

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, FEBRUARY 11, 2016

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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE-2015-00133

For approval and certification of
electric transmission facilities: transmission
line rebuild of Belvoir-Gum Springs double circuit
230 kV lines #204 and #220

ORDER FOR NOTICE AND HEARING

On December 16, 2015, Virginia Electric and Power Company ("Dominion Virginia Power" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and for a certificate of public convenience and necessity for the proposed transmission line rebuild of 230 kV double circuit lines #204 and #220. 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 rebuild, entirely within existing right-of-way, approximately 2.6 miles of existing 230 kV transmission lines: Jefferson Street-Gum Springs Line #204 and Ox-Gum Springs Line #220, located entirely in Fairfax County, Virginia (the "Project").¹ Dominion Virginia Power represents that the approximate size of replacement structures, the materials the Company proposes to use to construct the proposed Project, and the right-of-way clearing methods, corridor usage and maintenance procedures for the proposed Project are described in Section II of the Appendix to the Application.² The

¹ Application at 2.

² *Id.* at 2-3.

proposed in-service date for the proposed Project is December 2016.³ The proposed total cost for the proposed Project is \$10.4 million.⁴

Dominion Virginia Power states in its Application that the proposed Project is necessary for the Company to maintain the structural integrity and reliability of its transmission system. The Company also states that the proposed Project is necessary to maintain reliable electric service to its customers in the area and to perform needed maintenance on its existing facilities.⁵

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").⁶ The Commission Staff ("Staff") has requested the Office of Wetlands & Stream Protection of the DEQ to provide a Wetland Impacts Consultation for the proposed Project.⁷

³ *Id.*

⁴ *Id.* at 3.

⁵ *Id.* at 2.

⁶ *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, 2003 S.C.C. Ann. Rept. 474, Order Distributing Memorandum of Agreement (July 30, 2003).

⁷ Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated December 21, 2015, to David L. Davis, Department of Environmental Quality, filed in Case No. PUE-2015-00133.

In addition to the consultation on wetlands, 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.⁸

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 and provide an 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-2015-00133.
- (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"),⁹

⁸ Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated December 21, 2015, to Bettina Sullivan, Department of Environmental Quality, filed in Case No. PUE-2015-00133.

⁹ 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) A public local hearing shall be convened on March 23, 2016, at 4:30 p.m. and 7 p.m. at Mount Vernon High School, 8515 Old Mt. Vernon Road, Alexandria, Virginia 22309, 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 June 15, 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 the 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, Jennifer D. Valaika, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal 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 March 9, 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 route 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 March 9, 2016, Dominion Virginia Power shall publish in two (2) successive weeks the following notice and the sketch map of the proposed route appearing in the Application Appendix at page 69 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: TRANSMISSION
LINE REBUILD OF BELVOIR-GUM SPRINGS DOUBLE
CIRCUIT 230 KV LINES #204 AND #220
CASE NO. PUE-2015-00133

On December 16, 2015, Virginia Electric and Power Company ("Dominion Virginia Power" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and for a certificate of public convenience and necessity for the proposed transmission line rebuild of 230 kV double circuit lines #204 and #220. Dominion Virginia Power filed the Application pursuant to § 56-46.1 of the Code of Virginia and the Utility Facilities Act, § 56-265.1 *et seq.*

According to the Application, the Company proposes to rebuild, entirely within existing right-of-way, approximately 2.6 miles of existing 230 kV transmission lines: Jefferson Street-Gum Springs Line #204 and Ox-Gum Springs Line #220, located entirely in Fairfax County, Virginia (the "Project").

Dominion Virginia Power represents that the approximate size of replacement structures, the materials the Company proposes to use to construct the proposed Project, and the right-of-way clearing methods, corridor usage and maintenance procedures for the proposed Project are described in Section II of the Appendix to the Application. The proposed in-service date for the proposed Project is December 2016. The proposed total cost for the proposed Project is \$10.4 million.

Transmission Line Route for the Proposed Project

The proposed route for the Rebuild Project is the approximately 2.6-mile corridor currently occupied by the existing two parallel double circuit 230 kV Lines #204 and #220. This route originates at the Company's existing Belvoir Substation in Fairfax County and heads southeast for approximately 750 feet and then turns northeast in a straight line for approximately 2.2 miles. The lines then turn east for approximately 485 feet terminating at the Company's existing Gum Springs Substation.

Dominion Virginia Power states in its Application that the proposed Project is necessary for the Company to maintain the structural integrity and reliability of its transmission system. The Company also states that the proposed Project is necessary to maintain reliable electric service to its customers in the area and to perform needed maintenance on its existing facilities.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings in Alexandria and Richmond, Virginia. A local public hearing will be convened on March 23, 2016, at 4:30 p.m. and 7 p.m. at Mount Vernon High School, 8515 Old Mt. Vernon Road, Alexandria, Virginia 22309, for the sole purpose of receiving testimony of public witnesses. The public hearing will resume on June 15, 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: Benjamin Saunders

Fairfax County
12000 Government Center Parkway
Fairfax, Virginia 22035
Attn: Edward L. Long, Jr., County Executive

Persons also may obtain a copy of the Application by submitting a written request to counsel for the Company, Jennifer D. Valaika, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal 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 April 8, 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-2015-00133. 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 June 8, 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 June 8, 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-2015-00133.

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 March 9, 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 March 22, 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 June 8, 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 June 8, 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-2015-00133.

(11) On or before April 8, 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-2015-00133.

(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 April 29, 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-2015-00133.

(14) The Staff shall investigate the Application. On or before May 13, 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 May 27, 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.¹⁰ 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.*

(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, Jennifer D. Valaika, Esquire, and Jennifer D. Daglio, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East 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.

¹⁰ The assigned Staff attorney is identified on the Commission's website, <http://www.scc.virginia.gov/case>, by clicking "Docket Search," then "Search Cases," and entering the case number, PUE-2015-00133, in the appropriate box.