

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 7, 2019, SCC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER

APPLICATION OF

2019 FEB - 7 P 3: 24

TOLL ROAD INVESTORS
PARTNERSHIP II, L.P.

CASE NO. PUR-2019-00026

190210222

For an increase in tolls pursuant to
§ 56-542 I of the Code of Virginia

ORDER FOR NOTICE

On February 5, 2019, Toll Road Investors Partnership II, L.P. ("TRIP II" or "Company"), the operator of the Dulles Greenway, filed an application ("Application") with the State Corporation Commission ("Commission") for an increase in tolls pursuant to § 56-542 I of the Code of Virginia ("Code").

Section 56-542 I 1 of the Code provides that upon application to the Commission and public notification,

the Commission shall approve to become effective within 45 days any request to increase tolls by a percentage that (i) is equal to the increase in the [Consumer Price Index] . . . from the date the Commission last approved a toll increase, plus one percent, (ii) is equal to the increase in the real [Gross Domestic Product] . . . from the date the Commission last approved a toll increase, or (iii) 2.8 percent, whichever is greatest. . . .

TRIP II's Application proposes a 2.91% increase¹ in tolls. TRIP II requests that these tolls be effective upon issuance of an Order by the Commission approving the tolls. TRIP II proposes that the posted tolls collected for 2-axle vehicles be increased to \$4.75 (and to \$5.80 during weekday peak periods; *i.e.*, 6:30 a.m. to 9 a.m. for eastbound traffic and 4 p.m. to 6:30 p.m. for westbound traffic). TRIP II's Application also proposes, among other things, toll

¹ The Company calculated that an increase in the Consumer Price Index plus one percent was 2.91%, and the annual increase in the Real Gross Domestic Product was 2.73%. (*See* Application at 2, Exhibits A and B.)

increases for vehicles with three or more axles, discounts for certain motorists using an automatic vehicle identification system (*e.g.*, EZ Pass), and discounts for vehicles utilizing certain exit ramps on the Dulles Greenway, all of which are set forth in the proposed tariff attached as Exhibit E to the Application.

NOW THE COMMISSION, having considered the matter, finds that the Application should be docketed; that the Company should be directed to provide public notification of its Application; and that the Commission should receive written and electronic public comments on the Application. The Commission further finds that the Commission Staff ("Staff") should investigate the Application and file a report on its findings and recommendations.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2019-00026.

(2) The Company shall make copies of the public version of its Application, as well as a copy of this Order for Notice, available for public inspection during regular business hours at the Company's office, 45305 Catalina Court, Suite 102, Sterling, Virginia 20166. Copies also may be obtained by submitting a written request to counsel for the Company, Timothy E.

Biller, Esquire, Hunton Andrews Kurth, LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074. 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>.

(3) On or before February 22, 2019, the Company shall serve a copy of this Order for Notice on the mayor of the Town of Leesburg, the chairmen of the boards of supervisors of Fairfax and Loudoun Counties, the chair of the Metropolitan Washington Airports Authority, the chair of the Commonwealth Transportation Board, and the Secretary of Transportation of the Commonwealth. Service shall be made by first class mail or delivery to the customary place of business or residence of the official served.

(4) On or before February 22, 2019, the Company shall publish the following notice on one occasion as display advertising (not classified) in a newspaper or newspapers of general circulation in Fairfax and Loudoun Counties:

NOTICE TO THE PUBLIC OF THE APPLICATION
OF TOLL ROAD INVESTORS PARTNERSHIP II, L.P.,
FOR AN INCREASE IN TOLLS ON THE DULLES GREENWAY
PURSUANT TO § 56-542 I OF THE CODE OF VIRGINIA
CASE NO. PUR-2019-00026

On February 5, 2019, Toll Road Investors Partnership II, L.P. ("TRIP II" or "Company"), the operator of the Dulles Greenway, filed an application ("Application") with the State Corporation Commission ("Commission") for an increase in tolls pursuant to § 56-542 I of the Code of Virginia ("Code"). Section 56-542 I 1 of the Code provides that upon application to the Commission and public notification, "the Commission shall approve to become effective within 45 days any request to increase tolls by a percentage that (i) is equal to the increase in the [Consumer Price Index] . . . from the date the Commission last approved a toll increase, plus one percent, (ii) is equal to the increase in the real [Gross Domestic Product] . . . from the date the Commission last approved a toll increase, or (iii) 2.8 percent, whichever is greatest"

TRIP II's Application proposes a 2.91% increase in tolls. TRIP II requests that these tolls be effective upon issuance of an Order by the Commission approving the tolls. TRIP II's Application also proposes, among other things, discounts for certain motorists using an automatic vehicle identification ("AVI") system (*e.g.*, EZ Pass) and discounts for vehicles utilizing certain exit ramps on the Dulles Greenway, all of which are set forth in the proposed tariff attached as Exhibit E to the Application.

The application of a 2.91% increase to the existing toll rates results in the following tolls, as calculated by TRIP II:

1. 2-Axle Vehicles

	Maximum Base Tolls	Congestion Management Tolls
Mainline Toll Plaza	\$4.75	\$5.80
Route 606 (Exit 8)	\$4.75	\$5.80
Route 607 (Exit 7)	\$4.75	\$5.80
Route 772 (Exit 6)	\$4.05/\$3.55 (AVI)	\$5.10/\$4.65 (AVI)
Route 901 (Exit 5)	\$4.05/\$3.55 (AVI)	\$5.10/\$4.65 (AVI)
Route 659 (Exit 4)	\$4.05/\$3.55 (AVI)	\$5.10/\$4.65 (AVI)
Route 653 (Exit 3)	\$3.60/\$3.10 (AVI)	\$3.60/\$3.10 (AVI)

2. Vehicles with 3 Axles or more

	Maximum Base Tolls	Congestion Management Tolls
3 axles	\$9.60	\$11.55
4 axles	\$12.15	\$14.60
5 axles	\$14.60	\$17.50
6 axles	\$17.00	\$20.45
6+ axles	\$17.00	\$20.45

TAKE NOTICE that the final toll rates approved by the Commission in this proceeding may be different than those proposed by the Company as a result of the requirements of § 56-542 I of the Code.

The Commission has docketed the Application as Case No. PUR-2019-00026 and has ordered the Commission Staff to conduct an investigation. The Commission also has established procedures for receiving comments on the Application.

A copy of the Application is available for public inspection during regular business hours at the Company's office, 45305 Catalina Court, Suite 102, Sterling, Virginia 20166. Copies also may be obtained by submitting a written request to counsel for the Company, Timothy E. Biller, Esquire, Hunton Andrews Kurth, LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074. If acceptable to the requesting party, the Company may provide the documents by electronic means.

Copies of the public version of all documents filed in Case No. PUR-2019-00026 also may be inspected in the Commission's Document Control Center, Office of the Clerk of the Commission, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Unofficial copies of these documents also may be viewed at the Commission's website, <http://www.scc.virginia.gov/case>.

On or before March 8, 2019, any person or entity may file written comments on the Application with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. In the alternative, any person or entity may submit comments electronically on or before March 8, 2019, by following the instructions found on the Commission's website: <http://www.scc.virginia.gov/case>. Compact disks or any other form of electronic storage medium may not be filed with written comments. All comments shall refer to Case No. PUR-2019-00026.

An official copy of the Commission's Order for Notice in this proceeding may be obtained from the Clerk of the Commission at the address set forth above.

TOLL ROAD INVESTORS PARTNERSHIP II, L.P.

(5) On or before March 8, 2019, the Company shall file with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, a certificate of the mailing of the notice prescribed in Ordering Paragraph (3) and proof of the newspaper publication directed in Ordering Paragraph (4). The certificate of mailing shall include the name and address of the officials and officers served.

(6) On or before March 8, 2019, any person or entity may file written comments on the Application with the Clerk of the Commission at the address set forth above. In the alternative, any person or entity may submit comments electronically on or before March 8, 2019, by following the instructions found on the Commission's website: <http://www.scc.virginia.gov/case>. Compact disks or any other form of electronic storage medium may not be filed with written comments. All comments shall refer to Case No. PUR-2019-00026.

(7) On or before March 14, 2019, Staff shall investigate the Application and file with the Clerk of the Commission a report regarding its investigation.

(8) On or before March 20, 2019, the Company may file any response to the report filed by Staff.

(9) This case is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:
Timothy E. Biller, Esquire, and Chris Alderman, Esquire, Hunton Andrews Kurth, LLP,
Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; and
C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel,
Office of the Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424. A
copy shall be delivered to the Commission's Office of General Counsel and Divisions of Public
Utility Regulation and Utility Accounting and Finance.