

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

150220163

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

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

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 (“MCAA”);

(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;

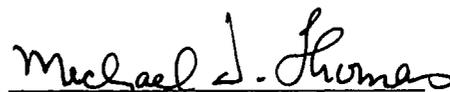
(11) On or before April 21, 2016, each respondent may file with the Clerk of the Commission at the address set forth in Paragraph (6) and serve on Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case. Each witness's testimony 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.

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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

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

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

ATTACHMENT 2

