

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. PUR-2024-00184

In re: Virginia Electric and Power Company's
Integrated Resource Plan filing pursuant to
Va. Code § 56-597 *et seq.*

ORDER FOR NOTICE AND HEARING

On October 15, 2024, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") the Company's 2024 Integrated Resource Plan ("IRP") pursuant to § 56-599 of the Code of Virginia ("Code").

An IRP, as defined by Code § 56-597, is "a document developed by an electric utility that provides a forecast of its load obligations and a plan to meet those obligations by supply side and demand side resources over the ensuing 15 years to promote reasonable prices, reliable service, energy independence, and environmental responsibility." Pursuant to Code § 56-599 A, Dominion files its IRP in each year immediately preceding the year the utility is subject to a biennial review of rates for generation and distribution services filing. Pursuant to Code § 56-599 E, the Commission determines whether an IRP is reasonable and in the public interest.

As indicated in its IRP, Dominion is a member of PJM Interconnection, L.L.C. ("PJM"), a regional transmission organization in the Mid-Atlantic region of the United States.¹ The Company states that the IRP was prepared for its service territories in Virginia and North Carolina, which are both within the PJM region.² Dominion states that it serves approximately

¹ IRP at 1.

² *Id.*

2.7 million electric customers in Virginia and North Carolina, and that the Company's combined service territory in these two states covers approximately 30,000 square miles.³

According to the Company, the IRP presents multiple potential portfolios ("Portfolios") that Dominion could use to meet customers' capacity and energy needs over the next 15 years.⁴ Dominion forecasts a 5.5% annual increase in demand over the next decade, and for demand to double by 2039 in the Company's delivery zone within PJM, the Dominion Energy Zone ("DOM Zone").⁵ Dominion asserts that the Company's IRP "highlights the need to address significant demand growth through resource adequacy across all functions of the utility, the balance between clean energy priorities and the paramount requirement of service reliability, and maintaining rates that continue to be affordable for [the Company's] customers..."⁶ Dominion also recognizes that the IRP is a "snapshot in time" and not a request to approve any specific resource or Portfolio.⁷

Dominion states in its filing that two dynamics within PJM since the last IRP filing have underscored the need for additional power generation and electric transmission resources within the Company's delivery zone.⁸ First, the Company states the most recent PJM capacity auction in July 2024 yielded the highest capacity price ever for the DOM Zone. The DOM Zone,

³ *Id.*

⁴ *Id.* at 2.

⁵ *Id.* at 1.

⁶ *Id.* at 3.

⁷ *Id.* at 2.

⁸ *Id.*

according to the Company, has the highest forecasted load growth of any area within PJM.⁹ Dominion represents that the capacity price within the DOM Zone was 65% higher than the capacity price for PJM generally, and more than 15 times the prior year's clearing capacity price for the rest of PJM in this most recent capacity auction.¹⁰

Second, PJM adopted an approach called effective load carrying capability ("ELCC") in January 2024, which measures how much capacity may be provided by different generation resources at different times.¹¹ Compared to PJM's prior approach, Dominion states that the ELCC methodology results in significant discounting of the capacity value of resources that cannot produce electricity upon demand (such as solar or wind) and higher capacity values of resources that can run on demand (including nuclear or gas units).¹² According to Dominion, "[t]his shift further supports the proposition that serving [the Company's] customers reliably requires a balanced and effective mix of resources, and not over-reliance on any single generation technology or category."¹³

Dominion states that the Company conducted a Stakeholder Process, pursuant to Code § 56-599 D, in preparation for filing its IRP.¹⁴ Dominion represents that the Stakeholder Process consisted of: (i) a kickoff meeting providing stakeholders an overview of the IRP; (ii) small group meetings between stakeholders and facilitators; (iii) topic-specific workshops for more in-

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.* at 2-3.

¹⁴ *Id.* at 3.

depth conversations; and (iv) summary pre-filing meetings to review collective input and recommendations that were integrated into the IRP, and post-filing meetings for an overview of final information.¹⁵

Coincident with filing the IRP, Dominion filed a motion for entry of a protective order ("Motion for Protective Order") seeking to maintain the confidentiality of certain information filed under seal in accordance with 5 VAC 5-20-170 of the Commission's Rules of Practice and Procedure ("Rules of Practice").¹⁶

On October 11, 2024, the Commission ordered the Company to provide the following additional information by way of a supplemental filing by November 15, 2024:

1. Additional modeling that presents, as a sensitivity for comparison purposes to the Company's modeling presented in its 2024 IRP, the following: (i) its least cost plan, and (ii) at least one VCEA-compliant plan, both with projected data center load growth removed;
2. Additional modeling to include updated capacity price forecasts that incorporate the impacts of the PJM base residual capacity auction held in July 2024 for the entire 15-year planning period;
3. After obtaining and incorporating updated capacity price forecasts, present as sensitivities for comparison purposes, the following: (i) its least cost plan (which includes data center load); (ii) at least one VCEA-compliant plan (which includes data center load); (iii) its least cost plan without data center load; and (iv) at least one VCEA-compliant plan without data center load; and
4. For each planned transmission project, an indication of whether the need for the transmission project is primarily being driven by data center load growth.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that the Company should provide public notice of its IRP; a public hearing should be scheduled for the purpose of receiving testimony and evidence on the Company's IRP; a procedural

¹⁵ *Id.*

¹⁶ 5 VAC 5-20-10 *et seq.*

schedule should be established to allow interested persons an opportunity to file written or electronic comments on the Company's IRP or to participate in this proceeding as a respondent; and the Commission's Staff ("Staff") should be directed to investigate the IRP and file testimony and exhibits containing its findings and recommendations. Further, we find that a Hearing Examiner should be appointed to rule on all discovery matters, including the Company's Motion for Protective Order. The Hearing Examiner shall also rule on any *pro hac vice* motions that may arise over the course of this proceeding.

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

Accordingly, IT IS ORDERED THAT:

(1) 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.

(2) 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 practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

(3) 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 rule on any discovery matters, including the Company's Motion for Protective Order. The Hearing Examiner shall also rule on any *pro hac vice* motions that may arise during the course of this proceeding. A copy of each filing made with the Office of the Clerk in this matter shall also be sent electronically to the Office of the Hearing Examiners.¹⁷

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

- (a) A hearing for the receipt of testimony from public witnesses on the IRP shall be convened telephonically at 10 a.m. on April 14, 2025.¹⁸
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before April 8, 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.
- (d) Beginning at 10 a.m. on April 14, 2025, the Commission 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.

¹⁷ Such electronic copies shall be sent to: OHEParalegals@scc.virginia.gov.

¹⁸ The Commission will convene counsel of record in this proceeding to attend the public witness hearing virtually.

(e) This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

(5) A public evidentiary hearing on the IRP shall be convened at 10 a.m. on April 15, 2025, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive testimony and evidence on the IRP offered by the Company, any respondents, and the Staff.

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

(7) On or before December 13, 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 A
FILING BY VIRGINIA ELECTRIC AND POWER COMPANY
OF ITS INTEGRATED RESOURCE PLAN
CASE NO. PUR-2024-00184

On October 15, 2024, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") the Company's 2024 Integrated Resource Plan ("IRP") pursuant to § 56-599 of the Code of Virginia ("Code").

An IRP, as defined by Code § 56-597, is "a document developed by an electric utility that provides a forecast of its load obligations and a plan to meet those obligations by supply side and demand side resources over the ensuing 15 years to promote reasonable prices, reliable service, energy independence, and environmental responsibility." Pursuant to Code § 56-599 A, Dominion files its IRP in each year immediately preceding the year

the utility is subject to a biennial review of rates for generation and distribution services filing. Pursuant to Code § 56-599 E, the Commission determines whether an IRP is reasonable and in the public interest.

As indicated in its IRP, Dominion is a member of PJM Interconnection, L.L.C. ("PJM"), a regional transmission organization in the Mid-Atlantic region of the United States. The Company states that the IRP was prepared for its service territories in Virginia and North Carolina, which are both within the PJM region. Dominion states that it serves approximately 2.7 million electric customers in Virginia and North Carolina, and that the Company's combined service territory in these two states covers approximately 30,000 square miles.

According to the Company, the IRP presents multiple potential portfolios ("Portfolios") that Dominion could use to meet customers' capacity and energy needs over the next 15 years. Dominion forecasts a 5.5% annual increase in demand over the next decade, and for demand to double by 2039 in the Company's delivery zone within PJM, the Dominion Energy Zone ("DOM Zone"). Dominion asserts that the Company's IRP "highlights the need to address significant demand growth through resource adequacy across all functions of the utility, the balance between clean energy priorities and the paramount requirement of service reliability, and maintaining rates that continue to be affordable for [the Company's] customers..." Dominion also recognizes that the IRP is a "snapshot in time" and not a request to approve any specific resource or Portfolio.

Dominion states in its filing that two dynamics within PJM since the last IRP filing have underscored the need for additional power generation and electric transmission resources within the Company's delivery zone. First, the Company states the most recent PJM capacity auction in July 2024 yielded the highest capacity price ever for the DOM Zone. The DOM Zone, according to the Company, has the highest forecasted load growth of any area within PJM. Dominion represents that the capacity price within the DOM Zone was 65% higher than the capacity price for PJM generally, and more than 15 times the prior year's clearing capacity price for the rest of PJM in this most recent capacity auction.

Second, PJM adopted an approach called effective load carrying capability ("ELCC") in January 2024, which measures how much capacity may be provided by different generation resources at different times. Compared to PJM's prior approach,

Dominion states that the ELCC methodology results in significant discounting of the capacity value of resources that cannot produce electricity upon demand (such as solar or wind) and higher capacity values of resources that can run on demand (including nuclear or gas units). According to Dominion, "[t]his shift further supports the proposition that serving [the Company's] customers reliably requires a balanced and effective mix of resources, and not over-reliance on any single generation technology or category."

Dominion states that the Company conducted a Stakeholder Process, pursuant to Code § 56-599 D, in preparation for filing its IRP. Dominion represents that the Stakeholder Process consisted of: (i) a kickoff meeting providing stakeholders an overview of the IRP; (ii) small group meetings between stakeholders and facilitators; (iii) topic-specific workshops for more in-depth conversations; and (iv) summary pre-filing meetings to review collective input and recommendations that were integrated into the IRP, and post-filing meetings for an overview of final information.

On October 11, 2024, the Commission ordered the Company to provide the following additional information by way of a supplemental filing by November 15, 2024:

1. Additional modeling that presents, as a sensitivity for comparison purposes to the Company's modeling presented in its 2024 IRP, the following: (i) its least cost plan, and (ii) at least one VCEA-compliant plan, both with projected data center load growth removed;
2. Additional modeling to include updated capacity price forecasts that incorporate the impacts of the PJM base residual capacity auction held in July 2024 for the entire 15-year planning period;
3. After obtaining and incorporating updated capacity price forecasts, present as sensitivities for comparison purposes, the following: (i) its least cost plan (which includes data center load); (ii) at least one VCEA-compliant plan (which includes data center load); (iii) its least cost plan without data center load; and (iv) at least one VCEA-compliant plan without data center load; and
4. For each planned transmission project, an indication of whether the need for the transmission project is primarily being driven by data center load growth.

The Commission entered an Order for Notice and Hearing that, among other things, scheduled public hearings on Dominion's IRP. On April 14, 2025, at 10 a.m., the Commission will hold a telephonic hearing for the purpose of receiving the testimony of public witnesses. On or before April 8, 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 April 14, 2025, the Commission will telephone sequentially each person who has signed up to testify as provided above.

On April 15, 2025, at 10 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, a hearing will be convened to receive testimony and evidence 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 Company's IRP may be obtained by submitting a written request to counsel for the Company: Nicole M. Allaband, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or nallaband@mcguirewoods.com. Interested persons may also download unofficial copies of the IRP and other documents from the Commission's website: scc.virginia.gov/pages/Case-Information.

On or before April 8, 2025, any interested person may submit comments on the IRP 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-2024-00184.

On or before January 17, 2025, 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 must also be sent to counsel for the Company, at the address listed above. 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 known; and (iii) the factual and legal basis for the action. Any organization, corporation or government body participating as a respondent must be represented by counsel as required by Rule 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2024-00184.

On or before February 28, 2025, 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-2024-00184.

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, Dominion's IRP, 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

(8) On or before December 13, 2024, the Company shall serve a copy of this Order for Notice and Hearing on the following local officials, to the extent the position exists, in each county, city, and town in which the Company provides service in the Commonwealth of Virginia: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent official) of every city and town; and the county, city, or town attorney. Service shall be made by either personal delivery or first-class mail to the customary place of business or residence of the person served.

(9) On or before January 10, 2025, the Company shall provide proof of the notice and service required by Ordering Paragraphs (7) and (8), including the name, title, and address of each official served, with the Clerk of the Commission at scc.virginia.gov/clk/efiling.

(10) On or before December 6, 2024, the Company shall file with the Clerk of the Commission any testimony and exhibits in support of its IRP. Each witness's testimony shall include a summary not to exceed one page and shall specify those portions of the IRP, including the additional information filed on November 15, 2024, that the witness will sponsor at the hearing. In lieu of pre-filed testimony and exhibits, the Company may file with the Clerk of the Commission, on or before December 6, 2024, a document in which the Company: (a) identifies witnesses who will appear and offer testimony in support of the Company's IRP at the hearing; (b) specifies those portions of the IRP that such witnesses will adopt and support as their testimony at the hearing; and (c) includes a summary not to exceed two pages of each such

witness's testimony. The Company shall serve copies thereof on counsel for all respondents and the Staff.

(11) On or before April 8, 2025, any interested person may submit comments on the IRP 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-2024-00184.

(12) On or before January 17, 2025, 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, at the address listed in Ordering Paragraph (6). 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-2024-00184.

(13) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of this Order for Notice and Hearing and a copy of the IRP, unless these materials have already been provided to the respondent.

(14) On or before February 28, 2025, 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-2024-00184.

(15) On or before March 11, 2025, the Staff shall investigate the IRP and shall file with the Clerk of the Commission its testimony and exhibits concerning the IRP. Each Staff witness's testimony shall include a summary not to exceed one page. The Staff shall serve a copy thereof on counsel to Dominion and all respondents.

(16) On or before March 25, 2025, the Company 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.

(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 this 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) 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 the Staff.¹⁹ 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.

¹⁹ 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-2024-00184, in the appropriate box.