

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES ACT OF 1933**  
**Release No. 10893 / December 3, 2020**

**In the Matter of**

**Dominion Energy, Inc.**

**ORDER UNDER RULE 405 OF THE  
SECURITIES ACT OF 1933, GRANTING  
WAIVER FROM BEING INELIGIBLE  
ISSUER**

Dominion Energy, Inc. (“Dominion”) has submitted a letter, dated December 1, 2020, constituting an application for relief from Dominion being considered an “ineligible issuer” under clause (1)(vi) of the definition of ineligible issuer in Rule 405 of the Securities Act of 1933 (“Securities Act”). Dominion requests relief from being considered an “ineligible issuer” under Rule 405, as a result of the entry of a judgment (“Final Judgment”) on December 3, 2020 in the United States District Court for the District of South Carolina relating to the complaint filed by the Commission on February 20, 2020 against SCANA Corporation and Dominion Energy South Carolina, Inc. (f/k/a South Carolina Electric Gas & Company) (together, the “SCANA Entities”), subsidiaries of Dominion, in *SEC v. SCANA Corporation et al.*, Civil Action No. 3:20-cv-00882-MGL (D.S.C.). The Final Judgment enjoins the SCANA Entities from violating, among other things, Section 17(a) of the Securities Act and Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder.

Under clause (1)(vi) of the definition of ineligible issuer in Rule 405 of the Securities Act, an issuer becomes an ineligible issuer and thus unable to avail itself of well-known seasoned issuer status, if “[w]ithin the past three years (but in the case of a decree or order agreed to in a settlement, not before December 1, 2005), the issuer or any entity that at the time was a subsidiary of the issuer was made the subject of any judicial or administrative decree or order arising out of a governmental action that: (A) [p]rohibits certain conduct or activities regarding, including future violations of, the anti-fraud provisions of the federal securities laws...”

Under clause (2) of the definition of ineligible issuer in Rule 405 of the Securities Act, an issuer shall not be an ineligible issuer if the Commission determines, upon a showing of good cause, that it is not necessary under the circumstances that the issuer be considered an ineligible issuer.

Assuming the SCANA Entities comply with the Final Judgment, the Commission has determined that Dominion has made a showing of good cause under clause (2) of the definition

of ineligible issuer in Rule 405 of the Securities Act and that Dominion should not be considered an ineligible issuer by reason of the entry of the Final Judgment. Any different facts or circumstances from those represented in the letter or failure to comply with the terms of the Final Judgment would require us to revisit our determination that good cause has been shown and could constitute grounds to revoke or further condition the waiver. The Commission reserves the right, in its sole discretion, to revoke or further condition the waiver under those circumstances.

Accordingly, the relief described above from Dominion being an ineligible issuer under Rule 405 of the Securities Act is hereby granted.

By the Commission.

Vanessa A. Countryman  
Secretary