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HOUSE BILL NO. 2101

Offered January 13, 2025

Prefiled January 7, 2025

A *BILL to direct the State Corporation Commission to initiate proceedings to determine if the current allocation of costs among different customer classifications of electric utilities requires customers that are not data centers to unreasonably subsidize the costs of customers that are data centers.*

Patrons—Maldonado, Shin, Laufer and Ware

Referred to Committee on Labor and Commerce

Be it enacted by the General Assembly of Virginia:

1. § 1. The State Corporation Commission (the Commission) shall initiate proceedings to determine if the current allocation of costs among different customer classifications of electric utilities in the Commonwealth requires customers that are not data centers, as defined in subdivision A 43 of § 58.1-3506 of the Code of Virginia, to unreasonably subsidize the costs of customers that are data centers. If the Commission determines that the current allocation of costs requires customers that are not data centers to unreasonably subsidize the costs of customers that are data centers, the Commission shall promulgate such rules as necessary to eliminate or minimize such unreasonable subsidies to the maximum possible extent. The Commission shall complete such proceedings prior to January 1, 2026. Prior to the completion of such proceedings, the Commission shall not issue any certificate of public convenience and necessity associated with any application submitted on or after July 1, 2025, in which a data center customer is the primary beneficiary of the project associated with such certificate. For the purposes of this act, a data center customer is the primary beneficiary of a project if such project would not be needed absent the anticipated demand from one or more data center customers. Nothing in this act shall be interpreted to prevent the Commission from exercising its authority and discretion to address matters of grid reliability or security.

§ 2. The Commission may comply with the requirements of this act in proceedings initiated before the effective date of this act if the Commission determines in its existing authority to eliminate or minimize unreasonable subsidies or rate increases caused by data center customers.

INTRODUCED

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