

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, AUGUST 29, 2022

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APPLICATION OF

AQUA VIRGINIA, INC.

CASE NO. PUR-2022-00113

For Approval of a Water and Wastewater  
Infrastructure Service Charge Plan and  
For Authority to Implement Water and  
Wastewater WWISC Riders

ORDER FOR NOTICE AND HEARING

On August 15, 2022, Aqua Virginia, Inc. ("Aqua Virginia" or "Company") completed the filing of an application ("Application") with the State Corporation Commission ("Commission") for approval of a water and wastewater infrastructure service charge plan ("WWISC Plan" or "Plan"), and for authority to implement water and wastewater WWISC riders ("Water WWISC Rider" and "Wastewater WWISC Rider," collectively, "Riders") recovering costs of approved infrastructure replacement in a program substantively identical to the WWISC pilot program ("Pilot Program" or "Pilot") authorized by the Final Order entered October 19, 2018 in Case No. PUR-2017-00082 ("Pilot Program Order")<sup>1</sup> and the WWISC authorized in Case No. PUR-2019-00209.<sup>2</sup>

In its Application, the Company seeks to recover a revenue requirement of approximately \$411,000 via the proposed Water WWISC Rider associated with approximately \$6,185,000<sup>3</sup> in

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<sup>1</sup> Application at 1. *See also, Application of Aqua Virginia, Inc. for an Increase in Rates*, Case No. PUR-2017-00082, 2018 S.C.C. Ann. Rept. 244, Final Order (Oct. 19, 2018).

<sup>2</sup> Application at 1. *See also, Application of Aqua Virginia, Inc. for Approval of a Water and Wastewater Infrastructure Service Charge Plan and for Authority to Implement Water and Wastewater WWISC Riders*, Case No. PUR-2019-00209, 2020 S.C.C. Ann. Rept. 379, Final Order (June 1, 2020).

<sup>3</sup> Application at 7; Direct Testimony of Richard F. Hale ("Hale Direct") at 4.

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WWISC-eligible water main replacement projects.<sup>4</sup> Aqua further seeks to recover approximately \$148,000 in revenues via the proposed Wastewater WWISC Rider associated with approximately \$1,490,000 in WWISC-eligible wastewater infiltration and inflow ("I&I") projects.<sup>5</sup> Aqua proposes a volumetric charge of \$0.3910 per 1,000 thousand gallons of water used and \$0.5205 per 1,000 gallons of wastewater billed, to be applied across all customer classes and all bills rendered with an end reading date equal to or greater than the effective date of the Company's proposed WWISC tariff.<sup>6</sup> The True-up component of the proposed Riders is zero.<sup>7</sup>

The proposed WWISC projects include six main replacement projects and three wastewater system rehabilitation projects:

- Aqua Virginia's Twin Cedars system. Twin Cedars is a community of approximately 31 homes in Caroline County. This system experiences a main break rate of approximately 224 breaks per 100 miles per year and has a non-revenue water ("NRW") of 26%. The entire system is comprised of two-inch PVC mains. The proposed main replacement project will replace approximately 2,400 feet at a total project cost of \$280,000.<sup>8</sup>
- Aqua Virginia's Callao system. Callao serves a community of 134 homes in Northumberland County. The system experiences a main break of approximately 47 breaks per 100 miles per year. Of the 2.8 miles of distribution mains in the system, approximately 4% are asbestos cement and 46% are cast iron. The remaining distribution mains are PVC. The replacement of the asbestos cement

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<sup>4</sup> Application at 7.

<sup>5</sup> Application at 7; Direct Testimony of Terry L. Blankenship ("Blankenship Direct") at Exhibit TLB-1.

<sup>6</sup> Hale Direct, Second Supplemented Exhibit RFH-1 at 1. The Company filed two supplements to Exhibit RFH-1. The First was filed in this docket on August 23, 2022, and per Aqua, added a missing first page. The second supplement ("Second Supplemented Exhibit RFH-1") was filed on August 25, 2022, included the first page added previously, and per the Company, *superseded* all prior RFH-1 filings. In both supplemental filings, however, the new page one was not numbered. For purposes of citation, the Commission will treat the Second Supplemental Exhibit RFH-1 as a six (6) page tariff with the first page of the tariff (currently un-numbered) as page 1, and all following pages sequentially numbered thereafter through page 6. *See also*, Hale Direct at 4: "The Water WWISC and Wastewater WWISC Riders will be added to customer bills effective for the period from 120 days after filing of this Application."

<sup>7</sup> Application at 9; Hale Direct at 5.

<sup>8</sup> Blankenship Direct at 8.

and cast iron mains requires approximately 8,750 feet of new mains and is estimated to cost \$895,000.<sup>9</sup>

- Aqua Virginia's White Stone system. White Stone is a town with approximately 276 connections in Lancaster County. The system experiences a main break rate of approximately 22 breaks per 100 miles per year and has a NRW of 31%. Of the six miles of distribution mains in the system, approximately 14% are asbestos cement and 35% are cast iron. The remaining distribution mains are PVC. The replacement of the asbestos cement and cast iron mains requires approximately 21,000 feet of new mains and is estimated to cost \$2,135,000.<sup>10</sup>
- Aqua Virginia's Foxwells system. Foxwells is a community of approximately 69 homes in Lancaster County. The system experiences a main break rate of approximately 71 breaks per 100 miles per year and has a NRW of 36%. Of the 3.3 miles of distribution mains in the system, approximately 54% are steel. The remaining distribution mains are PVC. The replacement of the steel mains requires approximately 8,030 feet of new mains and is estimated to cost \$760,000.<sup>11</sup>
- Aqua Virginia's Pelham Manor system. Pelham Manor is a community of approximately 71 homes in Culpeper County. The primary driver for this project is the main break rate of approximately 235 breaks per 100 miles per year. The project requires the replacement of approximately 8,350 feet of mains and is estimated to cost \$980,000.<sup>12</sup>
- Aqua Virginia's Lively system. Lively is a town with approximately 145 connections in Lancaster County. The system experiences a main break of approximately 38 breaks per 100 miles per year and has a NRW of 39%. Of the 3.5 miles of distribution mains in this system, approximately 52% are cast iron. The remaining mains are PVC. The replacement of the cast iron mains requires approximately 10,530 feet of new mains and is estimated to cost \$1,135,000.<sup>13</sup>
- Aqua Virginia's Lake Holiday wastewater system. Lake Holiday serves 976 customers in Frederick County. As of December 2021, the percent of I&I over the prior 12 months was approximately 18% and the peak day factor was 4.9. While the percent I&I is within the desired range, the peak day peaking factor

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<sup>9</sup> Blankenship Direct at 8.

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

<sup>11</sup> *Id.* at 8-9.

<sup>12</sup> *Id.* at 9.

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

presents major challenges to operations and compliance. Peak day flows of this magnitude can overwhelm the capacity of both the collection system and the treatment facility. The proposed I&I projects will rehabilitate approximately 22,307 linear feet at a total projected cost of \$500,000.<sup>14</sup>

- Aqua Virginia's Lake Monticello wastewater system. Lake Monticello serves 4,921 customers in Fluvanna County. As of December 2021, the percent I&I over the prior 12 months was 24% and the peak day peaking factor was 2.4. The proposed I&I projects will rehabilitate approximately 13,430 linear feet at a total projected cost of \$750,000.<sup>15</sup>
- Aqua Virginia's Lake Land'Or wastewater system. Lake Land'Or serves 875 customers in Caroline County. As of December 2021, the percent I&I over the prior 12 months was approximately 38% and the peak day peaking factor was 2.8. The proposed I&I projects will rehabilitate approximately 7,855 linear feet at a total projected cost of \$240,000.<sup>16</sup>

If the Commission approves the proposed Riders, the monthly residential bill for an Aqua Virginia water customer using 4,000 gallons per month would increase, on average: for water service, by about 3.15% or \$1.56<sup>17</sup> and for wastewater service, by about 3.49% or \$2.08.<sup>18</sup>

The Company will calculate the WWISC Rider as follows:<sup>19</sup>

1. The Company will determine the eligible infrastructure replacement costs by rate schedule as defined below for the period the WWISC rider will apply.
2. The Company will estimate the water and wastewater sales by rate schedule for that period.
3. The Company will divide the eligible infrastructure replacement costs by the estimated water and wastewater sales to arrive at the WWISC Rider that shall be allocated in conformance with the revenue allocation approved by the

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<sup>14</sup> Blankenship Direct at 13-4.

<sup>15</sup> *Id.* at 14.

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

<sup>17</sup> Hale Direct at 7.

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

<sup>19</sup> Hale Direct, Second Supplemented Exhibit RFH – 1 at 4.

Commission in Case No. PUR-2020-00106 by rate schedule.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; Aqua Virginia should provide public notice of its Application; a public hearing should be scheduled for the purpose of receiving testimony and evidence on the Application; interested persons should have an opportunity to file comments on the Application or to participate as respondents in this proceeding; and that the Commission Staff ("Staff") should be directed to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon. We also appoint a Hearing Examiner to conduct all further proceedings in this matter on behalf of the Commission and file a final report containing the Hearing Examiner's findings and recommendations.

The Commission takes judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. The Commission has taken certain actions, and may take additional actions going forward, which could impact the procedures in this proceeding.<sup>20</sup> Consistent with these actions, 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.

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<sup>20</sup> See, e.g., *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic Service of Commission Orders*, Case No. CLK-2020-00004, Doc. Con. Cen. No. 200330035, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020), *extended by* Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) ("Revised Operating Procedures Order"), *extended by* Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

We note that the proposed WWISC, if approved, would result in an increase to customer bills. The Commission notes its awareness of the ongoing rise in gas prices, inflation, and other economic pressures that are impacting all utility customers. We are sensitive to the effects of rate increases, especially in times such as these. The Commission, however, must and will follow the laws applicable to this case, as well as the findings of fact supported by evidence in the record.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2022-00113.

(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 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.<sup>21</sup>

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the 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

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<sup>21</sup> As noted in the Revised Operating Procedures Order, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may be subject to delayed processing due to the COVID-19 public health issues.

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

(4) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedures before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),<sup>22</sup> a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission 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>23</sup>

(5) 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 January 25, 2023, with no witness present in the Commission's courtroom.<sup>24</sup>
- b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- c) On or before January 18, 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](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.
- d) Beginning at 10 a.m., on January 25, 2023, 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.

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<sup>22</sup> 5 VAC 5-20-10 *et seq.*

<sup>23</sup> Such electronic copies shall be sent to: [Wendy.Starkey@scc.virginia.gov](mailto:Wendy.Starkey@scc.virginia.gov) and [LeaAnn.Robertson@scc.virginia.gov](mailto:LeaAnn.Robertson@scc.virginia.gov).

<sup>24</sup> 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](http://scc.virginia.gov/pages/Webcasting).

(6) A hearing shall be convened on January 25, 2023, at 10 a.m., immediately following the public witness hearing, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive the testimony and evidence of the Company, any respondents, and the Staff.

(7) 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, John K. Byrum, Esquire, WOODS ROGERS VANDEVENTER BLACK, Riverfront Plaza, West Tower 901 East Byrd Street, Suite 1550, Richmond, Virginia 23219, (804) 343-5027, [jbyrum@woodsrogers.com](mailto:jbyrum@woodsrogers.com). Interested persons may also download unofficial copies of the Company's Application from the Commission's website: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).

(8) On or before September 23, 2022, the Company, in accordance with Code § 56-237.1 A, 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 AN APPLICATION BY  
AQUA VIRGINIA, INC.  
FOR APPROVAL OF A WATER AND WASTEWATER  
INFRASTRUCTURE SERVICE CHARGE PLAN AND  
FOR AUTHORITY TO IMPLEMENT WATER AND  
WASTEWATER WWISC RIDERS  
CASE NO. PUR-2022-00113

- Aqua Virginia Inc. ("Aqua") has applied for approval of Water and Wastewater Infrastructure Service Charge ("WWISC") Plan and For Authority to Implement Water and Wastewater WWISC Riders.
- Aqua seeks to recover a revenue requirement of approximately \$411,000 via the proposed WWISC Water Rider associated with approximately \$6,185,000 in WWISC-eligible water main replacement projects.
- Aqua further seeks to recover approximately \$148,000 in revenues via the proposed Wastewater WWISC Rider associated with approximately \$1,490,000 in WWISC-eligible wastewater projects.
- A Hearing Examiner appointed by the Commission will hold a telephonic hearing in this case on January 25, 2023, at 10 a.m., for the receipt of public witness testimony.
- The Hearing Examiner will hold an evidentiary hearing in this case on January 25, 2023, at 10 a.m., immediately following the public witness hearing, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219.
- Further information about this case is available on the State Corporation Commission's website at: [scc.virginia.gov/case](http://scc.virginia.gov/case).

On August 15, 2022, Aqua Virginia, Inc. ("Aqua Virginia" or "Company") completed the filing of an application ("Application") with the State Corporation Commission ("Commission") for approval of a water and wastewater infrastructure service charge plan ("WWISC Plan" or "Plan"), and for authority to implement water and wastewater WWISC riders ("Water WWISC Rider" and "Wastewater WWISC Rider," collectively "Riders") recovering costs of approved infrastructure replacement in a program substantively identical to the WWISC pilot program ("Pilot Program" or "Pilot") authorized by the Final Order entered October 19, 2018 in Case No. PUR-2017-00082 ("Pilot Program Order") and the WWISC authorized in Case No. PUR-2019-00209.

In its Application, the Company seeks to recover a revenue requirement of approximately \$411,000 via the proposed WWISC Water Rider associated with approximately \$6,185,000 in WWISC-eligible water main replacement projects. Aqua further seeks to recover approximately \$148,000 in revenues via the proposed Wastewater WWISC Rider associated with approximately \$1,490,000 in WWISC-eligible wastewater infiltration and inflow ("I&I") projects. The True-up component of the proposed Riders is zero. Aqua proposes a volumetric charge of \$0.3910 per 1000 thousand gallons of water used and \$0.5205 per 1000 gallons of wastewater billed, to be applied across all customer classes and all bills rendered with an end reading date equal to or greater than the effective date of the Company's proposed WWISC tariff.

The proposed WWISC projects include six main replacement projects and three wastewater system rehabilitation projects:

- Aqua Virginia's Twin Cedars system. Twin Cedars is a community of approximately 31 homes in Caroline County. This system experiences a main break rate of approximately 224 breaks per 100 miles per year and has a non-revenue water ("NRW") of 26%. The entire system is comprised of two-inch PVC mains. The proposed main replacement project will replace approximately 2,400 feet at a total project cost of \$280,000.
- Aqua Virginia's Callao system. Callao serves a community of 134 homes in Northumberland County. The system experiences a main break of approximately 47 breaks per 100 miles per year. Of the 2.8 miles of distribution mains

in the system, approximately 4% are asbestos cement and 46% are cast iron. The remaining distribution mains are PVC. The replacement of the asbestos cement and cast iron mains requires approximately 8,750 feet of new mains and is estimated to cost \$895,000.

- Aqua Virginia's White Stone system. White Stone is a town with approximately 276 connections in Lancaster County. The system experiences a main break rate of approximately 22 breaks per 100 miles per year and has a NRW of 31%. Of the six miles of distribution mains in the system, approximately 14% are asbestos cement and 35% are cast iron. The remaining distribution mains are PVC. The replacement of the asbestos cement and cast iron mains requires approximately 21,000 feet of new mains and is estimated to cost \$2,135,000.
- Aqua Virginia's Foxwells system. Foxwells is a community of approximately 69 homes in Lancaster County. The system experiences a main break rate of approximately 71 breaks per 100 miles per year and has a NRW of 36%. Of the 3.3 miles of distribution mains in the system, approximately 54% are steel. The remaining distribution mains are PVC. The replacement of the steel mains requires approximately 8,030 feet of new mains and is estimated to cost \$760,000.
- Aqua Virginia's Pelham Manor system. Pelham Manor is a community of approximately 71 homes in Culpeper County. The primary driver for this project is the main break rate of approximately 235 breaks per 100 miles per year. The project requires the replacement of approximately 8,350 feet of mains and is estimated to cost \$980,000.
- Aqua Virginia's Lively system. Lively is a town with approximately 145 connections in Lancaster County. The system experiences a main break of approximately 38 breaks per 100 miles per year and has a NRW of 39%. Of the 3.5 miles of distribution mains in this system, approximately 52% are cast iron. The remaining mains are PVC. The replacement of the cast iron mains requires approximately 10,530 feet of new mains and is estimated to cost \$1,135,000.

- Aqua Virginia's Lake Holiday wastewater system. Lake Holiday serves 976 customers in Frederick County. As of December 2021, the percent I&I over the prior 12 months was approximately 18% and the peak day factor was 4.9. While the percent I&I is within the desired range, the peak day peaking factor presents major challenges to operations and compliance. Peak day flows of this magnitude can overwhelm the capacity of both the collection system and the treatment facility. The proposed I&I projects will rehabilitate approximately 22,307 linear feet at a total projected cost of \$500,000.
- Aqua Virginia's Lake Monticello wastewater system. Lake Monticello serves 4,921 customers in Fluvanna County. As of December 2021, the percent I&I over the prior 12 months was 24% and the peak day peaking factor was 2.4. The proposed I&I projects will rehabilitate approximately 13,430 linear feet at a total projected cost of \$750,000.
- Aqua Virginia's Lake Land'Or wastewater system. Lake Land'Or serves 875 customers in Caroline County. As of December 2021, the percent I&I over the prior 12 months was approximately 38% and the peak day peaking factor was 2.8. The proposed I&I projects will rehabilitate approximately 7,855 linear feet at a total projected cost of \$240,000.

If the Commission approves the proposed Riders, the monthly residential bill for an Aqua Virginia water customer using 4000 gallons per month would increase, on average: for water service, by about 3.15% or \$1.56 and for wastewater service, by about 3.49% or \$2.08. The Company will calculate the WWISC Rider as follows:

1. The Company will determine the eligible infrastructure replacement costs by rate schedule as defined below for the period the WWISC rider will apply.
2. The Company will estimate the water and wastewater sales by rate schedule for that period.
3. The Company will divide the eligible infrastructure replacement costs by the estimated water and wastewater sales to arrive at the WWISC Rider that shall be allocated in conformance with the revenue allocation approved by the Commission in Case No. PUR-2017-00082 by rate schedule.

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

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

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 January 25, 2023, the Commission 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 January 18, 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](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 hearing will be webcast at [scc.virginia.gov/pages/Webcasting](http://scc.virginia.gov/pages/Webcasting).

On January 25, 2023, 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 Aqua Virginia, any respondents, and the Commission's Staff.

The Commission has taken judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter should 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"), 5 VAC 5-20-10 *et seq.* 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.

Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Commission's Rules of Practice, the Commission has directed that service on parties and the Commission's Staff in this matter shall be accomplished by electronic means. Please refer to the Commission's Order for Notice and Hearing for further instructions concerning Confidential or Extraordinarily Sensitive Information.

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, John K. Byrum, Esquire, WOODS ROGERS VANDEVENTER BLACK, Riverfront Plaza, West Tower 901 East Byrd Street, Suite 1550, Richmond, Virginia 23219, (804) 343-5027, [jbyrum@woodsrogers.com](mailto:jbyrum@woodsrogers.com). Interested persons may also download unofficial copies of the Company's Application from the Commission's website: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).

On or before January 18, 2023, any interested person may submit 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 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-2022-00113.

On or before October 28, 2022, 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. Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to Rule 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 Rule 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2022-00113.

On or before November 30, 2022, 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 listed above. Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Company, Staff, and all other respondents. In all filings, respondents shall comply with the Commission's 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-2022-00113.

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 Company's Application, the Commission's Rules of Practice, the Commission's Order for Notice and Hearing, and other documents filed in the case may be viewed at: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).

AQUA VIRGINIA, INC.

(9) On or before September 23, 2022, Aqua Virginia 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 through which the Project is proposed to be built: 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 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.

(10) On or before September 23, 2022, Aqua Virginia shall serve a copy of the notice prescribed in Ordering Paragraph (8) of this Order directly on the Company's customers in accordance with the provisions of Code § 56-237.1 B. Service shall either be made by first class mail to the customary place of business or residence of the person served or may be included as a prominent and legible bill insert in each customer's respective bill. For those customers who have expressly approved service of bills and other correspondence by electronic means, the notice prescribed in Ordering Paragraph (8) of this Order may be sent electronically.

(11) On or before October 14, 2022, Aqua Virginia shall file proof of the notice and service required by Ordering Paragraphs (8), (9) and (10), including the name, title, and address of each official served with the Clerk of the Commission at [scc.virginia.gov/clk/efiling/](http://scc.virginia.gov/clk/efiling/).

(12) On or before January 18, 2023, any interested person may submit 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-2022-00113.

(13) On or before October 28, 2022, 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 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 Aqua Virginia. 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-2022-00113.

(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 the Application and supporting materials, unless these materials already have been provided to the respondent.

(15) On or before November 30, 2022, 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 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 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-2022-00113.

(16) The Staff shall investigate the Application. On or before December 14, 2022, 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. The Staff shall serve a copy thereof on counsel to the Company and all respondents.

(17) On or before January 11, 2023, 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.

(18) All documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, 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 seven (7) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to the Staff.<sup>25</sup> Except as modified herein, 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.

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<sup>25</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-2022-00113, in the appropriate box.

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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