

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 29, 2017

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2017 AUG 29 P 3:41

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE-2015-00117

For approval and certification of
electric transmission facilities:
Remington-Gordonsville 230 kV Double Circuit
Transmission Line

FINAL ORDER

On November 13, 2015, Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion" or "Company")¹ filed with the State Corporation Commission ("Commission") an application ("Application") for a certificate of public convenience and necessity for the proposed Remington-Gordonsville 230 kilovolt ("kV") Double Circuit Transmission Line. Dominion filed the Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, § 56-265.1 *et seq.*

Dominion proposes to (a) construct, entirely along and primarily within existing right-of-way, approximately 38.2 miles of 230 kV Remington-Gordonsville Line #2153 in Fauquier, Culpeper, Orange, and Albemarle Counties between its existing Remington Substation in Fauquier County and existing Gordonsville Substation in Albemarle County; and (b) construct and install associated 230 kV facilities at Dominion's Gordonsville and Remington Substations (collectively, the "Project").² The proposed in-service date for the Project is June 2019.³

¹ Effective May 12, 2017, Virginia Electric and Power Company changed its "doing business as" name from Dominion Virginia Power to Dominion Energy Virginia.

² Exhibit ("Ex.") 2 (Application) at 2.

³ *Id.*

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In its Application, the Company proposes to install double circuit single-shaft weathered steel pole structures with an average height of 103-107 feet⁴ to allow the installation of a second circuit along the existing right-of-way between Remington Junction and the Gordonsville Substation,⁵ 22.2 miles of which is 100 feet in width while the remaining 16.0 miles of the existing corridor is 70 feet in width.⁶ The Company states that it would seek to expand existing easements or acquire additional easements to establish a 100-foot right-of-way for the length of the Project where practically feasible.⁷

Dominion asserts that the Project is necessary for the Company to continue to provide reliable electric service to customers served from the Company's existing Gordonsville Substation and to address projected violations of North American Electric Reliability Corporation ("NERC") reliability standards that could lead to service interruptions or potentially damage electrical facilities in the area.⁸ In its Application, the Company presents a proposed route and two variations of an alternative electrical solution ("Remington-Pratts Alternative") that would connect the existing Remington Substation to a new switching station in the vicinity of the existing Rappahannock Electric Cooperative's Pratts Delivery Point in Madison County, Virginia ("Pratts Station").⁹ The Company states that the two alternative routes would make use

⁴ The new Line #2153 would share the existing structures with the 500 kV Line #535 found along the 0.62 mile-long Remington Junction – Remington Substation corridor. Those structures have an approximate average height of 70 and 138 feet. See Ex. 2 (Appendix) at 81; Ex. 8 (Staff Report) at 10-11.

⁵ Ex. 2 (Application) at 3; Ex. 2 (Appendix) at 74-80.

⁶ Ex. 2 (Application) at 3-4.

⁷ *Id.* at 4.

⁸ See, e.g., *id.* at 2-3; Ex. 2 (Appendix) at 3-4.

⁹ See, e.g., Ex. 2 (Application) at 4; Ex. 2 (Appendix) at 64-65.

of the existing 115 kV corridor from Remington Substation for at least 17 miles and then would depart from the existing right-of-way to terminate at Pratts Station along new right-of-way.¹⁰

If approved, Dominion estimates that it would take 14-18 months to construct the proposed Project as well as 11 months for engineering, material procurement, right-of-way acquisition, and construction permitting.¹¹ The Company estimates the cost of the proposed Project to be approximately \$104.6 million.¹²

On December 29, 2015, the Commission issued an Order for Notice and Hearing ("Procedural Order") in this proceeding that, among other things, docketed the case; directed the Company to provide public notice of the Application; provided an opportunity for interested persons to file comments or participate in this proceeding by filing a notice of participation; directed the Commission Staff ("Staff") to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon; and scheduled a local hearing for April 28, 2016, and a hearing in Richmond for June 28, 2016.

As noted in the Procedural Order, the Staff requested that the Department of Environmental Quality ("DEQ") coordinate a review of the proposed Project by state and local

¹⁰ Ex. 2 (Application) at 4. On April 1, 2016, the Commission Staff filed a Motion for Expedited Summary Ruling that the Proposed Remington-Pratts Alternative Should Not Continue as Part of this Proceeding ("Motion for Summary Ruling"), which asserted that the Remington-Pratts Alternative does not, in and of itself, constitute an electrical solution to the loading problems in the area and should, therefore, be eliminated from further consideration herein. The Remington-Pratts Alternative relies upon a rebuild by FirstEnergy Corporation ("FirstEnergy") of facilities owned by FirstEnergy, which is not a party to this proceeding and has not agreed, or represented that it would agree, to rebuild FirstEnergy's component of the Remington-Pratts Alternative. Motion for Summary Ruling at 3. Staff represented that the Company supported the Motion for Summary Ruling and all other participants either supported or did not oppose it. *Id.* at 6. By Ruling dated April 12, 2016, the Motion for Summary Ruling was granted and the Remington-Pratts Alternative was removed from further consideration in this proceeding. *See Application of Virginia Electric and Power Company, For approval and certification of electric transmission facilities: Remington-Gordonsville 230 kV Double Circuit Transmission Line*, Case No. PUE-2015-00117, Doc. Con. Cen. No. 160410249, Hearing Examiner's Ruling (Apr. 12, 2016).

¹¹ Ex. 2 (Application) at 3.

¹² *Id.*

agencies and file a report thereon. DEQ filed its report ("DEQ Report") with the Commission on February 1, 2016. The DEQ Report provides 12 general recommendations for the Commission's consideration that are in addition to any requirements of federal, state, or local law. Specifically, the DEQ Report recommended that Dominion should:

- Conduct an on-site delineation of all wetlands and stream crossings within the Project area with verification by the U.S. Army Corps of Engineers, using accepted methods and procedures, and follow DEQ's recommendations to avoid and minimize impacts to wetlands and streams;
- Follow DEQ's recommendations regarding air quality protection, as applicable;
- Reduce solid waste at the source, reuse it and recycle it to the maximum extent practicable, as applicable;
- Coordinate with the Department of Conservation and Recreation's Division of Natural Heritage regarding its recommendations to protect natural heritage resources, including its recommendation to conduct plant surveys and a mussel inventory for certain species in the project area, as well as for updates to the Biotics Data System database if six months have passed before the Project is implemented;
- Coordinate with the Department of Game and Inland Fisheries as necessary regarding protected species;
- Coordinate with the Virginia Department of Historic Resources ("VDHR") regarding its recommendations to protect historic and archaeological resources;
- Coordinate with the Virginia Department of Health's Office of Drinking Water regarding its recommendations to protect public drinking water sources;
- Coordinate with the Virginia Outdoors Foundation ("VOF") regarding the submittal of a utility easement application;
- Follow the principles and practices of pollution prevention to the maximum extent practicable;
- Limit the use of pesticides and herbicides to the extent practicable;

- Coordinate with Orange County regarding its recommendation to mitigate the visual impacts to Route 615, a Virginia Byway; and
- Coordinate with Madison County regarding its concerns related to applicable local requirements if either Alternative Route B-1 or B-4 is chosen.¹³

Notices of Participation were filed by the following: Culpeper County; the County of Madison; the County of Orange; Piedmont Environmental Council ("PEC"); Old Dominion Electric Cooperative; the Orange Madison Culpeper Alliance ("OMC Alliance");¹⁴ Amcarwill Limited Partnership; William J. Davis, Jr.; Michael Mosko, Jr.; Herbert R. Putz; William W. Sanford; David Taylor;¹⁵ Tombstone Limited Partnership ("Tombstone"); Charlotte E. Chumlea; Stephen B. Carpenter; and Jeffrey A. Tillery.¹⁶

A local hearing was convened as scheduled on April 28, 2016, in Orange, Virginia, for the receipt of testimony of public witnesses. A total of 28 public witnesses offered testimony at that hearing. In addition, the Commission received written and electronic comments on this matter.

On May 27, 2016, Staff filed its testimony and exhibits summarizing the results of its investigation of the Company's Application. Staff concluded that the Company has demonstrated a need for the Project, and Staff agreed with the Company's proposed route for the Project.¹⁷ Staff also discussed the visual impacts of the proposed Project, due to the almost

¹³ Ex. 9 (DEQ Report) at 6-7.

¹⁴ OMC Alliance filed a Motion to Withdraw on June 16, 2016.

¹⁵ On May 19, 2016, David Taylor filed notice withdrawing from participation in the proceeding.

¹⁶ Tombstone, Ms. Chumlea, Mr. Carpenter and Mr. Tillery filed their Notices of Participation after the scheduled deadline; however the late filings were received as they did not prejudice the proceeding. *See* Hearing Examiner's Report at 2.

¹⁷ Ex. 8 (Staff Report) at 23-24.

doubling in average height of the proposed structures compared to the existing structures. Staff concurred with the Company's choice of finish (weathered steel) for the structures and recommended that the Company use non-reflecting or de-glared conductors to reduce the visual impacts further.¹⁸

In response to numerous requests by public witnesses that the structure heights be limited to 80 feet, Staff asked the Company in discovery to state the incremental impact on cost and right-of-way requirements for the use of shorter structures along the entire wreck and rebuild corridor from Remington Junction to Gordonsville Substation. As summarized in Staff testimony, the Company described two possible scenarios: (1) a hypothetical single circuit 230 kV H-frame structure, constructed alongside the existing 115 kV structures, which would be on average approximately 41 feet shorter than the proposed double circuit structures but would require a 180-foot wide right-of-way; and (2) a hypothetical double circuit H-frame structure, constructed to support both the existing 115 kV line and the new 230 kV line, which would be on average approximately 22 feet shorter than the proposed double circuit structures but would require a 140-foot wide right-of-way ("Shorter Structure Option").¹⁹ Staff did not take a position with respect to structure height; Staff noted that constructing the Project at a lower structure height appears to be technically feasible but could require a wider right-of-way or an increase in the number of structures required to accommodate the shorter, but wider, structures.²⁰ Staff noted that the cost of the Project would increase as well.²¹ Staff testified that the additional

¹⁸ *Id.* at 20-21. Staff estimated that the incremental cost of using non-reflecting or de-glared conductors would be approximately \$60,000. *Id.* at 21.

¹⁹ *Id.* at 21-22.

²⁰ *Id.* at 22-23.

²¹ *Id.* at 23.

Project costs associated with using shorter structures, estimated by the Company to be \$7.5 million excluding forestry and real estate costs,²² are reasonable in order to reduce the visual impacts to scenic, cultural, and historical resources in the region.²³

On June 13, 2016, Dominion filed a Motion for Extension and for Expedited Consideration ("Motion for Extension"), seeking additional time to evaluate and present evidence on the use of the Shorter Structure Option where feasible along portions of the Project route and to present the results of the evaluation in the Company's rebuttal testimony. The Company requested modification of the Procedural Schedule, specifically the deadlines for filing rebuttal testimony and receiving public comments and for the commencement of the evidentiary hearing. By the Hearing Examiner's Ruling dated June 14, 2016, the Motion for Extension was granted, the remaining filing dates were extended, the hearing scheduled for June 28, 2016, was retained for the sole purpose of receiving public witness testimony,²⁴ and the evidentiary hearing was rescheduled for July 28, 2016.

On July 12, 2016, Dominion filed the rebuttal testimony of its witnesses. Therein, the Company noted that the DEQ Report's recommendation that the Company coordinate with Madison County is no longer applicable because the Remington-Pratts Alternative had been eliminated from further consideration by the April 12, 2016 Hearing Examiner's Ruling.²⁵ The Company generally agreed with the recommendations included in the DEQ Report and did not object to the permit requirements described in the DEQ Report.²⁶

²² Ex. 13 (Shevenock Rebuttal) at 6.

²³ July 28, 2016 Transcript ("Tr.") 68.

²⁴ No public witnesses appeared to testify at the June 28, 2016 hearing.

²⁵ Ex. 11 (Baka Rebuttal) at 2.

²⁶ *Id.* at 3.

In its rebuttal testimony, the Company also stated that the use of non-reflecting or de-glared conductors would not be appropriate because the Aluminum-conductor steel-reinforced ("ACSR") conductors proposed in the Application "will dull naturally over time and [are] less expensive than the non-reflective conductor[s]."²⁷ Dominion stated further that the Company evaluated the potential use of the Shorter Structure Option on expanded right-of-way where feasible along portions of the Project route and concluded that the Shorter Structure Option is technically feasible and may be reasonable for portions of the right-of-way where there are no constraints, provided that the following conditions are met: (1) consent by all affected property owners; (2) agency consent where applicable; (3) grant of easements for the 40 feet beyond the 100 feet needed for the proposed Project without additional compensation from the Company; and (4) an uninterrupted line distance of approximately three miles.²⁸ The Company estimated that, given these conditions, approximately 24.1 miles of the length of the proposed Project potentially can be expanded to the 140-foot right-of-way required for the Shorter Structure Option.²⁹ The Company also described the following environmental impacts associated with expanding the right-of-way to 140 feet where feasible: three new parcels would be crossed; the expanded right-of-way would cross an additional 3.9 acres of wetlands and 24.8

²⁷ Ex. 13 (Shevenock Rebuttal) at 2-3. Company witness Shevenock stated in his pre-filed rebuttal testimony that it is his understanding that it takes approximately six to nine months for the proposed ACSR conductor to dull, depending on weather. *Id.* at 3.

²⁸ Ex. 11 (Baka Rebuttal) at 7. Company witness Baka clarified at the hearing on July 28, 2016, that the Company would not seek to acquire the additional 40 feet of right-of-way if the landowner did not want to participate, because the Company contends that right-of-way in excess of 100 feet is not necessary to build the Project. July 28, 2016 Tr. 42. However, the Company offered an alternative for the Commission's consideration, whereby the Company would establish a cap of \$2.5 million, which is an amount based on the current assessed land values of the affected properties, to pay for real estate costs associated with acquisition of the additional 40 feet of right-of-way required for the Shorter Structure Option. *Id.* at 44, 45. Staff testified at the hearing that it does not consider acquisition of the additional right-of-way needed to accommodate shorter structures without compensation to the land owners reasonable. Staff recommended that the Company acquire the additional right-of-way in the same way it typically acquires right-of-way for other projects. July 28, 2016 Tr. 68-69.

²⁹ Ex. 13 (Shevenock Rebuttal) at 5-6; Ex. 14 (Berkin Rebuttal) at 4.

acres of forested land; and an additional 32.5 acres of VOF easements and an additional 2.1 acres of VDHR easements would be affected.³⁰

The Hearing Examiner convened an evidentiary hearing as scheduled on July 28, 2016. The Company, Staff, and PEC participated at the hearing.³¹

On June 13, 2017, the Report of Deborah V. Ellenberg, Chief Hearing Examiner ("Chief Hearing Examiner's Report" or "Report"), was issued. Therein, the Chief Hearing Examiner, among other things, summarized the record in this case and made certain findings and recommendations. In particular, the Chief Hearing Examiner recommended that the Commission grant the requested certificate of public convenience and necessity to construct and operate the proposed transmission facilities using the Company's proposed route based on the following findings:

- (1) The Project is needed so Dominion can continue to provide reasonably adequate service to its customers at just and reasonable rates;
- (2) The Project will improve the Company's system reliability in the area;
- (3) The Project utilizes existing right-of-way;
- (4) The proposed route, use of the Shorter Structure Option where feasible, and use of non-glare conductors reasonably minimize the Project's impact on the environment, scenic assets, and historic resources;
- (5) The Company should be granted the flexibility to pursue the Shorter Structure Option where feasible and subject to the conditions discussed in the Report with compensation to the land owner for additional right-of-way;
- (6) Approval of the Application should be conditioned on the Company's compliance with the recommendations contained in the DEQ Report; and

³⁰ Ex. 14 (Berkin Rebuttal) at 5-6, Rebuttal Schedule 1; Ex. 13 (Shevenock Rebuttal) at 6, as corrected (*see* July 28, 2016 Tr. 101).

³¹ One public witness offered testimony at the hearing.

- (7) The Company should be directed to provide Staff with confidential monthly reports on its progress in negotiations and acquisition of additional right-of-way.³²

On July 5, 2017, the Company and Staff filed comments to the Chief Hearing Examiner's Report. Staff, among other things, supports the Chief Hearing Examiner's recommendation that Dominion should be granted the flexibility to utilize the Shorter Structure Option, where feasible, subject to the conditions discussed in the Report, including compensation to landowners for the additional right-of-way required for the Shorter Structure Option.

In Dominion's comments to the Chief Hearing Examiner's Report ("Dominion Comments"), the Company continues to support the Shorter Structure Option where technically feasible, subject to the conditions discussed above, with the exception that Dominion "agreed that compensation for property owners who voluntarily agreed to participate in the Shorter Structure Option should be compensated from a pool of funds capped at \$2.5 million" based on current assessed land values.³³ Dominion anticipates that it will take approximately three months from the date of the Final Order to negotiate consents and compensation with affected property owners and the relevant agencies, and the Company proposes to provide two confidential reports to Staff during this process: an interim report provided 60 days after the entry of the Commission's Final Order; and a final report provided 60 days after the interim report.³⁴ Dominion states in its comments that the Company anticipates starting construction in December 2018, with an in-service date of June 2020.³⁵

³² Chief Hearing Examiner's Report at 33-34.

³³ Dominion Comments at 5, n. 19; *see also id.* at 6, 9.

³⁴ *Id.* at 13.

³⁵ *Id.* at 13, n. 50, 14. Dominion noted in its Comments that the original in-service date of June 2019 was based on construction beginning in January 2018; however, because of the length of time required to negotiate with landowners for the additional right-of-way and to manufacture the poles for the Project, the Company does not expect to begin construction until December 2018. *See id.*

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that certificates of public convenience and necessity should be issued authorizing the proposed Project, subject to the findings and conditions contained in this Final Order, and that the public convenience and necessity require that the Company construct, own, and operate the Project.

Approval

The statutory scheme governing the Company's Application is found in several chapters of Title 56 of the Code.

Section 56-265.2 A 1 of the Code provides that "it shall be unlawful for any public utility to construct . . . facilities for use in public utility service . . . without first having obtained a certificate from the Commission that the public convenience and necessity require the exercise of such right or privilege."

Section 56-46.1 of the Code further directs the Commission to consider several factors when reviewing the Company's Application. Subsection A of the statute provides that:

Whenever the Commission is required to approve the construction of any electrical utility facility, it shall give consideration to the effect of that facility on the environment and establish such conditions as may be desirable or necessary to minimize adverse environmental impact. . . . In every proceeding under this subsection, the Commission shall receive and give consideration to all reports that relate to the proposed facility by state agencies concerned with environmental protection; . . . Additionally, the Commission (a) shall consider the effect of the proposed facility on economic development within the Commonwealth . . . and (b) shall consider any improvements in service reliability that may result from the construction of such facility.

Section 56-46.1 B of the Code further provides that: "[a]s a condition to approval the Commission shall determine that the line 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."

The Code requires that the Commission consider existing right-of-way easements when siting transmission lines. Code § 56-46.1 C provides that "[i]n any hearing the public service company shall provide adequate evidence that existing rights-of-way cannot adequately serve the needs of the company." In addition, Code § 56-259 C provides that "[p]rior to acquiring any easement of right-of-way, public service corporations will consider the feasibility of locating such facilities on, over, or under existing easements of rights-of-way."

Need and Service Reliability

We agree with the Chief Hearing Examiner that the Project is needed to comply with mandatory NERC Reliability Standards and so that the Company can continue to provide reliable electric service to customers served from the Company's existing Gordonsville Substation at just and reasonable rates.³⁶

Routing and Right-of-Way

As required by § 56-259 C of the Code, Dominion has adequately considered existing rights-of-way. If approved, the Project would be located entirely along and primarily within existing right-of-way,³⁷ except for those portions where Dominion will seek (i) to expand existing easements or acquire additional easements to establish a 100-foot (instead of 70-foot) right-of-way for the Project where practically feasible, and (ii) to expand easements to 140 feet where feasible to accommodate the Shorter Structure Option.

³⁶ Chief Hearing Examiner's Report at 26, 33.

³⁷ See, e.g., Ex. 2 (Appendix) at 1.

Economic Development

We find that the proposed Project will support continued economic development in the area of the Project as well as in the Commonwealth of Virginia by maintaining and improving the overall long-term reliability for customers in the area.³⁸

Scenic Assets and Historic Districts

During the course of this proceeding, members of the public requested that the Commission consider shorter structures to minimize the visual impact of the Project, even if it requires a wider right-of-way.³⁹ Staff and PEC both supported the Shorter Structure Option.⁴⁰ We also note that VOF raised concerns with the height of the structures as originally proposed in the Application⁴¹ and that the staffs of VOF and VDHR expressed support for the Shorter Structure Option.⁴² Several public witnesses also requested, and Staff recommended, that the Project be built with rust colored poles and non-reflective lines.⁴³

As noted above, the Company estimated that approximately 24.1 miles of the length of the Project potentially can be expanded to the 140-foot right-of-way required for the Shorter Structure Option. Based on the unique circumstances of this case, the Commission finds that the Shorter Structure Option shall be used as directed herein – where feasible based on agreement of

³⁸ See, e.g., Ex. 3 (Witt Direct) at 8-9; Ex. 8 (Staff Report) at 18.

³⁹ See, e.g., Public Comment of Mr. Charles Taylor, May 7, 2016, Doc. Con. Cen. No. 160530056; April 28, 2016 Tr. 11, 16, 19, 32, 53, 77, 101-102.

⁴⁰ See, e.g., July 28, 2016 Tr. 115, 118.

⁴¹ Ex. 9 (DEQ Report), Letter from Martha Little, Deputy Director, VOF, to Janine Howard, DEQ, dated January 12, 2016.

⁴² See July 28, 2016 Tr. 42; Ex. 12 (letter from Virginia Outdoors Foundation to Charlotte McAfee, dated July 21, 2016).

⁴³ See, e.g., April 28, 2016 Tr. 32-33, 53, 64, 84; Ex. 8 (Staff Report) at 20-21.

affected property owners – to minimize further the environmental impact of the Project.⁴⁴

Specifically, the Commission finds that the Company shall build the Shorter Structure Option where feasible along the length of the approved route for the Project, subject to the following conditions: (1) consent by the affected property owner for use of the additional 40 feet of right-of-way beyond the initially proposed right-of-way; (2) agency consent where applicable; (3) grant of voluntary easements with appropriate compensation for the 40 feet beyond the initially proposed 100-foot right-of-way;⁴⁵ and (4) an uninterrupted land distance of approximately three miles.

Accordingly, the Commission directs the Company immediately to implement its proposed outreach plan to affected property owners, including postcard notifications, formal letters, and personal contact followed by negotiations and purchase of the additional rights-of-way where agreed upon.⁴⁶ Dominion is required to report on its acquisition activities in periodic reports to Staff, as discussed below.⁴⁷

We approve the Company's proposal to use single-shaft weathered steel poles and H-frame structures as proposed in the Application. We agree with the Chief Hearing Examiner that the use of non-reflecting or de-glared conductors will minimize further the environmental

⁴⁴ The Commission expressly notes that the findings herein are based on the particular circumstances of the instant proceeding and do not serve as precedent for subsequent transmission line matters, which should be evaluated pursuant to the specific records developed in future cases.

⁴⁵ The Commission expects the Company to provide information regarding all land acquisition costs associated with this Project in its periodic reports to Staff on the Project and in its annual transmission report to Staff directed in the Commission's Final Order in Case No. PUE-2016-00135. See *Application of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, For approval and certification of electric transmission facilities under Va. Code § 56-46.1 and the Utility Facilities Act, Va. Code § 56-265.1 et seq.*, Case No. PUE-2016-00135, Doc. Con. Cen. No. 170610186, Final Order at 11 (June 6, 2017).

⁴⁶ Dominion's Comments at 10-13; Ex. 11 (Berken Rebuttal) at 8.

⁴⁷ Dominion will implement the Shorter Structure Option in areas where it is able to obtain the necessary right-of-way expansion.

impact of the Project. Accordingly, the Commission conditions approval of the proposed Project on the Company's use of a de-glared finish on its transmission conductors.

Environmental Impact

Pursuant to §§ 56-46.1 A and B of the Code, the Commission is required to consider the proposed Project's impact on the environment and to establish such conditions as may be desirable or necessary to minimize adverse environmental impact. The statute further provides that the Commission shall receive, and give consideration to, all reports that relate to the proposed Project by state agencies concerned with environmental protection.

The Commission finds that there are no adverse environmental impacts that would prevent the construction or operation of the Project. The DEQ Report supports a finding that the Company's proposed route reasonably minimizes adverse environmental impacts provided that the Company complies with the recommendations set forth in the DEQ Report.⁴⁸ We therefore find that as a condition of our approval herein, Dominion must comply with DEQ's recommendations as provided in the DEQ Report, with the exception of the recommendation that the Commission require coordination with Madison County, which is not applicable to the approved route. Further, Dominion should be required to obtain all necessary environmental permits and approvals that are needed to construct and operate the Project.

Reporting

Finally, we adopt the Company's proposal to provide confidential reports to the Staff describing the Company's negotiation efforts for the right-of-way required to conduct the Project using the Shorter Structure Option. These reports should be provided every 60 days, starting with the date of this Final Order, until the right-of-way acquisition process is complete.

⁴⁸ The DEQ recommendations are set forth above and discussed in the DEQ Report.

However, Dominion should provide Staff with additional reports between these 60-day intervals within three days of any event which is unforeseen and beyond the ordinary course of business in acquiring rights-of-way for the Project. The Company and Staff shall work cooperatively to determine the content of the 60-day reports, but at a minimum these reports shall include information on the status of acquiring the additional rights-of-way and the total amount spent to date on the additional easements. Within 60 days or less after the right-of-way acquisition process is complete, Dominion shall provide Staff with a final report incorporating the same type of information as included in the prior 60-day reports as well as a map depicting those segments where the Shorter Structure Option will be used for the Project.

Accordingly, IT IS ORDERED THAT:

(1) Dominion is authorized to construct and operate the Project, subject to the findings and conditions imposed herein.

(2) Pursuant to §§ 56-46.1 and 56-265.2 of the Code, and related provisions of Title 56 of the Code, the Company's request for certificates of public convenience and necessity to construct and operate the Project is granted, as provided for herein, and subject to the requirements set forth herein.

(3) Pursuant to the Utility Facilities Act, § 56-265.1 *et seq.* of the Code, the Commission issues the following certificates of public convenience and necessity to the Company:

Certificate No. ET-80q, which authorizes Virginia Electric and Power Company under the Utility Facilities Act to operate certificated transmission lines and facilities in Fauquier County, all as shown on the map attached to the certificate, and to construct and operate facilities as authorized in Case No. PUE-2015-00117, cancels Certificate No. ET-80p, issued to Virginia Electric and Power Company on February 11, 2016, in Case No. PUE-2014-00025.

Certificate No. ET-74f, which authorizes Virginia Electric and Power Company under the Utility Facilities Act to operate

certificated transmission lines and facilities in Culpeper County, all as shown on the map attached to the certificate, and to construct and operate facilities as authorized in Case No. PUE-2015-00117, cancels Certificate No. ET-74e, issued to Virginia Electric and Power Company on October 7, 2008, in Case No. PUE-2007-00031.

Certificate No. ET-99g, which authorizes Virginia Electric and Power Company under the Utility Facilities Act to operate certificated transmission lines and facilities in Orange County, all as shown on the map attached to the certificate, and to construct and operate facilities as authorized in Case No. PUE-2015-00117, cancels Certificate No. ET-99f, issued to Virginia Electric and Power Company on November 25, 1975.

Certificate No. ET-58n, which authorizes Virginia Electric and Power Company under the Utility Facilities Act to operate certificated transmission lines and facilities in Albemarle County, all as shown on the map attached to the certificate, and to construct and operate facilities as authorized in Case No. PUE-2015-00117, cancels Certificate No. ET-58m, issued to Virginia Electric and Power Company on May 5, 2017, in Case No. PUE-2016-00020.

(4) Within thirty (30) days from the date of this Final Order, the Company shall provide the Commission's Division of Public Utility Regulation with three copies of an appropriate map that shows the routing of the transmission line approved herein.

(5) Upon receiving the map directed in Ordering Paragraph (4), the Commission's Division of Public Utility Regulation forthwith shall provide the Company copies of the certificates of public convenience and necessity issued in Ordering Paragraph (3) with the map attached.

(6) The Project approved herein must be constructed and in service by June 1, 2020; however, the Company is granted leave to apply for an extension for good cause shown.

(7) This matter hereby is dismissed.

AN ATTESTED COPY hereof shall be sent 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, c/o Document Control Center, 1300 East Main Street, First Floor, Tyler Building, Richmond, Virginia 23219. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Public Utility Regulation and Utility Accounting and Finance.

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