

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 30, 2015.

REGISTRATION CONTROL CENTER
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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE-2015-00104

For approval and certification for the proposed 2016 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-2, under § 56-585.1 A 6 of the Code of Virginia

ORDER FOR NOTICE AND HEARING

On October 1, 2015, Virginia Electric and Power Company ("Dominion Virginia Power" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certificates of public convenience and necessity ("CPCNs") to construct and operate three utility scale solar electric generating facilities: (i) the Scott Solar Facility, a 17 megawatt ("MW") (nominal alternating current ("AC")) facility located in Powhatan County; (ii) the Whitehouse Solar Facility, a 20 MW AC facility located in Louisa County; and (iii) the Woodland Solar Facility, a 19 MW AC facility located in Isle of Wight County (collectively, "2016 Solar Projects" or "Projects"). The Company requests approval and a CPCN for each of the 2016 Solar Projects pursuant to §§ 56-46.1 and 56-580 D of the Code of Virginia ("Code") and the Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility ("Generation Rules").¹ Through its Application, the Company also requests approval of a rate adjustment clause ("RAC"), designated Rider US-2, pursuant to § 56-585.1 A 6 of the Code ("Subsection A 6") and the Rules

¹ 20 VAC 5-302-10 *et seq.*

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Governing Utility Rate Applications and Annual Informational Filings ("Rate Case Rules").²

According to the Company, the revenue requirement of the proposed RAC is based on a market index-based rate mechanism, as permitted by Subsection A 6. Dominion Virginia Power filed a Motion for Entry of a Protective Order and Additional Protective Treatment ("Motion for Protective Order"), as well as a proposed Protective Order with its Application.

As proposed, the Projects would include ground-mounted, single-axis tracking solar panel arrays, and would interconnect using 34.5 kilovolt distribution-level facilities.³ If approved, Dominion Virginia Power expects the proposed Projects to begin commercial operation by December 15, 2016, and that the proposed Projects would collectively provide approximately 124 gigawatt-hours of energy production at an average capacity factor of approximately 25% in the first year of operation.⁴

Dominion Virginia Power estimates the construction cost of the proposed Projects to be approximately \$129.5 million, excluding financing costs, or approximately \$2,306/kilowatt ("kW") at the total 56 MW AC rating.⁵ According to Dominion Virginia Power, the proposed Projects are anticipated to take advantage of investment tax credits ("ITCs").⁶ Specifically, the Company notes that according to the current federal tax code, approximately 91% of the capital

² 20 VAC 5-201-10 *et seq.*

³ Application at 2, 9-10.

⁴ *Id.* at 3, 10.

⁵ Pre-filed Direct Testimony of Mark D. Mitchell at 12. The cost estimates attributable to each of the proposed Projects (excluding financing costs) are: \$40.8 million for the Scott Solar Facility, or approximately \$2,399/kW at the 17 MW AC rating; \$44.5 million for the Whitehouse Solar Facility, or approximately \$2,226/kW at the 20 MW AC rating; \$44.2 million for Woodland Solar Facility, or approximately \$2,307/kW at the 19 MW AC rating. *Id.* at 4-5.

⁶ Application at 14.

expenditures on the proposed Projects would qualify for a 30% solar ITC if the Projects are in service by December 31, 2016.⁷

Dominion Virginia Power represents that in conjunction with its own on-going solar project development efforts, the Company issued a request for proposals in July 2015 ("2015 RFP") designed to support the Company's evaluation of its Company-developed projects and to consider and weigh possible third-party market alternative solar projects.⁸ The Company asserts that its 2015 RFP meets the Subsection A 6 requirement to consider and weigh alternative options, including third party market alternatives, in selecting proposed generating facilities.⁹

The Company states that it has proposed a market index-based rate mechanism for Rider US-2 that is based on power purchase agreement ("PPA") rates for solar energy and intended to provide customers with a levelized rate (with escalation) compared to a traditional cost of service approach.¹⁰ According to the Company, in designing the market index, it relied upon prices contained in certain PPA proposals bid by third party developers into the 2015 RFP.¹¹ The Company states that its proposed market index approach is unprecedented and that the Company has submitted a private letter ruling ("PLR") request with the U.S. Internal Revenue Service ("IRS") to confirm certain tax treatment associated with its market index approach.¹² The Company further states that its filing is contingent upon a favorable PLR from the IRS.¹³ The

⁷ Pre-filed Direct Testimony of Ted Fasca at 10.

⁸ Application at 8.

⁹ *Id.* at 9.

¹⁰ *Id.* at 13.

¹¹ *Id.* at 14.

¹² *Id.* at 13.

¹³ *Id.* at 14.

Company proposes a market index rate for Rider US-2 of \$55.66/megawatt-hour ("MWh") for the first year after commercial operation, escalating at 2.5% annually for 20 years.¹⁴

The Company proposes an initial rate year for Rider US-2 of September 1, 2016 to August 31, 2017, although the Rider is not designed to become effective until December 1, 2016.¹⁵ The initial total annualized Rider US-2 revenue requirement is \$3,980,416, which will produce approximately \$2,985,312 in revenues during the initial rate year.¹⁶

The Company states that the two key components of the revenue requirement for the Projects are the Projected Cost Recovery Factor and the Actual Cost True-up Factor.¹⁷ The Projected Cost Recovery Factor is the result of multiplying projected kilowatt-hour ("kWh") output from each of the 2016 Solar Projects by the market index rate, minus estimated revenue from the sale of renewable energy certificates ("RECs").¹⁸ Dominion Virginia Power did not include a true-up amount in this case. However, if initiated in 2017 as expected by the Company, Dominion Virginia Power represents that the Actual Cost True-up portion of the revenue requirement will either credit to, or recover from, jurisdictional customers the difference between actual revenues recovered through Rider US-2 during the prior calendar year and the actual MWh of energy produced by the Projects, multiplied by the market index rate.¹⁹ The

¹⁴ *Id.* For test power produced prior to commercial operation, the Company has incorporated a \$10/MWh price. *Id.*

¹⁵ *Id.* at 15.

¹⁶ *Id.*

¹⁷ Pre-filed Direct Testimony of Cory A. Seiders at 4.

¹⁸ *Id.* The Company indicates that proceeds from the sale of RECs associated with the Projects will be a direct benefit for customers, and will not be included in the Company's renewable energy portfolio standard program. Application at 15.

¹⁹ Application at 15-16.

True-up would also reflect any difference between projected revenues from the sale of RECs and actual monies received and carrying costs on over- or under-collection of revenues.²⁰

If the proposed Rider US-2 for the 2016 Rate Year is approved, the impact on customer bills would depend on the customer's rate schedule and usage. The Company asserts that implementation of the proposed Rider US-2 on December 1, 2016, will increase the monthly bill of a residential customer using 1,000 kWh per month by approximately \$0.07.²¹

In its Application, Dominion Virginia Power requests partial waivers of certain Rate Case Rules and Generation Rules. First, the Company requests partial waiver of the requirements of Rules 60 and 90 of the Rate Case Rules, with respect to Filing Schedule 45 (Return on Equity Peer Group Benchmark).²² In support of its request, the Company states that "pursuant to the provisions of Va. Code §§ 56-585.1 and 56-585.1:1, a return on equity determination is not to be made in this proceeding" and that good cause exists to waive this filing requirement.²³

Second, the Company requests partial waiver of the requirements that pertain to fuel supply studies and arrangements ("fuel requirements") and transmission interconnection requirements, facilities, and impacts ("transmission requirements").²⁴ Specifically, the Company requests waiver of Rate Case Rules 60 and 90, with respect to Filing Schedule 46 as to fuel and transmission requirements. The Company also requests waiver of the following Generation Rules: (i) 20 VAC 5-302-25(6)(b) as to providing topographic maps of the proposed sites for the

²⁰ Pre-filed Direct Testimony of Cory A. Seiders at 6.

²¹ Application at 16.

²² *Id.* at 2, 21.

²³ *Id.* at 21.

²⁴ *Id.* at 2, 22-23. The Company represents that to the extent information similar to that identified by the transmission requirements is available at a distribution level, such information is provided by the Company.

2016 Solar Projects;²⁵ (ii) 20 VAC 5-302-25(8) as to fuel requirements; (iii) 20 VAC 5-302-25(12)(b), (c), and (d) as to transmission requirements; (iv) 20 VAC 5-302-35(2) as to fuel requirements; and (iv) 20 VAC 5-302-35(6) as to transmission and fuel requirements.²⁶ In support of these requests for waivers, the Company states that because the proposed 2016 Solar Projects would be connected to the Company's distribution system, no new transmission facilities would be required. Accordingly, Dominion Virginia Power asserts that the transmission requirements are not applicable to the proposed 2016 Solar Facilities.²⁷ Dominion Virginia Power further asserts that because the fuel source for the proposed 2016 Solar Facilities is the sun, these fuel requirements are not applicable.²⁸

Finally, the Company requests, to the extent required, a "blanket waiver" to cover any cost of service-related filing requirements under the Rate Case and Generation Rules "that is not needed to support the market index being proposed for Rider US-2."²⁹

As provided by § 62.1-44.15:21 D 2 of the Code, the Commission and the State Water Control Board ("Board") must consult on wetland impacts prior to the siting of electric utility facilities that require a CPCN. As provided by Section 3 of the Department of Environmental Quality – State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts, the Staff of the Commission ("Staff") has advised the Department of

²⁵ *Id.* at 22. The Company states that topographical maps do not currently exist for the Projects, however, aerial views and site location maps are provided for each of the Projects. (*see* Pre-filed Testimony of Mark D. Mitchell at Schedules 4 and 5).

²⁶ *Id.*

²⁷ *Id.* The Company states that to the extent information similar to that identified by the transmission requirements is available at a distribution level, such information is provided. *Id.* at 2 n.4.

²⁸ *Id.* at 22.

²⁹ *Id.* at 3. The Company states that it has provided information responsive to the requirements of these Rules in a separate cost of service appendix for informational purposes. *Id.*

Environmental Quality, acting on behalf of the Board, that Dominion Virginia Power filed its Application in Case No. PUE-2015-00104 and that the Board's consultation is required.³⁰

In addition to the consultation on wetlands, §§ 10.1-1186.2:1 B and 56-46.1 G of the Code direct the Commission and the Department of Environmental Quality to coordinate the environmental review of proposed generating plants and associated facilities. Additionally, § 56-46.1 A of the Code provides for the Commission to receive and to consider reports on the proposed facilities from state environmental agencies. Accordingly, the Staff has requested the Department of Environmental Quality to coordinate an environmental review of the proposed Project by the appropriate agencies and to provide a report on the review.³¹

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that Dominion Virginia Power should provide public notice of its Application; a public hearing should be scheduled for the purpose of receiving testimony and evidence on the Application; a procedural schedule should be established to allow interested persons an opportunity to file comments on the Application or to participate in this proceeding as a respondent; and the Staff should be directed to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon. Further, we find that a Hearing Examiner should be assigned to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion for Protective Order and filing a final report containing the Hearing Examiner's findings and recommendations.

³⁰ Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated Oct. 7, 2015, to David L. Davis, Department of Environmental Quality, filed in Case No. PUE-2015-00104.

³¹ Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated Oct. 7, 2015, to Bettina Sullivan, Department of Environmental Quality, filed in Case No. PUE-2015-00104.

With respect to the Company's waiver requests, we find as follows. First, we find that Dominion Virginia Power's request for waiver of the requirements of 20 VAC 5-201-60 and 20 VAC 5-201-90 for filing Schedule 45 should be granted. Historically, we have granted the Company's requests for this waiver for purposes of judicial economy in rate adjustment clause proceedings, as we have made return on equity determinations in biennial review proceedings. Because legal questions related to this issue are currently pending in the Company's 2015 Biennial Review proceeding (as well as potentially other pending rate adjustment clause proceedings),³² we grant the requested waiver without ruling upon the Company's assertion in the Application that, "[p]ursuant to the provisions of Va. Code §§ 56-585.1 and 56-585:1, a return on equity determination is not to be made in this proceeding."³³

We grant limited waiver of Rules 60 and 90 of the Rate Case Rules with respect to Filing Schedule 46 as to fuel and transmission requirements and the Company's request for waiver of the following Generation Rules: (i) 20 VAC 5-302-25(6)(b) as to topographical maps of proposed sites; (ii) 20 VAC 5-302-25(8) as to fuel requirements; (iii) 20 VAC 5-302-25(12)(b), (c) and (d) as to transmission requirements; (iv) 20 VAC 5-302-35(2) as to fuel requirements; and (v) 20 VAC 5-302-35(6) as to transmission and fuel requirements, for purposes of commencing this proceeding.

However, we stress that by granting these aforementioned waiver requests at this stage of the proceeding, we are not ruling on the relevance, if any, that information required by these

³² See *Application of Virginia Electric and Power Company, For a 2015 biennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1A of the Code of Virginia*, Case No. PUE-2015-00027.

³³ Application at 21.

rules may have in this or any future Rider US-2 proceeding.³⁴ With respect to its request for a "blanket waiver" of cost of service-related filing requirements of the Rate Case and Generation Rules, the Company states it has provided such information in its Application,³⁵ and therefore, we find it unnecessary to grant the requested waiver under the circumstances.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUE-2015-00104.

(2) As provided by § 12.1-31 of the Code and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),³⁶ a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission as directed above and to file a final report.

(3) A public hearing on the Application shall be convened on March 22, 2016, at 10 a.m., in the Commission's Courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive into the record the testimony of public witnesses and the evidence of the Company, any respondents, and Staff. Any person desiring to offer testimony as a public witness at this hearing should appear in the Commission's courtroom fifteen (15) minutes prior to the starting time of the hearing and identify himself or herself to the Commission's Bailiff.

(4) A copy of the public version of the Application may be obtained by submitting a written request to counsel for the Company, William H. Baxter II, Esquire, Dominion Resources Services, Inc., Law Department, RS-2, 120 Tredegar Street, Richmond, Virginia 23219. If

³⁴ Approval of this limited waiver does not prohibit the issue from being revisited, if warranted.

³⁵ Application at 3.

³⁶ 5 VAC 5-20-10 *et seq.*

acceptable to the requesting party, the Company may provide the documents by electronic means. Copies of the public version of all documents also shall be available for interested persons to review in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Interested persons also may download unofficial copies from the Commission's website: <http://www.scc.virginia.gov/case>.

(5) On or before December 1, 2015, the Company shall cause the following notice and sketch maps³⁷ showing the locations of the proposed facilities (Attachments I, II, and III to this Order) to be published as display advertising (not classified) on one occasion in newspapers of general circulation throughout the Company's service territory in Virginia:

NOTICE TO THE PUBLIC OF
THE APPLICATION OF VIRGINIA ELECTRIC AND POWER
COMPANY FOR APPROVAL AND CERTIFICATION OF
THREE UTILITY SCALE SOLAR PROJECTS IN VIRGINIA
AND FOR APPROVAL OF A RATE ADJUSTMENT CLAUSE
CASE NO. PUE-2015-00104

On October 1, 2015, Virginia Electric and Power Company ("Dominion Virginia Power" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certificates of public convenience and necessity ("CPCNs") to construct and operate three utility scale solar electric generating facilities: (i) the Scott Solar Facility, a 17 megawatt ("MW") (nominal alternating current ("AC")) facility located in Powhatan County; (ii) the Whitehouse Solar Facility, a 20 MW AC facility located in Louisa County; and (iii) the Woodland Solar Facility, a 19 MW AC facility located in Isle of Wight County (collectively, "2016 Solar Projects" or "Projects"). The Company requests approval and a CPCN for each of the 2016 Solar Projects pursuant to §§ 56-46.1 and 56-580 D of the Code of Virginia ("Code") and the Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility. Through its Application, the Company also requests approval of a rate adjustment clause

³⁷ The maps were filed with the Clerk of the Commission on October 14, 2015.

("RAC"), designated Rider US-2, pursuant to § 56-585.1 A 6 of the Code ("Subsection A 6") and the Rules Governing Utility Rate Applications and Annual Informational Filings. According to the Company, the revenue requirement of the proposed RAC is based on a market index-based rate mechanism, as permitted by Subsection A 6.

As proposed, the Projects would include ground-mounted, single-axis tracking solar panel arrays, and would interconnect using 34.5 kilovolt distribution-level facilities. If approved, Dominion Virginia Power expects the proposed Projects to begin commercial operation by December 15, 2016 and that the proposed Projects would collectively provide approximately 124 gigawatt-hours of energy production at an average capacity factor of approximately 25% in the first year of operation.

Dominion Virginia Power estimates the construction cost of the proposed Projects to be approximately \$129.5 million, excluding financing costs, or approximately \$2,306/kilowatt at the total 56 MW AC rating. According to Dominion Virginia Power, the proposed Projects are anticipated to take advantage of investment tax credits ("ITCs"). Specifically, the Company notes that according to the current federal tax code, approximately 91% of the capital expenditures on the proposed Projects would qualify for a 30% solar ITC if the Projects are in service by December 31, 2016.

Dominion Virginia Power represents that in conjunction with its own on-going solar project development efforts, the Company issued a request for proposals in July 2015 ("2015 RFP") designed to support the Company's evaluation of its Company-developed projects and to consider and weigh possible third-party market alternative solar projects. The Company asserts that its 2015 RFP meets the Subsection A 6 requirement to consider and weigh alternative options, including third party market alternatives, in selecting proposed generating facilities.

The Company states that it has proposed a market index-based rate mechanism for Rider US-2 that is based on power purchase agreement ("PPA") rates for solar energy and intended to provide customers with a levelized rate (with escalation) compared to a traditional cost of service approach. According to the Company, in designing the market index, it relied upon prices contained in certain PPA proposals bid by third party developers into the 2015 RFP. The Company states that its proposed market index approach is unprecedented and that the Company has

submitted a private letter ruling ("PLR") request with the U.S. Internal Revenue Service ("IRS") to confirm certain tax treatment associated with its market index approach. The Company further states that its filing is contingent upon a favorable PLR from the IRS. The Company proposes a market index rate for Rider US-2 of \$55.66/megawatt-hour ("MWh") for the first year after commercial operation, escalating at 2.5% annually for 20 years.

The Company proposes an initial rate year for Rider US-2 of September 1, 2016 to August 31, 2017, although the Rider is not designed to become effective until December 1, 2016. The initial total annualized Rider US-2 revenue requirement is \$3,980,416, which will produce approximately \$2,985,312 in revenues during the initial rate year.

The Company states that the two key components of the revenue requirement for the Projects are the Projected Cost Recovery Factor and the Actual Cost True-up Factor. The Projected Cost Recovery Factor is the result of multiplying projected kilowatt-hour ("kWh") output from each of the 2016 Solar Projects by the market index rate, minus estimated revenue from the sale of renewable energy certificates ("RECs"). Dominion Virginia Power did not include a true-up amount in this case. However, if initiated in 2017 as expected by the Company, Dominion Virginia Power represents that the Actual Cost True-up portion of the revenue requirement will either credit to, or recover from, jurisdictional customers the difference between actual revenues recovered through Rider US-2 during the prior calendar year and the actual MWh of energy produced by the Projects, multiplied by the market index rate. The True-up would also reflect any difference between projected revenues from the sale of RECs and actual monies received and carrying costs on over- or under-collection of revenues.

If the proposed Rider US-2 for the 2016 Rate Year is approved, the impact on customer bills would depend on the customer's rate schedule and usage. The Company asserts that implementation of the proposed Rider US-2 beginning on December 1, 2016, will increase the residential customer's monthly bill, based on a 1,000 kWh per month, by \$0.07.

Interested persons are encouraged to review the Application and supporting documents for the details of these and other proposals. TAKE NOTICE that the Commission may approve revenues and adopt rates, fees, charges, tariff revisions, and terms and conditions of service that differ from those

appearing in the Company's Application and supporting documents and may apportion revenues among customer classes and/or design rates in a manner differing from that shown in the Company's Application and supporting documents.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled a public hearing on March 22, 2016, at 10 a.m., in the Commission's Second Floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive testimony from members of the public and evidence related to the Application from the Company, any respondents, and the Commission's Staff. Any person desiring to testify as a public witness at this hearing should appear fifteen (15) minutes prior to the starting time of the hearing and contact the Commission's Bailiff.

A copy of the public version of the Application may be obtained by submitting a written request to counsel for the Company, William H. Baxter II, Esquire, Dominion Resources Services, Inc., Law Department, RS-2, 120 Tredegar Street, Richmond, Virginia 23219. If acceptable to the requesting party, the Company may provide the documents by electronic means.

Copies of the public version of the Application and documents filed in this case also are available for interested persons to review in the Commission's Document Control Center, located on the First Floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Interested persons also may download unofficial copies from the Commission's website: <http://www.scc.virginia.gov/case>.

Any person or entity may participate as a respondent in this proceeding by filing, on or before January 12, 2016, a notice of participation. If not filed electronically, an original and fifteen (15) copies of the notice of participation shall be submitted to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. A copy of the notice of participation as a respondent also must be sent to counsel for the Company at the address set forth above. Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. All filings shall refer to Case No. PUE-2015-00104. For

additional information about participation as a respondent, any person or entity should obtain a copy of the Commission's Order for Notice and Hearing.

On or before March 15, 2016, any interested person wishing to comment on the Application shall file written comments on the Application with the Clerk of the Commission at the address set forth above. Any interested person desiring to file comments electronically may do so on or before March 15, 2016, by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All such comments shall refer to Case No. PUE-2015-00104.

The Commission's Rules of Practice and Procedure may be viewed at <http://www.scc.virginia.gov/case>. A printed copy of the Commission's Rules of Practice and Procedure and an official copy of the Commission's Order for Notice and Hearing in this proceeding may be obtained from the Clerk of the Commission at the address set forth above.

VIRGINIA ELECTRIC AND POWER COMPANY

(6) On or before December 1, 2015, the Company shall serve a copy of this Order for Notice and Hearing on the chairman of the board of supervisors and county attorney of each county and upon the mayor or manager (or equivalent official) and city or town attorney of every city and town in which the Company provides service in the Commonwealth of Virginia. Service shall be made either by personal delivery or first class mail to the customary place of business or residence of the person or entity served.

(7) On or before January 8, 2016, the Company shall file proof of the notice and service required by Ordering Paragraphs (5) and (6), including the name, title, and address of each official served with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.

(8) On or before March 15, 2016, any interested person may file written comments on the Application with the Clerk of the Commission at the address set forth in Ordering Paragraph (7). Any interested person desiring to submit comments electronically may do so on or before March 15, 2016, by following the instructions found on the Commission's website:

<http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All comments shall refer to Case No.

PUE-2015-00104.

(9) On or before January 12, 2016, any person or entity may participate as a respondent in this proceeding by filing a notice of participation. If not filed electronically, an original and fifteen (15) copies of the notice of participation shall be submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (7), and the respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company at the address in Ordering Paragraph (4). Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth:

(i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUE-2015-00104.

(10) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon each respondent a copy of this Order for Notice and Hearing, a copy of the public version of the Application, and all public materials filed by the Company with the Commission, unless these materials already have been provided to the respondent.

(11) On or before January 26, 2016, each respondent may file with the Clerk of the Commission at the address set forth in Paragraph (7) and serve on the Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case, and each witness's testimony shall include a summary not to exceed one page. If not filed electronically, an original and fifteen (15) copies of such testimony and exhibits shall be submitted to the Clerk of the Commission. In all filings, the respondent shall comply with the Commission's Rules of Practice, including, but not limited to: 5 VAC 5-20-140, *Filing and service*; 5 VAC 5-20-150, *Copies and format*; and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUE-2015-00104.

(12) The Staff shall investigate the Application. On or before February 23, 2016, the Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of testimony and exhibits and each Staff witness's testimony shall include a summary not to exceed one page. A copy thereof shall be served on counsel to the Company and all respondents.

(13) On or before March 8, 2016, the Company may file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer and each rebuttal witness's testimony shall include a summary not to exceed one page. The Company shall serve a copy on the Staff and all respondents. If not filed electronically, an original and fifteen (15) copies of such rebuttal testimony and exhibits shall be submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (7).

(14) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of

5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically, or by facsimile, on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to Staff.³⁸ Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(15) We grant the Company's request for partial waiver of the requirements of 20 VAC 5-201-60 and 20 VAC 5-201-90 for Filing Schedule 45 (Return on Equity Peer Group Benchmark) and Filing Schedule 46 as to fuel requirements and transmission requirements, as set forth in this Order.

(16) We grant the Company's request for partial waiver of the following Generation Rules: (i) 20 VAC 5-302-25(6)(b) as to topographical maps of proposed sites; (ii) 20-VAC 5-302-25(8) as to fuel requirements; (iii) 20 VAC 5-302-25(12)(b), (c) and (d) as to transmission requirements; (iv) 20 VAC 5-302-35(2) as to fuel requirements; and (v) 20 VAC 5-302-35(6) as to transmission and fuel requirements, as set forth in this Order.

(17) This matter is continued.

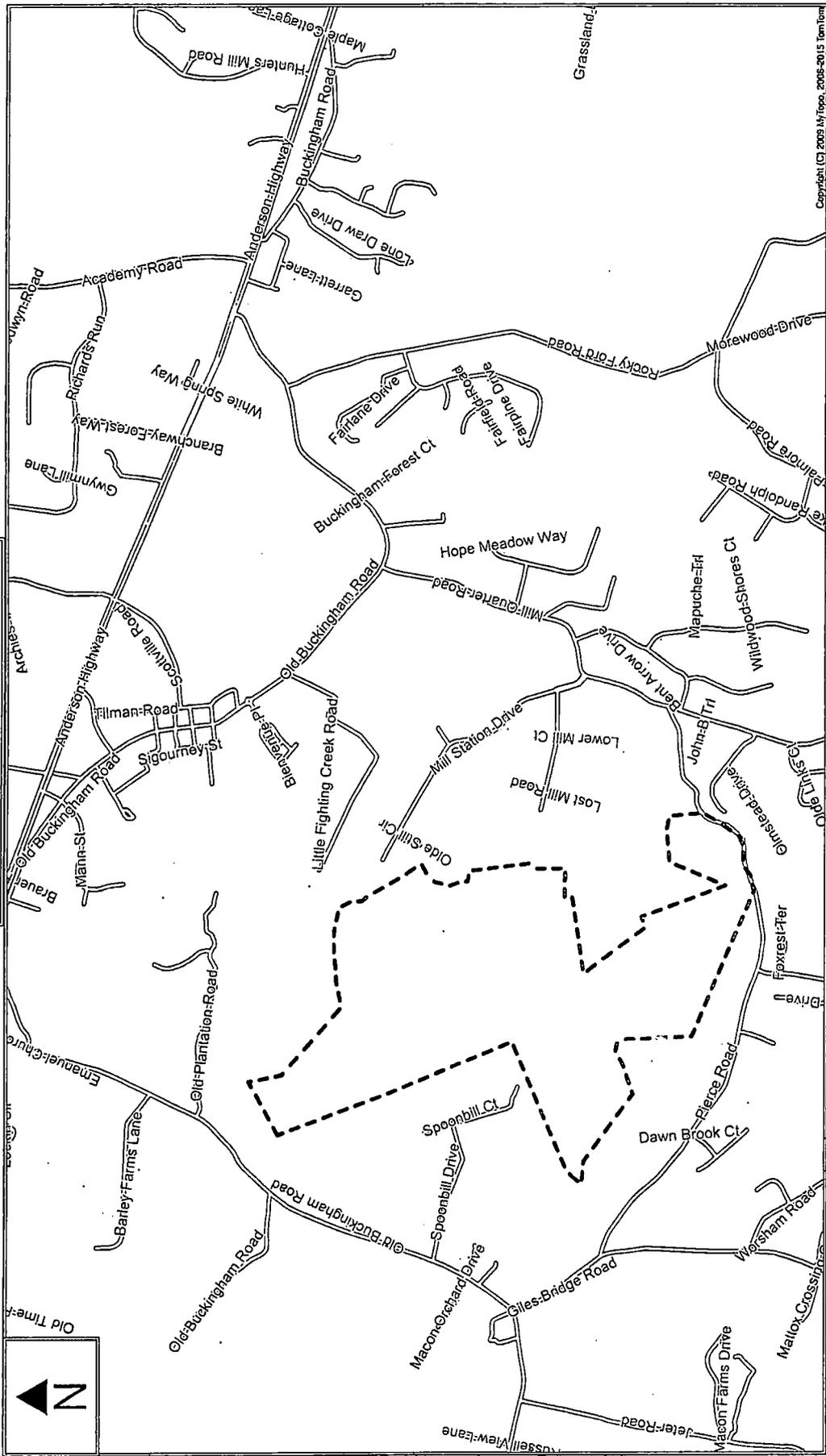
AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Lisa S. Booth, Esquire, and William H. Baxter II, Esquire, Dominion Resources Services, Law Department, RS-2, 120 Tredegar Street, Richmond, Virginia 23219; Kristian M. Dahl, Esquire, McGuireWoods LLP, One James Center, 901 East Cary Street, Richmond, Virginia 23219-4030; and C. Meade Browder, Jr., Senior Assistant Attorney General, Office of the Attorney General, Division of Consumer Counsel, 900 East Main Street, Second Floor, Richmond, Virginia 23219;

³⁸ The assigned Staff attorney is identified on the Commission's website, <http://www.scc.virginia.gov/case>, by clicking "Docket Search" and entering the case number, PUE-2015-00104, in the appropriate box.

and a copy shall be delivered to the Commission's Office of General Counsel and Divisions of Energy Regulation and Utility Accounting and Finance.

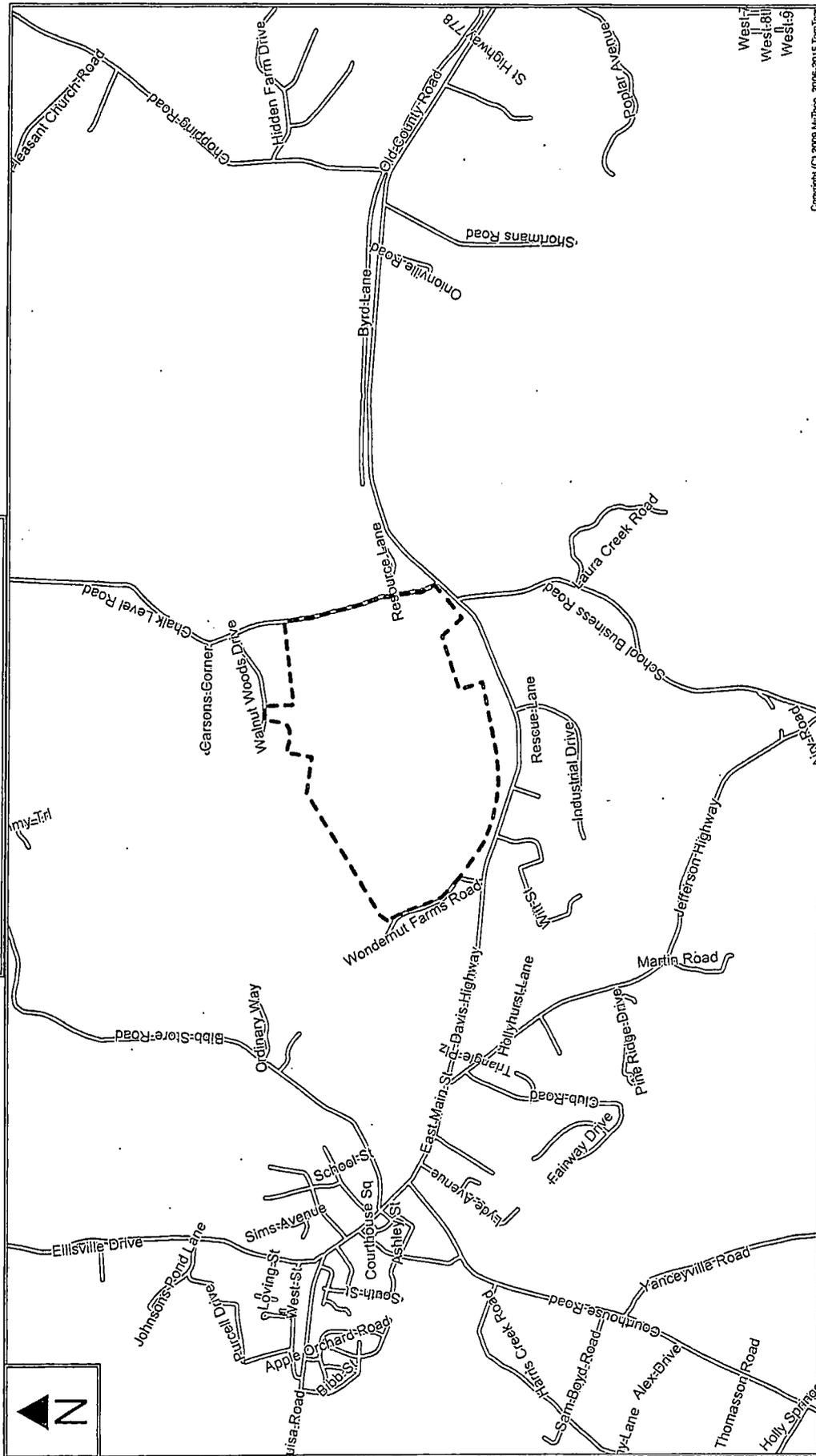
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Scott Solar



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