GENTRY LOCKE
Attorneys

Gregory D. Habeeb
habeeb@gentrylocke.com
P: (804) 297-3702
F: (540) 983-9400

September 2, 2026

VIA ELECTRONIC FILING

Mr. Bernard Logan, Clerk
c/o Document Control Center
State Corporation Commission
Tyler Building – First Floor
1300 East Main Street
Richmond, Virginia 23219

Re: Joint Petition of Dominion Energy, Inc., Virginia Electric and Power Company, OSW Project LLC, WG Development Corp., CS Holdco, LLC, and NextEra Energy, Inc. for approval of a disposition and acquisition of control of a public utility pursuant to Chapter 5 of Title 56 of the Code of Virginia
Case No. PUR-2026-00112

Dear Mr. Logan:

Attached for filing in the above-referenced case, please find a Motion to Compel on behalf of Clean Virginia.

Please do not hesitate to contact me if you have any questions regarding the enclosed. Thank you for your assistance.

Sincerely,

/s/ Gregory D. Habeeb

Gregory D. Habeeb
GENTRY LOCKE

COMMONWEALTH OF VIRGINIA
BEFORE THE
STATE CORPORATION COMMISSION

JOINT PETITION OF	)	
	)	
DOMINION ENERGY, INC.,	)	
VIRGINIA ELECTRIC AND POWER COMPANY,	)	
OSW PROJECT LLC, WG DEVELOPMENT CORP.,	)	
CS HOLDCO, LLC and NEXTERA ENERGY, INC.	)	
	)	CASE NO. PUR-2026-00112
For approval of a disposition and acquisition of control	)	
of a public utility pursuant to Chapter 5 of Title 56	)	
of the Code of Virginia	)	

CLEAN VIRGINIA
MOTION TO COMPEL

Pursuant to Rules 5 VAC 5-20-110 and 5 VAC 5-20-260 of the State Corporation Commission's ("Commission") Rules of Practice and Procedure ("Rules of Practice"), 5 VAC 5-20-10 *et seq.*, Clean Virginia hereby moves to compel Dominion Energy, Inc. ("Dominion"), Virginia Electric and Power Company ("Dominion Energy Virginia"), OSW Project LLC ("ProjectCo"), WG Development Corp. ("WG Development"), CS Holdco, LLC ("CS Holdco"), and NextEra Energy, Inc. ("NextEra") (collectively, the "Joint Petitioners") to respond fully to specified questions in Clean Virginia's First Set of Interrogatories and Requests for Production of Documents, served July 22, 2026 and answered July 28, 2026, and its Second Set, served July 24, 2026, answered July 30, 2026, and supplemented in part on August 20, 2026. In support of this Motion to Compel ("Motion"), Clean Virginia states as follows:

INTRODUCTION

Joint Petitioners ask the Commission to approve the largest change of control in the history of Virginia's electric utility industry. The Commission may approve it only on a complete record showing that the transfer will not impair or jeopardize adequate service at just and reasonable rates. Va. Code § 56-90. Joint Petitioners' discovery responses have left significant gaps in that record.

On questions central to the Commission's review—what enforcing a merger condition would entail, and how the transaction may affect retail competition and rates—Joint Petitioners have declined to answer, characterizing enforcement questions as "hypothetical" and factual questions about their own tariffs and earnings expectations as "legal conclusions." On questions concerning the qualifications and track record of the acquiring management, including matters that have been the subject of litigation, an internal investigation NextEra's then-Chairman described publicly, and regulatory proceedings in other states, Joint Petitioners have asserted general objections, produced no privilege log, responded to document requests with cross-references to narrative answers, and, in places, provided responses that omit portions of the periods requested.

Counsel for the parties met and conferred on August 11, 2026, and succeeded in narrowing the requests in dispute. Following those discussions, and after review of the supplemental responses served on August 20, 2026, the requests that remain at issue are First Set Nos. 123, 125, and 144 and Second Set Nos. 1, 2, 3, 10, 14, 15, 18, 20, 21, and 22. The requests and responses at issue, including the supplemental responses, are attached as **Exhibit A**. As to each, Clean Virginia respectfully requests that the Commission overrule Joint Petitioners' objections and direct complete responses.

LEGAL STANDARD

As the Commission's Hearing Examiners have recognized, the standard for discovery in Commission cases is "extremely broad."[1] Rule 5 VAC 5-20-260 permits discovery of information

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[1] *See Application of Virginia Electric and Power Company, For approval and certification of the proposed US-3 Solar Projects pursuant to §§ 56-580 D and 56-46.1 of the Code of Virginia, and for approval of a rate adjustment clause, designated Rider US-3, under § 56-585.1 A 6 of the Code of Virginia*, Case No. PUR-2018-00101, Hearing

"relevant to the subject matter involved in the pending proceeding" or reasonably calculated to lead to the discovery of admissible evidence.

The issues in this proceeding are framed by Va. Code § 56-88.1 and § 56-90, which require the Commission to determine whether the proposed transfer of control will impair or jeopardize the provision of adequate service to the public at just and reasonable rates. Put another away, the Commission cannot approve this acquisition unless if finds that the proposed acquisition poses no risk to ratepayers. That determination necessarily encompasses the fitness, integrity, and track record of the acquiring management; the enforceability of any conditions on which approval would rest; and the transaction's effect on competition. Discovery probing those issues is squarely within the scope of Rule 5 VAC 5-20-260.

ARGUMENT

I. Joint Petitioners must answer questions about the enforceability of merger conditions, because enforceability is a prerequisite to lawful approval.

Question No. 123 asks what steps NextEra would have to take to divest Dominion Energy Virginia if the Commission found a condition of approval violated; Question No. 125 asks for Joint Petitioners' positions on the consequences of such a violation. Joint Petitioners gave both the identical objection: the questions are "hypothetical," call for "speculation" and a "legal conclusion," and ask Joint Petitioners to speak for the Commission.

Each objection fails. The possibility of a condition violation is not speculative; conditions exist precisely because the Commission cannot rely on the regulated party's self-interest to protect the public, and a question about the consequences of violating a legal obligation is no more "hypothetical" than any question about enforcement. Nor do the questions ask Joint Petitioners to

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Examiner's Ruling at 2 (Oct. 31, 2018) (observing that the standard for discovery in Commission cases is "extremely broad" and that the inquiry is whether the information requested is relevant or reasonably likely to lead to the discovery of relevant information).

speak for the Commission: No. 123 asks what steps NextEra—not the Commission—would have to take, and No. 125 asks for Joint Petitioners' own positions. Only Joint Petitioners possess that information.

Most fundamentally, enforceability is a prerequisite to lawful approval. A condition is meaningful only if its violation carries consequences. Unless the Commission understands what a divestiture would entail, it cannot assess the practicality of that enforcement measure; and if it cannot assure itself that an essential condition is enforceable, it cannot lawfully approve a transaction whose lawfulness depends on that condition.

II. The transaction's effect on retail competition is relevant, and the questions seek facts, not legal conclusions.

Question No. 144 asks Joint Petitioners to confirm that Dominion Energy Virginia competes with competitive retail suppliers for high-load customers, and asks in four subparts whether specified features of Dominion's tariffs and cost-allocation practices, including the generation demand charge in Schedule GS-5 and Dominion's ability to place stranded costs on nonshopping customers, confer a competitive advantage or affect NextEra's acquisition earnings expectations. Joint Petitioners objected to every subpart as irrelevant and as seeking a legal conclusion.

Both objections should be overruled. If the post-transaction entity acts to diminish retail competition, there will be less competitive pressure on Dominion to control its infrastructure costs—leading to rates that are not just and reasonable. That is the precise question Va. Code § 56-90 requires the Commission to answer. And the subparts seek facts: whether Dominion receives an advantage from its GS-5 tariff is a fact; whether it can cause captive customers to bear stranded costs is a fact; and whether the GS-5 charge affects NextEra's ability to meet its acquisition earnings goals through rate-based generation is a fact about NextEra's own expectations and modeling, uniquely within its knowledge. That answering requires reference to a tariff or statute does not convert a factual question into a legal one. Ratepayers have a right to know if Dominion competes with competitive service providers. This question asks about the Joint Petitioners' understanding of Dominion's relation to competitive service providers and their understanding of the tariffs on this competition speak right to the question of whether this transaction will jeopardize adequate service at just and reasonable rates.

III. The Robo Memorandum and the investigation NextEra publicly announced must be produced.

Question Nos. 10 and 22 both concern allegations that Florida Power & Light Company ("FPL"), NextEra's principal utility subsidiary, used corporate funds to influence elections and target opposing officials; a November 3, 2021 memorandum to then-Chairman James Robo titled "Florida Power & Light Officers' Potentially Unlawful Conduct Through Third-Party Consultants and Vendors – Confidential" (the "Robo Memorandum"); and the "very extensive and thorough investigation" Mr. Robo announced on NextEra's January 25, 2022 earnings call. Few subjects bear more directly on the fitness of the management seeking control of Virginia's largest utility than what NextEra's own investigation of these matters found and what the company did in response.

Question No. 10 seeks a single, specifically identified document. The objection that a one-document request is "overly broad" is untenable, and Joint Petitioners' responses assert no privilege over the memorandum. The supplemental response states they "do not adopt" the plaintiffs' characterization or concede the document's "authenticity, provenance, authorship, receipt, or contents." Declining to adopt a characterization is not a ground for withholding a document. If the document does not exist, the Joint Petitioners should attest to that. Nor does the objection that the memorandum "relates to active litigation" supply one: no doctrine exempts a document from Commission discovery because it is also at issue elsewhere, and Joint Petitioners' own supplemental response to Question No. 9 discloses that the *Jastram* litigation has been resolved by settlement.

Question No. 22 seeks the findings, scope, methodology, and remedial outcomes of the investigation Mr. Robo described in a 2021 earnings call. Any privilege claim is compromised: NextEra's Chairman invoked the investigation on a public earnings call to investors. At a minimum, subparts (b) and (c)—the investigators' identity, the scope and methodology of the review, and the remedial actions taken—are non-privileged facts. If Joint Petitioners withhold any responsive document as privileged, they must produce a privilege log.

The same relief should extend to Question No. 1, which seeks NextEra's internal reviews of its political-participation activities over the past five years.

IV. Discovery into NextEra's campaigns to acquire public utilities is relevant.

Question No. 15 concerns the very transaction before the Commission: it asks NextEra to identify the law firms, lobbyists, consultants, and public relations professionals retained in connection with the Dominion acquisition, describe their services, provide their contracts, and identify who authorized each retention. The relevance objection is untenable, and the response simply includes a citation to OAG Set 01-2 which identifies entities retained by NextEra without supplying any of the remaining components. Those should be produced.

Question Nos. 14, 18, 20, and 21 seek the same category of information for NextEra's two prior campaigns to acquire large public utilities: JEA in Florida and Santee Cooper in South Carolina. How NextEra conducts such a campaign—whom it retains, how it seeks to influence the officials who must approve the transaction, and whether it routes expenditures through intermediaries—is pattern evidence bearing on how it is conducting the present campaign and on the fitness of its management. And whether the costs of those failed pursuits were charged to FPL's captive ratepayers bears on the central ratepayer-protection question here: whether Dominion Energy Virginia's customers will bear the costs and risks of this transaction. That the JEA and Santee Cooper transactions were never consummated does not diminish their relevance; it is the conduct of the pursuit, not the outcome, that matters.

The burden objections should likewise be overruled. Question No. 21 uses a narrow "documents sufficient to show" formulation and seeks three data points per transaction: total costs, the FERC accounts where they were recorded, and the percentage borne by FPL ratepayers. Question No. 14 expressly targets a production NextEra already assembled for the Jacksonville City Council's Special Investigatory Committee. Question No. 18 seeks, first and foremost, a list of retained firms which NextEra plainly can compile, having volunteered its 2021 South Carolina lobbying payments, by firm and amount, in its supplement to Question No. 20. And that supplement to Question No. 20 is itself incomplete on its face: the request runs from July 31, 2017, but the response covers only 2021 forward, omitting the very years of the active Santee Cooper campaign.

V. Documents concerning NextEra's third-party political consultants must be produced.

Question No. 3 seeks NextEra's contracts, invoices, payments, and related records concerning Matrix LLC and affiliated entities. Joint Petitioners' supplemental response concedes the essential facts: FPL engaged Matrix from approximately 2017 to 2020 to provide "research, communications, messaging, and strategic advice." Responsive documents therefore exist and are readily identifiable, and the objection that Joint Petitioners cannot respond for entities they do not control is beside the point as to their own contracts and payment records. Likewise, Question No. 2 seeks NextEra's third-party contracts that include payment for efforts to influence public opinion, legislation, franchises, official decisions, or elections. Both of these questions should be fully answered.

CONCLUSION

For the foregoing reasons, Clean Virginia respectfully requests that the Hearing Examiner grant this Motion, and enter an order:

1. Overruling Joint Petitioners' objections to First Set Question Nos. 123, 125, and 144 and compelling complete answers to each, including all subparts, within ten (10) days;
2. Overruling Joint Petitioners' objections and compelling production of the documents and responses identified in Second Set Question Nos. 1, 2, 3, 10, 14, 15, 18, 20, 21, and 22, within ten (10) days.
3. Directing Joint Petitioners to produce, within ten (10) days, a privilege log identifying each document withheld on grounds of attorney-client privilege or work-product protection;
4. Granting such other relief as the Commission deems just and proper.

Respectfully submitted,

CLEAN VIRGINIA

By: *<u>/s/ Gregory D. Habeeb</u>*

Gregory Habeeb (VSB #46926)
Katherine Pollard (VSB #99506)
GENTRY LOCKE
919 E. Main Street, Suite 1130
Richmond, VA 23219
(804) 297-3702 (GDH)
(804) 956-2072 (KEP)
habeeb@gentrylocke.com
kpollard@gentrylocke.com

EXHIBIT A

<u>JOINT PETITIONERS</u>
<u>Case No. PUR-2026-00112</u>
<u>Clean Virginia</u>
<u>First Set</u>

The following response to Question No. 123 of the First Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 22, 2026, was prepared by or under the supervision of:

Timothy D. Patterson
McGuireWoods LLP

Question No. 123

Please describe the steps that NextEra would have to take to divest Dominion if the Commission were to determine that NextEra or Dominion violated a condition of approval.

Response:

Joint Petitioners object to the premise of this request, which is hypothetical in nature and calls for a speculative response and legal conclusion. Further, Joint Petitioners object to this request to the extent it calls for Joint Petitioners to state, characterize, or assume any position, view, or intent of the Commission. Joint Petitioners are not the Commission and have no authority to speak on its behalf. To the extent the request seeks such information, it calls for speculation and improperly assumes facts not in evidence.

JOINT PETITIONERS
Case No. PUR-2026-00112
Clean Virginia
First Set

The following response to Question No. 125 of the First Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 22, 2026, was prepared by or under the supervision of:

Timothy D. Patterson
McGuireWoods LLP

Question No. 125

Please describe NextEra's and Dominion's positions on what should be the consequences to each company if the Commission were to find that one or the other company violated a merger condition.

Response:

Joint Petitioners object to the premise of this request, which is hypothetical in nature and calls for a speculative response and legal conclusion. Further, Joint Petitioners object to this request to the extent it calls for Joint Petitioners to state, characterize, or assume any position, view, or intent of the Commission. Joint Petitioners are not the Commission and have no authority to speak on its behalf. To the extent the request seeks such information, it calls for speculation and improperly assumes facts not in evidence.

JOINT PETITIONERS
Case No. PUR-2026-00112
Clean Virginia
First Set

The following response to Question No. 145 of the First Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 22, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

As it pertains to legal matters, the following response to Question No. 144 of the First Set of Interrogatories and requests for Production of Documents propounded by Clean Virginia, received on July 22, 2026, was prepared by or under the supervision of:

Timothy D. Patterson
McGuireWoods LLP

Question No. 144

Please confirm that Dominion competes with competitive retail suppliers to serve high-load customers in Virginia.

a. Does NextEra believe that Dominion's current tariffs, specifically but not exclusively the generation demand charge in Dominion's Schedule GS-5, provide Dominion with no unfair or unearned advantage in the competition with competitive retail suppliers to serve high-load customers?

b. Does NextEra believe that in this competition, Dominion has no competitive advantage arising from its ability, subject to SCC approval, to cause nonshopping customers to bear stranded costs associated with generation that Dominion rate-bases to serve the large-load customers? Please explain.

c. Does NextEra believe that there is no possibility of Dominion shifting to nonshopping customers those generation costs that Dominion incurred to serve large-load customers? Please explain.

d. Does NextEra believe that the generation demand charge in Dominion's Schedule GS-5 will have any effect on the likelihood that NextEra will achieve its acquisition's earnings goals by rate-basing new generation made necessary by large-load customers?

Response:

Joint Petitioners acknowledge Va. Code § 56-577, which governs retail competition.

a. Joint Petitioners object to this request as not relevant or reasonably calculated to lead to the production of admissible evidence in this proceeding. Joint Petitioners further object to this request as it seeks a legal conclusion.

b. See Joint Petitioners’ response to subpart (a).

c. See Joint Petitioners’ response to subpart (a).

d. See Joint Petitioners’ response to subpart (a).

The following **supplemental response (Aug. 20, 2026)** to Question No. 1 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 1

Please provide a copy of all internal reviews or investigations and supporting materials over the last five calendar years of NextEra and its subsidiaries related to its political participation activities including campaign contributions, support of third parties, government relations, public relations and lobbying.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad, unduly burdensome, and potentially voluminous. Joint Petitioners also object to this request to the extent that it seeks to discover information that is protected from disclosure by the attorney-client privilege, work product doctrine, and/or other protections.

Supplemental Response (Aug. 20, 2026):

Subject to and without waiving the foregoing objections, Joint Petitioners provide the following response:

To the extent this request encompasses the review referenced by James Robo during NextEra's January 25, 2022 earnings call, see Joint Petitioners' response to Clean Virginia Set 02-22. The allegations and related litigation concerning those matters are further described in Joint Petitioners' responses to Staff Set 01-54 and Staff Set 01-55. To the extent it encompasses matters relating to political participation activities, third-party organizations, ballot initiatives, Matrix, LLC, or the Maine proceedings, see Joint Petitioners' responses to Staff Set 01-51, Staff Set 01-53, Staff Set 05-179 through 05-181, and Clean Virginia Set 02-23. NextEra's policies concerning political engagement and contributions are addressed in Joint Petitioners' response to Clean Virginia Set 02-05 and Attachment CV Set 02-05 (JJ). See also Attachment CV Set 02-01(a) (JJ) through Attachment CV Set 02-01(e) (JJ).

Joint Petitioners
Case No. PUR-2026-00112
Clean Virginia
Second Set

The following **Supplemental response (Aug. 20, 2026)** to Question No. 2 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 2

Please provide all contracts from the last five calendar years between NextEra, including its subsidiaries, and any third parties that include any payment for efforts by the third party to influence:

a. Public opinion;

b. Referenda, legislation or ordinances;

c. Approval, modification or revocation of franchises;

d. The decisions of any public officials including regulators; and

e. The outcome of elections of public officials.

f. For each contract, list the purpose, the percentage of the cost borne by Florida Power & Light Company's ratepayers, and the applicable Federal Energy Regulatory Commission account where the contract was charged.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad, unduly burdensome, and potentially voluminous. Finally, the Joint Petitioners object to this request because the term "efforts by the third party to influence" is vague and ambiguous.

Supplemental Response (Aug. 20, 2026):

Subject to and without waiving these objections:

(a)-(e) See Joint Petitioners' responses to Staff Set 01-51 and 01-53; Staff Set 05-179 through 05-181; Sierra Club Set 02-23; and Clean Virginia Set 02-04, 02-05, and 02-07.

(f) Joint Petitioners further object to subpart (f) as not relevant, overly broad, and unduly burdensome to the extent it seeks a contract-by-contract determination of the percentage of costs borne by FPL ratepayers and the FERC account applicable to the broad and undefined universe of contracts described in subparts (a)-(e).

Subject to and without waiving this objection, see Joint Petitioners' response to Clean Virginia Set 02-05 and Attachment CV Set 02-05 (JJ) regarding NextEra's policies concerning political contributions and the use of shareholder or ratepayer funds.

Joint Petitioners
Case No. PUR-2026-00112
Clean Virginia
Second Set

The following **supplemental response (Aug. 20, 2026)** to Question No. 3 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 3

Please provide all contracts, statements of work, invoices, payments, and work product exchanged between NextEra or any subsidiary and Matrix LLC, Canopy Partners, or any entity owned or controlled by Jeff Pitts or Joe Perkins, from January 1, 2013 to present, including all documents reflecting the Federal Energy Regulatory Commission account(s) to which such payments were charged and the percentage borne by Florida Power & Light Company ratepayers.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad, unduly burdensome, potentially voluminous, and to the extent that it seeks to obtain information from persons, corporations, or other entities over whom Joint Petitioners neither exercise control nor on whose behalf Joint Petitioners have authority to respond. Further, the information requested relates to active litigation, as described in response to Staff Set 01-55, and this proceeding is not the proper forum to address the subject matter of active litigation.

Supplemental Response (Aug. 20, 2026):

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence. The request concerns historical activities unrelated to the proposed Merger, Dominion Energy Virginia, or the Commission's review of the transaction under applicable Virginia law. Joint Petitioners further object because the request is overly broad, unduly burdensome, and potentially voluminous, including because it seeks more than thirteen years of contracts, invoices, payments, and work product. Joint Petitioners also object to the extent the request seeks information from persons, corporations, or other entities over whom Joint Petitioners neither exercise control nor have authority to respond.

Without waiving these objections, see Joint Petitioners' response to Staff Set 05-181, which explains that Matrix, LLC was an outside political consulting firm engaged by FPL from approximately 2017 to 2020 to provide research, communications, messaging, and strategic advice.

<u>Joint Petitioners</u>
<u>Case No. PUR-2026-00112</u>
<u>Clean Virginia</u>
<u>Second Set</u>

The following **supplemental response (Aug. 20, 2026)** to Question No. 10 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 10

Please provide a copy of the memorandum referenced in *Jastram v. NextEra Energy, Inc., et al.*, Docket No. 9:23-cv-80833-AMC and/or *Kusmierski v. Ketchum*, Docket No. 1:24-cv-22533 titled "Florida Power & Light Officers' Potentially Unlawful Conduct Through Third-Party Consultants and Vendors – Confidential," allegedly sent to NextEra's then-Chairman James Robo on or about November 3, 2021 (the "Robo Memorandum").

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad. Further, the information requested relates to active litigation, as described in response to Staff Set 01-54 and 01-55, and this proceeding is not the proper forum to address the subject matter of active lawsuits.

Supplemental Response (Aug. 20, 2026):

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence. The request concerns a memorandum alleged in unrelated litigation involving historical matters that do not bear on the proposed Merger or the Commission's review of the transaction. Further, the information requested relates to active litigation, as described in Joint Petitioners' responses to Staff Set 01-54 and 01-55, and this proceeding is not the proper forum to conduct discovery concerning those lawsuits.

The request appears to be based on allegations in *Jastram* and *Kusmierski* concerning a document that the plaintiffs characterize as the "Robo Memorandum." Joint Petitioners do not adopt that characterization or concede the authenticity, provenance, authorship, receipt, or contents of the alleged document merely because it is referenced in those lawsuits. The Eleventh Circuit likewise described the document as one allegedly sent to Mr. Robo and expressly noted that the factual allegations recited in the document's opinion had not been subjected to evidentiary scrutiny or considered by a factfinder.

Subject to and without waiving the foregoing objections, see Joint Petitioners' responses to Staff Set 01-54 and 01-55 for information concerning the underlying litigation and Clean Virginia Set 02-22 regarding the review referenced by Mr. Robo during NextEra's January 25, 2022 earnings call. Publicly filed materials concerning *Jastram* and *Kusmierski* are also available through the federal court docket.

Joint Petitioners
Case No. PUR-2026-00112
Clean Virginia
Second Set

The following **supplemental response (Aug. 20, 2026)** to Question No. 14 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 14

Provide all documents concerning NextEra's or Florida Power & Light Company's ("FPL") pursuit of the acquisition of JEA (formerly Jacksonville Electric Authority), including consultant engagements, planned or actual charitable grants to nonprofits affiliated with Jacksonville City Council members, and all documents produced to the Jacksonville City Council's Special Investigatory Committee on JEA Matters.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad and unduly burdensome.

Supplemental Response (Aug. 20, 2026):

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence. The request concerns NextEra's historical pursuit of a transaction involving JEA that was never consummated and does not bear on the proposed Merger or the Commission's review of that transaction. Joint Petitioners further object to the request as overly broad, unduly burdensome, and potentially voluminous to the extent it seeks "all documents" concerning the JEA process, including materials produced in a separate governmental investigation.

Subject to and without waiving these objections, see Joint Petitioners' response to Staff Set 05-182, which explains that NextEra, along with fifteen other respondents, submitted an acquisition proposal in response to JEA's August 2, 2019 public Invitation to Negotiate No. 127-19 for Strategic Alternatives. JEA terminated that process in December 2019, no acquisition agreement was executed, and no transaction was formed or filed for regulatory approval. Had NextEra's proposal been accepted, it contemplated an acquisition of JEA for approximately $11 billion.

Joint Petitioners
Case No. PUR-2026-00112
Clean Virginia
Second Set

The following response to Question No. 15 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 15

Please provide a listing of any and all law firms, consultants, or lobbyists, public relations professionals or other individuals employed or retained by NextEra in connection with, directly or indirectly, the potential acquisition of Dominion, including a description of the services provided and copies of any contracts executed for these services as well as an indication of who authorized the retention or employment of the law firm, consultant public relations firm or lobbyist or other individuals.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad and unduly burdensome. Notwithstanding and subject to this objection, the Joint Petitioners provide the following response:

Please see OAG Set 01-02. The referenced entities were retained by NextEra.

Joint Petitioners
Case No. PUR-2026-00112
Clean Virginia
Second Set

The following **supplemental response (Aug. 20, 2026)** to Question No. 18 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Erin Gardner
Sr Director - Regulatory/Legis
NextEra Energy Project Management, LLC

As it pertains to legal matters, the following response to Question No. 18 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 18

Please provide a list of all law firms, lobbyists, consultants (including former state lawmakers and legislative staffers), and public affairs firms hired or retained in connection with NextEra's effort to acquire Santee Cooper, together with all contracts, statements of work,
invoices, and payments to each.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad and unduly burdensome.

Supplemental Response (Aug. 20, 2026):

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence. The request seeks contracts, statements of work, invoices, and payments concerning an unrelated proposed acquisition in South Carolina that was never consummated and does not bear on the proposed Merger or the Commission's review of this transaction. Joint Petitioners further object to the request as overly broad, unduly burdensome, and potentially voluminous.

Joint Petitioners
Case No. PUR-2026-00112
Clean Virginia
Second Set

The following **supplemental response (Aug. 20, 2026)** to Question No. 20 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 20

Please provide all documents reflecting campaign contributions or other payments of value by NextEra, its subsidiaries, executives, political action committees, or any intermediary organized under Section 501(c)(4), 501(c)(6), or 527 of the Internal Revenue Code, to any South Carolina officeholder, candidate, political party committee, or entity owned by or affiliated with any member of the South Carolina General Assembly, from July 31, 2017 to the present.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad and unduly burdensome.

Supplemental Response (Aug. 20, 2026):

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence. The request concerns historical political activity in South Carolina that does not bear on the proposed Merger or the Commission's review of this transaction. Joint Petitioners further object to the request as overly broad and unduly burdensome, and because the phrases "other payments of value" and "entity owned by or affiliated with any member of the South Carolina General Assembly" are vague and ambiguous. Joint Petitioners also object to the extent the request seeks personal political activity or records of executives or third parties over whom Joint Petitioners do not exercise control or have authority to respond.

Subject to and without waiving these objections, for the period 2021 through the present, NextEra identified the following South Carolina political contributions:

Year	Committee/Candidate	Amount
2021	South Carolina Senate Republican Caucus	$25,000
2021	South Carolina Legislative Black Caucus	$5,000
2022–2026	None	—

For information concerning contributions to organizations organized under Sections 501(c)(4), 501(c)(6), and 527 of the Internal Revenue Code, see Joint Petitioners' response to Clean Virginia Set 02-04. NextEra's policies concerning political engagement and contributions are addressed in Clean Virginia Set 02-05 and Attachment CV Set 02-05 (JJ).

For completeness, NextEra also identified the following South Carolina lobbying payments in 2021: Burr Forman (Lynn Murray), $120,000; Haynsworth Sinkler Boyd, P.A. (d/b/a Copper Dome Strategies), $90,000; SDM & Associates (Shirley Mills), $54,000; and TL Moore Consulting, LLC, $104,000. No such lobbying payments were identified for 2022 through 2026. Lobbying disclosure information is also available on NextEra's Corporate Political Engagement webpage: https://www.investor.nexteraenergy.com/corporate-governance/corporate-political-engagement.

Joint Petitioners
Case No. PUR-2026-00112
Clean Virginia
Second Set

The following **supplemental response (Aug. 20, 2026)** to Question No. 21 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Brad Sobel
Controller – C&O
NextEra Energy Transmission, LLC

As it pertains to legal matters, the following response to Question No. 21 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 21

Please provide all documents sufficient to show:

a. The total costs incurred by NextEra and its subsidiaries in pursuing the acquisition of Santee Cooper and, separately, JEA (formerly Jacksonville Electric Authority);

b. The Federal Energy Regulatory Commission Uniform System of Accounts account number(s) under which those costs were recorded; and

c. The percentage of those costs borne by ratepayers of Florida Power & Light Company.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad and unduly burdensome.

Supplemental Response (Aug. 20, 2026):

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence. The request concerns costs associated with two unrelated proposed acquisitions that were never consummated and does not bear on the proposed Merger or the Commission's review of this transaction. Joint Petitioners further object to the request as overly broad and unduly burdensome.

Joint Petitioners
Case No. PUR-2026-00112
Clean Virginia
Second Set

The following **supplemental response (Aug. 20, 2026)** to Question No. 22 of the Second Set of Interrogatories and Requests for Production of Documents propounded by Clean Virginia received on July 24, 2026, was prepared by or under the supervision of:

Jennifer Johnson
Senior Attorney
NextEra Energy Resources, LLC

Question No. 22

On NextEra's Q4 2021 earnings call on January 25, 2022, then-Chairman James Robo stated that NextEra had conducted "a very extensive and thorough investigation" into allegations that Florida Power & Light Company ("FPL") secretly used corporate funds to influence state and local elections, target elected officials who opposed certain FPL initiatives, and intimidate journalists who scrutinized FPL's actions. Please provide:

a. All documents constituting, summarizing, or reporting the findings of the investigation referenced by Mr. Robo, including any report, memorandum, or presentation to the Board of Directors or any Board committee;

b. All documents sufficient to show the scope, methodology, and personnel or entities involved in conducting the investigation, including whether it was conducted by outside counsel, an outside firm, or internally; and

c. All documents sufficient to show what, if any, actions NextEra or FPL took as a result of the investigation's findings.

Response:

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence in this proceeding. Joint Petitioners further object to this request as it is overly broad, unduly burdensome, and potentially voluminous. Joint Petitioners also object to this request to the extent that it seeks to discover information that is protected from disclosure by the attorney-client privilege, work product doctrine, and/or other protections. Further, the information requested relates to active litigation, as described in response to Staff Set 01-54 and 01-55, and this proceeding is not the proper forum to address the subject matter of active lawsuits.

Supplemental Response (Aug. 20, 2026):

Joint Petitioners object to this request as not relevant to the subject matter of this proceeding or reasonably calculated to lead to the discovery of admissible evidence. The request concerns historical allegations relating to FPL political activities that do not bear on the proposed Merger or the Commission's review of this transaction. Joint Petitioners further object to the request as overly broad, unduly burdensome, and potentially voluminous. Joint Petitioners also object to the extent the request seeks information protected from disclosure by the attorney-client privilege, work product doctrine, and/or other applicable protections. Further, the information requested relates to active litigation, as described in response to Staff Set 01-54 and 01-55, and this proceeding is not the proper forum to address the subject matter of active lawsuits.

CERTIFICATE OF SERVICE

I hereby certify that the following have been served with a true and accurate copy of the foregoing via electronic mail:

Joseph K. Reid
Elaine S. Ryan
Timothy D. Patterson
MCGUIREWOODS LLP
Gateway Plaza
800 East Canal Street
Richmond, VA 23219
jreid@mcguirewoods.com
eryan@mcguirewoods.com
tpatterson@mcguirewoods.com

Timothy E. Biller
Andrea D. Gardner
James G. Ritter
HUNTON ANDREWS KURTH LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, Virginia 23219
tbiller@hunton.com
agardner@hunton.com
ritterj@hunton.com

William H. Chambliss
K. Beth Clowers
Ashley Macko
Arlen Bolstad
OFFICE OF GENERAL COUNSEL
STATE CORPORATION COMMISSION
1300 E. Main Street, Tyler Bldg., 10th Fl.
Richmond, VA 23219
william.chambliss@scc.virginia.gov
beth.clowers@scc.virginia.gov
ashley.macko@scc.virginia.gov
arlen.bolstad@scc.virignia.gov

Timothy G. McCormick
Christian F. Tucker
CHRISTIAN & BARTON, L.L.P.
901 East Cary Street, Suite 1800

Paul E. Pfeffer
Lauren E. Wood
DOMINION ENERGY SERVICES, INC.
120 Tredegar Street
Richmond, VA 23219
paul.e.pfeffer@dominionenergy.com
lauren.e.wood@dominionenergy.com

Myles F. Reynolds
HUNTON ANDREWS KURTH LLP
1445 Ross Avenue Suite 3700
Dallas, TX 75202
mreynolds@hunton.com

John E. Farmer, Jr.
Carew S. Bartley
Marvi R. Ali
OFFICE OF THE ATTORNEY GENERAL
DIVISION OF CONSUMER COUNSEL
202 North Ninth Street, 8th Floor
Richmond, VA 23219
jfarmer@oag.state.va.us
cbartley@oag.state.va.us
mali@oag.state.va.us

Evan Dimond Johns
APPALACHIAN MOUNTAIN ADVOCATES
6101 Penn Avenue, Suite No. 402
Pittsburgh, Pennsylvania 15206
ejohns@appalmad.org

Amanda Demmerle
APPALACHIAN MOUNTAIN ADVOCATES
Post Office Box 11571
Charleston, West Virginia
ademmerle@appalmad.org

Dorothy E. Jaffe
Erida Tosini-Corea

Richmond, VA 23219-4037
tmccormick@cblaw.com
ctucker@cblaw.com

Matthew L. Gooch
William T. Reisinger
REISINGERGOOCH PLC
1108 East Main Street, Suite 1102
Richmond, Virginia 23219
matt@reisingergooch.com
will@reisingergooch.com

Cliona Mary Robb
Michael J. Quinan
THOMPSON MCMULLAN
100 Shockoe Slip, 3rd Floor
Richmond, Virginia 23219
crobb@t-mlaw.com
mquinan@t-mlaw.com

Frann G. Francis
THE APARTMENT AND OFFICE BUILDING ASSOCIATION OF METROPOLITAN WASHINGTON
1025 Connecticut Ave, N.W., Suite 1005
Washington, DC 20036
ffrancis@aoba-metro.org

Jamie Hertz
HYLAND LAW, PLLC
11710 Plaza America Drive, Suite 160
Reston, VA 20190
jhertz@hylandpllc.com

Benjamin L. Snowden
FOX ROTHSCHILD LLP
301 Hillsborough Street, Suite 1120
Raleigh, NC 27603
bsnowden@foxrothschild.com

R. Taylor Speer
FOX ROTHSCHILD LLP
2 W. Washington Street, Suite 1100
Greenville, South Carolina 29601
tspeer@foxrothschild.com

SIERRA CLUB
50 F Street Northwest, Eighth Floor
Washington, District of Columbia 20001
dori.jaffe@sierraclub.org
erida.tosini-corea@sierraclub.org

Nathaniel Benforado
Emma Clancy
SOUTHERN ENVIRONMENTAL LAW CENTER
120 Garrett Street, Suite 400
Charlottesville, VA 22902
nbenforado@selc.org
eclancy@selc.org

Karen L. Lusson
NATIONAL CONSUMER LAW CENTER
7 Winthrop Square
Boston, MA 02110
klusson@nclc.org

James W. (Jay) Speer
VIRGINIA POVERTY LAW CENTER
919 East Main Street, Suite 610
Richmond, VA 23219
jay@vplc.org

William C. Cleveland
LIGHTHOUSE POLICY & LAW, PLC
240 West Main Street, Suite 100
Charlottesville, VA 22902
wcleveland@lighthousepl.com

Matthew R. McGuire
COUNSEL TO THE GOVERNOR
OFFICE OF THE GOVERNOR
1111 East Broad Street
Richmond, Virginia 23219
Matthew.McGuire@governor.virginia.gov

Jack Robb
F. Garland Slaughter
OLD DOMINION ELECTRIC COOPERATIVE
4201 Dominion Blvd
Glen Allen, Virginia 23060
jrobb@odec.com
gslaughter@odec.com

Karen M. Kemerait
FOX ROTHSCHILD LLP
301 Hillsborough Street Suite 1120
Raleigh, NC 27603
kkemerait@foxrothschild.com

Carrie H. Grundmann
SPILMAN THOMAS & BATTLE, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
cgrundmann@spilmanlaw.com

Steven W. Lee
SPILMAN THOMAS & BATTLE, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
slee@spilmanlaw.com

Bryan P. MacAvoy
OFFICE OF THE ALEXANDRIA CITY ATTORNEY
123 Pitt Street, Suite 575
Alexandria, Virginia 22314
bryan.macavoy@alexandriava.gov

DATED: September 2, 2026

/s/ Gregory D. Habeeb