

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, MAY 10, 2024

SCC - CLERK'S OFFICE
DOCUMENT CONTROL CENTER

240530637

APPLICATION OF

2024 MAY 10 A 10:41

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2024-00035

For approval and certification of electric transmission facilities: Fredericksburg-Aquia Harbour Lines #29, #2104, and #2157 Partial Rebuild

ORDER FOR NOTICE AND COMMENT

On March 14, 2024, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Stafford County and the City of Fredericksburg, Virginia. Dominion filed its Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 *et seq.*

Through its Application, the Company proposes to complete the following to rebuild its Fredericksburg to Possum Point transmission corridor ("Rebuild Project"):

- Partially rebuilding, entirely within existing right-of-way or on Company-owned property, except for an approximately one-acre right-of-way near Dogwood Airpark, approximately 12.5 miles of 115 kilovolt ("kV") Line #29 on double-circuit monopole structures utilizing current 230 kV standards, between the Company's existing Fredericksburg Substation and Aquia Harbour Switching Station ("Aquia Harbour Station").
- Rebuilding, entirely within existing right-of-way or on Company-owned property, approximately 8.0 miles of 230 kV Line #2104 on double-circuit monopole structures between the Company's existing Cranes Corner Substation and Aquia Harbour Station.
- Removing two 500 kV structures and installing two 500 kV single circuit H-frame structures and two 500 kV single circuit monopoles.¹

¹ The Company states that the existing structures will be removed and new structures will be added to allow the Company to relocate Line #586 to create space for the two additional 230 kV circuits. The new structures are: #568/76, #568/76A, #568/75A, and #568/77. Application at 2 n.1.

- Rebuilding, entirely within existing right-of-way or on Company-owned property, approximately 3.8 miles of 230 kV Line #2157 on double circuit monopole structures between the Company's existing Fredericksburg and Cranes Corner Substations.²

Dominion states that the Rebuild Project is needed to maintain the structural integrity and reliability of the networked transmission system.³ Dominion further states that the proposed Rebuild Project is necessary to resolve identified violations of the mandatory North American Reliability Corporation ("NERC") Reliability Standards and provide for future load growth in the Woodbridge Load Area.⁴ The Company states that the Rebuild Project will replace aging infrastructure that is at the end of its service life to comply with the Company's mandatory electric transmission planning criteria.⁵

The Company states that the Rebuild Project spans approximately 23.4 miles and will primarily be located on existing transmission line right-of-way or on Company-owned property.⁶ The Company states that the entire proposed route is adequate for construction of the Rebuild Project, except for an approximately one acre right-of-way near Dogwood Airpark.⁷ The Company represents that, given the availability of existing rights-of-way and the statutory preference to use existing rights-of-way, and because additional costs and environmental impacts

² *Id.* at 2-3.

³ *Id.* at 2.

⁴ *Id.* at 2, 3.

⁵ *Id.* at 3.

⁶ *Id.*

⁷ *Id.* The Company states that the additional right-of-way is needed between Structures #29/1725 and #29/1728, and #2104/5447 and #2104/5450, located between the existing Fredericksburg Substation and Aquia Harbour Station. The Company states that it will secure an additional 70-foot-wide right-of-way in that area for a length of approximately 685 feet. *Id.* 5 at n.4.

would be associated with the acquisition and construction of new rights-of-way, the Company did not consider any alternate routes requiring new rights-of-way for the Rebuild Project, except near Dogwood Airpark.⁸

The Company states that the desired in-service target date for the Rebuild Project is December 31, 2026.⁹ The Company further states that the estimated conceptual cost of the Rebuild Project (in 2023 dollars) is approximately \$134.6 million.¹⁰

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board ("Board") consult on wetland impacts prior to the siting of electric utility facilities that require a certificate of public convenience and necessity. Acting on behalf of the Board, the Department of Environmental Quality ("DEQ") must prepare a Wetland Impacts Consultation on this Application, as required by the Code and Sections 2 and 3 of the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts (July 2003).¹¹ The Staff of the Commission ("Staff") has requested the Office of Wetlands & Stream Protection at the DEQ to provide a Wetland Impacts Consultation for the proposed Rebuild Project.¹²

⁸ Application at 5.

⁹ *Id.* at 5. Dominion requests that the Commission enter a final order by December 31, 2024. *Id.* The Company states that, should the Commission issue a final order by December 31, 2024, the Company estimates that construction should begin in March 2025, with the Rebuild Project to be completed by the in-service target date of December 31, 2026. *Id.*

¹⁰ *Id.* at 7. Dominion states that the cost of the work associated with the Fredericksburg, Cranes Corner, and Stafford Substations, and Aquia Harbour Station, is approximately \$830,000 (in 2023 dollars). *Id.* at 7 n.5.

¹¹ *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).

¹² Letter from Frederick D. Ochsenhirt, Esquire, State Corporation Commission, dated March 15, 2024, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2024-00035.

As provided by Code §§ 10.1-1186.2:1 B and 56-46.1 A, the Commission and the DEQ coordinate reviews of the environmental impact of electric generating plants and associated facilities. 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),¹³ the Commission receives and considers reports on the proposed facilities from state environmental agencies. The Staff has requested the DEQ to coordinate an environmental review of this Application by the appropriate agencies and to provide a report on the review.¹⁴

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; Dominion should provide public notice of its Application; interested persons should have an opportunity to file comments on the Application, file a notice of participation as a respondent, or request that a hearing be convened; Staff should be directed to investigate the Application and present its findings and recommendations in a report ("Staff Report"); and a Hearing Examiner should be assigned to conduct all further proceedings in this matter and file a final report.

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

¹³ *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).

¹⁴ Letter from Frederick D. Ochsenhirt, State Corporation Commission, dated March 15, 2024, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2024-00035.

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-2024-00035.

(2) All pleadings, briefs, or other documents required to be served 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").¹⁵ 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 Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, all parties and 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 Staff is impeded from preparing its case.

(4) As provided by § 12.1-31 of the Code and Rule 5 VAC 5-20-120, *Procedure before Hearing Examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter and to file a final report. A copy of each filing made with the

¹⁵ 5 VAC 5-20-10 *et seq.*

Office of the Clerk in this matter shall also be sent electronically to the Office of the Hearing Examiners.¹⁶

(5) An electronic copy of the Company's Application may be obtained by submitting a written request to counsel for the Company: Andrew J. Flavin, Troutman Pepper Hamilton Sanders LLP, 1001 Haxall Point, 15th Floor, Richmond, Virginia 23219, or andy.flavin@troutman.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

(6) On or before May 31, 2024, the Company shall cause to be sent by first class mail a copy of the notice and sketch map prescribed in Ordering Paragraph (7) to all owners of property within the route of the proposed Rebuild Project, as of the date of this Order and 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 Code § 58.1-3100 *et seq.*

(7) On or before May 31, 2024, the Company shall cause the following notice and the sketch map of the proposed route, as shown on page 334 ("Attachment V.A") of the Appendix to the Application, to be published as display advertising (not classified) on one (1) occasion in newspapers of general circulation in Stafford County and the City of Fredericksburg, Virginia:

¹⁶ Such electronic copies shall be sent to: OHEParalegals@scc.virginia.gov.

NOTICE TO THE PUBLIC OF AN APPLICATION BY
 VIRGINIA ELECTRIC AND POWER COMPANY
 FOR APPROVAL AND CERTIFICATION OF ELECTRIC
 TRANSMISSION FACILITIES:
 FREDERICKSBURG-AQUIA HARBOUR LINES
 #29, #2104, AND #2157 PARTIAL REBUILD
CASE NO. PUR-2024-00035

On March 14, 2024, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Stafford County and the City of Fredericksburg, Virginia. Dominion filed its Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 *et seq.*

Through its Application, the Company proposes to complete the following to rebuild its Fredericksburg to Possum Point transmission corridor ("Rebuild Project"):

- Partially rebuilding, entirely within existing right-of-way or on Company-owned property, except for an approximately one-acre right-of-way near Dogwood Airpark, approximately 12.5 miles of 115 kilovolt ("kV") Line #29 on double-circuit monopole structures utilizing current 230 kV standards, between the Company's existing Fredericksburg Substation and Aquia Harbour Switching Station ("Aquia Harbour Station").
- Rebuilding, entirely within existing right-of-way or on Company-owned property, approximately 8.0 miles of 230 kV Line #2104 on double-circuit monopole structures between the Company's existing Cranes Corner Substation and Aquia Harbour Station.
- Removing two 500 kV structures and installing two 500 kV single circuit H-frame structures and two 500 kV single circuit monopoles.
- Rebuilding, entirely within existing right-of-way or on Company-owned property, approximately 3.8 miles of 230 kV Line #2157 on double circuit monopole structures between the Company's existing Fredericksburg and Cranes Corner Substations.

Dominion states that the Rebuild Project is needed to maintain the structural integrity and reliability of the networked transmission system. Dominion further states that the proposed

Rebuild Project is necessary to resolve identified violations of the mandatory North American Reliability Corporation ("NERC") Reliability Standards and provide for future load growth in the Woodbridge Load Area. The Company states that the Rebuild Project will replace aging infrastructure that is at the end of its service life to comply with the Company's mandatory electric transmission planning criteria.

The Company states that the Rebuild Project spans approximately 23.4 miles and will primarily be located on existing transmission line right-of-way or on Company-owned property. The Company states that the entire proposed route is adequate for construction of the Rebuild Project, except for an approximately one acre right-of-way near Dogwood Airpark. The Company represents that, given the availability of existing rights-of-way and the statutory preference to use existing rights-of-way, and because additional costs and environmental impacts would be associated with the acquisition and construction of new rights-of-way, the Company did not consider any alternate routes requiring new rights-of-way for the Rebuild Project, except near Dogwood Airpark.

The Company states that the desired in-service target date for the Rebuild Project is December 31, 2026. The Company further states that the estimated conceptual cost of the Rebuild Project (in 2023 dollars) is approximately \$134.6 million.

Description of the Route

Starting at the Company's Fredericksburg Substation in the City of Fredericksburg, Lines #29 and #2157 travel roughly north for approximately 4.5 miles to Cranes Corner Substation in Stafford County. At Cranes Corner Substation, Line #2157 terminates into a 230 kV breaker and leaves the substation as Line #2104. Lines #29 and #2104 continue roughly north for approximately 8 miles to the Aquia Harbour Station, also in Stafford County.

In the vicinity of Dogwood Airpark, Option 1 (the Proposed Option) would require an additional approximately 685 feet of 70-foot-wide right-of-way to accommodate four single circuit delta structures. The western most structure will be placed as close to the edge of the existing right-of-way as possible, while still maintaining clearance requirements, to reduce additional right-of-way needs on the eastern edge.

Option 2 would require approximately an additional 735 feet of 155-foot-wide right-of-way to accommodate four single circuit delta structures. The western most structure would be placed closer to the center of the right-of-way to increase the horizontal distance between the edge of the runway and the nearest conductor.

Option 3 would require approximately 1020 feet of additional 115-foot-wide right-of-way to accommodate four single circuit H-frame structures. The western most structure would be placed on the same centerline as the existing H-frame structure in the right-of-way.

For the Rebuild Project, the minimum structure height is approximately 64 feet, the maximum structure height is approximately 165 feet, and the average height of the proposed structures is approximately 112 feet, based on preliminary conceptual design, not including foundation reveal and subject to change based on final engineering design.

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

The Commission may consider a route not significantly different from the route described in this notice without additional notice to the public.

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 required electronic service on parties to this proceeding. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by 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.

Electronic copies of the Application and other supporting materials may be inspected at: <https://www.dominionenergy.com/projects-and-facilities/electric-projects/power-line-projects/fredericksburg-possum-point>. An electronic copy of the Company's Application also may be obtained by submitting a written request to counsel for the Company: Andrew J. Flavin, Esquire, Troutman Pepper Hamilton Sanders LLP, 1001 Haxall Point, 15th Floor, Richmond, Virginia 23219, or andy.flavin@troutman.com.

On or before August 26, 2024, any interested person may submit 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 with the Clerk of the State Corporation Commission c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All such comments shall refer to Case No. PUR-2024-00035.

On or before August 26, 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 above. 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 Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2024-00035.

On or before August 26, 2024, any interested person or entity may file with the Clerk of the Commission at: scc.virginia.gov/clk/efiling, a request that the Commission convene a hearing on the Company's Application. Those unable, as a practical matter, to file a request for hearing electronically may file such request for hearing by U.S. mail to the Clerk of the

Commission at the address listed above. Such request for hearing shall include the email address of the filer or its counsel, if available. Requests for hearing must include: (i) a precise statement of the filing party's interest in the proceeding; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in this matter. The interested person shall simultaneously serve a copy of the hearing request on counsel to the Company at the address set forth above. All requests for a hearing shall refer to Case No. PUR-2024-00035.

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 Comment, 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 Company's Application and other documents filed in this case, the Commission's Rules of Practice, and the Commission's Order for Notice and Comment may be viewed on the Commission's website at:
scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY

(8) On or before May 31, 2024, the Company shall serve a copy of this Order for Notice and Comment on the following local officials, to the extent the position exists, in each county, city, and town through which the Rebuild Project is proposed to be built: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent official) of every city and town; and the county, city, or town 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.

(9) On or before June 19, 2024, the Company shall file proof of the notice and service required by Ordering Paragraphs (7) and (8), including the name, title, address, and electronic

mail address (if applicable) of each official served, with the Clerk of the Commission, at scc.virginia.gov/clk/efiling/.

(10) On or before June 19, 2024, the Company shall file with the Clerk of the Commission a certificate of the mailing of notice to owners of property prescribed by Ordering Paragraph (6). The certificate shall not include the names and addresses of the owners of property served, but the Company shall maintain a record of such information.

(11) On or before August 26, 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 file 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-2024-00035.

(12) On or before August 26, 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 (11). 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 Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented

by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2024-00035.

(13) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve a copy of the Application on the respondent, unless these materials already have been provided to the respondent.

(14) On or before August 26, 2024, any interested person or entity may file with the Clerk of the Commission at: scc.virginia.gov/clk/efiling, a request that the Commission convene a hearing on the Company's Application. Those unable, as a practical matter, to file a request for hearing electronically may file such request for hearing by U.S. mail to the Clerk of the Commission at the address in Ordering Paragraph (11). Such request for hearing shall include the email address of the filer or its counsel, if available. Requests for hearing must include: (i) a precise statement of the filing party's interest in the proceeding; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in this matter. A copy of such hearing request shall simultaneously be served on counsel to the Company at the address set forth in Ordering Paragraph (5). All requests for a hearing shall refer to Case No. PUR-2024-00035.

(15) On or before September 4, 2024, Dominion shall file with the Clerk of the Commission its response to any request for hearing filed in this matter. The Company shall serve a copy of such response on Staff, any respondents, and the interested person or entity requesting a hearing.

(16) On or before September 18, 2024, Staff shall investigate the Application and file with the Clerk of the Commission a Staff Report containing its findings and recommendations. A copy thereof shall be served on counsel to the Company and all respondents.

(17) On or before October 2, 2024, Dominion shall file with the Clerk of the Commission and serve on the Staff and any respondents any response in rebuttal to the Staff Report and any comments filed by interested persons or entities, including DEQ, in this proceeding. The Company shall serve a copy of its rebuttal testimony and exhibits on Staff and all respondents. Additionally, the Company shall serve a copy of its rebuttal testimony on DEQ by email to bettina.rayfield@deq.virginia.gov.

(18) 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 Commission's Rules of Practice.

(19) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) 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 Staff.¹⁷

¹⁷ 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-2024-00035 in the appropriate box.

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

(20) 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.