for all environmental aspects of the Project to ensure protection of public health and the environment; (iv) will promote economic

development; and (v) considers the elements associated with environmental justice.

### **Description of the Proposed Project**

The Project will include approximately 11.2 miles of 34.5 kV medium voltage feeder lines and an approximately 100-foot 230 kV generation-tie line to interconnect with Appalachian Power Company's existing East Danville-Roxborough 230 kV circuit via a new three-circuit breaker 230 kV switching station physically configured in a breaker and half bus arrangement but operated as a ring-bus.

The proposed route for the 34.5 kV feeder lines begins just south of Kerns Church Road (State Route 656) and generally continues south or southwest for approximately 11.2 miles to an area off Cardwell Lane that is immediately adjacent to Appalachian's existing East Danville-Roxborough 230 kV circuit. The minimum structure height for the 34.5 kV feeder line is approximately 30 feet, the maximum structure height is approximately 50 feet, and the average structure height is approximately 40 feet.

The proposed route for the 230 kV generation-tie line will begin at the Collector Substation and travel 100 feet northwest to a new switching station that will be constructed by Appalachian. This line parallels Appalachian's existing East Danville-Roxborough 230 kV circuit. Firefly expects only one structure will be needed, with a height of 105 feet.

All distances and directions are approximate. A map of the proposed Project accompanies this notice. A more detailed map of the proposed routes may be viewed on the Commission's website: [scc.virginia.gov/pages/Transmission-Line-Projects](http://scc.virginia.gov/pages/Transmission-Line-Projects). A more complete description of the proposed Project may be found in the Application.

The Commission may consider Project site(s) and/or generation-tie line(s) and transmission route(s) not significantly different from the Project site and/or generation-tie line(s) and transmission route(s) described in this notice without additional notice to the public.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled a public hearing on the Application. On October 7, 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 October 1, 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](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 portion of the hearing will be webcast at [scc.virginia.gov/pages/Webcasting](http://scc.virginia.gov/pages/Webcasting).

On October 7, 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 Firefly, any respondents, and the Staff of the Commission ("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 also may be obtained by submitting a written request to counsel for the Applicant: Andrew J. Flavin, Esquire, Troutman Pepper Hamilton Sanders, 1001 Haxall Point, 15<sup>th</sup> Floor, Richmond, Virginia 23219, or [andy.flavin@troutman.com](mailto:andy.flavin@troutman.com). Interested persons also may download unofficial copies of the Application and other documents filed in this case from the Commission's website: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).

On or before October 1, 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-2024-00076.

On or before July 31, 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 the Applicant. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure ("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-2024-00076.

On or before August 27, 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 Staff, the Applicant, and all other respondents. In all filings, respondents shall comply with the 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-2024-00076.

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 Rules of Practice.

The Rules of Practice, the Commission's Order for Notice and Hearing, and 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).

FIREFLY ENERGY LLC

(10) On or before June 26, 2024, the Applicant shall serve a copy of this Order for Notice and Hearing on the following officials, to the extent the position exists in Pittsylvania County: the chairman of the board of supervisors of the 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.

(11) On or before July 17, 2024, the Applicant shall file proof of the notice and service required by Ordering Paragraphs (9) and (10), 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).

(12) On or before July 17, 2024, the Applicant shall file with the Clerk of the Commission, electronically at [scc.virginia.gov/clk/efiling](http://scc.virginia.gov/clk/efiling), a certificate of mailing of the notice to owners of property prescribed by Ordering Paragraph (8). The certificate shall not include the names and addresses of the owners of property served, but the Applicant shall maintain a record of this information.

(13) On or before October 1, 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-2024-00076.

(14) On or before July 31, 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 (13). 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 the Applicant. 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-2024-00076.

(15) Within five (5) business days of receipt of a notice of participation as a respondent, the Applicant 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.

(16) On or before August 27, 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 (13). Each witness's testimony shall include a summary not to exceed one

page. All testimony and exhibits shall be served on Staff, the Applicant, 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-2024-00076.

(17) Staff shall investigate the Application. On or before September 10, 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 Applicant and all respondents.

(18) On or before September 24, 2024, Firefly 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 Applicant shall serve a copy of its rebuttal testimony and exhibits on Staff and all respondents. Additionally, the Applicant shall serve a copy of its rebuttal testimony and exhibits on DEQ by email to [bettina.rayfield@deq.virginia.gov](mailto:bettina.rayfield@deq.virginia.gov).

(19) 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.

(20) 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 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.<sup>29</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.*

(21) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

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<sup>29</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-2024-00076, in the appropriate box.