

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

GOV. WORKING OFFICE
LEGISLATIVE BUILDING CENTER

2024 SEP 24 P 1:34

24050005

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2024-00157

For approval to establish a new experimental electric vehicle tariff designated as Schedule GS-3 EV Public Charging, pursuant to § 56-234 B of the Code of Virginia

ORDER FOR NOTICE AND HEARING

On August 28, 2024, pursuant to Code § 56-234 B, the directive contained in Ordering Paragraphs (1) and (3) of the Final Order issued by the State Corporation Commission ("Commission") on February 28, 2024, in the Company's 2023 biennial review proceeding ("2023 Biennial Review"),¹ and Rule 80 of the Commission's Rules of Practice and Procedure ("Rules of Practice"),² 5 VAC 5-20-80, Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for approval to establish a new experimental electric vehicle ("EV") tariff designated as Schedule GS-3 EV Public Charging, for the GS-3 customer class with rate design features similar to the Schedule GS-2 tariff.³ The Company proposes that Schedule GS-3 EV Public Charging be effective for usage on and after the first of the month that

¹ *Application of Virginia Electric and Power Company, For a 2023 biennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1 A of the Code of Virginia*, Case No. PUR-2023-00101, Doc. Con. Cen. No. 240240103, Final Order at 5 (Feb. 28, 2024) ("2023 Biennial Review Final Order").

² 5 VAC 5-20-10 *et seq.*

³ Application at 1.

is at least fifteen days from the final order issued in this proceeding.⁴ Pursuant to Code § 56-234 B, the Commission is required to issue its final order on the Application within six months of the filing date.

In its 2023 Biennial Review Final Order, the Commission, among other things, approved the stipulation ("Stipulation") entered into by certain parties to that proceeding.⁵ In relevant part, Paragraph 14 of the Stipulation stated the following:

Electric Vehicle Charging and Rate Design: The Company will develop a new experimental EV tariff for the GS-3 class that has rate design features similar to the Schedule GS-2 tariff as described in the Rebuttal Testimony of Company Witness Paul B. Haynes. Within six months from the date of any order approving this stipulation, the Company will file a petition for approval of such tariff.⁶

Dominion represents that, in accordance with Paragraph 14 of the Stipulation approved by the Commission in the 2023 Biennial Review, the Company proposes Schedule GS-3 EV Public Charging.⁷

The Application states that Schedule GS-3 EV Public Charging would offer non-residential public charging service stations a non-demand and demand billing option based on the customer's usage.⁸ Dominion further represents that it is proposing Schedule GS-3 EV Public Charging "to support the development of electric vehicle charging infrastructure by

⁴ *Id.* at 6.

⁵ 2023 Biennial Review Final Order at 5.

⁶ 2023 Biennial Review, Ex. 2 (Stipulation) at 4.

⁷ Application at 4.

⁸ *Id.* at 1, 4.

voltage customer;¹⁵ (iii) either (a) elect to receive Electricity Supply Service and Electric Delivery Service from the Company, or (b) be eligible for and elect to purchase Electricity Supply Service from a competitive service provider under Code § 56-577 A; and (iv) have a peak measured demand that has reached or exceeded 500 kilowatts ("kW") during at least three billing months within the current and previous 11 billing months.¹⁶

The Company represents that the rate design for Schedule GS-3 EV Public Charging "will be consistent with the rate design for Schedule GS-2¹⁷ in that it will provide for billing on a non-demand or demand basis upon the customer's monthly hours use."¹⁸ According to the Company, this means that

[i]f the customer's usage for the current month does not exceed 200 kilowatt-hour ("kWh") per kW of the demand (a load factor of approximately 27.78%), the customer will be billed for the month on a non-demand basis through a rate design that provides for the following: (i) a basic customer charge, (ii) a distribution energy charge per kWh, (iii) a generation energy charge per kWh that varies by season, and (iv) a base transmission energy charge per kWh.¹⁹

Alternatively, Dominion explains,

[i]f the customer's usage for the current month exceeds 200 kWh per kW of demand, the customer will be billed for the month on a demand basis through a rate design that provides for the following: (i) a basic customer charge, (ii) a distribution demand charge per kW and a small distribution energy charge per kWh, (iii) a generation demand charge per kW that varies by season, (iv) generation energy

¹⁵ See Direct Testimony of C. Alan Givens ("Givens Direct"), Schedule 4 at 6 (defining "secondary voltage customer").

¹⁶ Application at 4; Givens Direct at 6.

¹⁷ The Company's Schedule GS-2 serves customers whose demand typically falls under 500 kW. See Givens Direct at 2. It bills customers who place demand on the system for less than 200 kW hours under a non-demand, two-part rate design. *Id.* Customers who exceed 200 kW hours are billed under a demand three-part rate design. *Id.*

¹⁸ Application at 4-5.

¹⁹ *Id.* at 5.

charges that are blocked based on hours used (kWh per kW) and charged on a per kWh basis, and (v) a base transmission demand charge per kW.²⁰

The Company represents that in addition to the rate schedule charges described above, customers participating in the proposed Schedule GS-3 EV Public Charging, "will also be responsible for costs recovered through other tariffs comparable to other customers taking service under Schedule GS-3, including the costs of fuel, costs recovered through generation riders, transmission Rider T1, distribution riders, non-bypassable riders, the deferred fuel cost charge, and the universal service charge rider, Rider PIPP."²¹

Dominion states that Schedule GS-3 EV Public Charging has been designed to be revenue neutral with Schedule GS-3 based on the rates proposed to be in effect on January 1, 2025, as an outcome of the Company's 2023 Biennial Review proceeding.²²

Dominion also notes that, like all rate schedule rates, the rates of the new experimental Schedule GS-3 EV Public Charging tariff are subject to change in future biennial reviews before the Commission.²³

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; that the Company should provide public notice of its Application; a public hearing should be scheduled for the purpose of receiving testimony and evidence on the Application; a procedural schedule should be established to allow interested persons an opportunity to file written or electronic comments on the Application or to participate

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ *Id.* at 5-6.

in this proceeding as a respondent; and the Staff of the Commission ("Staff") should be directed to investigate the Application and file testimony and exhibits containing its findings and recommendations. Further, we find that a Hearing Examiner should be assigned to conduct all further proceedings in this matter on behalf of the Commission, including filing a final report containing the Hearing Examiner's findings and recommendations.

To promote administrative efficiency and timely service of filings upon participants, the Commission, among other things, directs the electronic filing of pleadings, unless they contain confidential information, and requires electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2024-00157.

(2) All pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice. 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 Commission's Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent

(6) The evidentiary portion of the hearing on the Application shall be convened at 10 a.m. on January 16, 2025, 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 offered by the Company, any respondents, and the Staff.

(7) An electronic copy of the Company's Application may be obtained by submitting a written request to counsel for the Company: Lisa R. Crabtree, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, RS-2, Richmond, Virginia 23219, or lisa.r.crabtree@dominionenergy.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

(8) On or before October 29, 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 Virginia service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
VIRGINIA ELECTRIC AND POWER COMPANY
D/B/A DOMINION ENERGY VIRGINIA
FOR APPROVAL TO ESTABLISH A
NEW EXPERIMENTAL ELECTRIC VEHICLE TARIFF
DESIGNATED AS SCHEDULE
GS-3 EV PUBLIC CHARGING, PURSUANT TO
§ 56-234 B OF THE CODE OF VIRGINIA
CASE NO. PUR-2024-00157

On August 28, 2024, pursuant to Code § 56-234 B, the directive contained in Ordering Paragraphs (1) and (3) of the Final Order issued by the State Corporation Commission ("Commission") on February 28, 2024, in the Company's 2023 biennial review proceeding ("2023 Biennial Review"), and Rule 80 of the Commission's Rules of Practice and Procedure ("Rules of Practice"), 5 VAC 5-20-80, Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for approval to establish a new

experimental electric vehicle ("EV") tariff designated as Schedule GS-3 EV Public Charging, for the GS-3 customer class with rate design features similar to the Schedule GS-2 tariff. The Company proposes that Schedule GS-3 EV Public Charging be effective for usage on and after the first of the month that is at least fifteen days from the final order issued in this proceeding. Pursuant to Code § 56-234 B, the Commission is required to issue its final order on the Application within six months of the filing date.

In its 2023 Biennial Review Final Order, the Commission, among other things, approved the stipulation ("Stipulation") entered into by certain parties to that proceeding. In relevant part, Paragraph 14 of the Stipulation stated the following:

Electric Vehicle Charging and Rate Design:

The Company will develop a new experimental EV tariff for the GS-3 class that has rate design features similar to the Schedule GS-2 tariff as described in the Rebuttal Testimony of Company Witness Paul B. Haynes. Within six months from the date of any order approving this stipulation, the Company will file a petition for approval of such tariff.

Dominion represents that, in accordance with Paragraph 14 of the Stipulation approved by the Commission in the 2023 Biennial Review, the Company proposes Schedule GS-3 EV Public Charging.

The Application states that Schedule GS-3 EV Public Charging would offer non-residential public charging service stations a non-demand and demand billing option based on the customer's usage. Dominion further represents that it is proposing Schedule GS-3 EV Public Charging "to support the development of electric vehicle charging infrastructure by providing an experimental option for its customers to invest in such facilities." The Company also represents that Schedule GS-3 EV Public Charging is necessary to acquire information that is or may be in furtherance of the public interest. Specifically, Dominion states, "Schedule GS-3 EV Public Charging would support the development of [EV] charging infrastructure in the Commonwealth by providing a more economical rate for non-residential public charging service station customers." Dominion further states that Schedule GS-3 EV Public Charging "will also enable the Company to obtain information regarding [EV]

charging load in furtherance of additional pilots, programs, or rate designs that will support EV adoption while minimizing the impact of EV charging on the distribution grid."

Dominion proposes an enrollment limit of 250 participants (*i.e.*, customer accounts) under Schedule GS-3 EV Public Charging, which the Company represents is based on the current number of non-residential EV customer accounts and provides room for additional customers. Should the Commission approve Schedule GS-3 EV Public Charging, the Company proposes to extend the experimental schedule until December 31, 2028.

According to Dominion, to be eligible to participate in Schedule GS-3 EV Public Charging a customer must: (i) be a non-residential EV charging customer; (ii) be a secondary voltage customer; (iii) either (a) elect to receive Electricity Supply Service and Electric Delivery Service from the Company, or (b) be eligible for and elect to purchase Electricity Supply Service from a competitive service provider under Code § 56-577 A; and (iv) have a peak measured demand that has reached or exceeded 500 kilowatts ("kW") during at least three billing months within the current and previous 11 billing months.

The Company represents that the rate design for Schedule GS-3 EV Public Charging "will be consistent with the rate design for Schedule GS-2 in that it will provide for billing on a non-demand or demand basis upon the customer's monthly hours use." According to the Company, this means that

[i]f the customer's usage for the current month does not exceed 200 kilowatt-hour ("kWh") per kW of the demand (a load factor of approximately 27.78%), the customer will be billed for the month on a non-demand basis through a rate design that provides for the following: (i) a basic customer charge, (ii) a distribution energy charge per kWh, (iii) a generation energy charge per kWh that varies by season, and (iv) a base transmission energy charge per kWh.

Alternatively, Dominion explains,

[i]f the customer's usage for the current month exceeds 200 kWh per kW of demand, the customer will be billed for the month on

a demand basis through a rate design that provides for the following: (i) a basic customer charge, (ii) a distribution demand charge per kW and a small distribution energy charge per kWh, (iii) a generation demand charge per kW that varies by season, (iv) generation energy charges that are blocked based on hours used (kWh per kW) and charged on a per kWh basis, and (v) a base transmission demand charge per kW.

The Company represents that in addition to the rate schedule charges described above, customers participating in the proposed Schedule GS-3 EV Public Charging, "will also be responsible for costs recovered through other tariffs comparable to other customers taking service under Schedule GS-3, including the costs of fuel, costs recovered through generation riders, transmission Rider T1, distribution riders, non-bypassable riders, the deferred fuel cost charge, and the universal service charge rider, Rider PIPP."

Dominion states that Schedule GS-3 EV Public Charging has been designed to be revenue neutral with Schedule GS-3 based on the rates proposed to be in effect on January 1, 2025, as an outcome of the Company's 2023 Biennial Review proceeding. Dominion also notes that, like all rate schedule rates, the rates of the new experimental Schedule GS-3 EV Public Charging tariff are subject to change in future biennial reviews before the Commission.

TAKE NOTICE that the Commission may adopt rates 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 that, among other things, scheduled public hearings on the Company's Application. On January 16, 2025, at 10 a.m., a Hearing Examiner appointed by the Commission will hold a telephonic hearing for the purpose of receiving the testimony of public witnesses. On or before January 10, 2025, 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; (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 January 16, 2025, the Hearing Examiner will telephone sequentially each person who has signed up to testify as provided above.

On January 16, 2025 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, a Hearing Examiner appointed by the Commission will convene a hearing to receive testimony and evidence offered by the Company, any respondents, and 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 Company's Application may be obtained by submitting a written request to counsel for the Company: Lisa R. Crabtree, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, RS-2, Richmond, Virginia 23219, or lisa.r.crabtree@dominionenergy.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

On or before January 10, 2025, 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. 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-2024-00157.

On or before December 2, 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. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. A copy of the notice of participation as a respondent also must be sent to counsel for the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice 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-2024-00157.

On or before December 11, 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 the Staff, the Company, and all other respondents simultaneous with its filing. In all filings, the respondent shall comply with the 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-2024-00157.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Hearing, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The Commission's Rules of Practice, the Company's Application, the Commission's Order for Notice and Hearing, and other documents filed in this case may be viewed on the Commission's website at: scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY
D/B/A DOMINION ENERGY VIRGINIA

(9) On or before October 29, 2024, the Company shall serve a copy of this Order for Notice and Hearing on the chairman of the board of supervisors and the county attorney of any county and upon the mayor or manager (or equivalent officials) and city or town attorney of every city and town of the service territory of the Company within the Commonwealth of Virginia. Service shall be made either electronically, by personal delivery, or first-class mail to the customary place of business or the residence for such officials.

(10) On or before November 12, 2024, the Company shall provide proof of the notice and service required by Ordering Paragraphs (8) and (9), including the name, title, and address of each official served, with the Clerk of the Commission at scc.virginia.gov/clk/efiling.

(11) On or before January 10, 2025, 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. 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-2024-00157.

(12) On or before December 2, 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. 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. A copy of the notice of participation as a respondent also must be sent to counsel for the Company. Pursuant

to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2024-00157.

(13) Within three (3) business days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of this Order for Notice and Hearing and a copy of the Application, unless these materials have already been provided to the respondent.

(14) On or before December 11, 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 the Staff, the Company, and all other respondents simultaneous with its filing. In all filings, the respondent shall comply with the 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-2024-00157.

(15) On or before December 18, 2024, the Staff shall investigate the Application and shall file with the Clerk of the Commission its testimony and exhibits concerning the

Application. Each Staff witness's testimony shall include a summary not to exceed one page. The Staff shall serve a copy thereof on counsel to the Company and all respondents.

(16) On or before January 6, 2025, the Company shall file with the Clerk of the Commission any rebuttal testimony and exhibits 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 the Staff and all respondents.

(17) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified 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.

(18) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within five (5) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney if the interrogatory or request for production is directed to the Staff.²⁵

²⁵ 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-2024-00157, in the appropriate box.

Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(19) 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.