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STATE CORPORATION COMMISSION

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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2023-00067

To revise its fuel factor pursuant to
Va. Code § 56-249.6

ORDER ESTABLISHING 2023-2024 FUEL FACTOR PROCEEDING

On May 1, 2023, Virginia Electric and Power Company ("Company" or "Dominion") filed with the State Corporation Commission ("Commission") its application ("Application") pursuant to Code § 56-249.6 to revise its fuel factor effective July 1, 2023.¹

Dominion's total fuel factor consists of a current period factor ("Current Period Factor") and a prior period factor ("Prior Period Factor").² For the July 1, 2023 through June 30, 2024 fuel year ("Rate Year"), the Company projects jurisdictional fuel expenses, including purchased power expenses, of approximately \$2.292 billion, which results in a Current Period Factor rate of 2.8587 cents per kilowatt-hour ("¢/kWh").³ Dominion also has a projected June 30, 2023 fuel deferral balance of approximately \$1.275 billion, and the Company proposes a Prior Period

¹ Application at 1.

² *Id.* at 2.

³ *Id.*

Factor rate of 1.4716 ¢/kWh.⁴ Together, these components result in a total fuel factor ("Total Fuel Factor") rate of 4.3303 ¢/kWh for the Rate Year.⁵

According to Dominion, the projected fuel deferral balance continues to be substantial due to significant commodity price increases during the prior period and implementation of a mitigation plan approved by the Commission in Case No. PUR-2022-00064.⁶ The Company states that recent legislation has authorized the ability to finance certain deferred fuel costs through fuel cost bonds ("Fuel Securitization").⁷ Dominion asserts that approval of Fuel Securitization could mitigate the near-term impact customers would otherwise bear due to the sizeable projected fuel deferral balance and, therefore, the Company intends to file for approval of Fuel Securitization once the legislation becomes effective on July 1, 2023.⁸

Given that the Prior Period Factor recovers the fuel deferral balance that, according to the Company, will be the subject of its future Fuel Securitization petition, Dominion recommends an alternative to implementing the Total Fuel Factor rate of 4.3303 ¢/kWh on an interim basis.⁹ Specifically, Dominion supports implementation of only the Current Period Factor rate of 2.8587

⁴ *Id.* The June 30, 2023 fuel deferral balance represents the sum of the projected June 30, 2023 under-recovery of expenses during the July 1, 2022 through June 30, 2023 fuel period and two-thirds of the remaining June 30, 2022 fuel deferral balance under the three-year mitigation plan adopted by the Commission in Case No. PUR-2022-00064. *Id.* See also *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to § 56-249.6 of the Code of Virginia*, Case No. PUR-2022-00064, Doc. Con. Cen. No. 220320050, Order Establishing 2022-2023 Fuel Factor (Sept. 16, 2022).

⁵ Application at 2.

⁶ *Id.* See also *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to § 56-249.6 of the Code of Virginia*, Case No. PUR-2022-00064, Doc. Con. Cen. No. 220320050, Order Establishing 2022-2023 Fuel Factor (Sept. 16, 2022).

⁷ Application at 3.

⁸ *Id.*

⁹ *Id.* at 3-4.

¢/kWh on an interim basis beginning on July 1, 2023, and recommends suspending implementation of the Prior Period Factor rate of 1.4716 ¢/kWh pending the Commission's consideration of the Company's Fuel Securitization petition.¹⁰ If the Company's Fuel Securitization petition is approved, Dominion asserts the Prior Period Factor would not be implemented – instead, beginning in early 2024 customers would start to pay the fuel securitization bond, which the Company currently estimates will be approximately \$2.50 per month for a residential customer using 1,000 kilowatt-hours ("kWh") per month over the first year, based on a ten-year securitization.¹¹ If the Commission denies the Company's Fuel Securitization petition, then the Prior Period Factor rate of 1.4716 ¢/kWh would be implemented following disapproval.¹²

If the Company were to implement the Total Fuel Factor rate of 4.3303 ¢/kWh rather than just the Current Period Factor rate, it would increase the bill of a residential customer using 1,000 kWh per month by \$7.92 per month over the Rate Year.¹³ In contrast, according to the Company, implementation of only the Current Period Factor rate of 2.8587 ¢/kWh on an interim basis would result in a 0.679 ¢/kWh decrease to the fuel factor rate.¹⁴ For a residential customer using 1,000 kWh per month, this represents a decrease of \$6.79 per month beginning July 1, 2023.¹⁵ However, as noted above, if the Company's Fuel Securitization petition is

¹⁰ *Id.*

¹¹ *Id.* at 4-5; Prefiled Direct Testimony of J. Scott Gaskill at 11.

¹² Application at 5.

¹³ *Id.* at 4.

¹⁴ *Id.*

¹⁵ *Id.*

approved, in addition to the Current Period Factor rate decrease of \$6.79 per month, beginning in early 2024 customers would be charged for the fuel securitization bond.¹⁶

For purposes of judicial economy, the Company proposes that the current proceeding and the Fuel Securitization proceeding, which the Company anticipates filing with the Commission on or about July 3, 2023, be consolidated.¹⁷

Dominion is also seeking approval in this proceeding of an accounting change as it relates to the funding of base rates and the fuel factor for customers taking service under the approved market-based rate ("MBR") schedules, Rate Schedule MBR, and the SCR Rate Schedule (collectively, the "MBR Customers").¹⁸ Specifically, the Company is proposing to alter the order in which revenues collected from MBR Customers is attributed to base rates and fuel.¹⁹ As proposed, revenue from MBR Customers would first fund all approved generation riders and cost-of-service base rates, with the remaining revenues being allocated to fuel.²⁰ Dominion believes this change would result in a lower fuel factor in the near-term and more stable, less volatile fuel factor rates over the long-term.²¹

Additionally, Dominion requests relief from the Commission's directive established in Case No. PUR-2018-00067 to demonstrate in future fuel factor proceedings how the Company

¹⁶ *Id.*

¹⁷ *Id.* at 4-5.

¹⁸ *Id.* at 5.

¹⁹ *Id.*

²⁰ *Id.* Under the current construct, the generation revenue the Company receives from MBR Customers funds all approved generation riders and the MBR Customer's share of the Company's actual monthly system fuel expense, with any remaining revenue being allocated to base rates. Prefiled Direct Testimony of J. Scott Gaskill at 11.

²¹ Application at 5-6.

monetizes the unused portion of its natural gas pipeline capacity portfolio on days when the system is not constrained.²² Dominion states it would continue to report on the results of its natural gas capacity release and third-party sales monetization activities in its annual Fuel Procurement Strategy Report.²³

Finally, in conjunction with the filing of its Application, the Company filed the Motion of Virginia Electric and Power Company for Entry of a Protective Order ("Motion for Protective Order") and a proposed protective order that establishes procedures governing the use of confidential information in this proceeding.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; the Company should provide public notice of its Application; hearings should be scheduled for the purpose of receiving testimony from public witnesses and evidence on the Application; interested persons should have an opportunity to file comments on the Application or to participate in this proceeding as a respondent; and the Staff of the Commission ("Staff") should be directed to investigate the Application and to file testimony and exhibits containing its findings and recommendations thereon.

The Commission finds that as the hearing on this matter will occur subsequent to July 1, 2023 – the beginning of the Company's Rate Year – the Company's Current Period Factor rate of 2.8587 ¢/kWh shall be placed into effect on an interim basis for usage on and after July 1, 2023.

²² *Id.* at 6. See also *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to § 56-249.6 of the Code of Virginia*, Case No. PUR-2018-00067, Doc. Con. Cen. No. 180840312, Order Establishing 2018-2019 Fuel Factor at 3 (Aug. 27, 2018).

²³ Application at 6.

Next, we find that for purposes of judicial economy, it may be appropriate for the procedural schedules for the current proceeding and the Company's future Fuel Securitization proceeding to be consolidated; however, the Commission declines to make such a determination at this time and will instead consider the issue after the Fuel Securitization petition has been filed.

We also find that a Hearing Examiner should be assigned to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion for Protective Order and filing a final report containing the Hearing Examiner's findings and recommendations.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2023-00067.
- (2) The Company's proposed Current Period Factor rate of 2.8587 ¢/kWh shall be placed into effect on an interim basis for usage on and after July 1, 2023.
- (3) 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").²⁴ 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.
- (4) 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

²⁴ 5 VAC 5-20-10 *et seq.*

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.

(5) As provided by Code § 12.1-31 and Rule 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion for Protective Order and filing 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.²⁵

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

- (a) A hearing for the receipt of testimony from public witnesses on the Application shall be convened telephonically at 10 a.m. on September 5, 2023, with no witness present in the Commission's courtroom.²⁶
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before August 29, 2023, 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.

²⁵ Such electronic copies shall be sent to OHEParalegals@scc.virginia.gov.

²⁶ The Hearing Examiner will convene counsel of record in this proceeding to attend the public witness hearing virtually.

- (d) Beginning at 10 a.m. on September 5, 2023, the Hearing Examiner assigned will telephone sequentially each person who has signed up to testify as provided above. This hearing will not be convened, and the parties will be notified of such, if no person signs up to testify as a public witness.
- (e) This public witness hearing will be webcast at:
scc.virginia.gov/pages/Webcasting.

(7) A public evidentiary hearing on the Application shall be convened at 10 a.m. on September 6, 2023, 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, respondents, and the Staff on the Application.

(8) An electronic copy of the public version of the Company's Application may be obtained by submitting a written request to counsel for the Company: Elaine S. Ryan, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or eryan@mcguirewoods.com. Interested persons also may download unofficial copies of the public version of the Application and other documents filed in this case from the Commission's website: scc.virginia.gov/pages/Case-Information.

(9) On or before June 2, 2023, the Company shall cause the following notice to be published as display advertising (not classified) on one (1) occasion in newspapers of general circulation throughout the Company's service territory within Virginia:

NOTICE TO THE PUBLIC OF
VIRGINIA ELECTRIC AND POWER COMPANY'S
REQUEST TO REVISE ITS FUEL FACTOR
CASE NO. PUR-2023-00067

- Virginia Electric and Power Company ("Dominion") has filed an application pursuant to Code § 56-249.6 to revise its fuel factor effective July 1, 2023.
- In this case, Dominion's total fuel factor consists of a current period factor ("Current Period Factor") rate of 2.8587 cents per kilowatt-hour ("¢/kWh"), and a prior period factor ("Prior Period Factor") rate of 1.4716 ¢/kWh, which together result in a total fuel factor rate of 4.3303 ¢/kWh.
- Dominion seeks implementation of only the Current Period Factor rate at this time, and recommends suspending implementation of the Prior Period Factor rate pending the Commission's consideration of a future petition by Dominion to finance certain deferred fuel costs through fuel cost bonds, which Dominion intends to file on July 3, 2023.
- Implementation of the Current Period Factor beginning July 1, 2023, results in a 0.679 ¢/kWh decrease to the fuel factor rate, which, for a residential customer using 1,000 kilowatt-hours ("kWh") per month, represents a decrease of \$6.79 per month.
- A Hearing Examiner appointed by the Commission will hold a telephonic hearing in this case on September 5, 2023, at 10 a.m. for the receipt of public witness testimony.
- An evidentiary hearing will be held on September 6, 2023, at 10 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, VA 23219, to receive the testimony and evidence of the Company, any respondents, and the Commission Staff.
- Further information about this case is available on the SCC website at:
scc.virginia.gov/pages/Case-Information.

On May 1, 2023, Virginia Electric and Power Company ("Company" or "Dominion") filed with the State Corporation Commission ("Commission") its application ("Application")

pursuant to Code § 56-249.6 to revise its fuel factor effective July 1, 2023.

Dominion's total fuel factor consists of a current period factor ("Current Period Factor") and a prior period factor ("Prior Period Factor"). For the July 1, 2023, through June 30, 2024 fuel year ("Rate Year"), the Company projects jurisdictional fuel expenses, including purchased power expenses, of approximately \$2.292 billion, which results in a Current Period Factor rate of 2.8587 cents per kilowatt-hour ("¢/kWh"). Dominion also has a projected June 30, 2023 fuel deferral balance of approximately \$1.275 billion, and the Company proposes a Prior Period Factor rate of 1.4716 ¢/kWh. Together, these components result in a total fuel factor ("Total Fuel Factor") rate of 4.3303 ¢/kWh for the Rate Year.

According to Dominion, the projected fuel deferral balance continues to be substantial due to significant commodity price increases during the prior period and implementation of a mitigation plan approved by the Commission in Case No. PUR-2022-00064. The Company states that recent legislation has authorized the ability to finance certain deferred fuel costs through fuel cost bonds ("Fuel Securitization"). Dominion asserts that approval of Fuel Securitization could mitigate the near-term impact customers would otherwise bear due to the sizeable projected fuel deferral balance and, therefore, the Company intends to file for approval of Fuel Securitization once the legislation becomes effective on July 1, 2023.

Given that the Prior Period Factor recovers the fuel deferral balance that, according to the Company, will be the subject of its future Fuel Securitization petition, Dominion recommends an alternative to implementing the Total Fuel Factor rate of 4.3303 ¢/kWh on an interim basis beginning on July 1, 2023. Specifically, Dominion supports implementation of only the Current Period Factor rate of 2.8587 ¢/kWh on an interim basis beginning on July 1, 2023, and recommends suspending implementation of the Prior Period Factor rate of 1.4716 ¢/kWh pending the Commission's consideration of the Company's Fuel Securitization petition. If the Company's Fuel Securitization petition is approved, Dominion asserts the Prior Period Factor would not be implemented – instead, beginning in early 2024 customers would start to pay the fuel securitization bond, which the Company currently estimates will be approximately \$2.50 per month for a residential customer using 1,000 kilowatt-hours ("kWh") per month over the first year, based on a ten-year

securitization. If the Commission denies the Company's Fuel Securitization petition, then the Prior Period Factor rate of 1.4716 ¢/kWh would be implemented following disapproval.

If the Company were to implement the Total Fuel Factor rate of 4.3303 ¢/kWh rather than just the Current Period Factor rate, it would increase the bill of a residential customer using 1,000 kWh per month by \$7.92 per month over the Rate Year. In contrast, according to the Company, implementation of only the Current Period Factor rate of 2.8587 ¢/kWh on an interim basis would result in a 0.679 ¢/kWh decrease to the fuel factor rate. For a residential customer using 1,000 kWh per month, this represents a decrease of \$6.79 per month beginning July 1, 2023. However, as noted above, if the Company's Fuel Securitization petition is approved, in addition to the Current Period Factor rate decrease of \$6.79 per month, beginning in early 2024 customers would be charged for the fuel securitization bond.

For purposes of judicial economy, the Company proposes that the current proceeding and the Fuel Securitization proceeding, which the Company anticipates filing with the Commission on or about July 3, 2023, be consolidated.

Dominion is also seeking approval in this proceeding of an accounting change as it relates to the funding of base rates and the fuel factor for customers taking service under the approved market-based rate ("MBR") schedules, Rate Schedule MBR, and the SCR Rate Schedule (collectively, the "MBR Customers"). Specifically, the Company is proposing to alter the order in which revenues collected from MBR Customers is attributed to base rates and fuel. As proposed, revenue from MBR Customers would first fund all approved generation riders and cost-of-service base rates, with the remaining revenues being allocated to fuel. Dominion believes this change would result in a lower fuel factor in the near-term and more stable, less volatile fuel factor rates over the long-term.

Interested persons are encouraged to review the Application and supporting documents in full for details about these and other proposals.

The hearing on this matter will occur subsequent to July 1, 2023 – the beginning of the Company's 2023-2024 Rate Year. Consequently, the Commission has directed the Company to place its proposed Current Period Factor rate of 2.8587 ¢/kWh into effect on an interim basis for usage on and after July 1, 2023.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings on the Company's Application. On September 5, 2023, at 10 a.m., the Hearing Examiner assigned to this case will hold a telephonic hearing, with no witness present in the Commission's courtroom, for the purpose of receiving the testimony of public witnesses. On or before August 29, 2023, 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 September 5, 2023, the Hearing Examiner will telephone sequentially each person who has signed up to testify as provided above.

On September 6, 2023, at 10 a.m., 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 the Company, 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 required electronic service on parties to this proceeding.

An electronic copy of the public version of the Company's Application may be obtained by submitting a written request to counsel for the Company, Elaine S. Ryan, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or eryan@mcguirewoods.com. Interested persons also may download unofficial copies of the public version of the Application and other documents filed in this case from the Commission's website: scc.virginia.gov/pages/Case-Information.

On or before August 29, 2023, 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-2023-00067.

On or before June 30, 2023, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 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-2023-00067.

On or before August 9, 2023, 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, respondents shall comply with the Commission's Rules of Practice, except as modified by the Commission's Order Establishing 2023-2024 Fuel Factor Proceeding, 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-2023-00067.

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 Establishing 2023-2024 Fuel Factor Proceeding, 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 public version of the Company's Application, the Commission's Order Establishing 2023-2024 Fuel Factor Proceeding, and other documents filed in this case may be viewed at:
scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY

(10) The Company shall serve each official listed in 20 VAC 5-204-10 J 1 as provided by 20 VAC 5-204-10 J 2.

(11) On or before June 16, 2023, the Company shall file proof of the notice and service required by Ordering Paragraphs (9) and (10), including the name, title, address, and electronic mail address (if applicable) of each official served, with the Clerk of the Commission at scc.virginia.gov/clk/efiling.

(12) On or before August 29, 2023, any interested person may submit written comments on the Application 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-2023-00067.

(13) On or before June 30, 2023, 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 (12). Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2023-00067.

(14) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of this Order Establishing 2023-2024 Fuel Factor Proceeding as well as a copy of the public version of the Application and supporting materials filed by the Company with the Commission in this docket, unless these materials already have been provided to the respondent.

(15) On or before August 9, 2023, 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 notice by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (12). Each witness's testimony shall include a summary not to exceed one page. A copy of 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 Commission's Rules of Practice, except 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-2023-00067.

(16) The Staff shall investigate the Application. On or before August 9, 2023, the Staff shall file with the Clerk of the Commission its testimony and exhibits, and each Staff witness's testimony shall include a summary not to exceed one page. Staff shall serve a copy thereof on counsel to Dominion and all respondents.

(17) On or before August 22, 2023, Dominion shall file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer, and each rebuttal witness's testimony shall include a summary not to exceed one page. The Company shall serve a copy of its rebuttal testimony and exhibits on the Staff and all respondents.

(18) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified in Ordering Paragraph (3), all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(19) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within five (5) business days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260, 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.²⁷

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.*

(20) This matter is continued.

Commissioner Patricia L. West 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.

²⁷ The assigned Staff attorney is identified on the Commission's website: scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2023-00067, in the appropriate box.