

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

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AT RICHMOND, OCTOBER 28, 2024

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2024-00021

For approval and certification of electric
transmission facilities: Daves Store 230 kV
Line Extension

FINAL ORDER

On February 9, 2024, Virginia Electric and Power Company ("Dominion" or the "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Prince William County, Virginia.¹ 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.*²

Through its Application, the Company proposed to complete the following (collectively, the "Project"):³

- (1) Cut existing 230 kilovolt ("kV") Line #2161 (Gainesville-Wheeler) near the Northern Virginia Electric Cooperative's Atlantic DP Substation to create Lines #2161 (Stinger-Wheeler) and #2346 (Gainesville-Trident). Extend 230 kV Line #2161 on new, double-circuit 230 kV structures approximately 0.53 mile northwest to Stinger Switching Station. Extend 230 kV Line #2346 on new, double-circuit 230 kV structures approximately 0.55 mile northwest to Trident Switching Station.
- (2) Construct 230 kV Line #2347 on new, double-circuit 230 kV structures approximately 0.31 mile from Trident Switching Station to Stinger Switching Station. This line shares double-circuit structures with 230 kV Lines #2161 and #2346.

¹ Application at 1-2.

² *Id.* at 1.

³ *Id.* at 2.

- (3) Construct 230 kV Line #2337 on new, double-circuit 230 kV structures approximately 1.56 miles (Proposed Route) or 1.75 miles (Alternative Route) from Stinger Switching Station to Daves Store Substation.
- (4) Construct 230 kV Line #2350 on new, double-circuit 230 kV structures approximately 1.73 miles (Proposed Route) or 1.92 miles (Alternative Route) from Stinger Switching Station to Gemini Substation. This line shares double-circuit structures with Line #2337 for most of the route lengths. This line will be re-routed into Atlas Substation at a future date, and this re-route will occur entirely within the substation fence line.
- (5) Construct 230 kV Line #2338 on new, single-circuit 230 kV structures approximately 0.10 mile from Daves Store Substation to Gemini Substation.
- (6) Construct 230 kV Line #2339 on new, single-circuit 230 kV structures approximately 0.10 mile from Daves Store Substation to Gemini Substation.

On March 1, 2024, the Commission entered an Order for Notice and Hearing, which, among other things: docketed the Application; established a procedural schedule; directed Dominion to provide notice of its Application to interested persons and the public; scheduled public hearings for the purpose of receiving testimony and evidence on the Application; provided interested persons an opportunity to file comments on the Application or participate as a respondent; directed the Commission's Staff ("Staff") to investigate the Application and file testimony and exhibits containing its findings and recommendations; and appointed a Hearing Examiner to conduct all further proceedings in this matter on behalf of the Commission and file a final report.

Staff requested that the Department of Environmental Quality ("DEQ") coordinate an environmental review of the proposed Project by the appropriate agencies and provide a report on the review.⁴

⁴ Letter from Andrew F. Major, Esquire, State Corporation Commission, dated February 12, 2024, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2024-00021; Letter from Andrew F. Major, Esquire, State Corporation Commission, dated February 12, 2024, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2024-00021.

On April 18, 2024, DEQ filed its report on Dominion's Application ("DEQ Report"), which includes the Wetland Impact Consultation provided by DEQ's Office of Wetlands and Stream Protection.

The Company filed its proof of notice and service on April 18, 2024. No notices of participation were filed in this matter, and the Commission received no public comments on the Company's Application.

On June 20, 2024, Dominion filed its Motion of Virginia Electric and Power Company for Entry of a Protective Ruling, along with a proposed Protective Ruling. A Hearing Examiner's Protective Ruling, issued on June 25, 2024, set forth the procedures for the handling of confidential information in this proceeding.

On July 19, 2024, Staff filed its testimony and exhibits, and on August 14, 2024, the Company filed its rebuttal testimony. The evidentiary hearing was convened as scheduled on September 11, 2024, with counsel for Dominion and Staff in attendance. No public witnesses signed up to testify.⁵

On September 27, 2024, Kati Dean, Hearing Examiner, issued her Report ("Report"). In the Report, the Hearing Examiner made the following findings:⁶

- (1) The Project is needed to provide service to new data center load, to maintain reliable service for future load growth in the area, and to comply with NERC [North American Electric Reliability Corporation] Reliability Standards.
- (2) The Project will assure reliable electric power delivery, thereby supporting economic development in the Project area.
- (3) No existing Company-owned ROW [Right-of-Way] can adequately serve the proposed data center campus. The Proposed Route constitutes the preferred routing alternative for the Project.

⁵ Tr. 4-5.

⁶ Report at 15.

- (4) The Company reasonably demonstrated the Project avoids or reasonably minimizes impacts on scenic, historic, and environmental resources to the greatest extent reasonably practicable.
- (5) The uncontested recommendations in the DEQ Report should be adopted by the Commission as conditions of the Project's approval.
- (6) The Company should not be required to develop an invasive species management plan ["IVMP"] in addition to its already-existing IVMP.
- (7) The Company should not be required to perform ROW restoration and maintenance beyond what is already required by its IVMP and standard maintenance practices.
- (8) The Company should not be required to develop an EMS [Environmental Management System] in addition to its already existing EMS Manual.
- (9) The Project does not represent a hazard to public health or safety.
- (10) The Company reasonably considered the requirements of the [Virginia Environmental Justice Act] in its Application.

Dominion and Staff filed comments on the Report on October 11, 2024. In its comments on the Report, the Company requested that the Commission issue a final order adopting the Report's findings and recommendations and approving the Company's Application for a Certificate of Public Convenience and Necessity ("CPCN") for electric transmission facilities in Prince William County, Virginia.⁷ Staff also requested that the Commission adopt the findings and recommendations in the Report.⁸

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds as follows.

⁷ Company comments on Report at 4.

⁸ Staff comments on Report at 1.

Hearing Examiner's Report

After analyzing the law and weighing the evidence – and providing a thorough and detailed analysis thereof – the Hearing Examiner made the following recommendations:⁹

In accordance with the above findings, ***I RECOMMEND*** that the Commission enter an order:

- (1) ***ADOPTING*** the findings in this Report;
- (2) ***GRANTING*** the Company's Application to construct the proposed Project as specified above;
- (3) ***APPROVING*** the Company's request for a CPCN to authorize construction of the proposed Project as specified; and
- (4) ***DISMISSING*** this case from the Commission's docket of active cases.

Upon consideration of this matter, the Commission concludes that the Hearing Examiner's findings and recommendations are supported by law and evidence, have a rational basis, and should be adopted subject to the modifications herein. The Commission finds that the public convenience and necessity requires the construction of the Project and that a CPCN authorizing the Project should be issued subject to the recommended findings and conditions contained in the Report.

Accordingly, IT IS ORDERED THAT:

- (1) The Commission adopts the Hearing Examiner's findings and recommendations.
- (2) The Hearing Examiner's recommendations, set forth herein, are ordered.
- (3) Dominion is authorized to construct and operate the Project as proposed in its Application.

⁹ Report at 16.

(4) Pursuant to §§ 56-46.1, 56-265.2, and related provisions of Title 56 of the Code, the Company's request for approval of the necessary CPCN to construct and operate the Project is granted as provided for herein.

(5) Pursuant to the Utility Facilities Act, § 56-265.1 *et seq.* of the Code, the Commission issues the following CPCN to Dominion:

Certificate No. ET-DEV-PRW-2024-B, which authorizes Virginia Electric and Power Company under the Utility Facilities Act to operate certificated transmission lines and facilities in Prince William County and the Cities of Manassas and Manassas Park, all as shown on the map attached to the certificate, and to construct and operate facilities as authorized in Case No. PUR-2024-00021, and cancels Certificate No. ET-DEV-PRW-2024-A, issued to Virginia Electric and Power Company in Case No. PUR-2023-00029 on June 3, 2024.

(6) Within thirty (30) days from the date of this Final Order, the Company shall provide to the Commission's Division of Public Utility Regulation electronic maps for the Certificate Number that shows the routing of the transmission line approved herein. Maps shall be submitted to Michael Cizenski, Deputy Director, Division of Public Utility Regulation, mike.cizenski@scv.virginia.gov.

(7) Upon receiving the maps directed in Ordering Paragraph (6), the Commission's Division of Public Utility Regulation forthwith shall provide the Company copies of the CPCN issued in Ordering Paragraph (5) with the maps attached.

(8) The Project approved herein must be constructed and in service by September 1, 2026. No later than ninety (90) days before the in-service date approved herein, for good cause shown, the Company is granted leave to apply, and to provide the basis, for any extension requested.

(9) This matter is dismissed.

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.