

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, JULY 2, 2024

240710056
2024 JUL -2 P 3:16

APPLICATION OF

CPV COUNTY LINE SOLAR, LLC

CASE NO. PUR-2024-00092

For certificates of public convenience and necessity for a solar generating facility totaling 150 MWac in Charlotte County, Virginia

ORDER FOR NOTICE AND HEARING

On May 23, 2024, CPV County Line Solar, LLC ("CPV" or "Applicant") filed with the State Corporation Commission ("Commission"), pursuant to §§ 56-46.1, 56-265.2, and 56-580 D of the Code of Virginia ("Code"), and the Commission's Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility, 20 VAC 5-302-10 *et seq.*, an application and supporting documents ("Application") for certificates of public convenience and necessity ("CPCNs") for a solar generating facility, transmission lines, and associated facilities in Charlotte County, Virginia.¹

Through its Application, CPV seeks approval of CPCNs for the construction and operation of: (1) a solar generating facility ("Solar Generating Facility") totaling up to 150 megawatts alternating current ("AC"); (2) a set of 34.5 kilovolt ("kV") medium voltage feeder lines ("Feeder Lines") and associated facilities necessary to interconnect the Solar Generating Facility to a collector substation ("Collector Substation"); and (3) transmission lines and associated facilities necessary to interconnect the Collector Substation to the transmission grid, including a 115 kV generation-tie line ("Gen-Tie Line") to interconnect the Collector Substation

¹ Application at 1.

to the Virginia Electric and Power Company ("Dominion") transmission system at the Madisonville Substation.² The transmission and associated facilities, and the Collector Substation, are collectively referred to as the "Interconnection Facilities."³ The Solar Generating Facility, Feeder Lines, and Interconnection Facilities are collectively referred to as the "Project."

CPV states that construction of the Project is expected to commence in the fourth quarter of 2025 and is anticipated to reach substantial completion in February 2027, with testing and commissioning to take place between March and June of 2027.⁴ The Project is anticipated to be in-service in the second quarter of 2027.⁵

The Applicant represents that the Project will be located on 20 parcels, totaling approximately 1,250 acres, of which the expected fenced footprint of the proposed Solar Generating Facility is approximately 759.6 acres ("Project Site"). According to the Application, on March 13, 2024, the Applicant received a Conditional Use Permit from the Charlotte County Board of Supervisors to construct and operate the Project on the Project Site. The Application states that the Madisonville Substation, to which the Project will interconnect to the transmission system, is located approximately 1.7 miles east of the Project, on a parcel owned by the Southside Electric Cooperative.⁶

The Applicant represents that the Solar Generating Facility will use approximately 364,210 photovoltaic ("PV") modules mounted on racking systems supported by a pile-driven

² *Id.*

³ *Id.* at 1-2.

⁴ Application, Appendix 1 at 5.

⁵ Application at 3.

⁶ *Id.*

foundation design.⁷ The Applicant further represents that it intends to utilize Tier-1 single-axis tracking and 500+W-class Tier-1 solar modules, mounted on a single-axis tracking system, thereby allowing them to rotate and follow the sun's path throughout the day.⁸ CPV represents that, in compliance with Charlotte County's solar ordinance, the height of the modules, when tilted at their greatest angle, will not exceed 25 feet.⁹

The Applicant represents that the Project will also include approximately 48 inverters to convert the direct current electricity to AC.¹⁰ Each inverter will be mounted on a concrete foundation and will not exceed 25 feet in height.¹¹ The AC output from the inverters will be routed through Feeder Lines and consolidated at the Collector Substation, where the energy will be stepped up from 34.5 kV to 115 kV.¹² The Gen-Tie Line will carry the power from the Collector Substation to the Madisonville Substation.¹³

CPV represents that the Project will require approximately 15.36 miles of 34.5 kV medium voltage Feeder Lines to connect the panels and inverters internally, and an approximately 1.8 miles 115 kV Gen-Tie Line to interconnect with the Dominion transmission system at the Madisonville Substation.¹⁴ The Applicant represents that the Gen-Tie Line begins

⁷ *Id.* at 4.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.* at 4-5.

approximately 0.85 miles south of County Line Road and travels east from the Collector Substation and enters the southwest side of the Madisonville Substation property.¹⁵

The Application states that the electricity, capacity, and associated green attributes generated from the Project will be sold pursuant to a 20-year power purchase agreement with Appalachian Power Company, which the Commission found to be prudent in Case No. PUR-2023-000212.¹⁶

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board consult on wetland impacts prior to the siting of electric utility facilities that require a CPCN. As required by Paragraph 3 of the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Wetland Impacts Consultation (July 2003),¹⁷ the Staff of the Commission ("Staff") has advised the Department of Environmental Quality ("DEQ"), acting on behalf of the State Water Control Board, that the Applicant filed its Application and that consultation may be required.¹⁸

In addition to consultation on wetlands, § 56-46.1 G of the Code directs the Commission and DEQ to coordinate the environmental review of proposed electric generating plants and associated facilities. Moreover, § 56-46.1 A of the Code provides for the Commission to receive

¹⁵ *Id.* at 5.

¹⁶ *Id.* at 5 (citing *Petition of Appalachian Power Company, For a Prudency Review, pursuant to § 56-585.1:4 H of the Code of Virginia, with respect to the purchase of the energy, capacity, and environmental attributes from solar facilities through power purchase agreements*, Case No. PUR-2023-00212, Doc. Con. Cen. No. 240350154, Final Order at 4 (Mar. 27, 2024)).

¹⁷ *In re: Receiving comments on a draft memorandum of agreement between the State Water Control Board and the State Corporation Commission*, Case No. PUE-2003-00114, 2003 S.C.C. Ann. Rept. 474, Order Distributing Memorandum of Agreement (July 30, 2003).

¹⁸ Letter from Michael J. Zielinski, Esquire, State Corporation Commission, dated June 4, 2024, to David L. Davis, CPWD, PWS, Director, Office of Wetlands & Stream Protection, DEQ, filed in Case No. PUR-2024-00092.

and to consider reports on the proposed facilities from state environmental agencies. Pursuant to the Code and consistent with 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 (August 2002),¹⁹ the Commission receives and considers reports on the proposed facilities from state environmental agencies. Accordingly, the Staff has requested DEQ to coordinate an environmental review of the Project by the appropriate agencies and to provide a report on the review.²⁰

Finally, in conjunction with the filing of its Application on May 23, 2024, CPV filed the Motion for Protective Ruling Governing Confidential Information and the Treatment of Extraordinarily Sensitive Information ("Motion for Protective Ruling") and a proposed protective ruling that establishes procedures governing the use of confidential and extraordinarily sensitive information in this proceeding.

NOW THE COMMISSION, upon consideration of the Application and applicable law, finds that: this matter should be docketed; the Applicant should give notice of the Application to interested persons and the public; a public hearing should be scheduled for the purpose of receiving testimony and evidence on the Application; interested persons and the public should have an opportunity to file comments on the Application or participate as respondents in this proceeding; and the Staff should be directed to investigate the Application and file testimony and

¹⁹ *In re Receiving comments on a draft memorandum of agreement between the Department of Environmental Quality and the State Corporation Commission*, Case No. PUE-2002-00315, 2002 S.C.C. Ann. Rept. 559, Order Distributing Memorandum of Agreement (Aug. 14, 2002).

²⁰ Letter from Michael J. Zielinski, Esquire, State Corporation Commission, dated June 4, 2024, to Bettina Rayfield, DEQ, filed in Case No. PUR-2024-00092.

exhibits containing its findings and recommendations thereon. We further find that a Hearing Examiner should be appointed to conduct further proceedings in this matter on behalf of the Commission, including ruling on the Applicant's Motion for Protective Ruling.

To promote administrative efficiency and timely service of filings upon participants, the Commission will, among other things, direct the electronic filing of testimony and pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2024-00092.

(2) All pleadings in this matter shall be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

(4) As provided by § 12.1-31 of the Code and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct further proceedings in this matter on behalf of the Commission, including ruling on the Applicant's Motion for Protective Ruling, and to file a final report. A copy of each filing made with the Commission's Clerk's office in this matter shall also be sent electronically to the Office of the Hearing Examiners.²¹

(5) The Commission hereby schedules a telephonic hearing for the receipt of testimony from public witnesses on the Application, as follows:

- (a) The portion of the hearing for the receipt of testimony from public witnesses on the Application shall be convened telephonically on November 21, 2024.
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before November 14, 2024, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.
- (d) Beginning at 10 a.m. on November 21, 2024, the Hearing Examiner appointed to this case will telephone sequentially each person who has signed up to testify as provided above.
- (e) This public witness portion of the hearing will be webcast at scc.virginia.gov/pages/Webcasting.

(6) The evidentiary portion of the hearing shall be convened at 10 a.m., on November 21, 2024, or at the conclusion of the public witness portion of the hearing, whichever is later, in the Commission's second floor courtroom located in the Tyler Building,

²¹ Such electronic copies shall be sent to: OHEParalegals@scc.virginia.gov.

1300 East Main Street, Richmond, Virginia 23219, to receive testimony and evidence offered by the Applicant, respondents, and the Staff on the Application.

(7) An electronic copy of the public version of the Application may be obtained by submitting a written request to counsel for the Applicant, Brian R. Greene, Esquire, GreeneHurlocker, PLC, 4908 Monument Ave., Suite 200, Richmond, Virginia 23230, or bgreene@greenehurlocker.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

(8) On or before July 30, 2024, the Applicant shall cause to be sent by first class mail a copy of the notice and sketch map prescribed in Ordering Paragraph (9) to all owners, as of the date of this Order, of: (1) property contiguous to the Project Site for which a CPCN has been requested, and (2) property within the route of the proposed Interconnection Facilities, as indicated on the map or sketch of the route 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.

(9) On or before July 30, 2024, the Applicant shall publish on one (1) occasion, the sketch map of the proposed Project, as provided in Exhibit P to the Application, and the following notice as display advertising (not classified) in a newspaper or newspapers of general circulation in Charlotte County, Virginia:

NOTICE TO THE PUBLIC OF THE APPLICATION OF CPV
 COUNTY LINE SOLAR, LLC, FOR CERTIFICATES OF
 PUBLIC CONVENIENCE AND NECESSITY FOR A SOLAR
 GENERATING FACILITY TOTALING 150 MWAC IN
 CHARLOTTE COUNTY, VIRGINIA
CASE NO. PUR-2024-00092

On May 23, 2024, CPV County Line Solar, LLC ("CPV" or "Applicant") filed with the State Corporation Commission ("Commission"), pursuant to §§ 56-46.1, 56-265.2, and 56-580 D of the Code of Virginia ("Code"), and the Commission's Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility, 20 VAC 5-302-10 *et seq.*, an application and supporting documents ("Application") for certificates of public convenience and necessity ("CPCNs") for a solar generating facility, transmission lines, and associated facilities in Charlotte County, Virginia.

Through its Application, CPV seeks approval of CPCNs for the construction and operation of: (1) a solar generating facility ("Solar Generating Facility") totaling up to 150 megawatts alternating current ("AC"); (2) a set of 34.5 kilovolt ("kV") medium voltage feeder lines ("Feeder Lines") and associated facilities necessary to interconnect the Solar Generating Facility to a collector substation ("Collector Substation"); and (3) transmission lines and associated facilities necessary to interconnect the Collector Substation to the transmission grid, including a 115 kV generation-tie line ("Gen-Tie Line") to interconnect the Collector Substation to the Virginia Electric and Power Company ("Dominion") transmission system at the Madisonville Substation. The transmission and associated facilities, and the Collector Substation, are collectively referred to as the "Interconnection Facilities." The Solar Generating Facility, Feeder Lines, and Interconnection Facilities are collectively referred to as the "Project."

CPV states that construction of the Project is expected to commence in the fourth quarter of 2025 and is anticipated to reach substantial completion in February 2027, with testing and commissioning to take place between March and June of 2027. The Project is anticipated to be in-service in the second quarter of 2027.

The Applicant represents that the Project will be located on 20 parcels, totaling approximately 1,250 acres, of which the

expected fenced footprint of the proposed Solar Generating Facility is approximately 759.6 acres ("Project Site"). According to the Application, on March 13, 2024, the Applicant received a Conditional Use Permit from the Charlotte County Board of Supervisors to construct and operate the Project on the Project Site. The Application states that the Madisonville Substation, to which the Project will interconnect to the transmission system, is located approximately 1.7 miles east of the Project, on a parcel owned by the Southside Electric Cooperative.

The Applicant represents that the Solar Generating Facility will use approximately 364,210 photovoltaic ("PV") modules mounted on racking systems supported by a pile-driven foundation design. The Applicant further represents that it intends to utilize Tier-1 single-axis tracking and 500+W-class Tier-1 solar modules, mounted on a single-axis tracking system, thereby allowing them to rotate and follow the sun's path throughout the day. CPV represents that, in compliance with Charlotte County's solar ordinance, the height of the modules, when tilted at their greatest angle, will not exceed 25 feet.

The Applicant represents that the Project will also include approximately 48 inverters to convert the direct current electricity to AC. Each inverter will be mounted on a concrete foundation and will not exceed 25 feet in height. The AC output from the inverters will be routed through Feeder Lines and consolidated at the Collector Substation, where the energy will be stepped up from 34.5 kV to 115 kV. The Gen-Tie Line will carry the power from the Collector Substation to the Madisonville Substation.

CPV represents that the Project will require approximately 15.36 miles of 34.5 kV medium voltage Feeder Lines to connect the panels and inverters internally, and an approximately 1.8 miles 115 kV Gen-Tie Line to interconnect with the Dominion transmission system at the Madisonville Substation. The Applicant represents that the Gen-Tie Line begins approximately 0.85 miles south of County Line Road and travels east from the Collector Substation and enters the southwest side of the Madisonville Substation property.

The Application states that the electricity, capacity, and associated green attributes generated from the Project will be sold pursuant to a 20-year power purchase agreement with Appalachian Power Company, which the Commission found to be prudent in Case No. PUR-2023-000212.

Description of the Proposed Route

CPV proposes to construct approximately 15.36 miles of 34.5 kV medium voltage Feeder Lines to connect the panels and inverters internally, and an approximately 1.8-mile 115 kV overhead Gen-Tie Line that is necessary to interconnect the Collector Substation to the Dominion transmission system at the Madisonville Substation.

The Project Site, where the Feeder Lines will be located, is accessible from the north by State Route 681 (County Line Road) and State Route 794 (Jenkins Creek Road). Access to the west of the site is available from State Route 47 (Thomas Jefferson Highway). State Route 649 (Crawley Road) intersects the Project Site in the southwestern portion.

The proposed route for the Gen-Tie Line will begin at the Project's Collector Substation and travel approximately 1.8 miles east to the existing Madisonville Substation. The Gen-Tie Line will cross Wards Fork Mill Rd. (State Route 661) and Norfolk Southern's train tracks. It is anticipated that up to two structures will be needed at each crossing with a minimum height of 70 feet and maximum height of 90 feet, subject to final engineering design and clearances associated with Norfolk Southern's design requirements. Other structures will be required for the proposed route ranging in height from 65 feet to 80 feet, pending final design.

All distances and directions are approximate. A sketch map of the proposed Project accompanies this notice. A more detailed map of the proposed routes may be viewed on the Commission's website: scc.virginia.gov/pages/Transmission-Line-Projects. A more complete description of the proposed Project may be found in the Application.

The Commission may consider Project site(s) and/or generation-tie line(s) and transmission route(s) not significantly different from the Project site and/or generation-tie line(s) and transmission route(s) described in this notice without additional notice to the public.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings on CPV's Application. On November 21, 2024, at 10 a.m., the Hearing Examiner will hold a telephonic hearing, for

the purpose of receiving the testimony of public witnesses. On or before November 14, 2024, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Hearing Examiner to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141. This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

On November 21, 2024, at 10 a.m. or at the conclusion of the public witness portion of the hearing, whichever is later, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, the Hearing Examiner will convene a hearing to receive testimony and evidence related to the Application from CPV, any respondents, and the Commission's Staff.

To promote administrative efficiency and timely service of filings upon participants, the Commission has directed the electronic filing of testimony and pleadings, unless they contain confidential information, and has required electronic service on parties to this proceeding.

An electronic copy of the public version of the Application also may be obtained by submitting a written request to counsel for the Applicant, Brian R. Greene, Esquire, GreeneHurlocker, PLC, 4908 Monument Ave., Suite 200, Richmond, Virginia 23230, or bgreene@greenehurlocker.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

On or before November 14, 2024, any interested person may submit comments on the Application electronically by following the instructions on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2024-00092.

On or before August 27, 2024, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission at: scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Notices of participation shall include the email address of the party or its counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Applicant. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure ("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. PUR-2024-00092.

On or before September 25, 2024, each respondent may file electronically with the Clerk of the Commission at scc.virginia.gov/clk/efiling 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. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address listed above. All testimony and exhibits shall be served on the Commission's Staff, the Applicant, and all other respondents simultaneous with its filing. In all filings, respondents shall comply with the Commission's Rules of Practice, as modified by the Commission's Order for Notice and Hearing, including, but not limited to: 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2024-00092.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Hearing, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The Commission's Rules of Practice, the Commission's Order for Notice and Hearing, and the public version of the Application and other documents filed in this case may be viewed

on the Commission's website at:
scc.virginia.gov/pages/Case-Information.

CPV COUNTY LINE SOLAR, LLC

(10) On or before July 30, 2024, the Applicant shall serve a copy of this Order for Notice and Hearing on the following officials, to the extent the position exists in Charlotte County: the chairman of the board of supervisors of the county; the mayor or manager (or equivalent official) of every city and town; and the county attorney. Service shall be made electronically where possible; if electronic service is not possible, service shall be made by either personal delivery or first class mail to the customary place of business or residence of the person served.

(11) On or before August 20, 2024, the Applicant shall file proof of the notice and service required by Ordering Paragraphs (9) and (10), including the name, title, and address of each official served, with the Clerk of the Commission by filing electronically at scc.virginia.gov/clk/efiling/.

(12) On or before August 20, 2024, the Applicant shall file with the Clerk of the Commission, electronically at scc.virginia.gov/clk/efiling, a certificate of mailing of the notice to owners of property prescribed by Ordering Paragraph (8). The certificate shall not include the names and addresses of the owners of property served, but the Applicant shall maintain a record of this information.

(13) On or before November 14, 2024, any interested person may file comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2024-00092.

(14) On or before August 27, 2024, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (13). Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Applicant. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the 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. PUR-2024-00092.

(15) Within five (5) business days of receipt of a notice of participation as a respondent, the Applicant shall serve upon the respondent a copy of the public version of the Application and supporting materials, unless these materials already have been provided to the respondent.

(16) On or before September 25, 2024, each respondent may file, with the Clerk of the Commission at scc.virginia.gov/clk/efiling, any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address in Ordering Paragraph (13). Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Staff, the Applicant and all other respondents simultaneous with its filing. In all filings, respondents shall comply with the Rules

of Practice, as modified herein, including, but not limited to: 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2024-00092.

(17) The Staff shall investigate the Application. On or before October 9, 2024, the Staff shall file with the Clerk of the Commission its 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 Applicant and all respondents.

(18) On or before October 23, 2024, CPV shall file with the Clerk of the Commission 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. The Applicant shall serve a copy of its rebuttal testimony and exhibits on the Staff and all respondents. Additionally, the Applicant shall serve a copy of its rebuttal testimony and exhibits on DEQ by email to bettina.rayfield@deq.virginia.gov.

(19) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Rules of Practice.

(20) The Rules 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) calendar 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

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 the Staff.²² Except as modified herein, discovery shall be in accordance with Part IV of the Rules of Practice, 5 VAC 5-20-240 *et seq.*

(21) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

²² The assigned Staff attorney is identified on the Commission's website, scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2024-00092, in the appropriate box.