

# 2021 SPECIAL SESSION I

INTRODUCED

21101313D

## HOUSE BILL NO. 1984

Offered January 13, 2021

Prefiled January 11, 2021

*A BILL to authorize the State Corporation Commission, in triennial review proceedings for a Phase II Utility, to determine fair rates of return on common equity for the utility's generation and distribution services and to order increases or decreases to the utility's rates for generation and distribution.*

Patrons—Hudson, Helmer, Subramanyam, Adams, D.M., Bourne, Carr, Carter, Coyner, Guzman, Hope, Jones, Keam, Kory, Levine, Rasoul, Reid, Samirah, Simon, Simonds and Ware

Referred to Committee on Labor and Commerce

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

*1. § 1. In any triennial review proceeding pursuant to § 56-585.1 of the Code of Virginia, including the first triennial review proceeding conducted after January 1, 2021, by the State Corporation Commission (Commission) for a Phase II Utility, as that term is defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, the Commission may use any methodology it finds consistent with the public interest to determine fair rates of return on common equity for the utility's generation and distribution services. In any such triennial review, regardless of whether the utility earned above or below its authorized rate of return during the test period under review, the Commission may also order any increases or decreases to the utility's rates for generation and distribution that it deems necessary and appropriate, as long as the resulting rates provide the utility with the opportunity to (i) fully recover its costs of providing its services and (ii) earn an authorized rate of return. To the extent that the provisions of this act are inconsistent with the provisions of § 56-249.6 or 56-585.1 of the Code of Virginia or any other provision of law, the provisions of this act shall control.*

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HB1984