



March 3, 2026

To: Attorney General Jay Jones  
Cc: Governor Spanberger  
Sen. Russet Perry  
Del. Michael Webert  
Del. John McAuliff

RE: Need for Virginia Office of Consumer Counsel on Power

Dear Honorable Attorney General Jones:

Citizens for Fauquier County (CFFC)<sup>1</sup> and Protect Fauquier (PF)<sup>2</sup> represent thousands of residents in Fauquier County, VA. We are increasingly concerned about the affordability of power for residents in our county as we experience exponential increases in our electric bills.

As volunteer public advocates, we try to represent our members' interests before the grid operator, PJM, and our major public utility, Dominion Electric, as well as the State Corporation Commission (SCC). However, the time consuming and technical complexity of power issues is daunting for the average citizen and volunteer advocate. We are asking you to appoint specialists in monitoring and advising on protections for residential consumers of power in Virginia.

Examples of such governmental consumer protection specialists can be found in the neighboring states of Maryland and Pennsylvania. The Maryland Office of People's Counsel (OPC) was created in 1924 and is the oldest office of its kind in the U.S. The People's Counsel is appointed by the Attorney General, with the advice and consent of the Senate. The OPC works independently to represent Maryland's residential consumers of electric, natural gas, telecommunications, private water and certain transportation matters before the Maryland Public Service Commission (PSC), federal regulatory agencies, and the courts.

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<sup>1</sup> Founded in 1968, Citizens for Fauquier County is a non-partisan, non-profit, volunteer driven organization representing thousands of residents active in local conservation efforts. It is CFFC's mission to preserve the natural, historic and agricultural resources of Fauquier County, and to protect the county's uniquely rural quality of life through education and leadership.

<sup>2</sup> Protect Fauquier is a 501(c)(4), with 1700 members, formed in 2022 to resist the onslaught of data centers and transmission lines that are attempting to spill into our rural, agricultural, scenic county.

***OPC's main job is to represent the interests of Maryland's residential utility customers. It does this by getting involved in cases about utility prices, service quality, and supply. The agency works in front of the PSC, federal agencies, and in court. This work affects almost every Maryland resident.***

OPC primarily functions as a law office. It has a team of lawyers and also hires experts in fields like accounting, engineering, and economics. These experts help by writing reports and giving professional opinions in hearings. Their work is very important to help OPC represent consumers.<sup>3</sup>

OPC participates effectively in PJM deliberations, as one of the few consumer voices in PJM decision making that is dominated by utilities, power plant companies, and large industrial users like data centers. OPC has also been active in Federal Energy Regulatory Commission matters that affect consumers.

OPC is funded through the state budget, but the money doesn't come from taxes. Maryland's General Fund is fully reimbursed for OPC's expenses from revenue collected in the Public Utility Regulation Fund. These revenues are collected from all regulated utility companies and licensed energy suppliers.

Similarly, Pennsylvania has an Office of Consumer Advocate (OCA) that is a small state agency representing the interests of Pennsylvania utility consumers before the Pennsylvania Public Utility Commission (PUC), federal regulatory agencies, and state

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<sup>3</sup> Maryland's OPC actions/statements issued just since 12/8/25 include:  
Statement from People's Counsel on passage of House bill to shield customers from excessive utility compensation (2/5/2026);  
Washington Gas's infrastructure replacement plan violates the law and would drive rate increases, OPC tells regulators (2/3/2026);  
Pepco's distribution rates should be reduced—not increased—from current levels, OPC testimony says (2/2/2026);  
Proposed data center consumer protection regulations need tightening, OPC tells state regulators (1/22/2026);  
OPC secures federal appeals court victory on capacity market mistake that cost customers \$180 million (1/13/2026);  
Baltimore Gas and Electric customers facing new distribution rate increases, atop already high rates (1/6/2026);  
Maryland People's Counsel David S. Lapp issued the following statement on today's Public Service Commission decision on BGE's reconciliation request (12/22/2025);  
Utilities' estimate inflates electric system planning costs, OPC tells regulators (12/19/2025);  
Data center power demands again drive record power auction prices (12/17/2025);  
PJM control over new data center connections to the transmission system necessary to maintain reliability, OPC tells federal regulators (12/17/2025);  
Pepco proposes 23 percent distribution rate hike—on top of massive rate increases over last decade, OPC Consumer Guide shows (12/11/2025); and,  
PJM's proposed price cap for future capacity market auctions should be rejected as unlawful, OPC tells federal regulators (12/8/2025.)

and federal courts. The OCA was created by the Pennsylvania General Assembly in 1976 and is an independent office within the Office of Attorney General.

The OCA is led by a Consumer Advocate and has a staff of Attorneys and Regulatory Analysts who represent consumer interests in cases and proceedings before the PUC. In addition, OCA's Consumer Service Representatives and Consumer Liaisons offer assistance and consumer education to the public.

While some might consider the Attorney General's Office or the SCC as the appropriate agency for protecting consumers on power issues, that has not been our experience in recent years as evidenced by the current power crisis in Virginia and rising electric bills for consumers.

The SCC is tasked with broad oversight of corporate activities unrelated to power issues and the Attorney General's Office is also broadly tasked generally with consumer matters, but neither has been involved proactively in recent power issues on behalf of Virginia consumers. In our experience, the SCC is highly attuned to the needs of utility providers, at the expense of residential and small business ratepayers and Virginia citizens in general. Hence, there is a critical need for a public advocate on power issues before the SCC, Dominion Electric, PJM, FERC, and the Virginia courts.

The Office of Consumer Counsel, established under VA Code [§ 2.2-517.A](#), seems to be a natural fit for representing VA consumers' interests before the organizations that ultimately impact both the reliability and pricing of their utility services. ***We request that you consider establishing a group of specialists in that office to act as consumer advocates on power issues to guide PJM, public utilities such as Dominion Electric, the SCC, FERC, and the courts on critical decisions that impact residential consumers of power in Virginia, and to ensure the affordability of power to all Virginians.***

We would appreciate an opportunity to meet in person or online (via Zoom or MS Office) to discuss this matter further. Please let us know if and when a meeting would be convenient for you.

Respectfully submitted,

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