SCC-62

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

160220168

**APPLICATION OF**

**VIRGINIA ELECTRIC AND POWER COMPANY** **CASE NO. PUE-2015-00053**

SCC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER
2016 FEB 16 A 11: 45

**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**

## HEARING EXAMINER'S RULING

**February 16, 2016**

By Hearing Examiner's Ruling entered on February 12, 2016, this case was returned to the State Corporation Commission's ("Commission") docket of active cases. That Ruling directed Virginia Electric and Power Company ("Dominion Virginia Power" or "Company") to provide public notice of two alternative routes proposed in this case designated County Alternative 4 and County Alternative 5. Further, the Ruling established that a joint local public hearing should be held on County Alternatives 4 and 5 as they relate to both the Poland Road and Yardley Ridge transmission line cases.[1] 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")[2] in Case Nos. PUE-2015-00053 and PUE-2015-00054, on County Alternatives 4 and 5 as those routes relate to both the Poland Road and Yardley Ridge transmission line cases;

(2) A public evidentiary hearing on the Application in this case shall be convened on June 7, 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 March 18, 2016, Dominion Virginia Power shall cause to be sent by first-class mail a copy of the notice and sketch map prescribed in Paragraph (4) to all owners, as of the date of this Ruling, of property within County Alternatives 4 and 5, as indicated on the map or sketch of the routes filed with the Commission, which requirement shall be satisfied by mailing to

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[1] *Application of Virginia Electric and Power Company, For approval and certification of electric transmission facilities: Yardley Ridge 230 kV Double Circuit Transmission Line Loop and 230 kV Yardley Ridge Switching Station*, Case No. PUE-2015-00054 ("Yardley Ridge").

[2] 5 VAC 5-20-10 *et seq.*

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 of Virginia ("Code");

(4) On or before March 18, 2016, Dominion Virginia Power shall publish in two (2) successive weeks the notice appended hereto as Attachment 1 and the sketch map of the proposed and alternative routes, including County Alternatives 4 and 5, appended hereto as Attachment 2 as display advertising (not classified) in a newspaper or newspapers of general circulation in every county or municipality through which County Alternatives 4 and 5 are proposed to be built;

(5) On or before March 18, 2016, Dominion Virginia Power shall serve a copy of this Ruling on the chairman of the board of supervisors or mayor of every county, city, and town through which County Alternatives 4 and 5 are proposed to be built. Dominion Virginia Power shall serve these persons by certified mail, return receipt requested;

(6) On or before March 25, 2016, the Company shall file proof of the notice and service required by Paragraphs (3), (4), and (5), 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;

(7) On or before April 1, 2016, any person impacted by County Alternatives 4 and 5 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 Paragraph (6), 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;

(8) 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;

(9) On or before March 18, 2016, the Company shall file its Supplemental Direct Testimony on County Alternatives 4 and 5. The Company shall serve a copy thereof on Staff and all respondents. The Company is directed to formally coordinate its evaluation of County Alternatives 4 and 5 with the Metropolitan Washington Airports Authority ("MWAA");

(10) On or before May 6, 2016, any interested person may file written comments on the Application with the Clerk of the Commission at the address set forth in Paragraph (6). 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;

(11) On or before April 21, 2016, each respondent may file with the Clerk of the Commission at the address set forth in Paragraph (6) 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;

(12) On or before May 11, 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;

(13) On or before May 25, 2016, the Company shall file with the Clerk of the Commission: (a) any rebuttal testimony and exhibits that it expects to offer. 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 (6);

(14) 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.*; and

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

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 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, Richmond, VA 23219.

# ATTACHMENT 1

# NOTICE TO THE PUBLIC OF AN APPLICATION BY VIRGINIA ELECTRIC AND POWER COMPANY 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

**CASE NO. PUE-2015-00053**

On May 20, 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 Poland Road 230 kV double circuit transmission line loop and 230-34.5 kV Poland Road 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 Loudoun County a new 230-34.5 kV Poland Road Substation and a new approximately four-mile overhead 230 kV double circuit transmission line between a tap of existing 230 kV Loudoun – Brambleton Line #2094 and the proposed Poland Road Substation ("Poland Road Loop"). The Poland Road Loop and Poland Road Substation are referred to herein as the "Project." The proposed in-service date for the Project is June of 2018.

Dominion Virginia Power states in its Application that no existing right-of-way is available to accommodate the proposed Project. Thus, new right-of-way is required for the entire route of the line. Dominion Virginia Power has identified a proposed route, as well as two alternative routes, for the Commission's consideration. The proposed route parallels Highway Route 50 for substantially all of its length, commencing at a tap point on the existing 230 kV Loudoun – Brambleton electric transmission Line #2094 and terminating at the proposed Poland Road Substation.

In its Application, Dominion Virginia Power estimates that it will take 18 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 $54.5 million.

Dominion Virginia Power asserts that the proposed Project is necessary to provide service to a new data center campus in Loudoun 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 planning criteria.

Loudoun County and several other Respondents intervened in this case and proposed five alternative transmission line routes for the Commission's consideration. After a review of the alternative routes by the Company, the Company determined that two of the routes could accommodate its transmission line, but that serious impediments exist that would preclude construction along the other three routes. Consequently, only Loudoun County Alternatives 1b and 2b were noticed. Later, Loudoun County and the other Respondents proposed a route that would co-locate the northern portion of the Poland Road transmission line with the Company's proposed Yardley Ridge transmission line as a routing solution in both cases. The proposed route has significantly different impacts on landowners from previously noticed routes and slight variations of the route have significantly different impacts on certain homeowners. To accommodate those variations, Loudoun County Alternative 4 and Loudoun County Alternative 5 are being noticed at this time pursuant to § 56-46.1 of the Code and are set forth below.

## Transmission Line Routes for the Proposed Project

## Alternative Routes

### Loudoun County Alternative Route 4

Loudoun County Alternative Route 4 commences at a tap point along the 230 kV Brambleton – BECO electric transmission line #2137, approximately 740 feet north of the intersection of Trade West Drive and Weekly Court. The Route angles south from the tap-point for approximately 170 feet and then turns 90 degrees to the east for approximately 400 feet until reaching the eastern property boundary of the industrial park. The route then turns slightly south and parallels the eastern property boundary of the industrial park. The route continues for 1,270 feet and crosses Arcola Road before turning west. The route continues parallel to the future location of Arcola Road for approximately 1,180 feet before turning south for approximately 610 feet. At this point, the route turns southeast parallel to the east side of Evergreen Mills Road for approximately 2,180 feet. At this point, the route turns southwest for approximately 500 feet and crosses Evergreen Mills Road. At this point, the route again turns southeast for approximately 1,160 feet. At this point, the route turns south on Metropolitan Washington Airports Authority ("MWAA") property parallel to the west side of Route 606 for approximately 160 feet. At this point, the route joins Loudoun County Alternatives 1b and 2b paralleling Route 606 on the west side for 2,100 feet before turning sharply east crossing Route 606 and continuing for

2,500 feet. The route intersects Vance Road and turns southeast for 900 feet. At this point, the route turns east parallel to the north side of Route 50 for approximately 1.0 mile and then unlike Loudoun County Alternatives 1b and 2b, continues parallel to Route 50 for approximately 470 feet and then angles to the southeast, crossing Route 50 and entering the proposed Poland Road Substation property (530 feet).

**Loudoun County Alternative Route 5**

Loudoun County Alternative Route 5 commences at a tap point along the 230 kV Brambleton – BECO electric transmission line #2137, approximately 740 feet north of the intersection of Trade West Drive and Weekly Court. The route angles south from the tap-point for approximately 170 feet and then turns 90 degrees to the east for approximately 360 feet until reaching the eastern property boundary of the industrial park. The route then turns slightly south and parallels the eastern property boundary of the industrial park. The route continues for 1,270 feet and crosses Arcola Road before turning west. The route continues parallel to the future location of Arcola Road for approximately 1,675 feet, crossing over Evergreen Mills Road. At this point, the route turns 90 degrees and extends generally southeast parallel to the south side of Evergreen Mills Road for approximately 2,870 feet. At this point, the route turns south for approximately 415 feet along the west side of Route 606. The route then crosses onto MWAA property and continues parallel to the west side of Route 606 for approximately 760 feet. At this point, the route joins Loudoun County Alternatives 1b and 2b paralleling Route 606 on the west side for 2,100 feet before turning sharply east crossing Route 606 and continuing for 2,500 feet. The route intersects Vance Road and turns southeast for 900 feet. At this point, the route turns east parallel to the north side of Route 50 for approximately 1.0 mile and then unlike Loudoun County Alternatives 1b and 2b, continues parallel to Route 50 for approximately 470 feet and then angles to the southeast, crossing Route 50 and entering the proposed Poland Road Substation property (530 feet).

A local public hearing will be convened on March 29, 2016, at 6:00 p.m. at Freedom High School Auditorium, 25450 Riding Center Drive, Chantilly, Virginia 20152, for the sole purpose of receiving testimony of public witnesses on the Company's Application and Loudoun County Alternative Routes 4 and 5. The public hearing will resume on June 7, 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

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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: Ben Saunders

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 impacted by Loudoun County Alternative Route 4 or 5 may participate as a respondent in this proceeding by filing, on or before April 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

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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-2015-00053. 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 6, 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 6, 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-2015-00053.

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

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# ATTACHMENT 2

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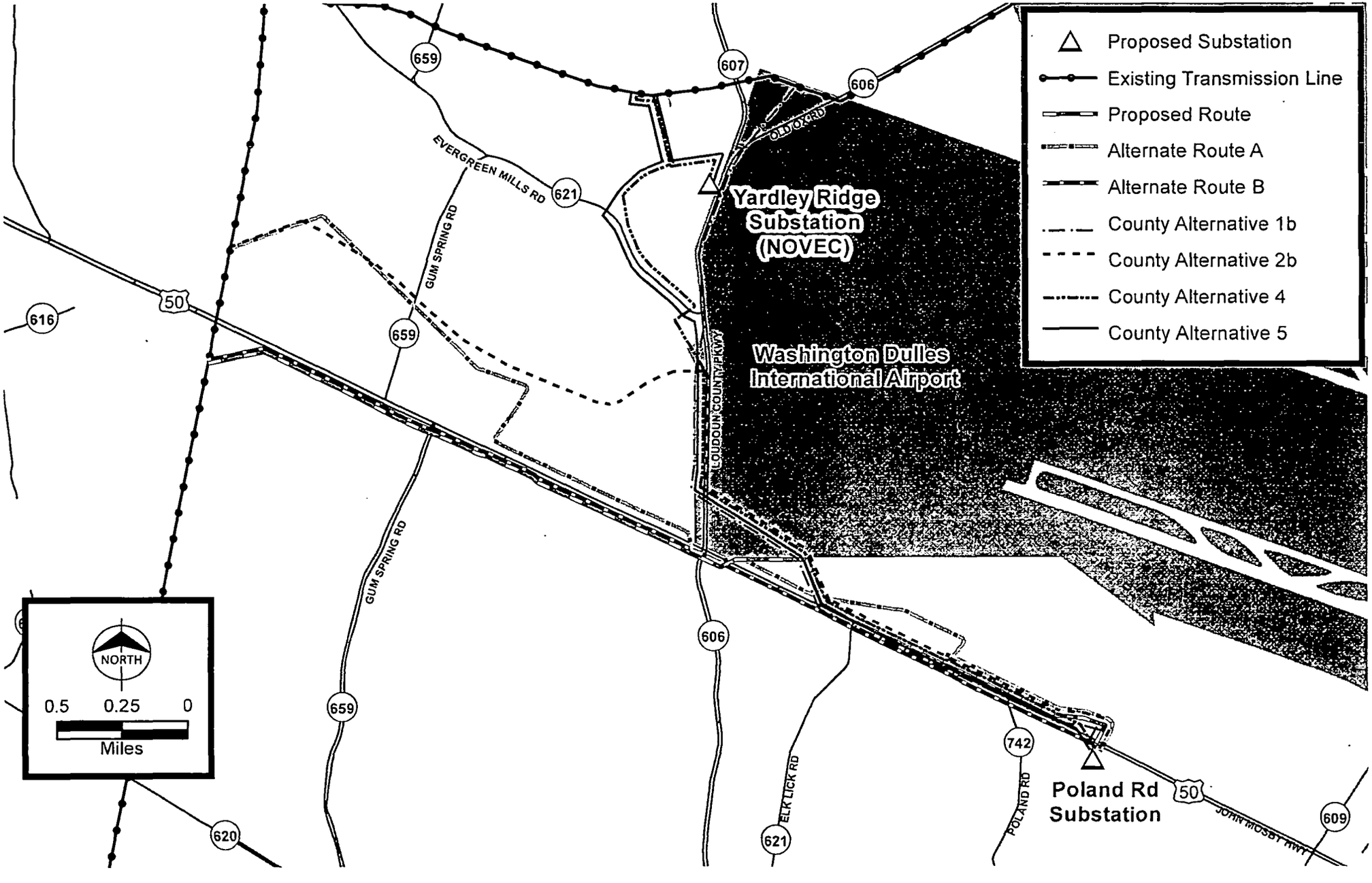
Proposed Substation
Existing Transmission Line
Proposed Route
Alternate Route A
Alternate Route B
County Alternative 1b
County Alternative 2b
County Alternative 4
County Alternative 5
Yardley Ridge Substation (NOVEC)
Washington Dulles International Airport
Poland Rd Substation
EVERGREEN MILLS RD
GUM SPRING RD
OLD OX RD
LOUDOUN COUNTY PKWY
ELK LICK RD
POLAND RD
JOHN MOSBY HWY
659
607
606
621
50
616
620
742
609
NORTH
0.5
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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

**APPLICATION OF**

**VIRGINIA ELECTRIC AND POWER COMPANY** **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**

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## HEARING EXAMINER'S RULING

**September 21, 2015**

On July 29, 2015, Jaders, L.C. ("Jaders"), Stone Ridge Association, Inc., Stone Ridge Office Park, L.L.C., Stone Ridge Village Center, L.L.C., Stone Ridge Community Development, L.L.C., and Glascock Field at Stone Ridge, L.L.C. (collectively, "Stone Ridge"), Elms at Arcola, L.C. ("Elms"), South Riding Proprietary ("South Riding"), and the Board of Supervisors of Loudoun County ("County") (collectively, "Respondents") filed a Joint Motion for Analysis of New Routes, Publication of New Routes, Compliance with the Procedural Requirements Set Forth in Va. Code § 56-46.1 (B), Extension of Procedural Dates and Dates for the Local Public Hearings, and Request for Expedited Consideration ("Joint Motion"). In their Joint Motion, the Respondents request that the Commission: (i) order the Company to publish notice of the additional routes identified by the County; (ii) amend the procedural dates established in the Commission's Order as set forth in the Joint Motion; (iii) require the Company to comply with the procedural requirements set forth in Va. Code § 56-46.1 (B) and the Commission's Order; and (iv) expedite consideration and approval of the Joint Motion.

By Hearing Examiner's Ruling entered on July 31, 2015, the Company and the Staff were directed to file any response to the Joint Motion on or before August 7, 2015; the Respondents were directed to file any reply on or before August 12, 2015.

On August 4, 2015, the Company filed a Motion for Extension, in which the Company requested the following: (i) an extension of the deadline for the Company and Staff to file a response to the Joint Motion from August 7, 2015, to August 20, 2015; (ii) an extension of the deadline for the Respondents to reply to any response to the Joint Motion from August 12, 2015, to September 4, 2015; (iii) a delay in the two local hearings scheduled for August 18, 2015, and August 25, 2015, respectively, to examine fully the issues raised in the Joint Motion and to allow time for Commission consideration; and (iv) a suspension of the procedural dates of the proceeding to allow time for Commission consideration of the Joint Motion, and any future notice of additional routes. In support, the Company states that the extension of time allows the Company to consider fully the five alternative routes proposed by the Respondents, facilitates development of an accurate updated record, is in the furtherance of justice, and prejudices no party. The Company stated that the local public hearings scheduled for August 18, 2015, and August 25, 2015, should be delayed, with the assistance of the County, pending the results of the Company's analyses of the County's alternative routes. The Company contacted counsel for the Respondents and Staff and the

Respondents support the extensions of time requested by the Company. The Staff takes no position on the Company's request.

By Hearing Examiner's Ruling entered on August 6, 2015, the Company's Motion for Extension was granted; the local public hearings scheduled for August 18, 2015, and August 25, 2015, were cancelled; the Company and Staff were directed to file any response to the Joint Motion on or before August 20, 2015; the Respondents were directed to file their reply to any response on or before September 4, 2015; and the procedural schedule in the case was suspended until further ruling of the Hearing Examiner.

In its Response, the Staff supports publication and notice of the three alternate routes proposed by the Respondents. The Staff believes publication and notice of the three alternate routes would allow them to be considered by the Commission pursuant to § 56-46.1 of the Code. Additionally, such notice would provide property owners impacted by the routes notice and a meaningful opportunity to participate in this case. The Staff further believes consideration of the three alternate routes would enhance the record in this proceeding, and would ensure that the route ultimately selected by the Commission "is needed and that the corridor or route the line is to follow will reasonably minimize adverse impact on the scenic assets, historic districts and environment of the area concerned"[1] consistent with the requirements of § 56-46.1 and § 56-265.2 of the Code. Finally, the Staff believes that publication of the Respondents' alternate routes at this time is "desirable" pursuant to § 56-46.1 E of the Code.

In its Response, the Company disagreed with the Respondents that "conceptual alignments" or "starting points" should be noticed to the public before a proper evaluation of the route may be conducted to determine whether the route is viable from an electrical and routing perspective. The Company believes that to do otherwise would be confusing for the community and inconsistent with prior Commission precedent. The Company noted that its requested extension of time was needed to perform such an evaluation. The Company performed its evaluation and will not oppose an order directing notice of County Alternatives 1b and 2b, as well as Commission review thereof. The Company noted that although County Alternatives 1b and 2b present additional impacts and timing impediments, the Company believes once noticed, the routes will allow the case to proceed in a timely fashion. Due to significant routing impediments, the Company opposes including County Alternatives 1, 2, and 3 in any public notice. County Alternatives 1 and 2 are impacted by height restrictions along portions of the route adjacent to Dulles Airport. County Alternative 3 from Walney Substation is not practicable due to physical constraints at the substation preventing further expansion. Finally, the Company continues to support its Proposed Route as the preferred transmission solution in this case.

In their Reply, the Respondents addressed four substantive points. First, the Respondents observed that all parties support, or do not oppose, the publication of County Alternatives 1b and 2b.[2] The Respondents believe the Company should be required to file supplemental testimony assessing County Alternatives 1b and 2b using the same parameters it used to assess the Company's proposed and alternative routes, thereby providing an "apples-to-apples" comparison of all routes under consideration. The Respondents believe the Commission should direct the Company to:

[1] Staff Response at 4.

[2] Jaders reserved the right to oppose County Alternative 2b depending on its final alignment.

(i) publish notice of County Alternatives 1b and 2b; (ii) file supplemental testimony assessing County Alternatives 1b and 2b using the same parameters the Company used to assess its proposed and alternative routes; and (iii) coordinate formally with the Metropolitan Washington Airports Authority to assess County Alternatives 1b and 2b.

Second, the Respondents addressed the Company's opposition to the inclusion of County Alternatives 1 and 2 in the public notice, and the Company's claims of significant routing impediments that might preclude those routes from being built. The Company believes height restrictions bordering Dulles Airport and future runway expansion negatively impact the routing of County Alternatives 1 and 2. The Respondents countered that the routes have significant advantages and should be considered by the Commission until it is determined that the disadvantages associated with the height restrictions outweigh the advantages of preserving local businesses and the County's Gateway Corridor Program. The Respondents believe the Commission should direct the Company to: (i) publish notice of County Alternatives 1 and 2; (ii) file supplemental testimony assessing County Alternatives 1 and 2 using the same parameters used to assess the Company's proposed and alternative routes; and (iii) coordinate formally with the Metropolitan Washington Airports Authority to assess County Alternatives 1 and 2.

Third, the Respondents addressed the Company's opposition to the inclusion of County Alternative 3 in the public notice, and the Company's claims of significant routing impediments, physical constraints on expanding the Walney Substation, and additional impacts on property, public recreation resources, and environmental resources. The Respondents argue County Alternative 3 is the only alternative proposed for publication that examines a routing alternative from the east. The Respondents ask that the Commission direct the Company to file supplemental testimony addressing whether County Alternative 3, or another routing solution from the east, warrants publication and additional consideration.

Finally, the Respondents addressed the apparent defects in the map appended to the Company's notice. The Respondents note that the Company's Response does not directly address those issues, but the Company's proposed notice corrects those deficiencies.

In order for the Commission to consider a route for a proposed electrical transmission line of 138 kV or more, notice to the public, local governing authorities, and affected landowners must be provided pursuant to § 56-46.1 B of the Code. The statute directs the Commission to provide the notice; however, the Commission usually directs the utility proposing to build the transmission line to provide the notice. The costs of providing such notice are not inconsequential. Consequently, there must be a reasonable likelihood that the electric transmission line may be constructed before the Commission should require the utility to provide such notice. The Company performed an initial review of the five alternative routes proposed by the Respondents. The Company has no objection to noticing County Alternatives 1b and 2b; however, the Company objects to providing notice of County Alternatives 1, 2, and 3. The Company determined that County Alternatives 1 and 2 are impacted by height restrictions and future runway expansion planned for Dulles Airport and that County Alternative 3 is impacted by physical constraints at an existing substation. Notwithstanding those significant routing impediments, the Respondents still seek to have the Company provide notice of County Alternatives 1, 2, and 3. I disagree. At this time, it appears unlikely that County Alternatives 1, 2, or 3 could be constructed. I find that requiring notice of

those alternative routes would be premature, unduly costly, and would cause undue anxiety for landowners along routes where no reasonable likelihood exists that an electric transmission line will ever be constructed. It should be noted that nothing in this Ruling precludes the Respondents from retaining their own expert witnesses; coordinating with the Metropolitan Washington Airports Authority; undertaking their own analysis of County Alternatives 1, 2, and 3; and going forward on the evidence to establish that County Alternatives 1, 2, or 3, or any other routing solutions from the east, are viable electric transmission line routes. If such evidence is developed, the issue of notice for those qualifying routes will be reconsidered at the appropriate time. Accordingly,

**IT IS DIRECTED THAT:**

(1) A local public hearing shall be convened on October 27, 2015, at 6:00 p.m. at Loudoun County Government Center, Board of Supervisors Board Room, 1 Harrison Street S.E., Leesburg, Virginia 20177, 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 and Procedure;

(2) A second local public hearing shall be convened on October 29, 2015, at 6:00 p.m. at Freedom High School, Auditorium, 25450 Riding Center Drive, Chantilly, Virginia 20152, 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 and Procedure;

(3) A public evidentiary hearing on the Application shall be convened on February 2, 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;

(4) On or before October 16, 2015, Dominion Virginia Power shall cause to be sent by first-class mail a copy of the notice and sketch map prescribed in Paragraph (5) to all owners, as of the date of this Ruling, of property within the proposed and alternative 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;

(5) On or before October 16, 2015, Dominion Virginia Power shall publish in two (2) successive weeks the notice appended hereto as Attachment 1 and the sketch map of the proposed and alternative routes appended hereto as Attachment 2 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;

(6) On or before October 16, 2015, Dominion Virginia Power shall serve a copy of this Ruling on the chairman of the board of supervisors or mayor of every county, city, and town

through which the proposed and alternative routes are to be built. Dominion Virginia Power shall serve these persons by certified mail, return receipt requested;

(7) On or before October 16, 2015, the Company shall file proof of the notice and service required by Paragraphs (4), (5), and (6), 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;

(8) On or before October 30, 2015, any person or entity impacted by Loudoun County Alternative Route 1b or 2b 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 Paragraph (7), and the respondent simultaneously shall 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;

(9) 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;

(10) On or before November 6, 2015, the Company shall file its Supplemental Direct Testimony on Loudoun County Alternatives 1b and 2b. The Company shall serve a copy thereof on counsel to the Staff and all respondents. The Company is directed to formally coordinate its evaluation of Loudoun County Alternatives 1b and 2b with the Metropolitan Washington Airports Authority;

(11) On or before January 6, 2016, any interested person may file written comments on the Application with the Clerk of the Commission at the address set forth in Paragraph (7). Any interested person desiring to submit comments electronically may do so on or before January 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;

(12) On or before January 6, 2016, each respondent may file with the Clerk of the Commission at the address set forth in Paragraph (7) and serve on counsel to the 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;

(13) On or before January 13, 2016, the 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. The Staff shall serve a copy thereof on counsel to the Company and all respondents;

(14) On or before January 22, 2016, the Company shall file with the Clerk of the Commission: (a) any rebuttal testimony and exhibits that it expects to offer. 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 counsel to 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 Paragraph (7);

(15) 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.*; and

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

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 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, Richmond, VA 23219.

# ATTACHMENT 1

**NOTICE TO THE PUBLIC OF AN APPLICATION BY VIRGINIA ELECTRIC AND POWER COMPANY 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**

**CASE NO. PUE-2015-00053**

On May 20, 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 Poland Road 230 kV double circuit transmission line loop and 230-34.5 kV Poland Road 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 Loudoun County a new 230-34.5 kV Poland Road Substation and a new approximately four-mile overhead 230 kV double circuit transmission line between a tap of existing 230 kV Loudoun – Brambleton Line #2094 and the proposed Poland Road Substation ("Poland Road Loop"). The Poland Road Loop and Poland Road Substation are referred to herein as the "Project." The proposed in-service date for the Project is June of 2018.

Dominion Virginia Power states in its Application that no existing right-of-way is available to accommodate the proposed Project. Thus, new right-of-way is required for the entire route of the line. Dominion Virginia Power has identified a proposed route, as well as two alternative routes, for the Commission's consideration. The proposed route parallels Highway Route 50 for substantially all of its length, commencing at a tap point on the existing 230 kV Loudoun – Brambleton electric transmission Line #2094 and terminating at the proposed Poland Road Substation.

In its Application, Dominion Virginia Power estimates that it will take 18 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 $54.5 million.

Dominion Virginia Power asserts that the proposed Project is necessary to provide service to a new data center campus in Loudoun 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 planning criteria.

Loudoun County and several other Respondents intervened in this case and proposed five alternative transmission line routes for the Commission's consideration. After an initial review of the alternative routes by the Company, the Company determined that two of the routes could accommodate its transmission line, but that serious impediments exist that would preclude construction along the other three routes. The County's two alternative transmission line routes being noticed at this time pursuant to § 56-46.1 of the Code are set forth below.

## Transmission Line Routes for the Proposed Project

### Dominion Virginia Power Proposed Route

The Proposed Route commences at a tap point along the existing 230 kV Loudoun – Brambleton electric transmission line #2094, approximately 800 feet south of Highway Route 50, and extends for approximately 4.0 miles paralleling Highway Route 50 before terminating at the proposed Poland Road Substation. From the tap point, the Proposed Route angles to the northeast for 1,200 feet where it parallels Highway Route 50 traveling southeasterly on the south side of the roadway for approximately 1.9 miles. It then crosses to the north side of Highway Route 50 east of the intersection with Loudoun County Parkway/Old Ox Road. The Proposed Route then travels along the south side of South Perimeter Road (Metropolitan Washington Airport Authority property boundary). At this point, the Proposed Route turns south along the east side of Vance Road for approximately 920 feet until it reaches the north side of Highway Route 50. The Proposed Route continues along the north side of Highway Route 50 until it angles to the east, veering away to avoid development for a distance of approximately 0.2 miles. On the east side of the development, the Proposed Route angles sharply to the southwest for approximately 530 feet, crossing Highway Route 50 and entering the proposed Poland Road Substation property.

## Alternative Routes

### Dominion Virginia Power Alternate Route A

Dominion Virginia Power Alternate Route A commences at the northern tap point along the existing 230 kV Loudoun – Brambleton electric transmission Line # 2094, approximately 1,500 feet north of Highway Route 50 at the intersection of Racefield Lane. It travels northeast for approximately 2,000 feet from the tap point, before turning sharply to the southeast to follow parcel boundaries for approximately 0.8

miles. The route then continues east parallel to property boundaries for approximately 1,050 feet. At this point, it turns sharply to the southwest to parallel Amethyst Lane and property boundaries for 1,200 feet, where it turns sharply to the southeast to parallel the north side of Route 50 for 0.8 miles. The route then crosses Route 50 west of the Loudoun County Parkway/Old Ox Road intersection, and travels along the south side of Route 50 for approximately 700 feet, before turning east for 350 feet and crossing over Route 50. It then parallels the north side of Route 50 for approximately 1,900 feet and crosses Vance Road. At this point, the route turns east to parallel the south side of the quarry property for approximately 1,270 feet. It then turns southwest for 520 feet before turning southeast to parallel the north side of Route 50 for approximately 1,270 feet. The route continues along the north side of Route 50 until it angles to the east, veering away to avoid development for a distance of approximately 0.2 miles. On the east side of the development, the route angles sharply to the south for approximately 530 feet, crossing Route 50 and entering the proposed Poland Road Substation property.

**Dominion Virginia Power Alternate Route B**

Dominion Virginia Power Alternate Route B commences at a tap point along the existing 230 kV Loudoun – Brambleton electric transmission line #2094, approximately 800 feet south of Route 50, and extends for approximately 4.0 miles paralleling Route 50 before terminating at the proposed Poland Road Substation. From the tap point, the route angles to the northeast for 1,200 feet where it parallels Route 50 traveling southeasterly on the south side of the roadway for approximately 3.5 miles, then enters the proposed Poland Road Substation property.

**Loudoun County Alternative Route 1b**

Loudoun County Alternative Route 1b commences at a tap point along the 230 kV Brambleton – Beco electric transmission line #2137 and 230 kV Brambleton – Beaumeade electric transmission line #2095 transmission corridor and travels southwest for 1,800 feet crossing Route 606. The route then travels south paralleling Route 606 on the east and then west side for 7,000 feet. Prior to the Route 50 and Route 606 interchange, the route turns sharply east crossing Route 606 continuing for 2,500 feet intersecting Vance Road and then turns southeast for 900 feet. At this point, the route turns east parallel to the north side of Route 50 for approximately 1.0 miles and then angles to the northeast, away from Route 50, to avoid development immediately adjacent to the roadway (approximately 0.2 miles). On the east side of the development, the route angles sharply to the south, crossing Route 50 and entering the proposed Poland Road Substation property (530 feet).

**Loudoun County Alternative Route 2b**

Loudoun County Alternative Route 2b commences at the northern tap point along the 230 kV Loudoun – Brambleton electric transmission line #2094, approximately 1,500 feet north of Route 50, at the intersection of Racefield Lane. The route parallels Racefield Lane for approximately 1,600 feet from the tap point, before turning sharply to the southeast to follow parcel boundaries for 2,700 feet crossing Stone Spring Boulevard. The route then continues east paralleling the north side of Dulles South Parkway for 4,600 feet. The route continues 2,000 feet parallel to Dulles South Parkway turning northeast before intersecting Route 606. The route then shifts sharply southeast paralleling Route 606 on the west side for 2,100 feet before turning sharply east crossing Route 606 and continuing for 2,500 feet. The route intersects Vance Road and turns southeast for 900 feet. At this point, the route turns east parallel to the north side of Route 50 for approximately 1.0 miles and then angles to the northeast, away from Route 50, to avoid development immediately adjacent to the roadway (approximately 0.2 miles). On the east side of the development, the route angles sharply to the south, crossing Route 50 and entering the proposed Poland Road Substation property (530 feet).

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings in Leesburg and Richmond, Virginia. A local public hearing will be convened on October 27, 2015, at 6:00 p.m. at Loudoun County Government Center, Board of Supervisors Board Room, 1 Harrison Street S.E., Leesburg, Virginia 20177, for the sole purpose of receiving testimony of public witnesses. A second local public hearing will be convened on October 29, 2015, at 6:00 p.m. at Freedom High School, Auditorium, 25450 Riding Center Drive, Chantilly, Virginia 20152, for the sole purpose of receiving testimony of public witnesses. The public hearing will resume on February 2, 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: Ben Saunders

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 impacted by Loudoun County Alternative Route 1b or 2b may participate as a respondent in this proceeding by filing, on or before October 30, 2015, 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-2015-00053. 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.

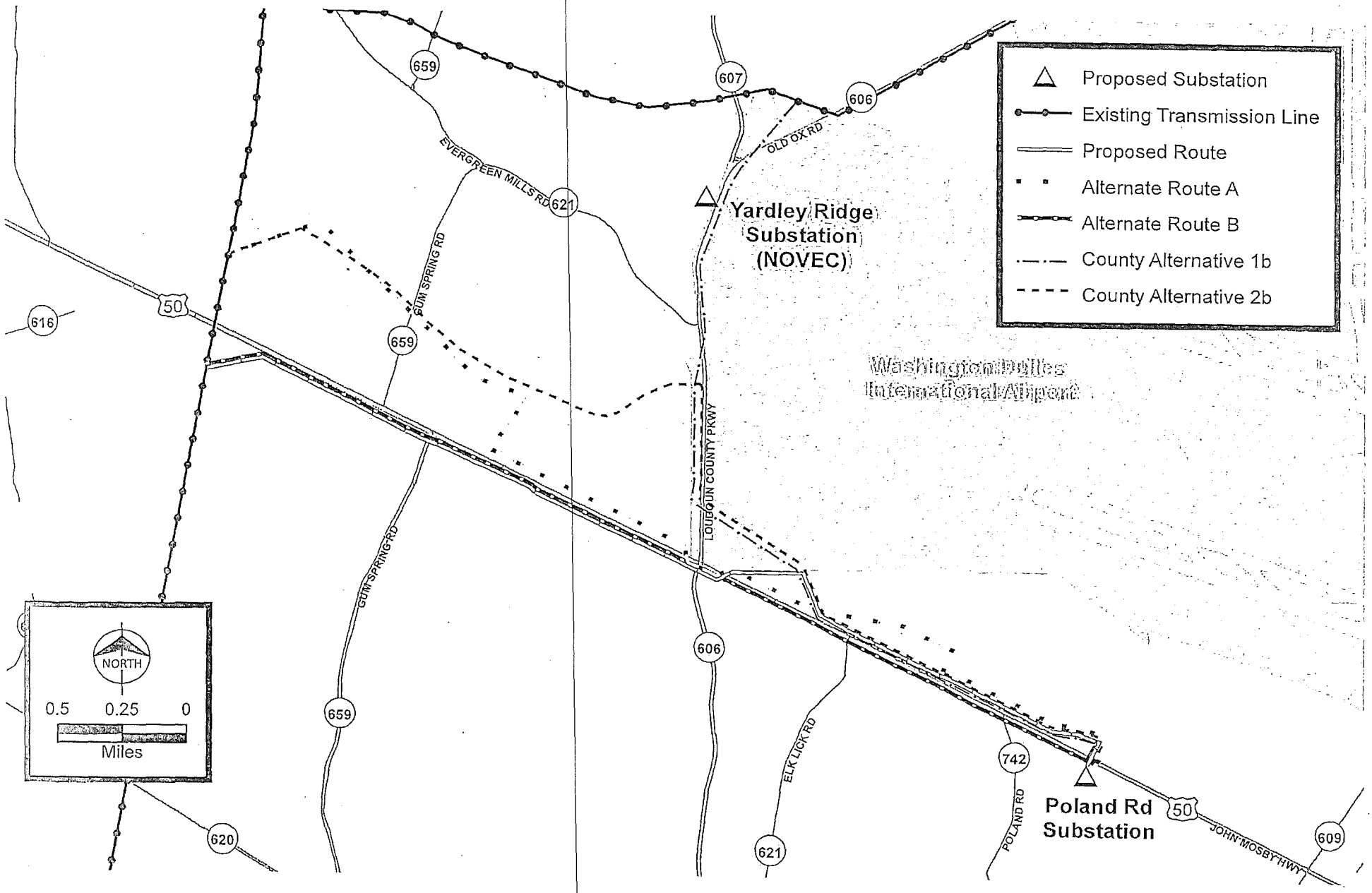
On or before January 6, 2016, any interested person wishing to comment on the Application shall file written comments on the

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 January 6, 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-2015-00053.

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

# ATTACHMENT 2


Proposed Substation
Existing Transmission Line
Proposed Route
Alternate Route A
Alternate Route B
County Alternative 1b
County Alternative 2b
Yardley Ridge Substation (NOVEC)
Poland Rd Substation
Washington Dulles International Airport
EVERGREEN MILLS RD
GUM SPRING RD
OLD OX RD
LOUDOUN COUNTY PKWY
ELK LICK RD
POLAND RD
JOHN MOSBY HWY
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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 18, 2015

SCC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER

2015 JUN 18 P 2:31

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

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

AMENDING ORDER FOR NOTICE AND HEARING

On May 20, 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 Poland Road 230 kV double circuit transmission line loop and 230-34.5 kV Poland Road 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 Loudoun County a new 230-34.5 kV Poland Road Substation and a new approximately four-mile overhead 230 kV double circuit transmission line between a tap of existing 230 kV Loudoun-Brambleton Line #2094 and the proposed Poland Road Substation ("Poland Road Loop").[1] The Poland Road Loop and Poland Road Substation are referred to herein as the "Project." The proposed in-service date for the Project is June of 2018.[2]

Dominion Virginia Power states in its Application that no existing right-of-way is available to accommodate the proposed Project. Thus, new right-of-way is required for the

[1] Application at 2.

[2] *Id.*

entire route of the line.[3] Dominion Virginia Power has identified a proposed route, as well as two alternative routes, for the Commission's consideration.[4] The proposed route parallels Highway Route 50 for substantially all of its length, commencing at a tap point on the existing 230 kV Loudoun-Brambleton electric transmission Line #2094 and terminating at the proposed Poland Road Substation.[5]

In its Application, Dominion Virginia Power estimates that it will take 18 months to construct the proposed Project and 12 months for engineering, material procurement, and construction permitting.[6] The Company estimates the cost of the proposed Project to be approximately $54.5 million.[7]

Dominion Virginia Power asserts that the proposed Project is necessary to provide service to a new data center campus in Loudoun 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.[8]

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

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[3] *Id.*

[4] *Id.* at 3.

[5] *Id.*; Prefiled Direct Testimony of Benjamin Saunders at 6.

[6] Application at 3.

[7] *Id.*

[8] *Id.* at 2.

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").[9] 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.[10]

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"),[11] the Commission must 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.[12]

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

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[9] *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).

[10] Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated May 28, 2015, to David L. Davis, Department of Environmental Quality, filed in Case No. PUE-2015-00053.

[11] *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, Order Distributing Memorandum of Agreement, 2002 S.C.C. Ann. Rept. 559 (Aug. 14, 2002).

[12] Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated May 28, 2015, to Bettina Sullivan, Department of Environmental Quality, filed in Case No. PUE-2015-00053.

§ 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-2015-00053.

(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"),[13] 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 August 18, 2015, at 5:30 p.m. at Loudoun County Government Center, Board of Supervisors Board Room, 1 Harrison Street S.E., Leesburg, Virginia 20177, 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.

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[13] 5 VAC 5-20-10 *et seq.*

(4) A public evidentiary hearing on the Application shall be convened on October 27, 2015, 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 July 16, 2015, 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 July 16, 2015, 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 92 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: POLAND ROAD 230 KV DOUBLE CIRCUIT TRANSMISSION LINE LOOP AND 230-34.5 KV POLAND ROAD SUBSTATION
CASE NO. PUE-2015-00053

On May 20, 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 Poland Road 230 kV double circuit transmission line loop and 230-34.5 kV Poland Road 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 Loudoun County a new 230-34.5 kV Poland Road Substation and a new approximately four-mile overhead 230 kV double circuit transmission line between a tap of existing 230 kV Loudoun-Brambleton Line #2094 and the proposed Poland Road Substation ("Poland Road Loop"). The Poland Road Loop and Poland Road Substation are referred to herein as the "Project." The proposed in-service date for the Project is June of 2018.

Dominion Virginia Power states in its Application that no existing right-of-way is available to accommodate the proposed Project. Thus, new right-of-way is required for the entire route of the line. Dominion Virginia Power has identified a proposed route, as well as two alternative routes, for the Commission's

consideration. The proposed route parallels Highway Route 50 for substantially all of its length, commencing at a tap point on the existing 230 kV Loudoun-Brambleton electric transmission Line #2094 and terminating at the proposed Poland Road Substation.

In its Application, Dominion Virginia Power estimates that it will take 18 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 $54.5 million.

Dominion Virginia Power asserts that the proposed Project is necessary to provide service to a new data center campus in Loudoun 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 planning criteria.

## Transmission Line Routes for the Proposed Project

### Proposed Route

The Proposed Route commences at a tap point along the existing 230 kV Loudoun – Brambleton electric transmission line #2094, approximately 800 feet south of Highway Route 50, and extends for approximately 4.0 miles paralleling Highway Route 50 before terminating at the proposed Poland Road Substation. From the tap point, the Proposed Route angles to the northeast for 1,200 feet where it parallels Highway Route 50 traveling southeasterly on the south side of the roadway for approximately 1.9 miles. It then crosses to the north side of Highway Route 50 east of the intersection with Loudoun County Parkway/Old Ox Road. The Proposed Route then travels along the south side of South Perimeter Road (Metropolitan Washington Airport Authority property boundary). At this point, the Proposed Route turns south along the east side of Vance Road for approximately 920 feet until it reaches the north side of Highway Route 50. The Proposed Route continues along the north side of Highway Route 50 until it angles to the east, veering away to avoid development for a distance of approximately 0.2 miles. On the east side of the development, the Proposed Route angles sharply to the southwest for approximately 530 feet, crossing Highway Route 50 and entering the proposed Poland Road Substation property.

## Alternative Routes

### Alternate Route A

Alternate Route A commences at the northern tap point along the existing 230 kV Loudoun-Brambleton electric transmission Line # 2094, approximately 1,500 feet north of Highway Route 50 at the intersection of Racefield Lane. It travels northeast for approximately 2,000 feet from the tap point, before turning sharply to the southeast to follow parcel boundaries for approximately 0.8 miles. Alternate Route A then continues east parallel to property boundaries for approximately 1,050 feet. At this point, it turns sharply to the southwest to parallel Amethyst Lane and property boundaries for 1,200 feet, where it turns sharply to the southeast to parallel the north side of Highway Route 50 for 0.8 miles. Alternate Route A then crosses Highway Route 50 west of the Loudoun County Parkway/Old Ox Road intersection, and travels along the south side of Highway Route 50 for approximately 700 feet, before turning east for 350 feet and crossing over Highway Route 50. It then parallels the north side of Highway Route 50 for approximately 1,900 feet and crosses Vance Road. At this point it turns east to parallel the south side of the quarry property for approximately 1,270 feet. It then turns southwest for 520 feet before turning southeast to parallel the north side of Highway Route 50 for approximately 1,270 feet. Alternate Route A continues along the north side of Highway Route 50 until it angles to the east, veering away to avoid development for a distance of approximately 0.2 miles. On the east side of the development, Alternate Route A angles sharply to the south for approximately 530 feet, crossing Highway Route 50 and entering the proposed Poland Road Substation property.

### Alternate Route B

Alternate Route B commences at a tap point along the existing 230 kV Loudoun – Brambleton electric transmission line #2094, approximately 800 feet south of Highway Route 50, and extends for approximately 4.0 miles paralleling Highway Route 50 before terminating at the proposed Poland Road Substation. From the tap point, the Proposed Route angles to the northeast for 1,200 feet where it parallels Highway Route 50 traveling southeasterly on the south side of the roadway for approximately 3.5 miles, then enters the proposed Poland Road Substation property.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings in Leesburg and Richmond, Virginia. A local public hearing will be convened on August 18, 2015, at 5:30 p.m. at Loudoun County Government Center, Board of Supervisors Board Room, 1 Harrison Street S.E., Leesburg, Virginia 20177, for the sole purpose of receiving testimony of public witnesses. The public hearing will resume on October 27, 2015, 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: Ben Saunders

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 August 18, 2015, 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-2015-00053. 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 October 20, 2015, 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 October 20, 2015, 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-2015-00053.

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 July 16, 2015, 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 July 30, 2015, 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 October 20, 2015, 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 October 20, 2015, 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.

(11) On or before August 18, 2015, 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-2015-00053.

(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 September 8, 2015, each respondent may file with the Clerk of the Commission at the address set forth in 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-2015-00053.

(14) The Staff shall investigate the Application. On or before October 1, 2015, 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 October 13, 2015, 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.[14] 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.

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[14] 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-2015-00053, in the appropriate box.

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; Kristian M. Dahl, Esquire, McGuireWoods LLP, One James Center, 901 East Cary Street, Richmond, Virginia 23219; and C. Meade Browder, Jr., Senior Assistant Attorney General, Office of the Attorney General, Division of Consumer Counsel, 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.

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 17, 2015

SCC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER

2015 JUN 17 P 4: 29

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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

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

ORDER FOR NOTICE AND HEARING

On May 20, 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 Poland Road 230 kV double circuit transmission line loop and 230-34.5 kV Poland Road 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 Loudoun County a new 230-34.5 kV Poland Road Substation and a new approximately four-mile overhead 230 kV double circuit transmission line between a tap of existing 230 kV Loudoun-Brambleton Line #2094 and the proposed Poland Road Substation ("Poland Road Loop").[1] The Poland Road Loop and Poland Road Substation are referred to herein as the "Project." The proposed in-service date for the Project is June of 2018.[2]

Dominion Virginia Power states in its Application that no existing right-of-way is available to accommodate the proposed Project. Thus, new right-of-way is required for the

[1] Application at 2.

[2] *Id.*

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entire route of the line.[3] Dominion Virginia Power has identified a proposed route, as well as two alternative routes, for the Commission's consideration.[4] The proposed route parallels Highway Route 50 for substantially all of its length, commencing at a tap point on the existing 230 kV Loudoun-Brambleton electric transmission Line #2094 and terminating at the proposed Poland Road Substation.[5]

In its Application, Dominion Virginia Power estimates that it will take 18 months to construct the proposed Project and 12 months for engineering, material procurement, and construction permitting.[6] The Company estimates the cost of the proposed Project to be approximately $54.5 million.[7]

Dominion Virginia Power asserts that the proposed Project is necessary to provide service to a new data center campus in Loudoun 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.[8]

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

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[3] *Id.*

[4] *Id.* at 3.

[5] *Id.*; Prefiled Direct Testimony of Benjamin Saunders at 6.

[6] Application at 3.

[7] *Id.*

[8] *Id.* at 2.

150620258

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").[9] 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.[10]

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"),[11] the Commission must 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.[12]

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

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[9] *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).

[10] Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated May 28, 2015, to David L. Davis, Department of Environmental Quality, filed in Case No. PUE-2015-00053.

[11] *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, Order Distributing Memorandum of Agreement, 2002 S.C.C. Ann. Rept. 559 (Aug. 14, 2002).

[12] Letter from Alisson P. Klaiber, Esquire, State Corporation Commission, dated May 28, 2015, to Bettina Sullivan, Department of Environmental Quality, filed in Case No. PUE-2015-00053.

150920258

§ 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-2015-00053.

(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"),[13] 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 August 18, 2015, at 5:30 p.m. at Park View High School Auditorium, 400 West Laurel Avenue, Sterling, Virginia 20164, 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.

[13] 5 VAC 5-20-10 *et seq.*

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(4) A public evidentiary hearing on the Application shall be convened on October 27, 2015, 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 July 16, 2015, 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,

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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 July 16, 2015, 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 92 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: POLAND ROAD 230 KV DOUBLE CIRCUIT TRANSMISSION LINE LOOP AND 230-34.5 KV POLAND ROAD SUBSTATION
CASE NO. PUE-2015-00053

On May 20, 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 Poland Road 230 kV double circuit transmission line loop and 230-34.5 kV Poland Road 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 Loudoun County a new 230-34.5 kV Poland Road Substation and a new approximately four-mile overhead 230 kV double circuit transmission line between a tap of existing 230 kV Loudoun-Brambleton Line #2094 and the proposed Poland Road Substation ("Poland Road Loop"). The Poland Road Loop and Poland Road Substation are referred to herein as the "Project." The proposed in-service date for the Project is June of 2018.

Dominion Virginia Power states in its Application that no existing right-of-way is available to accommodate the proposed Project. Thus, new right-of-way is required for the entire route of the line. Dominion Virginia Power has identified a proposed route, as well as two alternative routes, for the Commission's

consideration. The proposed route parallels Highway Route 50 for substantially all of its length, commencing at a tap point on the existing 230 kV Loudoun-Brambleton electric transmission Line #2094 and terminating at the proposed Poland Road Substation.

In its Application, Dominion Virginia Power estimates that it will take 18 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 $54.5 million.

Dominion Virginia Power asserts that the proposed Project is necessary to provide service to a new data center campus in Loudoun 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 planning criteria.

## Transmission Line Routes for the Proposed Project

### Proposed Route

The Proposed Route commences at a tap point along the existing 230 kV Loudoun – Brambleton electric transmission line #2094, approximately 800 feet south of Highway Route 50, and extends for approximately 4.0 miles paralleling Highway Route 50 before terminating at the proposed Poland Road Substation. From the tap point, the Proposed Route angles to the northeast for 1,200 feet where it parallels Highway Route 50 traveling southeasterly on the south side of the roadway for approximately 1.9 miles. It then crosses to the north side of Highway Route 50 east of the intersection with Loudoun County Parkway/Old Ox Road. The Proposed Route then travels along the south side of South Perimeter Road (Metropolitan Washington Airport Authority property boundary). At this point, the Proposed Route turns south along the east side of Vance Road for approximately 920 feet until it reaches the north side of Highway Route 50. The Proposed Route continues along the north side of Highway Route 50 until it angles to the east, veering away to avoid development for a distance of approximately 0.2 miles. On the east side of the development, the Proposed Route angles sharply to the southwest for approximately 530 feet, crossing Highway Route 50 and entering the proposed Poland Road Substation property.



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## Alternative Routes

### Alternate Route A

Alternate Route A commences at the northern tap point along the existing 230 kV Loudoun-Brambleton electric transmission Line # 2094, approximately 1,500 feet north of Highway Route 50 at the intersection of Racefield Lane. It travels northeast for approximately 2,000 feet from the tap point, before turning sharply to the southeast to follow parcel boundaries for approximately 0.8 miles. Alternate Route A then continues east parallel to property boundaries for approximately 1,050 feet. At this point, it turns sharply to the southwest to parallel Amethyst Lane and property boundaries for 1,200 feet, where it turns sharply to the southeast to parallel the north side of Highway Route 50 for 0.8 miles. Alternate Route A then crosses Highway Route 50 west of the Loudoun County Parkway/Old Ox Road intersection, and travels along the south side of Highway Route 50 for approximately 700 feet, before turning east for 350 feet and crossing over Highway Route 50. It then parallels the north side of Highway Route 50 for approximately 1,900 feet and crosses Vance Road. At this point it turns east to parallel the south side of the quarry property for approximately 1,270 feet. It then turns southwest for 520 feet before turning southeast to parallel the north side of Highway Route 50 for approximately 1,270 feet. Alternate Route A continues along the north side of Highway Route 50 until it angles to the east, veering away to avoid development for a distance of approximately 0.2 miles. On the east side of the development, Alternate Route A angles sharply to the south for approximately 530 feet, crossing Highway Route 50 and entering the proposed Poland Road Substation property.

### Alternate Route B

Alternate Route B commences at a tap point along the existing 230 kV Loudoun – Brambleton electric transmission line #2094, approximately 800 feet south of Highway Route 50, and extends for approximately 4.0 miles paralleling Highway Route 50 before terminating at the proposed Poland Road Substation. From the tap point, the Proposed Route angles to the northeast for 1,200 feet where it parallels Highway Route 50 traveling southeasterly on the south side of the roadway for approximately 3.5 miles, then enters the proposed Poland Road Substation property.

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The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings in Sterling and Richmond, Virginia. A local public hearing will be convened on August 18, 2015, at 5:30 p.m. at Park View High School Auditorium, 400 West Laurel Avenue, Sterling, Virginia 20164, for the sole purpose of receiving testimony of public witnesses. The public hearing will resume on October 27, 2015, 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.

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Attn: Timothy J. Sargeant

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

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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 August 18, 2015, 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-2015-00053. 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 October 20, 2015, 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 October 20, 2015, 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-2015-00053.

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

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(8) On or before July 16, 2015, 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 July 30, 2015, 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 October 20, 2015, 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 October 20, 2015, 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.

(11) On or before August 18, 2015, 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

150920258

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-2015-00053.

(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 September 8, 2015, each respondent may file with the Clerk of the Commission at the address set forth in 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-2015-00053.

(14) The Staff shall investigate the Application. On or before October 1, 2015, 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 October 13, 2015, the Company shall file with the Clerk of the Commission: (a) any rebuttal testimony and exhibits that it expects to offer, and each rebuttal

150620258

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.[14] 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; Kristian M. Dahl, Esquire, McGuireWoods LLP, One James Center, 901 East Cary Street, Richmond, Virginia 23219; and C. Meade Browder, Jr., Senior Assistant Attorney General, Office of the Attorney General, Division of Consumer Counsel, 900 East Main Street, Second Floor, Richmond, Virginia 23219. A copy also shall be delivered to the

[14] 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-2015-00053, in the appropriate box.

Commission's Office of General Counsel and Divisions of Energy Regulation and Utility Accounting and Finance.

150620258