

25102020D

1 **HOUSE BILL NO. 2027**

2 Offered January 13, 2025

3 Prefiled January 7, 2025

4 *A BILL to amend the Code of Virginia by adding a section numbered 56-580.1, relating to State Corporation*
5 *Commission; certificate of operation for high load facilities.*

6 Patron—Thomas

7 Referred to Committee on Labor and Commerce

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That the Code of Virginia is amended by adding a section numbered 56-580.1 as follows:**10 **§ 56-580.1. Certificate of operation for high load facilities.**11 *A. As used in this section, "high load facility" means any facility or combination of facilities that, in the*
12 *Commission's discretion, effectively operate together as a facility whose electricity demand exceeds 25*
13 *megawatts that was not operating before July 1, 2026.*14 *B. No person shall operate a high load facility without first having obtained a certificate of operation*
15 *from the Commission.*16 *C. The Commission shall permit the operation of a high load facility upon a finding that such facility and*
17 *associated facilities (i) will have no material adverse effect upon the rates paid by customers of any regulated*
18 *public utility in the Commonwealth, taking into account any likely generation, transmission, or distribution*
19 *needs attributable to the operation of the high load facility; (ii) will have no material adverse effect upon*
20 *reliability of electric service provided by any regulated public utility; (iii) would be consistent with the*
21 *Commonwealth Clean Energy Policy under § 45.2-1706.1; and (iv) are not otherwise contrary to the public*
22 *interest.*23 *D. In review of a petition for a certificate to operate a high load facility, the Commission shall give*
24 *consideration to the effect of the facility and associated facilities on the environment and establish such*
25 *conditions as may be desirable or necessary to minimize adverse environmental impact and shall consider (i)*
26 *whether adequate notice has been given to the incumbent electric utility serving the area where the high load*
27 *facility would be located; (ii) whether the applicant has provided adequate information to the public and*
28 *interested stakeholders regarding the high load facility's energy use, its impacts on the electric grid, its*
29 *impacts on the environment, and its consumption of natural resources; (iii) whether there is sufficient energy,*
30 *capacity, and grid infrastructure to support the operation of the high load facility; (iv) the cumulative*
31 *impacts on the environment and on the reliability of the electric grid that could result from the permitting and*
32 *operation of multiple high load facilities in the same geographic area; (v) the high load facility's contribution*
33 *to economic development in the Commonwealth; and (vi) whether the permitting and operation of the high*
34 *load facility would create an unreasonable cross-subsidy across customers served by the incumbent electric*
35 *utility.*36 **2. That the State Corporation Commission (the Commission) shall conduct a proceeding to establish**
37 **minimum criteria for the issuance of a certificate of operation for a high load facility, as defined in §**
38 **56-580.1 of the Code of Virginia, as created by this act, and requirements for public notice and an**
39 **opportunity for hearing. In developing the minimum criteria and notice and hearing requirements, the**
40 **Commission shall seek public input and consult with the Department of Environmental Quality, the**
41 **Department of Energy, the Commission on Electric Utility Regulation, and any other person the**
42 **Commission deems appropriate. The criteria and notice requirements shall be adopted in accordance**
43 **with the Commission's Rules of Practice and Procedure and shall become effective no later than July 1,**
44 **2026.**

INTRODUCED

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