

# VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

## CHAPTER 310

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

[H 1360]

Approved April 6, 2026

**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.*