June 22, 2026

The Honorable Abigail Spanberger, Governor of Virginia
The Honorable Don Scott, Speaker, Virginia House of Delegates
The Honorable Scott Surovell, Senate Majority Leader
The Honorable Louise Lucas, Senate President Pro Tempore
The Honorable Ryan McDouble, Senate Minority Leader
The Honorable Terry Kilgore, House Minority Leader

Dear Governor Spanberger, Speaker Scott, Majority Leader Surovell, President Pro Tempore Lucas, Minority Leader McDougle, and Minority Leader Kilgore,

We write to urge executive and legislative action to ensure that Virginia's review of the proposed acquisition of Dominion Energy by NextEra Energy is commensurate with the scale and complexity of this transaction and that the statutory standard governing that review is adequate to serve the best interests of Virginia utility customers and workers.

This would be the largest utility merger in U.S. history, valued by its proponents at approximately $67 billion. The combined entity would become the country's largest regulated electric utility—larger than any company that any state regulatory agency has ever had to assess and then regulate. While the deal spans multiple states, the overwhelming share of its regulated value to NextEra lies in Virginia: Dominion Energy Virginia serves 2.7 million customers and is the Commonwealth's dominant energy provider. What happens to Dominion's rates, regulatory relationships, workforce, and energy commitments are, above all else, Virginia questions—which need to be decided by Virginia decisionmakers, not Florida decisionmakers.

Virginia's current statutory framework, enacted in a simpler time, is not equipped to answer those questions. Under Virginia Code § 56-88.1, the State Corporation Commission has 60 days to approve or reject a merger application, extendable to only 180 days by Commission order. Public utility law expert Scott Hempling, who has been involved in more than a dozen energy and utility mergers since 1985, testified before the Commission on Electric Utility Regulation this week that "there is no way that a full hearing of the complexity of this transaction can occur in a six-month proceeding — that's not possible." We agree.

The review standard is of comparable concern. Virginia's merger approval threshold under § 56-90 asks only whether a transaction would threaten or limit "adequate service to the public at just and reasonable rates." This critical statute has not been updated since 1942. At that time, the legislature could not have envisioned a transaction with the size or complexity of the proposed NextEra-Dominion merger.

The rules that will govern this review – the timeline, the review standard that ensures Dominion's and the SCC's accountability to the public, the criteria, and the procedures that will determine whether this transaction occurs and whether it serves the public interest – were written by the General Assembly. They can be improved by the General Assembly. And they must be before the SCC proceeding advances.

We respectfully ask that the Governor and legislative leadership support immediate legislative action to: (1) extend the SCC's review window to no less than 12 months for covered transactions of this scale; and (2) review and, if necessary, clarify the existing review standard. Doing so will neither prejudge the outcome nor preclude approval, but it will ensure a fair and deliberate process reflecting the standard of care that the Commonwealth's citizens deserve.

Sincerely,

ACLU People Power Fairfax
Allegheny-Blue Ridge Alliance
Appalachian Voices
Chesapeake Climate Action Network
Chesapeake Solar and Storage Association
Clean Virginia
Climate Equity Working Group
Community Climate Collaborative
Court Appointed Special Advocates
Environmental Defense Fund
League of Women Voters of Virginia
National Organization of Women, Virginia Chapter
National Resource Defense Fund
New Virginia Majority
Norfolk Solar Solutions
Piedmont Environmental Council
Progressive Democrats of America - Virginia
Protect Fauquier
Renew Rocktown
Secure Solar Futures
Sierra Club Virginia Chapter
Solar Energy Industries Association
Solar United Neighbors Action
Southern Environmental Law Center
SunSpots
The Humanization Project
Virginia Conservation Network
Virginia Distributed Solar Alliance
Virginia Energy Consumers Alliance
Virginia Energy Efficiency Council
Virginia Grassroots Coalition
Virginia Interfaith Power & Light
Virginia League of Conservation Voters
Virginia Organizing
Virginia Poverty Law Center
Virginia Virtual District 6 Indivisible