

# OPPOSE SB 120 / HB 657

Defining waste coal as “renewable”; exempting coal plant from VCEA 2045 retirement date

Patroned by Senator Hackworth / Delegate Wampler

## Reasons to oppose SB 120 / HB 657 :

- The combustion of waste (or “gob”) coal for electricity generation should not be considered “renewable” under any legal definition. Unlike other resources defined as “renewable,” all types of coal, including waste coal, are finite.
- Virginia should not incentivize additional combustion of waste coal through its renewable energy portfolio standard (RPS) program, as this fuel source produces climate and air pollution – the reduction of which is one of the main goals of the program.
- The Virginia Clean Economy Act’s 2045 retirement date for the Virginia City Hybrid Electric Center represented a compromise that should not be undone a mere 2 years after its passage. VCHEC currently supports jobs and creates tax revenue for the locality, so the region should be afforded the time to build its economy around alternative drivers. However, in order to avoid the worst impacts of the climate crisis, experts tell us that the power sector must cease all carbon emissions by 2030-2035 and we must achieve carbon neutrality across *all* sectors by mid-century at the very latest. Narratives that a coal-fired power plant will still be operational in Virginia beyond 2045 are unhelpful both environmentally and economically.

## Overview:

Specifically, the bills:

- Include *waste coal* in the definition of “renewable energy” in § 56-576
- Define *waste coal* as “usable material that is a byproduct of previous coal processing operations”
- Exempt Dominion’s Virginia City Hybrid Electric Center (Wise County coal-fired power plant) from the VCEA’s 2045 retirement deadline
- Add *waste coal* generating facilities to the type of resources qualifying for Virginia’s renewable energy portfolio standard (RPS) program



### Southern Environmental Law Center

Will Cleveland  
wcleveland@selcva.org  
<https://www.southernenvironment.org/>



### Virginia Conservation Network

[vcn@vcnva.org](mailto:vcn@vcnva.org)  
(804) 644-0283  
[www.VCNVA.org](http://www.VCNVA.org)

---

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](http://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.

# SUPPORT HB664

Topic: Disconnection delays for medically vulnerable households

Bill Patron: Delegate Kory

---

## Reasons to support HB664:

- Virginia currently has among the weakest utility disconnection protections for customers of any state in the southeast – including for customers who are medically vulnerable. The existing regulations for these medically vulnerable households are over a decade old and must be updated.
- It is critical to provide life-saving support for community members like the elderly, infants, and those who have medical conditions and/or disabilities. This bill protects access to essential utility services – water and power – for people who are socially and medically vulnerable.
- Some of our neighbors most impacted and financially burdened by utility bills are those in low-income families and communities of color. Black households are the most impacted by energy burdens and utility hardship—Black households are three times more likely to experience a utility service shut-off than non-blacks (15% versus 4%). This bill expands protections for families financially burdened by utility bills in times of crisis.
- Utility reports with information related to serious medical condition exemption can help us understand the state of utility disconnections in Virginia.

## Overview:

This bill updates current protections by extending the existing delay from disconnection for customers with serious medical conditions so that it applies to (a) all regulated electric, gas and water utilities, and (b) allows households including infants (12 months and under) to delay disconnection by 60 days following the notice of service termination for non-payment. The bill also increases the right of a customer to seek delays based on these medical and socially vulnerable exemptions from 2 to 3 times in a 12-month period, and requires utilities to report on the number of days granted.



### Virginia Interfaith Power & Light

Kidest Gebre  
[kgebre@vaip.org](mailto:kgebre@vaip.org)  
[vaip.org](http://vaip.org)



### Virginia Conservation Network

[vcn@vcnva.org](mailto:vcn@vcnva.org)  
(804) 644-0283  
[www.VCNVA.org](http://www.VCNVA.org)

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](http://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.

# OPPOSE HB 894

Topic: Undermines VCEA and exempts coal plant from retirement date

Bill Patron: Delegate Kilgore

---

## Reasons to oppose HB 894:

The 2022 VA Legislative Session has been filled with bills that seek to undermine previous climate wins and clean energy adoption, including this proposed legislation. This bill directly impacts the VCEA code section, repealing multiple provisions and opening it up to further unfriendly amendments. Beyond that, this proposal's attempts to further extend the life of coal power plans in VA have both negative environmental and economic impacts.

## Overview:

Specifically, Delegate Kilgore's HB 894 exempts VCHEC from mandatory retirement dates established in the VCEA. It also repeals additional provisions of the VCEA, including certain EJ reporting requirements. Furthermore, it encourages nuclear development.



### Climate Cabinet Action

Blair St. Ledger-Olson  
blair@climatecabinet.org  
<https://www.climatecabinetaction.org/>



### Virginia Conservation Network

[vcn@vcnva.org](mailto:vcn@vcnva.org)  
(804) 644-0283  
[www.VCNVA.org](http://www.VCNVA.org)

---

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](http://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.

# SUPPORT [House Bill 1288](#), the Ratepayer Protection Act

Topic: Electric Utility Reform

Bill Paton: Del. Sally Hudson, Del. Lee Ware

## Reasons to support [HB 1288](#):

- This bill enables the State Corporation Commission (SCC) to set a utility's future rates based on the future cost of service. Instead of being forced to keep energy bills unnecessarily high due to arbitrary anti-consumer constraints, regulators are empowered to set just and reasonable rates.
- Virginia must transition to clean energy with an emphasis on consumer protection or else the corporate monopolies that polluted and exploited communities for decades will only have more power to pad their profits at the expense of everyday families.
- Virginia has made incredible progress towards a clean energy future, but the fact is that climate action without consumer protection is only a job half done. Lawmakers should pass legislative measures this General Assembly session that seek to control the costs of electricity and ensure that the price Virginians pay to power their homes is fair.

## Overview:

### What the bill does:

1. **Allows the SCC to set rates for the future based on future costs**, regardless of past overcharges, which is the normal practice in all other regulated energy markets.
  - a. Under current law, the SCC is legally barred from reducing a utility's electricity rate in the future unless the utility has been required to pay refunds for overcharges in the past.
  - b. In practice, this has allowed electric utilities to dodge rate reductions by using accounting gimmicks to eliminate their overcharges and deny customer refunds, preventing the SCC from lowering rates. Severing the link between past overcharges and future rates will enable the SCC to set rates based on the real cost of service.
  - c. This bill restores the SCC authority to fix the current unjust rates that are charging customers in excess of the costs of service and a fair profit for electric utility monopolies.

Click here for the full [policy one-pager](#).



**Clean Virginia**

Cassady Craighill

[cassady@cleanvirginia.org](mailto:cassady@cleanvirginia.org) | (828) 817-3328