

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, SEPTEMBER 24, 20224

REG - SERVICE OFFICE
REGISTRATION CONTROL CENTER

240950004

PETITION OF
GREGORY FRANCIS ANDRADE

2024 SEP 24 P 1:27

CASE NO. PUR-2024-00019

v.

VIRGINIA ELECTRIC AND POWER COMPANY

For a review of a billing dispute for electric service

FINAL ORDER

On January 31, 2024, Gregory Francis Andrade ("Petitioner") filed a complaint ("Petition") with the State Corporation Commission ("Commission") concerning the accuracy of Virginia Electric and Power Company d/b/a Dominion Energy Virginia's ("Dominion" or "Company") billing for electric service. Specifically, the Petitioner maintained that the kilowatt-hour ("kWh") usage on his smart meter did not match the kWh usage on his bill from the Company.

On March 8, 2024, the Commission entered an Order Appointing Hearing Examiner ("Procedural Order") assigning this matter to a Hearing Examiner to conduct further proceedings in this case and to file a final report. The Procedural Order also directed the Company to file a responsive pleading addressing the allegations in the Petition within 21 days of the Procedural Order's entry. On March 29, 2024, the Company filed its Response to the Petition ("Dominion Response") wherein, among other things, the Company maintained it correctly calculated the Petitioner's kWh usage and appropriately billed the Petitioner under Schedule 1G – Residential Service ("Schedule 1G"), the tariff pursuant to which the Petitioner receives electric service.¹

¹ Ex. 9 (Dominion Response) at 4-9.

On April 1, 2024, a Ruling was entered directing the Staff of the Commission ("Staff") to file a pleading responding to the Petition and to the Company's Response on or before April 15, 2024, and providing the Petitioner with an opportunity to file a reply to the Company's Response and Staff's responsive pleading on or before April 29, 2024. On April 15, 2024, Staff filed its Response to the Petition and the Company's Response ("Staff Response"). Among other things, Staff stated that, based upon a sample of Petitioner's bills, Staff independently verified the Petitioner's Schedule 1G charges accurately reflect Dominion's use of the methodology described in the Company's Response.² Staff also represented it does not object to the Company's assertion that it has complied with the Schedule 1G tariff.³ On April 16, 2024, the Petitioner filed several documents in reply to the Responses of Dominion and Staff (collectively "Andrade Reply"), wherein, among other things, the Petitioner continued to express concerns regarding the Company's rounding process, questioned why even small deviations in the accuracy of his meter readings should be allowed, maintained his meter reading variances and related billing concerns did not arise until after Dominion's transition from the analog meter at his residence to a digital smart meter, asserted that some of the variances he has observed exceed 10 kWh, suggested a 10-kWh allowable variance is excessive, and requested a further investigation of the Company's meter reading processes.⁴

On April 24, 2024, a Ruling was entered by the Chief Hearing Examiner scheduling a hearing on the Petition for June 26, 2024, and establishing various procedures in connection with the hearing.

² Ex. 15 (Staff Response) at 3-5.

³ *Id.* at 6-7.

⁴ See Exs. 4 and 5 (collectively, Andrade Reply).

On June 26, 2024, the evidentiary hearing was convened, as scheduled. The Petitioner appeared remotely on his own behalf. Dominion and Staff also participated at the hearing.

On August 2, 2024, the Report of A. Ann Berkebile, Chief Hearing Examiner ("Report") was issued. In the Report, the Chief Hearing Examiner made the following findings:⁵

- (1) The Company has not billed the Petitioner inappropriately under Schedule 1G;
- (2) The Company should be directed to explore improvements to its Schedule 1G billing presentation to alleviate confusion associated with the meter reading variance issues raised by the Petitioner in this case; and
- (3) The Petition should be dismissed.

On August 6, 2024, the Petitioner filed comments on the Report stating that he "agree[s] with the findings and recommendations as presented in this matter from the report and to dismiss the petition" provided that Dominion "agrees and complies to the rulings noted and makes the prompt, timely updates, modifications, and or changes to the 'billing presentment'"⁶

On August 26, 2024, Dominion and Staff filed comments on the Report. In its comments, Dominion notes that in Case No. PUR-2023-00051, the Commission approved Phase III of the Customer Information Platform ("CIP"), the bill redesign project as part of the Company's Grid Transformation Plan, and that as a result, the recommended billing presentation improvements are already underway.⁷ Dominion concluded its comments by respectfully requesting the Commission to issue a final order in this proceeding adopting the Report's

⁵ Report at 11-12.

⁶ Petitioner Comments at 1.

⁷ Dominion Comments Letter at 2. *See Petition of Virginia Electric and Power Company, For approval of a plan for electric distribution grid transformation projects pursuant to §56-585.1 A 6 of the Code of Virginia, PUR-2023-00051, 2023 S.C.C. Ann. Rept. 418, Final Order (Sept. 18, 2023).*

findings and recommendations.⁸ In its comments, Staff stated that it does not object to the conclusions set forth in the Chief Hearing Examiner's Report.⁹

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds as follows.

Hearing Examiner's Report

After analyzing the law and weighing the evidence – and providing a thorough and detailed analysis thereof – the Hearing Examiner made the following recommendations:¹⁰

Accordingly, I RECOMMEND the Commission enter an Order that:

- (1) *ADOPTS* the findings of the Report.
- (2) *DIRECTS* the Company to explore billing presentation improvements to alleviate customer confusion; and
- (3) *DISMISSES* the Petition.

Upon consideration of this matter, the Commission concludes that the Hearing Examiner's findings and recommendations are supported by the law and evidence, have a rational basis, and are adopted herein.

Accordingly, IT IS ORDERED THAT:

- (1) The findings and recommendations set forth in the Hearing Examiner's Report are hereby adopted as set forth herein.
- (2) The Hearing Examiner's recommendations, set forth herein, are hereby ordered.
- (3) This case is dismissed.

⁸ Dominion Comments Letter at 2.

⁹ Staff Comments at 1.

¹⁰ Report at 43-44.

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

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