

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

REGULATORY SERVICES  
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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

2024 AUG 13 A 11: 08

CASE NO. PUR-2024-00032

For approval and certification of electric transmission

facilities: 500-230 kV Aspen Substation,  
500 kV Aspen-Goose Creek Line #5002,  
500 kV and 230 kV Aspen-Golden Lines #5001 and #2333,  
500-230 kV Golden Substation, and Lines #2081/#2150 Loop

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2024-00044

For approval and certification of electric transmission

facilities: 230 kV Apollo-Twin Creeks Lines, and Twin Creeks,  
Sycolin Creek, Starlight, Lunar, and Apollo Substations

**HEARING EXAMINER'S RULING**

August 13, 2024

On March 7, 2024, Virginia Electric and Power Company ("Dominion") filed the Aspen-Golden Application with the State Corporation Commission ("Commission"). The Commission docketed the Aspen-Golden Application as Case No. PUR-2024-00032.

On March 27, 2024, Dominion filed the Apollo-Twin Creeks Application with the Commission. The Commission docketed the Apollo-Twin Creeks Application as Case No. PUR-2024-00044.

On April 17, 2024, the Commission issued an Order for Notice and Hearing in which, among other things, it combined the procedural schedules of Case Nos. PUR-2024-00032 and PUR-2024-00044 "[t]o the extent practicable, for all purposes including discovery, pre-filed testimony, and hearing dates[;]"<sup>1</sup> and appointed a Hearing Examiner to conduct all further proceedings in the Combined Cases. By Hearing Examiner's Ruling of May 15, 2024 ("May 15<sup>th</sup> Ruling"), certain procedural deadlines initially established by the Commission for the Combined Cases were modified. Among other things, the May 15<sup>th</sup> Ruling postponed to September 18, 2024, the portion of the hearing wherein Dominion, the Staff of the Commission ("Staff"), and respondents will be afforded an opportunity to provide evidence concerning the Combined Cases.

The following have filed a notice of participation in one or both of the Combined Cases: Lansdowne Conservancy; Theresa Ghiorzi; Loudoun County, Virginia ("Loudoun County");

<sup>1</sup> Order for Notice and Hearing at 11, ¶ 4. Case Nos. PUR-2024-00032 and PUR-2024-00044 are referred to as the "Combined Cases."

JK Land Holdings, LLC; NA Dulles Real Estate Investor, LLC (“Kincora”); Leesburg Pike Community Church; Visa U.S.A. Inc.; Loudoun County Sanitation Authority (“Loudoun Water”); Philadelphia-Baltimore-Washington Laborers’ District Council; Piedmont Environmental Council; and Allan Myers VA, Inc.

On July 9, 2024, Kincora filed NA Dulles Real Estate Investor, LLC’s Motion for Partial Summary Judgment (“Motion for Partial Summary Judgment”). By Hearing Examiner’s Ruling of July 15, 2024, I declined to certify to the Commission the Motion for Partial Summary Judgment. I also set July 30, 2024, as the deadline for any response to the Motion for Partial Summary Judgment, and August 14, 2024, as the deadline for Kincora’s reply to any response.

On July 25, 2024, Dominion filed the Motion of Virginia Electric and Power Company for Extension of Time and for Expedited Consideration (“First Motion for Extension”). Among other things, in the First Motion for Extension Dominion agreed with Kincora that the Motion for Partial Summary Judgment appears to raise “a legal issue of first impression.”<sup>2</sup> Dominion claimed “additional time for detailed briefing would benefit both the parties and the Commission.”<sup>3</sup> By Hearing Examiner’s Ruling dated July 29, 2024, the deadline for any response to the Motion for Partial Summary Judgment was extended to August 14, 2024, and the deadline for Kincora’s reply to any response was extended to August 28, 2024.

On August 12, 2024, Dominion filed the Second Motion of Virginia Electric and Power Company for Extension of Time and for Expedited Consideration (“Second Motion for Extension”). Therein, Dominion requested extension of the response deadline to August 30, 2024, and extension of the reply deadline to September 13, 2024.<sup>4</sup> According to the Second Motion for Extension, Dominion, Loudoun Water, and Kincora agree a second extension would allow for more detailed briefing on the issue raised by the Motion for Partial Summary Judgment. The Company also asserted that a further extension would allow the issues for resolution to be further refined, would facilitate an optimal resolution of the matter, and would not impact other deadlines in the Combined Cases.<sup>5</sup> Dominion stated that the Company, Kincora, and Loudoun Water consent to the Second Motion for Extension; Visa U.S.A., Inc., JK Land Holdings, LLC, and Philadelphia-Baltimore-Washington Laborers’ District Council do not object to the Second Motion for Extension; and Staff, Piedmont Environmental Council, Allen Myers VA, Inc., Lansdowne Conservancy, Leesburg Pike Community Church, and Theresa Ghiorzi indicated that they have no position on the Second Motion for Extension.<sup>6</sup> The Second Motion for Extension did not make a representation as to Loudoun County’s position on the extension being requested.

Having considered this matter, I find that no party or Staff would be prejudiced by extending the currently set August 14, 2024, and August 28, 2024 deadlines for responses and reply, respectively, concerning the Motion for Partial Summary Judgment. However, given the proximity of the requested September 13, 2024 reply date to the September 18, 2024 hearing

<sup>2</sup> First Motion for Extension at 3 (unnumbered).

<sup>3</sup> *Id.*

<sup>4</sup> Second Motion for Extension at 2.

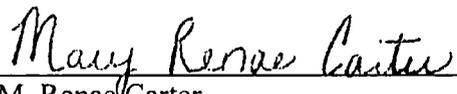
<sup>5</sup> *Id.* at 3.

<sup>6</sup> *Id.*

date for the Combined Cases, I find it appropriate to grant extensions that are slightly less lengthy than requested in the Second Motion for Extension. Accordingly,

**IT IS DIRECTED THAT:**

1. Any response to the Motion for Partial Summary Judgment shall be filed on or before August 28, 2024;
2. Any reply by Kincora to any response(s) to the Motion for Partial Summary Judgment shall be filed on or before September 11, 2024; and
3. In keeping with the Commission's Order for Notice and Hearing in the Combined Cases, a copy of each filing made with the Clerk of the Commission in these dockets shall also be sent electronically to the Office of Hearing Examiners at: [OHEparalegals@scc.virginia.gov](mailto:OHEparalegals@scc.virginia.gov).

  
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M. Renae Carter  
Senior Hearing Examiner

The Clerk of the Commission is requested to send a copy of this Ruling to all persons on the official Service Lists in Case Nos. PUR-2024-00032 and PUR-2024-00044. The Service Lists are available from the Clerk of the State Corporation Commission, c/o Document Control Center, 1300 East Main Street, First Floor, Tyler Building, Richmond, Virginia 23219.