



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*

**Jason S. Miyares**  
Attorney General

202 N. 9<sup>th</sup> Street  
Richmond, Virginia 23219  
(804) 786-2071  
Fax (804) 786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

**MEMORANDUM**

**FROM:** Eric M. Lansing  
Assistant Attorney General

**TO:** Glenn Davis, Director  
Virginia Department of Energy

**DATE:** October 28, 2024

**RE:** Review of regulatory action to clarify the process for escrow and unlocatable parties  
(Action 6585)

---

In response to a request from the Virginia Department of Energy, I have reviewed the above-referenced regulation of the Gas and Oil Board.

The Gas and Oil Board has the authority to amend its regulations. *See* Va. Code § 45.2-1614. After reviewing the proposed amendments, it is my opinion that the Gas and Oil Board has the authority to amend and reissue the above-referenced regulations. The proposed amendments do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

Furthermore, this revision is expected to be noncontroversial, and accordingly, the Board may submit the revision for publication in the Virginia Regulatory Town as a fast-track regulation. *See* Va. Code § 2.2-4012.1.