

**Department of Planning and Budget**  
**2020 Special Session I - Fiscal Impact Statement**

**1. Bill Number:** HB5088

**House of Origin**     Introduced     Substitute     Engrossed

**Second House**     In Committee     Substitute     Enrolled

**2. Patron:** Jones

**3. Committee:** Committee Referral Pending

**4. Title:** Electric utility regulation; triennial review proceeding; emergency investigations; administration.

**5. Summary:** Directs the State Corporation Commission (the Commission), for Dominion's 2021 triennial review, to administer 100 percent of the earnings that were more than 70 basis points above the utility's most recently approved fair combined rate of return for the test period or periods under review, considered as a whole, to benefit customers. One hundred percent of any such over-earnings not otherwise administered by the Commission pursuant to an emergency investigation, if any, shall be credited to customers' bills, which the Commission shall amortize, in its sole discretion, over a period of six to 12 months. The bill also directs the State Corporation Commission to conduct an emergency investigation of the earnings of each utility subject to triennial review proceedings that is not currently undergoing an earnings review proceeding. The bill provides that if, after reviewing the earnings reported by the utility, the Commission finds that a utility's rates for generation and distribution have produced revenues that exceed the utility's most recently authorized rate of return for the calendar years reviewed by more than 70 basis points, the Commission will administer such over-earnings that are more than 70 basis points above the authorized rate of return to benefit customers. The bill provides that the Commission, in a utility's next triennial review, may take any action it deems necessary and appropriate if the bill credits ordered pursuant to an emergency investigation exceed the bill credits ordered in the utility's triennial review.

**6. Budget Amendment Necessary:** None

**7. Fiscal Impact Estimates:** No fiscal impact to the State Corporation Commission

**8. Fiscal Implications:** No fiscal impact to the State Corporation Commission

**9. Specific Agency or Political Subdivisions Affected:** State Corporation Commission

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None