

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

SCC-CLERK'S OFFICE
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2016 MAR 21 P 3: 50

CASE NO. PUE-2015-00053

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

and

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE-2015-00054

For approval and certification of electric transmission facilities: Yardley Ridge 230 kV Double Circuit Transmission Line Loop and 230 kV Yardley Ridge Switching Station

HEARING EXAMINER'S RULING

March 21, 2016

By Hearing Examiner's Rulings entered on February 16, 2016, and February 19, 2016, procedural schedules were established in the above-captioned cases returning the cases to the Commission's docket of active cases.

On March 17, 2016, Virginia Electric and Power Company ("Dominion Virginia Power" or "Company") filed a Motion to Certify the February 12, 2016, Ruling entered in the Poland Road case (Case No. PUE-2015-00053). In that Ruling, the Hearing Examiner denied the Poland Road Respondents' and the Company's requests to consolidate the Poland Road case with the Yardley Ridge case (Case No. PUE-2015-00054) so that they could proceed on parallel procedural paths. In its motion, the Company articulated clearly for the first time that the relief that it was requesting was that the Poland Road and Yardley Ridge cases progress on the same procedural schedule, that both cases be heard before the same Hearing Examiner, and that both cases be heard in a single evidentiary hearing. The Company believes that to do otherwise would lead to judicial inefficiency and potentially could affect the outcome of both cases.

Good cause having been shown, I find: (i) the Yardley Ridge case should be administratively assigned to the Hearing Examiner hearing the Poland Road case; (ii) the Poland Road and Yardley Ridge cases should proceed along the procedural schedule established in the Yardley Ridge case; (iii) the Company's Motion to Certify the February 12, 2016, ruling is moot; (iv) the hearing scheduled for June 7, 2016, in Case No. PUE-2015-00053 should be cancelled; and (v) the hearing scheduled for June 30, 2016, in Case No. PUE-2015-00054 should be rescheduled to

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commence on June 29, 2016, so that the Poland Road and Yardley Ridge cases may be heard in one evidentiary hearing. Accordingly,

IT IS DIRECTED THAT:

(1) A local public hearing shall be convened on March 29, 2016, at 6:00 p.m. at Freedom High School Auditorium, 25450 Riding Center Drive, Chantilly, Virginia 20152, to receive testimony from public witnesses participating as provided by 5 VAC 5-20-80 C, *Public witnesses*, of the Rules of Practice and Procedure (“Rules”)¹ in Case Nos. PUE-2015-00053 (Poland Road) and PUE-2015-00054 (Yardley Ridge), on County Alternatives 4 and 5 as those routes relate to both of those cases;

(2) A public evidentiary hearing on the Applications in Case Nos. PUE-2015-00053 (Poland Road) and PUE-2015-00054 (Yardley Ridge) shall be convened on June 29, 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;

(3) On or before April 1, 2016, any person impacted by County Alternatives 4 and 5 may participate as a respondent in Case No. PUE-2015-00053 (Poland Road) or PUE-2015-00054 (Yardley Ridge) by filing a notice of participation in the appropriate case docket. 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, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, and the respondent shall simultaneously serve a copy of the notice of participation on counsel to the Company, Charlotte P. McAfee, Esquire, Dominion Resources Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219. Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules, 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 Rule 5 VAC 5-20-30, *Counsel*, of the Commission's Rules. All filings shall refer to Case No. PUE-2015-00053 (Poland Road) and/or Case No. PUE-2015-00054 (Yardley Ridge);

(4) 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 the Commission's Order for Notice and Hearing, a copy of this Hearing Examiner's Ruling, 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;

(5) On or before April 1, 2016, the Company shall file its Supplemental Direct Testimony in Case No. PUE-2015-00053 (Poland Road) and/or Case No. PUE 2015-00054 (Yardley Ridge). The Company shall serve a copy thereof on Staff and all respondents;

¹ 5 VAC 5-20-10 *et seq.*

(6) On or before May 6, 2016, any interested person may file written comments on the Applications in Case No. PUE-2015-00053 (Poland Road) and/or Case No. PUE-2015-00054 (Yardley Ridge) with the Clerk of the Commission at the address set forth in Paragraph (3). Any interested person desiring to submit comments electronically may do so on or before May 6, 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-2015-00053 (Poland Road) and/or Case No. PUE-2015-00054 (Yardley Ridge);

(7) On or before April 22, 2016, each respondent may file with the Clerk of the Commission at the address set forth in Paragraph (3) and serve on Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case. 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, including, but not limited to: Rules 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-2015-00053 (Poland Road) and/or Case No. PUE-2015-00054 (Yardley Ridge);

(8) On or before May 25, 2016, Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of Staff's testimony and exhibits. Each Staff witness's testimony shall include a summary not to exceed one page. Staff shall serve a copy thereof on the Company and all respondents;

(9) On or before June 15, 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 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 Paragraph (3);

(10) Commission Rule 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 Rule 5 VAC 5-20-260, 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. Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-240 *et seq.*;

(11) The hearing scheduled for June 7, 2016, in Case No. PUE-2015-00053 (Poland Road) is cancelled; and

(12) The procedural schedule is subject to further ruling of the Hearing Examiner.

Michael D. Thomas
Michael D. Thomas
Hearing Examiner

The Clerk of the Commission is requested to send a copy of this Ruling to all persons on the official Service Lists in these matters. The Service Lists are available from the Clerk of the State Corporation Commission, c/o Document Control Center, 1300 East Main Street, Tyler Building, Richmond, VA 23219.