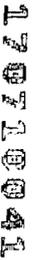


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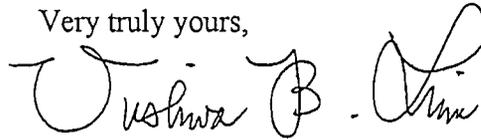
*Application of Virginia Electric and Power Company
For approval and certification of electric transmission facilities:
Remington-Gordonsville 230 kV Double Circuit Transmission Line
Case No. PUE-2015-00117*

Dear Mr. Peck:

Please find enclosed for electronic filing in the above-captioned proceeding, *Virginia Electric and Power Company's Comments to the Chief Hearing Examiner's Report.*

Please do not hesitate to call if you have any questions in regard to the enclosed.

Very truly yours,



Vishwa B. Link

Enclosures

cc: Hon. Deborah V. Ellenberg, Chief Hearing Examiner
William H. Chambliss, Esq.
Alisson P. Klaiber, Esq.
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Service List

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

APPLICATION OF)	
)	
VIRGINIA ELECTRIC AND POWER COMPANY)	Case No. PUE-2015-00117
)	
For approval and certification of electric)	
transmission facilities: Remington-Gordonsville)	
230 kV Double Circuit Transmission Line)	

**VIRGINIA ELECTRIC AND POWER COMPANY'S
COMMENTS TO THE CHIEF HEARING EXAMINER'S REPORT**

Pursuant to Rule 120 C of the Rules of Practice and Procedure ("Procedural Rules")¹ of the State Corporation Commission (the "Commission"), 5 VAC 5-20-120 C, and the directive on page 34 of the Report of Deborah V. Ellenberg, Chief Hearing Examiner, issued in the above-captioned proceeding on June 13, 2017 ("Chief Hearing Examiner's Report" or the "Report"), Virginia Electric and Power Company ("Dominion Energy Virginia" or the "Company"),² by counsel, hereby submits its comments ("Comments") to the Report.

BACKGROUND

On November 13, 2015, the Company filed an application ("Application") with the Commission for a certificate of public convenience and necessity ("CPCN") for the proposed Remington-Gordonsville 230 kilovolt ("kV") Double Circuit Transmission Line pursuant to § 56-46.1 of the Code of Virginia ("Va. Code" or "Code") and the Utility Facilities Act, Va.

¹ 5 VAC 5-20-10, *et seq.*

² Effective May 10, 2017, Dominion Resources, Inc., the Company's publicly held parent company, changed its name to Dominion Energy, Inc. As part of this corporate-wide rebranding effort, Virginia Electric and Power Company has changed its "doing business as" ("d/b/a") names in Virginia and North Carolina effective May 12, 2017. In Virginia, the Company's d/b/a name has been changed from Dominion Virginia Power to Dominion Energy Virginia, and in North Carolina the d/b/a name has been changed from Dominion North Carolina Power to Dominion Energy North Carolina. The Company's legal corporate entity name "Virginia Electric and Power Company" will not be changing as a result of this rebranding effort.

Code § 56-265.1 *et seq.*³ The Company proposed to (i) install, entirely along and primarily within existing right-of-way, approximately 38.2 miles of 230 kV Remington-Gordonsville Line #2153 in Fauquier, Culpeper, Orange, and Albemarle Counties between its existing Remington Substation in Fauquier County and existing Gordonsville Substation in Albemarle County; and (ii) construct and install associated 230 kV facilities at the Company's Gordonsville and Remington Substations (collectively, the "Project").⁴ The Company's Application proposed utilizing single-shaft weathered (COR-TEN®) steel poles and related structures in connection with the Project.⁵ Dominion Energy Virginia also proposed two alternative routes for the Commission's consideration, which could connect the existing Remington Substation to a new switching station in the vicinity of the existing Rappahannock Electric Cooperative's Pratts Delivery Point in Madison County, Virginia ("Remington-Pratts Alternative").

On December 29, 2015, the Commission issued an Order for Notice and Hearing ("Procedural Order") that, among other things: (1) required the Company to publish notice of the Application; (2) established a schedule for the filing of notices of participation and the submission of prefiled testimony; (3) scheduled a local hearing in Orange, Virginia, for April 28, 2016, and an evidentiary hearing in Richmond for June 28, 2016; and (4) assigned the case to the Chief Hearing Examiner to conduct all further proceedings on the Commission's behalf and to file a final report.⁶

Notices of Participation were filed by the following respondents: The Piedmont Environmental Council, Old Dominion Electric Cooperative, the Board of Supervisors of

³ *Application of Virginia Electric and Power Company For approval and certification of electric transmission facilities under Va. Code § 56-46.1 and the Utility Facilities Act, Va. Code § 56-265.1 et seq.*, Case No. PUE-2015-00117 (filed Nov. 13, 2015).

⁴ Application at 2.

⁵ Application at 3; *see also* Direct Testimony of Greg Baka at 3.

⁶ Procedural Order at 5-14.

Culpeper County, Madison County, Orange County, William W. Sandford, OMC Alliance, Amcarwill Limited Partnership, William J. Davis, Jr., Tombstone Limited Partnership, Charlotte E. Chumlea, Michael Mosko, Jr., Jeffrey A. Tillery, Stephen B. Carpenter, Herbert P. Putz, Ph.D., and David Taylor.⁷

On April 1, 2016, the Commission Staff (“Staff”) filed a Motion for Expedited Summary Ruling that the Proposed Remington-Pratts Alternative Should Not Continue as Part of this Proceeding (“Motion to Remove the Remington-Pratts Alternative”) on the basis that the alternative is electrically deficient. Dominion Energy Virginia filed a response in which the Company stated that it did not object to the granting of the relief requested by Staff in its Motion to Remove the Remington-Pratts Alternative, without agreeing with Staff’s premise. Additionally, numerous respondents filed responses in support of Staff’s Motion to Remove the Remington-Pratts Alternative. The Chief Hearing Examiner granted Staff’s Motion to Remove the Remington-Pratts Alternative.⁸

At the local hearing in Orange, Virginia on April 28, 2016, public witnesses expressed opposition to the height of the proposed towers. The public witnesses also expressed their preference for shorter structures similar to those used in the Hollymead⁹ case.¹⁰

The Commission Staff report sponsored by Staff Witness David Essah (“Staff Report”) was filed on May 27, 2016. In the Staff Report, Dr. Essah concluded, among other things, that the Project could potentially be constructed using shorter structures than those proposed in the Company’s Application. Dr. Essah noted that the use of shorter structures is supported by numerous interested parties in the case and could reduce visual impacts; however, he recognized

⁷ Respondent David Taylor filed a Cancellation of Participation in this proceeding on May 19, 2016.

⁸ Chief Hearing Examiner’s Ruling at 2 (Apr. 12, 2016).

⁹ *Application of Virginia Electric and Power Company for approval and certification of electric facilities: Hollymead 230 kV double circuit transmission line project*, Case No. PUE-2011-00015, Final Order at 5, 12-13.

¹⁰ April 28, 2016 Public Witness Hearing, Tr. 21:3-23:9, 84:6-12.

that shorter structures could also require a wider right-of-way, add more structures than proposed in the Application, and increase the cost of the Project.¹¹

On June 13, 2016, the Company filed a Motion for Extension and for Expedited Consideration (“Motion to Extend”), requesting additional time to evaluate and present evidence for the Commission’s consideration on the potential to utilize shorter structures where feasible along portions of the route, taking into consideration constraints preventing the potential expansion of the right-of-way to accommodate such shorter structures, and to present the results of the evaluation in rebuttal testimony.¹² In granting the Company’s Motion to Extend, the Chief Hearing Examiner modified the procedural schedule set forth in the Procedural Order to, among other things, extend the time for the Company to file rebuttal testimony and continue the evidentiary hearing from June 28 to July 28, 2016.¹³ The scheduled hearing was convened on June 28, 2016, for the sole purpose of receiving testimony from public witnesses, though no public witnesses appeared to testify.¹⁴

On July 12, 2016, Dominion Energy Virginia filed its Rebuttal Testimony and Exhibits. As stated in the Company’s Application, the existing right-of-way along the Project route ranges between 70 and 100 feet.¹⁵ In rebuttal, the Company noted that it would attempt to acquire an additional 30 feet of right-of-way for the entire length of the Project where practical along parcels that currently have a 70-foot-wide-right-of-way (“Company’s Proposal”) to expand the narrower portions of the existing right-of-way to match the typical width for the originally

¹¹ Pre-filed Testimony of Staff Witness David Essah at 23 (May 27, 2016); *see also* Testimony Summary of Staff Witness David Essah (May 27, 2016).

¹² Motion to Extend at 2.

¹³ Chief Hearing Examiner’s Ruling at 2 (June 14, 2016).

¹⁴ June 28, 2016 Evidentiary Hearing, Tr. 3:6-18.

¹⁵ Application at 2-3.

proposed double circuit monopole.¹⁶ In response to the Staff Report, the Company evaluated the potential to use shorter double circuit H-frame structures (“Shorter Structure Option”) where feasible along portions of the Project route, including the need to expand the right-of-way to 140 feet to accommodate the Shorter Structure Option.¹⁷ It is not possible to install the shorter double circuit H-frame structures in the existing 70 to 100-foot corridor due to National Electrical Safety Code clearance requirements.¹⁸ The Company concluded that it is technically feasible and may be reasonable to install the Shorter Structure Option for portions of the right-of-way where there are not constraints, provided that there is: (1) consent by all affected property owners; (2) agency consent where applicable; (3) grant of easements for the 40 feet beyond the 100 feet needed for the proposed Project without additional compensation from the Company; and, (4) an uninterrupted line distance of approximately three miles. These four prerequisites are referred to collectively herein as the Company’s “conditions” for the Shorter Structure Option.¹⁹

The hearing in this matter took place on July 28, 2016. Mr. Baka testified, pursuant to the Company’s Proposal, that the Company intended to acquire an additional 30 feet of right-of-way along the entire length of the Project where necessary to expand the entire right-of-way to the 100 feet typical for those structures.²⁰ Mr. Baka explained, however, that where the expansion of the right-of-way would require the demolition of a primary structure, such as a home or business establishment, expanding the right-of-way would not be practically feasible, and the right-of-way in these locations would remain at 70 feet.²¹ Mr. Baka also discussed the

¹⁶ Rebuttal Testimony of Greg Baka at 4:20-6:1 (July 12, 2016) (hereinafter, “Baka Rebuttal”).

¹⁷ Rebuttal Testimony of Robert J. Shevenock II at 5:1-5 (July 12, 2016) (hereinafter, “Shevenock Rebuttal”); Baka Rebuttal at 6:16-18.

¹⁸ July 28, 2016 Hearing Tr. at 59:18-61:20; *see also* Shevenock Rebuttal at 5.

¹⁹ Baka Rebuttal at 7:7-13. As discussed below, the Company later agreed that compensation for property owners who voluntarily agreed to participate in the Shorter Structure Option should be compensated from a pool of funds capped at \$2.5 million.

²⁰ July 28, 2016 Evidentiary Hearing Tr. at 38:13-20.

²¹ July 28, 2016 Evidentiary Hearing Tr. at 38:21-39:2.

Company's Shorter Structure Option, reiterating the Company's belief that the Shorter Structure Option is technically feasible only if the Company's four conditions, discussed above, are met.²²

Mr. Baka clarified, however, that the Company will determine the appropriate length of each segment of the line based on the terrain and the associated visual impacts of switching between taller and shorter structures at any given location, without absolute adherence to a three mile rule in all instances.²³ The Company identified approximately 24.1 miles along the line where it believed the Shorter Structure Option would be technically feasible based upon these conditions.²⁴

At the hearing, the Company also presented a variation on its third condition, that property owners be willing to grant easements for the additional 40 feet necessary for the Shorter Structure Option without additional compensation. Pursuant to the variation on this condition, the Company would compensate property owners for the additional easement, subject to a \$2.5 million total cap calculated based on current assessed land values.²⁵ The Company characterized this as a direct right-of-way payment to property owners, to be achieved without the need for condemnation.²⁶ As discussed at the hearing, Company Witness Baka expressed concern regarding the ability to condemn property, unless it can be established that the additional easement is "necessary" to build the Project.²⁷

Staff's counsel represented that Staff did not oppose the Company's CPCN, either as originally proposed in the Application, or "as a rebuild that uses shorter structures where feasible

²² July 28, 2016 Evidentiary Hearing Tr. at 41:6-16.

²³ July 28, 2016 Evidentiary Hearing Tr. at 91:8-93:2.

²⁴ July 28, 2016 Evidentiary Hearing Tr. at 41:17-20.

²⁵ July 28, 2016 Evidentiary Hearing Tr. at 43:17-44:13.

²⁶ July 28, 2016 Evidentiary Hearing Tr. at 56:1-8.

²⁷ July 28, 2016 Evidentiary Hearing Tr. at 42:20-25; 86:7-12; *see also* Va. Code § 56-49(2) (providing the Company with the "power . . . to acquire by the exercise of the right of eminent domain any land or estates or interests therein, [including] rights-of-way, easements, or other interests in lands . . . of any person, which are *deemed necessary* for the purposes of construction, reconstruction, alteration, straightening, relocation, operation, maintenance, improvement or repair of its lines, facilities or works . . .") (emphasis added).

along the project route based on whatever conditions the Commission deems to be reasonable.”²⁸

Staff Witness Dr. Essah testified that the Company should be required to use non-reflecting conductors in connection with the Project, in contrast to the Company’s proposal, which provided for standard conductors.²⁹ Dr. Essah testified further that in Staff’s view, it was reasonable to compensate property owners for the additional 40 feet of easements required for the Shorter Structure Option, and that the Company should use its “regular acquisition process” to obtain the necessary easements.³⁰ In closing, Staff’s counsel declined to take a formal position regarding the Company’s alternative compensation approach, which he conceded “may be a good idea,” but that Staff simply “hadn’t had a chance to think it through” yet.³¹

COMMENTS TO THE REPORT

The Chief Hearing Examiner’s June 13, 2017 Report found that the Project was “necessary to comply with mandatory NERC Reliability Standards” and that it “will permit the Company to maintain reliable electric service to its customers and protect its facilities.”³² Accordingly, the Report recommended that the Commission grant the Company a certificate of public convenience and necessity.³³ Consistent with the Company’s proposal, the Report further recommended that the Commission provide the Company with the “flexibility” to utilize the Shorter Structure Option “where feasible” along the route.³⁴ With respect to the Company’s four conditions, the Chief Hearing Examiner agreed that condition two, obtaining agency consent for the additional 40 foot easements where applicable, was “necessary and appropriate,”³⁵ and that

²⁸ July 28, 2016 Evidentiary Hearing Tr. at 33:1-8.

²⁹ July 28, 2016 Evidentiary Hearing Tr. at 70:20-72:1.

³⁰ July 28, 2016 Evidentiary Hearing Tr. at 69:2-70:1.

³¹ July 28, 2016 Evidentiary Hearing Tr. at 120:2-5.

³² Report at 26.

³³ Report at 1.

³⁴ Report at 29.

³⁵ Report at 30.

condition four, an uninterrupted line distance of approximately three miles, was “reasonable.”³⁶ The Company offers the following observations regarding the Chief Hearing Examiner’s remaining findings.

A. Consent for Acquisition of Additional 40 Foot Easements (Condition One).

The Chief Hearing Examiner’s Report disagreed that the Company’s first condition, obtaining the additional 40 foot easements by voluntary consent, was necessary.³⁷ Rather, the Chief Hearing Examiner explained that if the Commission finds that the Shorter Structure Option is a “condition necessary to minimize any adverse environmental impact of the Project” under Virginia Code § 56-46.1, “condemnation would be appropriate.”³⁸ The Chief Hearing Examiner further suggested that voluntary consent would be necessary from property owners who have Virginia Outdoors Foundation (“VOF”) or Virginia Department of Historic Resources (“VDHR”) easements on their properties, however.³⁹ The Report’s discussion of the first condition then concluded with the statement, “[t]herefore, I believe this condition to be reasonable,” meaning that voluntary consent is necessary from property owners who have VOF or VDHR easements on their properties.⁴⁰

The Company seeks clarification of this recommendation. The Company expressed concern regarding its ability to condemn the additional 40 feet of easement if it was not “deemed necessary” for the Project. Should the Commission reject Condition One (“voluntary consent”) but adopt the Shorter Structure Option, the Company requests that the Commission’s Final Order hold that the additional 40 feet of right-of-way is both necessary to execute the Shorter Structure Option, and to reasonably minimize adverse impacts to the scenic areas and historic districts in

³⁶ Report at 31.

³⁷ Report at 30.

³⁸ Report at 30.

³⁹ Report at 30.

⁴⁰ Report at 30.

the area to preserve any condemnation rights. The Company wishes to make clear, however, that it proposed the Shorter Structure Option in response to local landowner input that shorter structures were preferred and the idea of granting the additional 40 feet of right-of-way is a *voluntary* option.

As detailed in Section E, the Company must already extend the Project's in-service date by a full year, and should the Company need to obtain significant additional right-of-way through condemnation, the Project will be further delayed by up to several months. Leaving the issue of condemnation aside, the Company believes that any property owners who wish to reject the Shorter Structure Option should be permitted to do so unless extenuating circumstances exist, given that it is technically possible to rebuild the line utilizing only a 100-foot right-of-way, as Company witness Baka testified at the hearing.⁴¹ Using the voluntary consent with compensation process discussed below will allow for the implementation of the Shorter Structure Option quickly and efficiently, consistent with community expectations, which also will allow for the timely construction of this necessary Project.⁴²

B. Compensation for the Additional 40 Foot Easements (Condition Three).

The Company's third condition addressed the issue of compensation for the additional 40 feet of right-of-way for the Shorter Structure Option. Though the Company initially proposed that property owners not receive compensation for this easement, the Company's alternative compensation scenario would provide for a \$2.5 million total cap for land acquisition costs based on the properties' current assessed land values on a per acre basis,⁴³ subject to the multiplier

⁴¹ July 28, 2016 Evidentiary Hearing Transcript at 38:21-39:19; 44:21-45:1.

⁴² As discussed below, and consistent with the Company's presentation of the Short Structure Option during the evidentiary hearing, the Company does not plan to use the condemnation process with respect to the additional 40 feet unless extenuating circumstances exist.

⁴³ Report at 30.

discussed at the hearing.⁴⁴ The Chief Hearing Examiner agreed with this approach, finding that a “pool of dollars, determined based on the assessed value of the properties crossed” was reasonable in that it “uniformly” compensated the affected property owners while “also assuring that the additional cost of the Shorter Structure Option is reasonably known.”⁴⁵ Though the Chief Hearing Examiner did not appear to approve the \$2.5 million total cap that the Company proposed based on its calculation of the properties’ current assessed land values explicitly, it appears the Chief Hearing Examiner approved the total cap by approving its method of calculation. The Company, therefore, seeks clarification through the Commission’s Final Order that the \$2.5 million total cap is approved as a method to control land acquisition costs to this voluntary option.⁴⁶

C. Confidential Reporting Process.

The Chief Hearing Examiner’s Report found that the Company’s suggestion to provide Staff with confidential reports discussing the negotiations and acquisition progress for the additional 40-foot right-of-way was appropriate.⁴⁷ The Report further approved of the Company’s proposal to make initial contact with the property owners by mail, and to follow-up with personal contact where necessary.⁴⁸

The Company met with Staff on June 26, 2017 to confer regarding the appropriate procedure for contacting and negotiating with property owners and providing Staff with confidential updates during and about this process. Pursuant to those discussions, the Company intends to mail postcards to property owners as soon as possible in order to assess preliminary

⁴⁴ July 28, 2016 Evidentiary Hearing Transcript at 44:14-21.

⁴⁵ Report at 31.

⁴⁶ The Company suggested the total cost cap as a means to control costs given that the process is meant to be voluntary and the Company is not intending on wholesale use of condemnation rights as a means to control land acquisition costs. July 28, 2016 Hearing Tr. at 42:12-43:16.

⁴⁷ Report at 31.

⁴⁸ Report at 30.

interest in the Shorter Structure Option. The postcards will notify property owners that the Company is preparing to move forward with purchasing easements in connection with the Shorter Structure Option upon entry of a Final Order by the Commission, subject to an opt-in from the property owner. The postcard will contain a tear-off postage-paid reply card on which the respondent will check the appropriate box indicating that he or she is or is not interested in expanding the easement on his or her property for the additional 40 feet of right-of-way pursuant to the Shorter Structure Option, pending a formal purchase offer. The postcard will request a response from property owners within 15 calendar days. The postcard is meant to help the Company expeditiously manage the various consent scenarios that may occur to reasonably execute the Shorter Structure Option, pending a Final Order by the Commission. Concurrently with this process, the Company will order updated title work for the properties along the route to determine whether there have been any changes in ownership since the last title work was performed beginning in April 2017.

Following entry of the Commission's Final Order, presuming the Chief Hearing Examiner's recommendation that the Company "be granted the flexibility to pursue the Shorter Structure Option where feasible"⁴⁹ is approved, the Company will follow-up with property owners by sending formal letters. The letters will briefly explain the Commission's ruling and again request responses from property owners within 15 calendar days regarding whether they intend to provide consent for the additional right-of-way pursuant to the Shorter Structure Option. Property owners who currently hold only 70 foot easements will also be notified that the Company needs to expand those easements to 100 feet pursuant to the Company's Proposal.

The letters will explain that providing preliminary consent does not translate to a commitment to sell the additional 40 foot right-of-way pursuant to the Shorter Structure Option,

⁴⁹ Chief Hearing Examiner's Report at 33.

but that a final transaction will be based on an approved negotiated purchase price between the property owner and the Company, and that preliminary consent is being given merely to facilitate the Company's progress to the next step in the acquisition process. Similarly, the letters will explain that the Company will not be obligated to purchase any easement unless and until the Shorter Structure Option is deemed feasible on that specific property based on the final design of the line. The Company will follow up with personal contact if no response is received within the specified timeframe, allowing up to an additional 15 calendar days for any property owners who have not responded to communicate their preferences.

The Company also will meet with the boards of the VOF and VDHR, respectively, to obtain formal consent for the additional 40 feet of right-of-way in connection with the Shorter Structure Option where necessary. The Company may hold public meetings to discuss its progress with respect to the Project and the Shorter Structure Option, and to explain how an individual property owner's failure to consent will impact the overall design of the line, if it believes that effort might be productive. Finally, the Company will work to identify all potential encroachments, such as accessory structures, as the right-of-way is expanded.

Next, the Company's real estate team will make offers and begin the purchasing process. Parcels with only 70 feet of right-of-way that are located within the approximately 24.1 mile area where the Shorter Structure Option was deemed feasible will receive two separate offers: one for the initial 30 feet in connection with the Company's Proposal; and, a second for the additional 40 feet necessary for the Shorter Structure Option. With respect to the initial 30 feet, the Company will bargain in good faith and into the condemnation process if necessary. The Company does not plan use of the condemnation process with respect to the additional 40 feet unless extenuating circumstances exist, as discussed above.

The Company anticipates that it will take approximately three months from the Final Order to negotiate consents and compensation with property owners and the relevant agencies.⁵⁰ To allow the Project to move forward, any property owners who fail to respond to the Company's correspondence within that three-month timeframe will be treated as though consent has been withheld. The Company has proposed to Staff that it provide a total of two confidential updates during this process: an interim report, to be provided 60 days after the entry of the Commission's Final Order; and, a final report, to be provided 60 days after the interim report. Each report will describe the Company's negotiation efforts over the previous 60 days and provide running lists of: (1) those property owners who have agreed to provide additional easements; (2) those who have refused; and, (3) those with whom the Company is continuing to negotiate. The final report will include a color-coded map of the Project area that depicts this information and highlights any approximately three-mile segments⁵¹ of the line where all necessary consents have been obtained in order to make implementation of the Shorter Structure Option feasible. The final report also will provide the total amount spent by the Company on easements in connection with the Shorter Structure Option, in aggregate only. The Company will continue to work with the Staff to determine the timing and content of the required reports.

D. Finish of Transmission Conductor and Structures.

The Chief Hearing Examiner's Report recommended that the Company use a de-glared finish on its transmission conductors in connection with the Project.⁵² As discussed in Mr.

⁵⁰ The Company needs to implement and complete the Short Structure Option quickly so it can determine what properties are available to create the approximately three-mile segments. That information will allow the Company to order the correct poles as soon as possible. This is important to meet the revised in-service date because, currently, it is taking the Company approximately 32 weeks to receive poles from the manufacturers.

⁵¹ As discussed herein, the use of three-mile segments is an approximation, not an absolute. The exact length of any given segment may be longer or shorter depending on the topography of the terrain and the potential impact on the viewshed when switching between shorter and taller structures and the location of participating property owners. July 28, 2016 Hearing Tr. at 91:8-93:2.

⁵² Report at 31-32.

Shevenock's rebuttal testimony, the Company disagrees with this recommendation because it believes that it inappropriately adds incremental costs to the Project while only accelerating the natural aging process by less than a year.⁵³ Accordingly, the Company respectfully requests that the Commission reject the Chief Hearing Examiner's recommendation that the Company be required to use a de-glared finish on its transmission conductors.

Additionally, the Company seeks clarification from the Commission regarding the finish of the proposed steel poles and shorter H-frame structures to be used in connection with the Project. In its Application, the Company proposed utilizing single-shaft weathered (COR-TEN®) steel poles and related structures.⁵⁴ Because there were no objections to this proposal by Staff or Respondents, and because the finish of the poles and related structures was not otherwise addressed in the Chief Hearing Examiner's Report, the Company's understanding is that it may, upon Commission approval of the Project, proceed with the construction of single-shaft weathered (COR-TEN®) steel poles and H-frame structures as proposed in the Application.

E. Projected In-Service Date.

Finally, the Company notes that, though its Application projected an in-service date of June 1, 2019 for the proposed line, that date assumed that a Final Order would be issued by the close of 2016, with construction to begin in January 2018. Given that a Final Order is not now expected until the late summer or early fall of 2017, the Company's projected in-service date must be pushed back accordingly. Assuming a Final Order by September 1, 2017, the Company currently estimates an in-service date of June 2020, with construction to begin in December 2018. Construction of the line is estimated to take approximately 18 months. As discussed herein, however, this timeline assumes that the Commission's Final Order recognizes the Shorter

⁵³ Shevenock Rebuttal at 2-4 (noting that in a similar case, the Commission rejected the suggestion to de-glare conductors, even when the cost was nearly half the cost of de-glaring the conductors in this case).

⁵⁴ Application at 3; *see also* Direct Testimony of Greg Baka at 3.

Structure Option is a voluntary option and condemnation to achieve it is not mandated. Any modifications to this approach could result in further delays. Based on the foregoing, and the immediate need for the Project, the Company requests a Final Order by September 1, 2017, if possible.

CONCLUSION

The Company respectfully urges the Commission to provide the clarification requested and incorporate the comments provided herein in its Final Order. Due to the identified need for the Project and the timing issues detailed herein, the Company respectfully requests the issuance of a Final Order on or before September 1, 2017, to the extent possible.

Respectfully submitted,

VIRGINIA ELECTRIC AND POWER COMPANY

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July 5, 2017

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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of July 2017, a true and accurate copy of the foregoing filed in Case No. PUE-2015-00117 was hand delivered or mailed first class, postage pre-paid, to the following:

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