

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION *State Corporation Commission*  
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COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. PUR-2024-00184

**In re: Virginia Electric and Power Company's  
Integrated Resource Plan filing pursuant to  
Va. Code § 56-597 *et seq.***

**HEARING EXAMINER'S PROTECTIVE RULING  
AND ADDITIONAL PROTECTIVE TREATMENT  
FOR EXTRAORDINARILY SENSITIVE  
CUSTOMER NAMES INFORMATION**

**December 10, 2024**

On October 15, 2024, Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") its 2024 Integrated Resource Plan ("IRP"). Concurrent with its 2024 IRP, Dominion filed its Motion for Entry of a Protective Order and Additional Protective Treatment ("First ES Motion").

On November 18, 2024, the Commission issued its Order for Notice and Hearing ("Procedural Order") in this case for consideration of Dominion's 2024 IRP. Among other things, the Procedural Order established a procedural schedule that includes a public hearing and assigned a Hearing Examiner to all *pro hac vice* motions and discovery matters, including the First ES Motion.

On November 19, 2024, a Hearing Examiner's Protective Ruling and Additional Protective Treatment for Extraordinarily Sensitive Information ("First ES Ruling") was issued. The First ES Ruling provided, among other things, heightened protections for the following types of information that the Company defined and designated as extraordinarily sensitive: Projected Rate Model, Contracts & Prices Information, Market Information, PLEXOS Backup & Model, RFP & RFI Results, and Grid Information.

On December 5, 2024, Dominion filed its Section Motion for Entry of Additional Protective Treatment for Extraordinarily Sensitive Information ("Second ES Motion"). In its Second ES Motion, Dominion indicated that information responsive to Commission Staff discovery, or similar requests, includes identity and account characteristics of specific customers ("Customer Names"). The Company believes that Customer Names should not be provided to anyone outside of the Commission, Commission personnel, and Commission Staff. In support of Dominion's classification of such information as extraordinarily sensitive, the Second ES Motion identifies privacy concerns associated with customers' identity and energy usage data and explains why the First ES Ruling does not address such concerns.<sup>1</sup> Dominion identified a recent

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<sup>1</sup> Second ES Motion at unpaginated 3-5.

Protective Ruling in Case No. PUR-2024-00147 that provided protection for Customer Names similar to the protection proposed by the Second ES Motion.<sup>2</sup>

Dominion requested that the following conditions be placed on any review of the extraordinarily sensitive Customer Names information:<sup>3</sup>

- Access to Customer Names shall be given only to (i) the Commission; (ii) Commission personnel; or (iii) Commission Staff;
- Oral testimony concerning Customer Names will be taken *in camera*, with access to the testimony to be given only to (i) the Commission; (ii) Commission personnel; (iii) Commission Staff; and (iv) the Company;
- The Commission, Commission personnel, and Commission Staff will treat Customer Names as confidential in accordance with Rule 170 of the Commission’s Rules of Practice and Procedure, 5 VAC 5-20-170; and
- Paragraph (13) of the Protective Ruling shall be amended to include the following language:

Notwithstanding the provisions of this Paragraph, the Company may designate certain, limited information as extraordinarily sensitive information without first seeking and obtaining prior Commission approval for such designation. Such information shall be within the scope of information designated as “extraordinarily sensitive” related to Customer Names as defined in the Second ES Motion. However, the Commission, any Hearing Examiner assigned to this docket, Staff, or any party hereto, may challenge the Company’s designation of any such information as extraordinarily sensitive. Upon such challenge, the Company shall have the burden to demonstrate to the satisfaction of the Commission or Hearing Examiner, as the case may be, that this Protective Ruling does not otherwise provide the information claimed to be extraordinarily sensitive, sufficient protection and that the additional, proposed restrictions are necessary.

I find that the Second ES Motion should be granted to provide Customer Names information additional protection comparable to the protection provided for such information in several recent Commission proceedings, including Case No. PUR-2024-00147.

Accordingly, **IT IS DIRECTED** that:

(1) Paragraph (13) of the First ES Ruling is modified to include, as additional language at the end of the paragraph, the following:

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<sup>2</sup> *Id.* at unpaginated 4.

<sup>3</sup> *Id.* at unpaginated 5-6.

Notwithstanding the provisions of this Paragraph, the Company may designate certain, limited information as extraordinarily sensitive information without first seeking and obtaining prior Commission approval for such designation. Such information shall be within the scope of information designated as “extraordinarily sensitive” related to Customer Names as defined in the Second ES Motion. However, the Commission, any Hearing Examiner assigned to this docket, Staff, or any party hereto, may challenge the Company’s designation of any such information as extraordinarily sensitive. Upon such challenge, the Company shall have the burden to demonstrate to the satisfaction of the Commission or Hearing Examiner, as the case may be, that this Protective Ruling does not otherwise provide the information claimed to be extraordinarily sensitive, sufficient protection and that the additional, proposed restrictions are necessary.

(2) The First ES Ruling is modified to add the following language as Paragraph (21):

(21) The following terms and conditions are hereby adopted to address the handling of Customer Names:

(a) Access to Customer Names shall be given only to (i) the Commission; (ii) Commission personnel; and (iii) Commission Staff;

(b) Oral testimony concerning the extraordinarily sensitive information will be taken *in camera*; and

(c) The Commission, Commission personnel, and Commission Staff will treat Customer Names as confidential in accordance with Rule 170 of the Rules of Practice and Procedure, 5 VAC 5-20-170.




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D. Mathias Roussy, Jr.  
Chief Hearing Examiner

Document Control Center is requested to send a copy of this Protective Ruling and Additional Protective Treatment for Extraordinarily Sensitive Customer Names Information to all persons on the official Service List in this matter. The Service List is available from the Clerk of the State Corporation Commission, c/o Document Control Center, 1300 East Main Street, First Floor, Tyler Building, Richmond, VA 23219.