

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, DECEMBER 1, 2020

REGISTRY'S OFFICE
REGISTRY CONTROL CENTER
2020 DEC -1 A 8: 24

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APPLICATION OF

VIRGINIA NATURAL GAS, INC.

CASE NO. PUR-2019-00207

For approval and certification of natural gas facilities, the Header Improvement Project, and for approval of Rate Schedules and Terms and Conditions for Pipeline Transportation Service

ORDER DISMISSING CASE

On December 6, 2019, Virginia Natural Gas, Inc. ("VNG" or "Company"), filed an Application with the State Corporation Commission ("Commission") for approval and certification of natural gas facilities pursuant to Virginia Code §§ 56-265.1 and 56-265.2.¹ VNG also seeks approval to implement Rate Schedules HP-TRFT, HP-FT, HP-LFT, and HP-IT and Terms and Conditions for Pipeline Transportation Service.²

Through its Application, the Company seeks approval and certification as requested to provide new service to an independent power producer, C4GT, LLC ("C4GT"), for an electric generation facility to be located in Charles City County, Virginia, to provide incremental transportation capacity to existing customers, including Columbia Gas of Virginia ("CVA") and Virginia Power Services Energy ("VPSE"), and to help maintain reliable service in the area (the "Project").³

¹ Ex. 4 (Application) at 1.

² *Id.*

³ *Id.* at 2, 3, 6.

On June 26, 2020, after directing notice and convening a hearing on the Application, the Commission issued a Preliminary Order on Application finding, among other things, that the Project is not needed without C4GT.⁴ The Commission declined to approve the Project as proposed in this proceeding absent confirmation that:

1. C4GT's financial close is scheduled, certain, and imminent;
2. C4GT has approved expenditures by the Company on the C4GT components of the Project; and
3. All relevant aspects of the agreements between C4GT and VNG remain in full force and effect.⁵

The Commission thus directed VNG to file such confirmation in this docket on or before December 31, 2020.⁶

On November 13, 2020, VNG filed a letter in this docket informing the Commission "that the conditions precedent related to C4GT will not be satisfied on or before December 31, 2020."⁷ The Company further noted that VNG intends to file a revised version of its Application within 90 days seeking certification and approval of natural gas facilities required to provide incremental transportation capacity to existing customers, including CVA and VPSE, and to maintain reliable service in the area.⁸ VNG requested the Commission keep this docket open for receipt of the revised filing.⁹

⁴ See, e.g., Preliminary Order on Application at 6.

⁵ *Id.*

⁶ *Id.* at 17.

⁷ VNG Letter to Bernard Logan, Interim Clerk, dated November 30, 2020 at 2.

⁸ *Id.*

⁹ *Id.*

NOW THE COMMISSION, having considered this matter, finds that VNG is unable to meet the directives of the June 26, 2020 Preliminary Order on Application. We decline to keep this docket open for VNG to file a revised application. We find that a new application for facilities tailored to serve different needs than those that are the subject of the instant Application, as described in VNG's November 13, 2020 letter, would be best addressed in a new docket. We invite VNG to file a new application at its convenience, whether within 90 days of its November 13, 2020 letter, or thereafter.

Accordingly, IT IS SO ORDERED, and this matter is DISMISSED.

Commissioner Jehmal T. Hudson did not participate in this matter.

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.