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HOUSE BILL NO. 1360

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Labor and Commerce
on February 10, 2026)

(Patron Prior to Substitute—Delegate Shin)

A BILL to establish certain requirements for investor-owned electric utilities in fuel factor proceedings conducted with the State Corporation Commission.

Be it enacted by the General Assembly of Virginia:

1. § 1. *That in any fuel factor proceeding conducted with the State Corporation Commission (the Commission) under § 56-249.6 of the Code of Virginia, each investor-owned electric utility shall provide in its initial application (i) all hours during which the investor-owned electric utility committed any of its coal-fueled or oil-fueled electric generating units as must-run units, (ii) the marginal operating costs of such units during each hour when they were designated as must-run, (iii) the reason for making each such must-run commitment, and (iv) the energy market clearing price set by the regional transmission entity for that same hour. Under its existing authority, the Commission shall determine, on a case-by-case basis, whether the decision by an investor-owned electric utility to commit a coal-fueled or oil-fueled electric generating unit as must-run was reasonable and prudent, and the Commission shall deny the recovery of any costs associated with any such decision that the Commission finds was unreasonable or imprudent.*

HOUSE SUBSTITUTE

HB1360H1