

20109426D

**HOUSE BILL NO. 889**

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Commerce and Labor  
on March 2, 2020)

(Patron Prior to Substitute—Delegate Mullin)

A BILL to direct the establishment of a pilot program relating to electric utility regulation and retail competition pursuant to § 56-577 of the Code of Virginia.

**Be it enacted by the General Assembly of Virginia:**

1. § 1. That the State Corporation Commission (the Commission) shall conduct a pilot program under which two or more nonresidential customers that, as of February 25, 2019, had filed applications seeking to aggregate their load pursuant to subdivision A 4 of § 56-577 of the Code of Virginia within the service territory of a Phase II Utility, as that term is defined in subsection A of § 56-585.1 of the Code of Virginia, shall be permitted to purchase electric energy from any supplier of electric energy licensed to sell electric energy within the Commonwealth, subject to the following terms, conditions, and restrictions:

a. A pilot program shall be conducted within the certified service territory of the Phase II Utility in which such nonresidential customers are located.

b. The aggregated load participating in the pilot program shall not exceed 200 megawatts.

c. All customers participating in the pilot program shall be subject in all respects to the provisions of subdivision A 3 of § 56-577 of the Code of Virginia (with participation in this pilot program being deemed to satisfy subdivision A 4 of § 56-577 of the Code of Virginia), with the load set forth in each application being treated as a single, individual customer for purposes of said subdivision, and shall submit an annual report to the Commission by March 31 each year to demonstrate that, for the preceding calendar year, such load continued to meet the demand limitations of subdivision A 3 of § 56-577 of the Code of Virginia.

§ 2. The Commission shall review the pilot program established pursuant to § 1 of this act in 2022.