

SUPPORT HB155 / SB619

Topic: Requirement for a Certificate of Operation for New High-Load Facility

Bill Patron: Delegate Josh Thomas, Senator Kannan Srinivasan

OVERVIEW:

This change would introduce oversight at the state level, requiring a certificate of operation from the State Corporation Commission (SCC) for any high-load facilities, defined as exceeding 25 megawatts, operating after July 1, 2026. The review criteria that the SCC must weigh when considering a certificate petition is grid capacity, reliability, rate effects on other customers, environment and public health impacts, alignment with the state clean energy policy, and if it is not otherwise contrary to the public interest. The bill does provide a presumptive pathway in favor of having met the final three criteria (environment and public health, alignment with clean energy goals, and the public interest) if the applicant shows it has secured energy storage or zero-carbon resources within the service territory of the regional transmission entity, or taken other actions to offset its contributions to peak demand such as participation in demand response, load shedding, or load reassignment. With these commitments the first three review criteria (grid capacity, reliability, and rate effects) would still apply though.

REASONS TO SUPPORT:

- Data center approvals are made at the local level and have not considered impacts on the grid, reliability, and ratepayers, or conflicts with state policies and regional impacts on the environment and public health.
- This lack of high level planning or state level review has placed our energy infrastructure at risk threatening reliability, driving up costs for families, forcing misalignment with state clean energy policy, and degrading our communities and public health.
- The PJM independent market monitor, Monitoring Analytics, stated in a letter to FERC submitted November 25, 2025 that PJM cannot serve new data center loads reliably and that continuing to allow them to connect without any high level review of grid impact will require periodic blackouts for data centers and other customers.
- The State Corporation Commission recognized during the 2025 Dominion Biennial Rate Case that large load customers contribute less towards transmission costs than other customer classes and that alternative cost allocation methodologies may be needed.



The Piedmont Environmental Council
Julie Bolthouse
jbolthouse@pecva.org
571-442-4068



Virginia Conservation Network
Lillian Anderson, Director of Clean Energy &
Climate Justice Programs
lillian@vcnva.org
Lillian: (804) 220-1126

This position was taken by Virginia Conservation Network (VCN)'s Legislative Committee and Board of Directors and is supported by Virginia's conservation community. For a complete list of VCN positions, visit www.vcnva.org/bill-tracker. VCN is committed to building a powerful, diverse, and highly-coordinated conservation movement focused on protecting our Commonwealth's natural resources today and for tomorrow.