

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, JULY 18, 2024

SCC - CLERK'S OFFICE  
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2024 JUL 18 P 5:00

PETITION OF

AQUA VIRGINIA, INC.

CASE NO. PUR-2024-00125

For an annual informational filing

ORDER GRANTING WAIVER

On July 1, 2024, pursuant to Rule 5 VAC 5-20-100 B of the State Corporation Commission's ("Commission") Rules of Practice and Procedure,<sup>1</sup> and Rules 20 VAC 5-201-10 E and 20 VAC 5-201-30 of the Commission's Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-owned Water Utilities ("Rate Case Rules"),<sup>2</sup> Aqua Virginia, Inc. ("Aqua" or "Company"), filed a Petition for Partial Waiver and Extension of Time to File Annual Informational Filing ("Petition"), wherein the Company requests (i) an extension of time to submit an annual informational filing ("AIF"), from July 31, 2024, until October 31, 2024, or ninety (90) days after the entry of the Final Order in Aqua's pending base rate case, Case No. PUR-2023-00073 ("2023 Rate Case"),<sup>3</sup> whichever is later, and (ii) a partial waiver of Rule 20 VAC 5-201-30 requiring submission of certain AIF schedules.<sup>4</sup>

In support of its Petition, Aqua states that on April 30, 2024, the Commission held an evidentiary hearing on the Company's 2023 Rate Case.<sup>5</sup> In its 2023 Rate Case, Aqua used a test

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<sup>1</sup> 5 VAC 5-20-10 *et seq.*

<sup>2</sup> 20 VAC 5-201-10 *et seq.*

<sup>3</sup> *Application of Aqua Virginia, Inc., For an Increase in Rates*, Case No. PUR-2023-00073, Doc. Con. Cen. No. 230760021, Application (July 27, 2023).

<sup>4</sup> Petition at 1 and 4.

<sup>5</sup> *Id.* at 2.

year ending March 31, 2023.<sup>6</sup> Pursuant to the Rate Case Rules, a utility ordinarily must file an AIF within 120 days after the end of a test year ending in the same month used in the utility's most recent rate application.<sup>7</sup> Absent the requested extension, Aqua states it would have to file its next AIF on or before July 31, 2024, and possibly before the Commission enters a Final Order in the Company's 2023 Rate Case.<sup>8</sup>

Aqua further asserts that, given that the 2023 Rate Case is currently ongoing and may be only recently concluded by October 31, 2024, the Commission requests a partial waiver of Rule 20 VAC 5-201-30 exempting the Company from filing forward-looking Schedules 19-28.<sup>9</sup>

Lastly, the Company represents that counsel for Aqua has conferred with Staff counsel and represents that Staff does not oppose the Petition.<sup>10</sup>

NOW THE COMMISSION, upon consideration of the foregoing, is of the opinion and finds that Aqua's Petition should be granted as set forth herein.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUR-2024-00125.

(2) Aqua shall file its AIF in this docket, on or before October 31, 2024, or ninety (90) days after the entry of the Final Order in the 2023 Rate Case, whichever is later.

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<sup>6</sup> *Id.* at 2-3 (citing 2023 Rate Case, Doc. Con. Cen. No. 240430134, Stipulation at 3, Par. (2), Earnings Test (April 26, 2024)).

<sup>7</sup> Petition at 3 (citing 20 VAC 5-201-30).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* Aqua notes that the Commission's Rate Case Rules nonetheless require that the Company to file Schedules 1-7, earnings test Schedules 9, 11, 12 and 14, as well as Schedules 15, 16, 17, 18 and 40a, in order for the Commission to assess the recovery of certain deferred costs. *Id.*

<sup>10</sup> *Id.* at 4.

(3) The Company's requested waiver of Rule 20 VAC 5-201-30 to file Schedules 19-28 is granted.

(4) This case is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List of this matter. The Service List is available from the Clerk of the Commission.