

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE-2015-00107

For approval and certification of electric transmission facilities: Haymarket 230 kV Double Circuit Transmission Line and 230-34.5 kV Haymarket Substation

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HEARING EXAMINER'S RULING

March 21, 2016

On November 6, 2015, Virginia Electric and Power Company ("Dominion Virginia Power" or the "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity authorizing the construction and operation of electric facilities in Prince William and Loudoun Counties, Virginia, and the Town of Haymarket, Virginia. The Company proposes to (i) convert its existing 115 kilovolt ("kV") Gainesville-Loudoun Line #124, located in Prince William and Loudoun Counties, to 230 kV operation; (ii) construct in Prince William County and the Town of Haymarket a new 230 kV double circuit overhead transmission line, approximately 5.1 miles in length, from a tap point approximately 0.5 mile north of the Company's existing Gainesville Substation on converted Line #124 to a new 230-34.5 kV Haymarket Substation; and (iii) construct a 230-34.5 kV Haymarket Substation on land in Prince William County to be owned by the Company.

On December 11, 2015, the Commission issued an Order for Notice and Hearing that, among other things, docketed the Application, assigned the matter to a hearing examiner, and established a procedural schedule for the case ("Scheduling Order").

On March 8, 2016, Heritage Hunt HT, LLC, Heritage Hunt Commercial, LLC, Heritage Hunt Retail, LLC, Heritage Hunt Office Condominium, LLC, Heritage Sport & Health, LLC, RBS Holdings, LLC, and BKM at Heritage Hunt, LLC (collectively, "Heritage"), by counsel, and Somerset Crossing Home Owners Association, Inc. ("Somerset"), by counsel, filed a Joint Motion of Somerset Crossing Home Owners Association and Heritage for Expedited Consideration and Extension of Procedural Dates ("Joint Motion"). The Joint Motion requests that the dates established by the Scheduling Order for the filing of notices of participation, written public comments, the testimony of respondents and Commission Staff, the Company's rebuttal testimony, and the May 10, 2016, evidentiary hearing date be continued for approximately 90 days, with the May 10, 2016, hearing retained on the Commission's docket for the receipt of testimony from public witnesses.¹

¹ Heritage and Somerset request that the filing dates be extended as follows: notices of participation from March 1, 2016, to June 1, 2016; written public comments from May 3, 2016, to August 3, 2016; respondent testimony from March 22, 2016, to June 22, 2016; Staff testimony from April 12, 2016, to July 12, 2016; Company rebuttal from April 26, 2016, to July 26, 2016; and the hearing extended from May 10, 2016, to August 10, 2016, while keeping the May 10, 2016, hearing on the Commission's docket for the receipt of testimony from public witnesses.

In support of their Joint Motion, Heritage and Somerset state that while the Scheduling Order’s “four and a half months between the submission of the Application and the filing of respondent testimony ... roughly approximates the intervals set forth” in Dominion Virginia Power’s transmission line cases before the Commission,² the Company’s more recent “Remington-Gordonsville transmission line case, Case No. PUE-2015-00117, calls for an interval of approximately 6 months between the submission of the [a]pplication and the filing of respondent testimony.”³

Heritage and Somerset next argue that extensions are “regularly granted” upon a showing of good cause, such as the increased complexity of a transmission line case, citing the extensions granted in the Company’s Warrenton-Wheeler (Case No. PUE-2014-00025), Poland Road (Case No. PUE-2015-00053), and Yardley Ridge (Case No. PUE-2015-00054) transmission line cases. Here, Heritage and Somerset argue that good cause exists to grant an extension because this “case involves consideration of issues not found in typical Dominion [Virginia Power] transmission line proceedings,” including issues related to the proposed I-66 Hybrid overhead/underground alternative and “the reasonableness of Dominion [Virginia Power] taking property and assessing costs to all ratepayers for new transmission facilities that are necessary to provide service to one customer.”⁴ Heritage and Somerset state that “consideration [of] such issues may entail significant discovery[,] the hiring of experts[,] ... and ... [requires] sufficient time to prepare pre-filed testimony, all of which are challenging within the timeframes allotted to typical transmission line cases.”⁵

Somerset also alleges that it has submitted multiple written requests for information to Dominion Virginia Power to which the Company has not responded. Accordingly, Somerset argues that “[a] failure to grant an extension of time will prevent [Somerset] from developing the evidence necessary for it to complete its Written Testimony.”⁶

Finally, Heritage and Somerset believe all parties would benefit from the completion of all local public hearings, the last of which is scheduled for May 2, 2016, prior to the submission of the respondent testimony.

The Joint Motion represents that both the Company and Staff oppose the Joint Motion; however, Staff would support a one-week extension for respondent testimony provided Staff is given an additional week to file its testimony. The Joint Motion further represents that all other parties in the case either support or take no position on the requested extension.⁷

² Joint Motion at 3, citing the procedural schedules established in the Company’s Warrenton-Wheeler case, Case No. PUE-2014-00025 (a 5-month interval between the filing date of the Company’s application and respondent testimony), the Poland Road case, Case No. PUE-2015-00053 (a 3½-month interval), and the Yardley Ridge case, Case No. PUE-2015-00054 (an interval of almost 4 months).

³ *Id.* at 4.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.* at 5.

⁷ The Motion represents that FST Properties, LLC, Southview, LLC, and the Prince William County Board of Supervisors all support an extension of the procedural schedule; the Coalition to Protect Prince William County does not oppose an extension; and Old Dominion Electric Cooperative takes no position on an extension. *Id.* at 2.

Since respondent testimony is due March 22, 2016, Heritage and Somerset requested expedited consideration of their Joint Motion.

On March 9, 2016, a Ruling was entered giving the parties and Staff an opportunity to file responses to the Joint Motion on or before March 15, 2016, and giving Heritage and Somerset an opportunity to file a reply, on or before March 17, 2016.

On March 15, 2016, Dominion Virginia Power filed its Opposition of Virginia Electric and Power Company to Joint Motion for Extension. In its Response, the Company argues that Heritage and Somerset have not provided any legitimate reason that warrants a three-month delay in the procedural schedule. The Company asserts that the procedural schedule established in this case allows for approximately four and a half months between the filing of the Application and the filing of respondent testimony. This time frame, according to the Company, “is in-line with the scheduling orders issued in other recent proceedings.”⁸

The Company next argues that the cases cited by Heritage and Somerset in which extensions were granted, including the Company’s Warrenton-Wheeler, Poland Road, and Yardley Ridge cases had “facts and circumstances ... [that] are not present here and there is no analogous circumstance alleged in the Joint Motion.”⁹

The Company also argues that there is nothing overly complex or unduly burdensome about the two issues referenced by Heritage and Somerset in support of their Joint Motion for an extension. The proposed I-66 Hybrid overhead/underground alternative, according to the Company, “has been analyzed by the Company in detail in the Application and Routing Study, and the cost recovery question appears to be a legal issue that could be subject to briefing by the parties after the evidentiary hearing.”¹⁰

The Company also disagrees with the assertion that it has been non-responsive to requests for information from Somerset. It points out that the Commission’s Scheduling Order provides that responses to discovery requests must be answered within seven days and that Heritage and Somerset served their first set of discovery after filing their Joint Motion. The Company therefore states that “it is a blatant misrepresentation to assert that the Company has somehow been nonresponsive to requests for information in this proceeding.”¹¹

Finally, the Company states that “[n]eedlessly delaying this proceeding by three months will jeopardize the Company’s ability to receive a timely Commission order” and construct and operate the new facilities in a timely manner. According to the Company, it needs a decision by early 2017 to construct and operate the project on schedule.¹²

⁸ Dominion Virginia Power Response at 3.

⁹ *Id.*

¹⁰ *Id.* at 4.

¹¹ *Id.* at 4-5.

¹² *Id.* at 5.

Staff also filed a Response opposing the extension. Staff notes that the Application was filed over four months ago and that the Company published notice of the Application more than two months, giving the respondents ample time to file their notices of participation, conduct discovery, investigate the Application, and file their testimony. Staff further argues that the Commission considered the complexity of this case when it established a procedural schedule and an additional three-month extension is not necessary. The Commission’s Scheduling Order, according to Staff, permitted respondents a reasonable amount of time for filing notices of participation, and Heritage and Somerset have provided no reason why the filing date for notices of participation should be extended one month beyond the May 10, 2016, evidentiary hearing scheduled by the Commission.

Staff also argues that the cases cited by Heritage and Somerset in support of an extension are distinguishable from this case, and “[t]he circumstances that may have justified an extension to the procedural schedule in those cases do not exist here.”¹³ The Warrenton – Wheeler and Poland Road transmission line cases, for example, had additional alternative routes that were proposed by the Staff or respondents after the applications were filed, requiring additional time to analyze and investigate the alternatives before the filing of testimony. The procedural schedule for the Yardley Road proceeding, according to Staff, was extended because there was a possibility of collocating the line with an alternative route proposed in the Poland Road proceeding. Staff argues these cases are different factually from this case at hand and do not support the extension. Staff also notes that the extension requests in the Poland Road and Yardley Ridge cases were unopposed.

Finally, Staff argues that a three-month extension would materially and detrimentally affect the Staff’s ability to represent its position in this case, given its current work load. Staff’s response states that the “Staff is managing 10 active transmission line cases and is expecting utilities, including Dominion Virginia Power, to file several more in the upcoming months.”¹⁴ According to Staff, granting an extension “could jeopardize Staff’s ability to represent its position in ... transmission line cases.”¹⁵ Staff also asserts that its “attorneys are largely unavailable for the August 10 hearing date requested by ... [Somerset] and Heritage.”¹⁶

In concluding its response, Staff states that it is agreeable to a one-week extension for the filing of respondent testimony if a similar extension were granted for the filing date of Staff’s testimony.

On March 17, 2016, Heritage and Somerset filed its Reply, arguing that “[n]either the Staff Response nor the Dominion [Virginia Power] Response provide adequate grounds for denying the Joint Motion.”¹⁷

Heritage and Somerset first dispute the Staff’s argument that the Commission recognized the complexity of this case when it established a procedural schedule, noting that Staff has not provided any support for its assertion. They also argue that the Company’s claim that the procedural schedule in this case is “in-line” with the Company’s recent transmission line cases fails to

¹³ Staff Response at 4.

¹⁴ *Id.* at 6.

¹⁵ *Id.*

¹⁶ *Id.* at 7.

¹⁷ Reply of Heritage and Somerset at 2.

recognize the complexity of this case compared to other transmission line cases before the Commission.

Heritage and Somerset also dispute Staff's claim that no additional complexities have arisen in this case that justify an extension. They argue the cost recovery issue appears to be an issue of first impression in Virginia, and state they are "puzzled" why the Staff believes an issue of this magnitude can be addressed in the time allotted. They further argue the Company's claim that the cost recovery issue is a legal issue that can be briefed after the evidentiary hearing fails to consider that facts must be developed on the record "for any legal theory to succeed."¹⁸

Heritage and Somerset further argue the Staff fails to acknowledge or address that the I-66 Hybrid overhead/underground route, which is supported by the respondents in this proceeding, adds considerable cost and complexity to this case compared to overhead routing proposals. They also point out that unlike the Company's previous transmission line cases, the Company has not provided any cost data for the any of the alternative routes, including the I-66 Hybrid route, causing Heritage and Somerset, as well as the Staff, to have to develop this information through discovery, which takes additional time.

Heritage and Somerset next claim that Dominion Virginia Power's assertion that it has provided all information through discovery fails to recognize that its transmission line applications usually contain cost information on its various routing proposals. Here, however, the Company did not provide any cost information on any of the alternative routing proposals in this case. They argue the parties and Staff should not have to develop this information through discovery.

Heritage and Somerset further argue the Staff's assertion that the extensions granted in the Company's other transmission line cases cited in the Joint Motion are distinguishable from this case is not controlling. They maintain the extensions granted in the other transmission line cases are analogous to this case because Dominion Virginia Power has not provided any cost information on its alternative routing proposals, including the I-66 Hybrid overhead/underground route supported by the respondents. Additional time is therefore needed to investigate fully all the routing proposals in this case. Moreover, they argue whether motions for extensions are opposed or unopposed should have no impact on the Commission's decision on their Joint Motion.

Next, Heritage and Somerset address Staff's claim that the requested extension could materially and detrimentally affect the Staff's ability to represent its position in this case given its current work load, and thereby jeopardize the Commission's ability to render a decision in a timely manner. In their view, "it is of paramount importance ... to have a thorough assessment of the transmission line options, including costs in this proceeding [and] conducting "that assessment supersedes having respondents' testimony due at a time that is most suitable for Staff's schedule."¹⁹ If the Joint Motion is granted, Heritage and Somerset state their proposed schedule can be adjusted to eliminate any conflicts with Staff, including the proposed evidentiary hearing date when "Staff's attorneys are largely unavailable."²⁰

¹⁸ *Id.* at 3.

¹⁹ *Id.* at 6.

²⁰ *Id.*, citing Staff Response at 7.

Heritage and Somerset next assert they should not be penalized for taking the time to review the Application and voluminous supporting materials before making a decision to participate in this case and filing a notice of participation. They point out they are not on equal footing with the Company and Staff because they do not have the resources and information necessary to analyze and investigate a transmission line application as promptly and as thoroughly as the Company and Staff.

Heritage and Somerset emphasize they are not experienced participants in such cases and did not recognize the need to intervene promptly and gain access to information to support their case. Moreover, they assert their Joint Motion should not be denied due to the Company's need for a decision by early 2017. They point out that the Company controls the filing dates for its applications, and the filing of the Company's current Application "created a tight time frame" for a final decision.²¹ Accordingly, the Company-created tight time frame is not sufficient grounds to deny the Joint Motion.

Having considered the Joint Motion, the Responses filed thereto by Dominion Virginia Power and Staff, and the Reply of Heritage and Somerset, I find the Joint Motion should be granted, subject to the following conditions. First, I find that a full three-month extension is not warranted given the facts, issues, and circumstances presented by this case. Rather, I will grant an extension of approximately seven weeks for the filing of written and electronic comments, respondent and Staff testimony, the Company's rebuttal testimony, and the evidentiary hearing on the Company's Application. The May 10, 2016, hearing date will be retained on the Commission's docket for the purpose of receiving testimony from public witnesses. This revised procedural schedule should allow Heritage and Somerset, as well as Staff and all other parties, sufficient time to fully develop the contested issues in this case, including the cost recovery issue and the costs of the various routing proposals in this case while, at the same time, accommodating Dominion Virginia Power's need for a Commission decision by early 2017.

I further find the request to extend the filing date for notices of participation should be denied. Potential participants in this case have had more than ample time and opportunity to file notices of participation. Notices of participation, unlike prefiled testimony, are simple legal documents that are easy to draft and file, and are usually less than five pages in length. Heritage's Notice of Participation, for example, is barely over two pages in length. There is absolutely no need to give some as yet unknown and unnamed potential participants additional time to file such a short and simple legal document. Accordingly,

IT IS DIRECTED THAT:

- (1) The filing date for respondent testimony is extended from March 22, 2016, to May 10, 2016;
- (2) The filing date for Staff testimony is extended from April 12, 2016, to June 2, 2016;
- (3) The filing date for Company rebuttal testimony is extended from April 26, 2016, to June 9, 2016;

²¹ *Id.* at 8.

(4) The evidentiary hearing on the Application is continued from May 10, 2016, to June 21, 2016; however, the May 10, 2016 hearing date will be retained on the Commission's docket for the purpose of receiving testimony from public witnesses; and

(5) The date established for the filing of written or electronic comments is extended from May 3, 2016, to June 17, 2016.



Glenn P. Richardson
Hearing Examiner

Document Control Center is requested to mail a copy of the above Ruling to all persons on the official Service List in this matter. The Service List is available from the Clerk of the State Corporation Commission, c/o Document Control Center, 1300 East Main Street, Tyler Building, First Floor, Richmond, VA 23219.

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, DECEMBER 11, 2015

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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE-2015-00107

For approval and certification of electric transmission
facilities: Haymarket 230 kV Double Circuit Transmission
Line and 230-34.5 kV Haymarket Substation

ORDER FOR NOTICE AND HEARING

On November 6, 2015, Virginia Electric and Power Company ("Dominion Virginia Power" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for a certificate of public convenience and necessity for the proposed Haymarket 230 kilovolt ("kV") double circuit transmission line and 230-34.5 kV Haymarket Substation. Dominion Virginia Power filed the Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, § 56-265.1 *et seq.*

According to the Application, the Company proposes to construct in Prince William County a new 230-34.5 kV Haymarket Substation; convert its existing 115 kV Gainesville-Loudoun Line #124, located in Prince William and Loudoun Counties, to 230 kV operation ("Line #124 conversion"); and construct in Prince William County and the Town of Haymarket a new approximately 5.1 mile overhead 230 kV double circuit transmission line from a tap point approximately 0.5 mile north of the Company's existing Gainesville Substation on the Line #124 conversion ("Haymarket Junction") to the new Haymarket Substation (the "Haymarket Loop").¹ The Line #124 conversion, the Haymarket Loop and Haymarket Substation are referred to herein as the "Project."

¹ Application at 2.

The Company states in its Application that the Project is necessary to provide service to a new data center campus in Prince William County and maintain reliable electric service to its customers in the area in accordance with mandatory North American Electric Reliability Corporation Reliability Standards for transmission facilities and the Company's transmission planning criteria.² The proposed in-service date for the Project is June 1, 2018.³

Dominion Virginia Power states in its Application that the proposed Haymarket Loop will be constructed on new right-of-way.⁴ Dominion Virginia Power has identified a Proposed Route, as well as four alternative routes, for the Commission's consideration.⁵ The Proposed Route parallels Interstate 66 for a portion of its length, originating at a tap point on the Line #124 conversion near the end of Cushing Road (State Route 781) and terminating at the proposed Haymarket Substation.⁶ The Company states that it chose the Proposed Route in order to maximize co-location with existing infrastructure (Interstate 66 and Norfolk Southern Railroad), and because it presents a reasonable cost compared to the alternative routes and provides the shortest and most direct route to the proposed Haymarket Substation.⁷

In its Application, Dominion Virginia Power estimates that it will take 12 months to construct the proposed Project and 12 months for engineering, material procurement, and

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.* at 3.

⁶ Appendix to the Application, Section II.A.1., page 31; Prefiled Direct Testimony of Jeffrey R. Thommes at 7, 10.

⁷ Prefiled Direct Testimony of Jeffrey R. Thommes at 7, 10.

construction permitting.⁸ The Company estimates the cost of the proposed Project to be approximately \$50.9 million.⁹

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 certificate of public convenience and necessity. Acting on behalf of the Board, the Department of Environmental Quality ("DEQ") must prepare a Wetland Impacts Consultation on this Application, as is required by the Code and the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts ("Wetland Impacts Memorandum").¹⁰ The Commission Staff ("Staff") has requested the Office of Wetlands & Stream Protection, Department of Environmental Quality, to provide a Wetland Impacts Consultation for the proposed Project.¹¹

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 DEQ to coordinate reviews of the environmental impact of proposed generating plants and associated facilities. Pursuant to the Code and the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Coordination of Reviews of the Environmental Impacts of Proposed Electric Generating Plants and Associated Facilities ("Environmental Impact Memorandum"),¹² the Commission must

⁸ Application at 3.

⁹ *Id.*

¹⁰ *In the matter of receiving comments on a draft memorandum of agreement between the State Water Control Board and the State Corporation Commission*, Case No. PUE-2003-00114, Order Distributing Memorandum of Agreement, 2003 S.C.C. Ann. Rept. 474 (July 30, 2003).

¹¹ Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated November 10, 2015, to David L. Davis, Department of Environmental Quality, filed in Case No. PUE-2015-00107.

¹² *In the matter of receiving comments on a draft memorandum of agreement between the Department of Environmental Quality and the State Corporation Commission*, Case No. PUE-2002-00315, 2002 S.C.C. Ann. Rept. 559, Order Distributing Memorandum of Agreement (Aug. 14, 2002).

receive and consider reports on the proposed facilities from state environmental agencies. Accordingly, the Staff has requested the DEQ to coordinate an environmental review of the proposed Project by the appropriate agencies and to provide a report on the review.¹³

NOW THE COMMISSION, upon consideration of the Application and applicable statutes, finds that this matter should be docketed and the Company should give notice of its Application to interested persons and the public. The Commission also finds that, as required by § 62.1-44.15:21 D 2 and related provisions of the Code and the Wetland Impacts Memorandum, Staff has requested the DEQ to commence its wetland impacts review. Moreover, Staff has requested the DEQ to commence its coordinated environmental review pursuant to §§ 10.1-1186.2:1 B and 56-46.1 G and related provisions of the Code and the Environmental Impact Memorandum. We also find that a procedural schedule should be established to allow any interested person 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. We further find that public hearings should be scheduled for the purpose of receiving testimony and evidence on the Application. Finally, we find that this matter should be assigned to a Hearing Examiner to conduct all further proceedings in this matter on behalf of the Commission.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUE-2015-00107.
- (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"),¹⁴

¹³ Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated November 10, 2015, to Bettina Sullivan, Department of Environmental Quality, filed in Case No. PUE-2015-00107.

¹⁴ 5 VAC 5-20-10 *et seq.*

a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission and to file a final report.

(3) Public local hearings shall be convened on February 24, 2016, at 4:30 p.m. and 7:00 p.m. at Battlefield High School Auditorium, 15000 Graduation Drive, Haymarket, Virginia 20169, and March 14, 2016, at 4:30 p.m. and 7:00 p.m. at Battlefield High School Auditorium, 15000 Graduation Drive, Haymarket, Virginia 20169, to receive testimony on the Company's Application from public witnesses participating as provided by 5 VAC 5-20-80 C, *Public witnesses*, of the Rules of Practice.

(4) A public evidentiary hearing on the Application shall be convened on May 10, 2016, at 10 a.m., in the Commission's courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive 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 evidentiary 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.

(5) A copy of the Application may be obtained by submitting a written request to counsel for the Company, Charlotte P. McAfee, Esquire, Dominion Resources Services, Inc., 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 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 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>.

(6) On or before January 12, 2016, Dominion Virginia Power shall cause to be sent by first class mail a copy of the notice and sketch map prescribed in Ordering Paragraph (7) to all owners, as of the date of this Order, of property within the proposed and alternate routes for the proposed Project, as indicated on the map or sketch of the routes filed with the Commission, which requirement shall be satisfied by mailing to such persons at such addresses as are indicated in the land books maintained by the commissioner of revenue, director of finance, treasurer, or other officer of the county or municipality designated as provided by § 58.1-3100 *et seq.* of the Code.

(7) On or before January 12, 2016, Dominion Virginia Power shall publish in two (2) successive weeks the following notice and the sketch map of the proposed and alternate routes appearing in the Application Appendix at page 121 as display advertising (not classified) in a newspaper or newspapers of general circulation in every county or municipality through which the proposed Project is proposed to be built:

NOTICE TO THE PUBLIC OF
AN APPLICATION BY VIRGINIA ELECTRIC AND POWER
COMPANY FOR APPROVAL AND CERTIFICATION OF
ELECTRIC TRANSMISSION FACILITIES: HAYMARKET
230 KV DOUBLE CIRCUIT TRANSMISSION LINE AND
230-34.5 KV HAYMARKET SUBSTATION
CASE NO. PUE-2015-00107

On November 6, 2015, Virginia Electric and Power Company ("Dominion Virginia Power" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for a certificate of public convenience and necessity for the proposed Haymarket 230 kilovolt ("kV") double circuit transmission line and 230-34.5 kV Haymarket Substation. Dominion Virginia Power filed the Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, § 56-265.1 *et seq.*

According to the Application, the Company proposes to construct in Prince William County a new 230-34.5 kV Haymarket Substation; convert its existing 115 kV Gainesville-Loudoun Line

#124, located in Prince William and Loudoun Counties, to 230 kV operation ("Line #124 conversion"); and construct in Prince William County and the Town of Haymarket a new approximately 5.1 mile overhead 230 kV double circuit transmission line from a tap point approximately 0.5 mile north of the Company's existing Gainesville Substation on the Line #124 conversion ("Haymarket Junction") to the new Haymarket Substation (the "Haymarket Loop"). The Line #124 conversion, the Haymarket Loop and Haymarket Substation are referred to herein as the "Project."

The Company states in its Application that the Project is necessary to provide service to a new data center campus in Prince William County and maintain reliable electric service to its customers in the area in accordance with mandatory North American Electric Reliability Corporation Reliability Standards for transmission facilities and the Company's transmission planning criteria. The proposed in-service date for the Project is June 1, 2018.

Dominion Virginia Power states in its Application that the proposed Haymarket Loop will be constructed on new right-of-way. Dominion Virginia Power has identified a Proposed Route, as well as four alternative routes, for the Commission's consideration. The Proposed Route parallels Interstate 66 for a portion of its length, originating at a tap point on the Line #124 conversion near the end of Cushing Road (State Route 781) and terminating at the proposed Haymarket Substation. The Company states that it chose the Proposed Route in order to maximize co-location with existing infrastructure (Interstate 66 and Norfolk Southern Railroad), and because it presents a reasonable cost compared to the alternative routes and provides the shortest and most direct route to the proposed Haymarket Substation.

In its Application, Dominion Virginia Power estimates that it will take 12 months to construct the proposed Project and 12 months for engineering, material procurement, and construction permitting. The Company estimates the cost of the proposed Project to be approximately \$50.9 million.

Transmission Line Routes for the Proposed Project

Proposed Route (I-66 Overhead)

The Proposed Route extends from the Haymarket Junction for 5.1 miles through Prince William County and the Town of Haymarket and terminates at the proposed Haymarket Substation. From Haymarket Junction, the route travels northwest for 0.3 mile,

crossing I-66, before heading in a westerly direction for another 1.7 miles paralleling the north side of I-66 utilizing Virginia Department of Transportation ("VDOT") right-of-way ("ROW") to the extent feasible. The general alignment of the Proposed Route is outside of the sound wall (approximately 15 feet to 40 feet) to reduce the restrictions on construction due to the need for potential lane closures and/or construction timing (daily) restrictions. The segment crosses multiple on/off ramps of the interstate, University Boulevard and Lee Highway (U.S. 29). From the U.S. 29 and I-66 interchange the route heads southwest for 0.1 mile before heading northwest 1.9 miles following the northern side of I-66 and crossing Catharpin Road (SR 676) and Old Carolina Road. The route then crosses to the south side of I-66 and heads in a southwest direction for 0.3 mile, and then crosses James Madison Highway (U.S. 15). The route then heads in a southwest direction for 0.1 mile, crossing John Marshall Highway (SR 55) and continues northwest on the south side of John Marshall Highway (SR 55) 0.4 mile before turning south and terminates into the proposed Haymarket Substation.

Two minor route variations were identified for consideration as potential adjustments to the Proposed Route. These two variations, the Jordan Lane Variation and the Walmart Variation, are discussed below.

Jordan Lane Variation

For approximately 675 feet along Jordan Lane within Haymarket Township, Dominion Virginia Power will work with local governments to negotiate an overhang easement within the dedicated road easement. However, the Company presents a minor "Jordan Lane Variation" that involves the location of one structure inside the proposed sound wall along I-66 near the east end of Jordan Lane. This variation is not visible on the notice map and would not result in material changes to the length or impacts of the Proposed Route with the exception of eliminating the crossing of the Jordan Lane dedicated road parcel.

Walmart Variation

The Company presents the Walmart Variation to limit the amount of tree removal along John Marshall Highway (SR 55) across the frontage of the three parcels immediately east of the proposed substation parcel. The Walmart Variation would deviate from the Proposed Route just prior to the crossing of James Madison Highway (U.S. 15), proceeding behind several stores in Haymarket Village Center, primarily Kohl's and Walmart. The

variation would generally follow the property line between the shopping center and VDOT ROW for 0.4 mile and would generally follow the western edge of the shopping center property south for 0.1 mile, with a 0.1 mile segment extending west before crossing John Marshall Highway (SR 55) and entering the proposed substation. By traversing the rear and west edges of the shopping center, the transmission line would be less visible to local traffic.

Alternative Routes

Carver Road Alternative Route

The Carver Road Alternative Route extends from the Haymarket Junction for 6.7 miles and terminates at the proposed Haymarket Substation. From Haymarket Junction, the route travels northwest for about 0.3 mile, crossing I-66, before heading in a westerly direction for another 1.7 miles paralleling the north side of I-66, utilizing VDOT ROW to the extent feasible. The segment crosses multiple on/off ramps of the interstate, University Boulevard and Lee Highway (U.S. 29), on the same path as the Proposed Route for the first 2.08 miles. The route then heads southwest for about 0.5 mile, crossing I-66 and generally paralleling the north side of Lee Highway. After crossing Daves Store Lane, the route follows the northern side of Daves Store Lane for 0.2 mile and then crosses Daves Store Lane a second time. The route then continues northwest for 0.2 mile crossing Daves Store Lane and John Marshall Highway (SR 55), utilizing VDOT ROW to the extent feasible. From here, the route heads southwest for about 0.2 mile before heading northwest along the Norfolk Southern Railroad tracks for about 0.1 mile. The route then crosses the tracks and continues in a southwest direction for about 0.7 mile, crossing Yountville Drive and Somerset Crossing Drive. The route then travels southwest for about 0.3 mile, crossing Carver Road and then heading in a general northwest direction for 0.5 mile before crossing Old Carolina Road. From here, the route generally continues northwest for 0.6 mile, passing through forested areas surrounding residences and crossing Haymarket Drive. The route then heads northeast for 0.2 mile before turning west for another 0.2 mile. The route then follows the eastern side of James Madison Highway (U.S. 15) for 0.1 mile, crosses James Madison Highway (U.S. 15), and heads southwest for approximately 0.3 mile before heading northeast for about 0.2 mile and terminates into the proposed Haymarket Substation.

Madison Alternative Route

The Madison Alternative Route extends from the Haymarket Junction for 8.2 miles and terminates at the proposed Haymarket Substation. From Haymarket Junction, the route follows the same path as the Carver Road Alternative Route for 4.7 miles to a point on the south side of Carver Road before crossing Old Carolina Road. At this point, the Carver Road Alternative Route heads northwest to follow Carver Road, while the Madison Alternative Route deviates from the Carver Road Alternative Route and heads southwest for about 1.6 miles. This segment of the route crosses Old Carolina Road and Thoroughfare Road. The route then crosses James Madison Highway (U.S. 15) and continues northeast for 0.7 mile, following the west side of the highway and crossing Thoroughfare Road, Hokie Place, and Market Ridge Boulevard. Continuing northeast, the route then crosses James Madison Highway (U.S. 15) and follows the eastern side of the highway for about 0.5 mile before meeting back with the Carver Road Alternative Route just south of North Fork Broad Run. The route then follows the same path as the Carver Road Alternative Route for the remaining 0.6 mile and terminates at the proposed Haymarket Substation.

I-66 Hybrid Alternative Route

The I-66 Hybrid Alternative Route extends from the Haymarket Junction for 5.3 miles through Prince William County and the Town of Haymarket and terminates at the proposed Haymarket Substation. The I-66 Hybrid Alternative Route would utilize both overhead and underground transmission facilities. From Haymarket Junction, the route follows the same path as the Proposed Route for 2.1 miles until it reaches the transition station, where an overhead to underground transition would occur. The transition station is proposed to be located on the west side of the intersection of I-66 and Lee Highway (U.S. 29). At this point the I-66 Hybrid Alternative Route (underground segment) is offset by approximately 25 feet from the proposed sound wall along the I-66 corridor, heads northwest and continues along the southern side of I-66 for 0.7 mile, utilizing VDOT ROW to the extent feasible. After crossing Catharpin Road (SR 676), the route continues northwest, crossing I-66, for approximately 1.2 miles following the northern side of I-66. The route then crosses I-66 and then follows the southern side of I-66 and associated eastbound on-ramp for about 0.3 mile. After crossing James Madison Highway (U.S. 15) the route follows the western side of the highway for about 0.1 mile, crosses John Marshall Highway (SR 55), and then continues northwest on the south side of John Marshall Highway (SR 55) for

approximately 0.3 mile before heading south and terminating at the proposed Haymarket Substation.

Railroad Alternative Route

The Railroad Alternative Route extends from the Haymarket Junction for 5.7 miles through Prince William County and the Town of Haymarket and terminates at the proposed Haymarket Substation. From Haymarket Junction, the route follows the Carver Road Alternative Route for the first 3.5 miles to a point west of the John Marshall Highway and Norfolk Southern Railroad crossings. The route then follows the southern side of the railroad and the northern side of North Fork Broad Run for 1.0 mile. This segment of the route passes through the Town of Haymarket. After crossing Jefferson Street (SR 625) the route crosses North Fork Broad Run and continues on the south side of the stream for 0.3 mile before the route meets up with the Carver Road Alternative Route and follows it for the remaining 0.8 mile into the proposed Haymarket Substation.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings in Haymarket, Virginia, and Richmond, Virginia. Public local hearings shall be convened on February 24, 2016, at 4:30 p.m. and 7:00 p.m. at Battlefield High School Auditorium, 15000 Graduation Drive, Haymarket, Virginia 20169, and March 14, 2016, at 4:30 p.m. and 7:00 p.m. at Battlefield High School Auditorium, 15000 Graduation Drive, Haymarket, Virginia 20169, for the sole purpose of receiving testimony of public witnesses. The public hearing will resume on May 10, 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.

Copies of the Application and documents filed in this case 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>.

Copies of the Application and other supporting materials may also be inspected during regular business hours at the following locations:

Dominion Virginia Power
OJRP 12th Floor
701 E. Cary Street
Richmond, Virginia 23219
Attn: Diana T. Faison

Dominion Virginia Power
Lincoln Park II
3072 Centerville Road
Herndon, Virginia 20171
Attn: Timothy J. Sargeant

Loudoun County
Planning Department
1 Harrison Street, S.E.
Leesburg, Virginia 20175
Attn: Julie Pastor

Persons also may obtain a copy of the Application by submitting a written request to counsel for the Company, Charlotte P. McAfee, Dominion Resources Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219. If acceptable to the requesting party, the Company may provide the documents by electronic means.

Any person or entity may participate as a respondent in this proceeding by filing, on or before March 1, 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-2015-00107. 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 May 3, 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 May 3, 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-2015-00107.

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

(8) On or before January 12, 2016, Dominion Virginia Power shall serve a copy of this Order on the chairman of the board of supervisors or mayor of every county, city, and town through which the proposed Project is to be built. Dominion Virginia Power shall serve these persons by certified mail, return receipt requested.

(9) On or before January 26, 2016, the Company shall file proof of the notice and service required by Ordering Paragraphs (6), (7), and (8), including the name, title, and address of each official served with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219.

(10) On or before May 3, 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 (9). Any interested person desiring to submit comments electronically may do so on or before May 3, 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-2015-00107.

(11) On or before March 1, 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 (9), and the respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company at the address in Ordering Paragraph (5). 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-2015-00107.

(12) 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 Application, and all materials filed by the Company with the Commission, unless these materials have already been provided to the respondent.

(13) On or before March 22, 2016, each respondent may file with the Clerk of the Commission at the address set forth in Ordering Paragraph (9) 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-2015-00107.

(14) The Staff shall investigate the Application. On or before April 12, 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. The Staff shall serve a copy thereof on counsel to the Company and all respondents.

(15) On or before April 26, 2016, the Company shall file with the Clerk of the Commission: (a) 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; and (b) a summary not to exceed one page of each direct witness's testimony if not previously included therewith. 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 (9).

(16) 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) business 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.¹⁵ Except

¹⁵ 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-2015-00107, in the appropriate box.

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.*

(17) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:
Charlotte P. McAfee, Esquire, Dominion Resources Services, Inc., 120 Tredegar Street,
Richmond, Virginia 23219; Vishwa B. Link, Esquire, and Jennifer D. Valaika, Esquire,
McGuireWoods LLP, Gateway Plaza, 800 E. Canal Street, Richmond, Virginia 23219; and
C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel,
Office of the Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219.
A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of
Energy Regulation and Utility Accounting and Finance.