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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, SEPTEMBER 13, 2000

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

Ex Parte: In the matter concerning CASE NO. PUE000346  
a draft plan for retail electric  
metering and billing services

ORDER SETTING HEARING

On July 12, 2000, the State Corporation Commission ("Commission") entered an Order Prescribing Notice and Inviting Comment ("Order") directing its Staff to publish notice of this proceeding to assist in the development of a recommendation and draft plan pertaining to retail metering and billing services to be presented to the Legislative Transition Task Force on or before January 1, 2001.<sup>1</sup>

Interested persons were invited to evaluate and respond to, or to request a hearing on, the discussion draft plans and issues associated with implementation contained in Attachment 1 and Attachment 2 (collectively, the "Attachments") to the July 12, 2000, Order, to suggest alternatives to provisions in the discussion draft plans, as well as comment on issues of

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<sup>1</sup> The Commission issued the July 12, 2000, Order pursuant to § 56-581.1 of the Virginia Electric Utility Restructuring Act (the "Act"), Chapter 23 (§§ 56-576 et seq.) of Title 56 of the Code of Virginia (the "Code").

concern to them. As our Order noted, the Attachments were intended to initiate the development of a recommendation and draft plan, and to serve as a basis for deliberation.

Comments and requests for hearing in response to the July 12, 2000, Order were to be filed with the Clerk of the Commission on or before August 25, 2000. On August 24, 2000, the Potomac Edison Company d/b/a Allegheny Power ("Allegheny Power"), stating the need for more time to provide a full response, filed a motion for an extension of time until September 1, 2000. Also on August 24, 2000, Appalachian Power Company d/b/a American Electric Power ("AEP") filed a motion requesting an extension of time until September 1, 2000. The Commission granted these motions on August 25, 2000.

By September 1, 2000, the Commission received fourteen comments on the retail metering and billing discussion draft plans and issues for implementation from a variety of industry participants. Allegheny Power, AEP, the Division of Consumer Counsel of the Office of the Attorney General, Automated Energy, Inc., the Cooperatives,<sup>2</sup> Delmarva Power & Light Company, Edison

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<sup>2</sup> The Cooperatives is a group consisting of A & N Electric Cooperative, BARC Electric Cooperative, Community Electric Cooperative, Central Virginia Electric Cooperative, Craig-Botetourt Electric Cooperative, Mecklenburg Electric Cooperative, Northern Neck Electric Cooperative, Inc., Northern Virginia Electric Cooperative, Powell Valley Electric Cooperative, Prince George Electric Cooperative, Rappahannock Electric Cooperative, Shenandoah Valley Electric Cooperative, Southside Electric Cooperative, Inc., and the Virginia, Maryland & Delaware Association of Electric Cooperatives.

Electric Institute, the Industrial Electric Customers,<sup>3</sup> LG&E Energy Corporation, National Energy Marketers Association, RGC Resources, Inc., Schlumberger Resource Management Services North America, Utility.com, and Virginia Electric and Power Company ("Virginia Power") each filed comments. In addition to filing comments, the Cooperatives and Virginia Power requested an evidentiary hearing in this matter.

NOW UPON consideration of the foregoing, the Commission is of the opinion and finds that a public hearing should be convened to receive evidence relevant to the retail metering and billing services recommendation and draft plan to be developed in this proceeding. We find that the Staff should prefile direct testimony pertaining to a recommendation and draft plan the Staff regards as appropriate. Staff's recommendation should consider the comments filed in this proceeding. The Staff should serve a copy of its direct testimony upon those parties who have filed comments in response to our July 12, 2000, Order. We find that persons who have not previously filed comments, but wish to do so at this time, may submit written comments on the Staff's prefiled direct testimony. We further find that those persons who wish to participate in the public hearing should have an opportunity to prefile direct testimony concerning a

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<sup>3</sup> The Industrial Electric Customers is a group consisting of the Virginia Committee for Fair Utility Rates and the Old Dominion Committee for Fair Utility Rates.

recommendation and draft plan for implementation and responding to prefiled Staff testimony. Parties may adopt as their prefiled testimony their comments already filed. Any party adopting its comments as its testimony must identify the witness or witnesses who will sponsor the comments, and must provide a brief description of the specific issues within those comments the party intends to address at the hearing.

Accordingly, IT IS THEREFORE ORDERED THAT:

(1) A public hearing hereby is scheduled before the Commission for November 1, 2000, at 10:45 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia for the purpose of receiving evidence relevant to the retail metering and billing services recommendation and draft plan.

(2) Copies of the comments filed in this matter shall be available for public inspection in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday. Copies may also be obtained by directing a written request for the same to Joel H. Peck, Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Such requests must refer to Case No. PUE000346 and include payment for applicable copying charges.

(3) On or before October 10, 2000, the Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of the direct testimony that it intends to present pertaining to a recommendation and draft plan for implementation of retail metering and billing services the Staff regards as appropriate. The Staff shall mail a copy of its testimony to each party who has filed comments in response to our July 12, 2000, Order.

(4) On or before October 23, 2000, interested persons who wish to comment in writing on the Staff's direct testimony may do so by directing an original and five (5) copies of such comments to the Clerk of the Commission at the address set forth in Ordering Paragraph (2) above. Such comments must refer to Case No. PUE000346. Parties filing such comments shall serve a copy of the same upon counsel for the Staff, Katharine B. Austin, Esquire, Office of General Counsel, State Corporation Commission, P.O. Box 1197, Richmond, Virginia 23218. Such comments shall be part of the record in this matter and given appropriate consideration. Any person desiring to comment at the public hearing on the recommendation and draft plan for implementation need only appear in the Commission's second floor courtroom located in the Tyler Building, at the address set forth in Ordering Paragraph (2) above, at 10:30 a.m. on the day of the

hearing and identify himself or herself to the Bailiff as a public witness.

(5) On or before October 23, 2000, those persons who wish to participate in the public hearing to be convened herein shall file an original and fifteen (15) copies of direct testimony with the Clerk of the Commission at the address set forth in Ordering Paragraph (2) above, and shall serve on or before October 23, 2000, a copy of the same upon counsel for the Staff at the address set forth in Ordering Paragraph (4) above, and all other parties of record. Any party that is a corporate entity and that wishes to submit evidence or cross-examine witnesses must be represented by legal counsel in accordance with the requirements of Rule 4:8, 5 VAC 5-10-200, of the Commission's Rules of Practice and Procedure.

(6) Any party desiring to adopt its comments, that already have been filed, as its testimony at the hearing shall notify the Clerk of the Commission in writing of such intent on or before October 23, 2000. Any party adopting its comments as its testimony must identify the witness or witnesses who will sponsor the comments and must provide a brief description of the specific issues within those comments the party intends to address at the hearing.

(7) Any rebuttal evidence Staff desires to present may be given orally at the hearing scheduled in this matter by leave of the Commission.