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# Natural gas utilities; recovery and deferral of system expansion infrastructure costs. (HB1475)

## Introduced By

[Del. Lee Ware (R-Powhatan)](http://docs.google.com/legislator/rlware/)

## Progress

| ✓ | Introduced |
| --- | --- |
| ✓ | Passed Committee |
| ✓ | Passed House |
| ✓ | Passed Senate |
| ✓ | Signed by Governor |
| ☐ | Became Law |

## Description

**Natural gas utilities; recovery of system expansion infrastructure costs.** Establishes a procedure under which a natural gas utility may seek State Corporation Commission (SCC) approval of a system expansion plan that includes, among other things, a schedule for recovery of eligible system expansion infrastructure costs through a system expansion rider and a methodology for deferral of unrecovered eligible system expansion costs. A system expansion plan and system expansion rider shall allocate and charge costs in accordance with cost causation principles in order to avoid any undue cross-subsidization between rate classes. The SCC is barred from examining other revenue requirement or ratemaking issues in its consideration of the natural gas utility's application. Costs recovered under this measure shall be in addition to all other costs that the natural gas utility is permitted to recover, shall not be considered an offset to other approved costs of service or revenue requirements, and shall not be included in any computation relative to a performance-based regulation plan revenue-sharing mechanism. The authorization and encouragement of the expansion of natural gas infrastructure and the promotion of the use of natural gas are declared to be in the public interest. Allowing Virginia's natural gas utilities to approach expansion of intrastate infrastructure into unserved and underserved areas on a more proactive basis by expanding, improving, and increasing the reliability of Virginia's energy infrastructure is also declared to be in the public interest. [Read the Bill »](http://docs.google.com/bill/2015/hb1475/fulltext/)

## Outcome

Bill Has Passed

## History

| Date | Action |
| --- | --- |
| 01/02/2015 | Committee |
| 01/02/2015 | Prefiled and ordered printed; offered 01/14/15 15101914D |
| 01/02/2015 | Referred to Committee on Commerce and Labor |
| 01/13/2015 | Impact statement from SCC (HB1475) |
| 01/22/2015 | Reported from Commerce and Labor with substitute (21-Y 0-N) ([see vote tally](http://docs.google.com/bill/2015/hb1475/h14v0034/)) |
| 01/22/2015 | Committee substitute printed 15104079D-H1 |
| 01/26/2015 | Read first time |
| 01/27/2015 | Read second time |
| 01/27/2015 | Committee substitute agreed to 15104079D-H1 |
| 01/27/2015 | Engrossed by House - committee substitute HB1475H1 |
| 01/28/2015 | Read third time and passed House (95-Y 2-N) |
| 01/28/2015 | VOTE: PASSAGE (95-Y 2-N) ([see vote tally](http://docs.google.com/bill/2015/hb1475/hv1676/)) |
| 01/29/2015 | Impact statement from SCC (HB1475H1) |
| 01/29/2015 | Constitutional reading dispensed |
| 01/29/2015 | Referred to Committee on Commerce and Labor |
| 02/16/2015 | Reported from Commerce and Labor (15-Y 0-N) ([see vote tally](http://docs.google.com/bill/2015/hb1475/s02v0068/)) |
| 02/18/2015 | Constitutional reading dispensed (38-Y 0-N) ([see vote tally](http://docs.google.com/bill/2015/hb1475/sv0559/)) |
| 02/19/2015 | Read third time |
| 02/19/2015 | Passed Senate (38-Y 0-N) ([see vote tally](http://docs.google.com/bill/2015/hb1475/sv0615/)) |
| 02/24/2015 | Enrolled |
| 02/24/2015 | Bill text as passed House and Senate (HB1475ER) |
| 02/25/2015 | Impact statement from SCC (HB1475ER) |
| 02/25/2015 | Signed by Speaker |
| 02/26/2015 | G Governor's Action Deadline Midnight, Monday, March 30, 2015 |
| 02/26/2015 | Signed by President |
| 02/26/2015 | Enrolled Bill communicated to Governor on 2/26/15 |
| 02/26/2015 | G Governor's Action Deadline Midnight, Sunday, March 29, 2015 |
| 03/17/2015 | G Approved by Governor-Chapter 231 (effective 7/1/15) |
| 03/17/2015 | G Acts of Assembly Chapter text (CHAP0231) |

## Video

This bill was discussed on the floor of the General Assembly. Below is all of the video that we have of that discussion, 1 clip in all, totaling 2 minutes.

← →

Duplicate Bills

The following bills are identical to this one: [SB1163](http://docs.google.com/bill/2015/sb1163/).

## Comments

Dianna Richardson **writes**:

What is the underlying reason for introducing this bill? Does it mean that Virginians who are concerned with gas lines running through/under their property who might try to fight it on the basis on imminent domain will have weakened arguments now?

Posted 88 months ago. [#](#30j0zll)

Tom **writes**:

Ware's HB1475 does at least two BAD things: gives pipeline companies a new revenue stream out of consumers's pockets that can't be questioned by the SCC or consumers and gives the companies prima facia right to build pipelines anywhere they want because the company gets to decide what is "in the public interest." This is bad law.

Posted 88 months ago. [#](#1fob9te)

[Waldo Jaquith](http://waldo.jaquith.org/) **writes**:

This is definitely a case of a bill that warrants a stated justification on the part of the lawmaker. What is it that Del. Ware intends to accomplish here?

Posted 88 months ago. [#](#3znysh7)

Sally Burger **writes**:

According to Wild Virginia's latest Action Alert, Dominion introduced HB 1475 thru Del Ware, & it declares gas pipelines & assoc infrastructure to be " in the public interest" (the key to evoking eminent domain).Further, WV states that it would devastate rights of VA prop owners, citizens & communities & give energy co's like Dominion powers currently granted only by Fed Govt Agencies...leading to "open season" in VA & the GWNF for energy projects, pipelines & expanded oil & gas drilling & fracking. + The bill requires rate payers to pay for it.

Posted 87 months ago. [#](#2et92p0)

Sally Burger **writes**:

Please email members of the House Commerce and Labor Committee to tell them to vote NO on HB 1475.

Posted 87 months ago. [#](#tyjcwt)

Justice **writes**:

The merger between State and Corporate powers is the PUREST definition of Fascism and this is exactly what Delegate Lee Ware is introducing with this Bill.

There is no more Red or Blue...just GREEN.

Posted 87 months ago. [#](#3dy6vkm)

Marcia Geyer **writes**:

There are a few "minor problems" with HB 1475 !

1. Utility companies' infrastructure serves their corporate profitability, with zero public interest, insofar as gas (or oil) is sent for foreign export. Some gas coming through Virginia pipelines will be in this category, such as meeting the future capacity needs of Dominionb's Cove Point MD export facility.

2. Blanket permission to private corporate utilities to recover from ratepayers the extra costs incurred in building their corporate fixed assets that are pipelines and infrastructure - so called "Eligible syatem infrastructure costs" - while compensating their shareholders free of this kind of expense, unfairly advantages one kind of corporation in our supposedly capitalist system, and correspondingly disadvantages their customers (ratepayers) who are captives of the corporation because there is no choice of utility providers in Virginia. This is corporate welfare at its most shameful level. The bill declares it "prudent" but the beneficiaries are the utility corporations and their shareholders - for whom such a boondoogle is "prudent" indeed.

3. The state code should not permanently enshrine that one kind of fossil fuels serves the public interest, versus other fossil fuels and solar, wind, geothermal, wave action, energy conservation, etc. We have enough problems with the conflicts over reducing climate disruption (including sea level rise along the Virginia coast) by cutting back on utility emissions per proposed federal rules; coal mining jobs to be lost; the unreasonable limitations on capacity of privately owning solar; lack of a timely plan to develop the offshore wind leased by Dominion; and the cost and time for new nuclear power. Energy technologies, and problems associated with them, are moving targets unsuitable for special recognition as "in the public interest".

Posted 87 months ago. [#](#1t3h5sf)

john geary **writes**:

HB 1475 would effectively eliminate what little protection Virginia property owners currently have When attempting to protect their homes and properties from energy giants such as Dominion power who are only seeking corporate gain. Are we to suggest that offering Virginia citizens a little bit of protection against energy Giants When these energy companies come to take our homes is unreasonable. Representative Ware is obviously more interested in Dominion power' s money and political backing than in protecting the interests of his constituents and Virginia residents.

Posted 87 months ago. [#](#4d34og8)

JJ **writes**:

These Dominion Power supported bills are an attempt to pass costs of "infrastructure expansion" on to ratepayers. It also restricts the SCC from looking at the total picture in regard to the rates charged by utilities, blurring “expansion” from other chargeable business categories. Infrastructure expansion is a corporate gamble - let them bear the costs. Interesting time to get these bills up for review, as Dominion is desperate to get more ammunition to defend (and evidently pay for) their unconstitutionally founded and financially ill conceived Atlantic Coast Pipeline.

More importantly, there is no PROOF that ANY pipeline is a "public good" pipeline simply because it is infrastructure! This is completely absurd. Each and every infrastructure project in the state of Virginia needs to be thoroughly reviewed before it is approved, and each element examined to be sure it is truly in the public good for the local citizens of the state of Virginia.

If you say "yes" to this bill, you will be participating in legislation that aligns itself with REGULATORY CAPTURE.

Let's start getting real about climate change, and move the state toward solar and wind. We are being left behind as other states look toward renewable energy. The percentage of power we get from renewable sources is deplorable. I wonder whose fault that is? Where is the broad energy portfolio in Virginia that Senator Warner keeps talking about? This bill contributes to Dominion's fossil fuel stranglehold and we all know it.

The "climate" is changing in the citizenry of Virginia, and we are watching the legislators actions. The resistance is growing among people that have never given this subject much thought. I never thought I'd see this kind of momentum in the state, growing everyday. I'm truly and completely amazed at the scope and depth of the new found awareness of the need for change in the state's energy policies. It crosses, economic, political, social, and religious boundaries. It's uniting people all over the state that never thought they'd be working together with a common goal.

Legislators need to support and be a part of that change. Does Dominion own them? We'll see.

Lastly, CNN reported on, January 16, 2015, that 2014 was the hottest year on record - since 1880 when we started keeping them. Here's the link: http://www.cnn.com/2015/01/16/world/earth-hottest-year/index.html

I guess the monitoring temperature gauge meter was directly over Virginia.

Posted 87 months ago. [#](#2s8eyo1)

[Mitchell A. Fleisher, M.D.](http://www.alternativemedcare.com) **writes**:

Dear Delegate Bell et al.,

I am writing again to you to express my strongest possible opposition to HB 1475! This opposition pertains to any form that this bill appears to you after its manipulation by lobbyists. This outrageous bill would declare all natural gas infrastructure, including pipelines, to be "in the public interest," without any process whatsoever to determine whether the public benefits at all.

The significant and tangible harm to property owners, residents of affected counties, and the environment caused by the Atlantic Coast Pipeline far outweigh any benefits. We need more accountability and transparency in the regulatory process, not the complete abandonment of any process at all!

And, HB1475 would make rate-payers pay for the expansion of natural gas infrastructure, and would prohibit the State Corporation Commission, (the regulatory agency!) from asking too many questions. This is far beyond unacceptable!

As a Family Physician and Public Health Advocate serving the citizens of Nelson County and vicinity, my many patients, colleagues, neighbors, and friends and I all strongly oppose the Atlantic Coast Pipeline project proposed by Dominion, as well as HB 1475!

We respectfully request, and expect, you to stand with us in opposition to this corporate trampling of our property rights.

Please defeat this egregious bill, which is detrimental to the public interest, thank you!

Respectfully yours,

Mitchell A. Fleisher, M.D., D.Ht., D.A.B.F.M., Dc.A.B.C.T.

Homeopathic Family Medicine & Nutritional Therapy

Rockfish Center, Suite 1, P.O. Box 303

Nellysford, Virginia 22958

(434) 361-1896

Fax (434) 361-1928

Posted 87 months ago. [#](#17dp8vu)

sandy beebe **writes**:

I do not see how gas infrastructure is in the public interest at all.In fact i see it as a danger to the people who live anywhere remotely near infrastructure such as the 42 inch atlantic coastal pipeline .Gas companies are not even maintaining these gas lines they already have in the ground .There are way more than 5000 leaky gas lines in washington dc alone 12 of them with the potential to explode and many many leaks the gas companies claim will cost too much to fix so they simply just do not fix them .add up about 3000 little gas leaks that will never be fixed because they are too expensive to fix and this amounts to one hill of a huge continuous on going leak ..This could effect the health of the people living in those areas and beyound.and this is not in the publics best interest at all

Posted 87 months ago. [#](#3rdcrjn)

Sally Burger **writes**:

SB 1163 would give additional unwarranted power and authority to energy companies to build their infrastructure with less regulatory oversight.  This is dangerous, as these energy companies already have too much federally-granted freedom to build as they see fit, solely geared towards increased corporate profit, not the “public interest”, as they state.  We should not soften laws that require energy companies to seek and gain approval for projects, requiring them to undergo proper scrutiny, just as any other entity would have to.

This super-power the energy companies seek, to have the right to impose their corporate projects on the public, all the while attempting to define what is in the “public interest”, is obviously a huge conflict of interest to say the least.  Plus, this bill would allow energy companies to have these for-profit projects paid for by their customers.  None of this makes any sense.

Posted 87 months ago. [#](#26in1rg)

stephen **writes**:

Watch to see who gives money to his campaigns.

Posted 87 months ago. [#](#lnxbz9)

[**Your Bill Portfolio**](http://docs.google.com/photosynthesis/)

Poll Results

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Separate each tag with a comma: *crime, capital murder, jury*.

More Information

* [View as PDF](http://lis.virginia.gov/cgi-bin/legp604.exe?151+ful+HB1475+pdf)
* [View on the Legislature’s Site](http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1475)
* [View as JSON](https://api.richmondsunlight.com/1.1/bill/2015/hb1475.json)
* [Fiscal Impact Statement](https://lis.virginia.gov/cgi-bin/legp604.exe?151+oth+HB1475F171+PDF)

Related Bills

* [HB1696](http://docs.google.com/bill/2015/hb1696/): Public service corporations; access to public records to exercise right of eminent domain.
* [SB1166](http://docs.google.com/bill/2015/sb1166/): Public service corporations; access to public records.
* [HB2282](http://docs.google.com/bill/2015/hb2282/): Gas severance tax; eliminates expiration date for tax.
* [HB2352](http://docs.google.com/bill/2015/hb2352/): Broadband; installation of conduit on pipeline.
* [SB1395](http://docs.google.com/bill/2015/sb1395/): Electric utilities; net energy metering programs.

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“Sunlight is said to be the best of disinfectants.” —Justice Louis Brandeis, 1914