

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 19, 2024

*State Corporation Commission
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11/19/2024 - 3:29 pm*

APPLICATION OF

HECATE ENERGY BELLA TERRA, LLC

CASE NO. PUR-2024-00172

For approval and certification of certain
electrical facilities associated with a
small renewable (solar) energy project

ORDER FOR NOTICE AND COMMENT

On September 17, 2024, Hecate Energy Bella Terra, LLC ("Bella Terra" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity ("CPCN") to construct, own, and operate certain electric facilities in Pulaski County, Virginia.¹ The Company filed its Application pursuant to §§ 56-580 D and 56-46.1 or alternatively, § 56-265.2, of the Code of Virginia ("Code"). On November 1, 2024, the Company filed supplemental Application information.²

Through its Application, Bella Terra seeks a CPCN for the following facilities: (i) a 34.5 kilovolt ("kV") distribution-level medium voltage cable collection line ("34.5 kV Medium Voltage Cable"); (ii) a substation and other electrical facilities ("Bella Terra Project Substation") by which solar power will be stepped up from 34.5 kV to 138 kV by means of step-up transformers; (iii) an approximate 0.48 mile 138 kV overhead generation tie line ("Gen-Tie Line") extending from the Bella Terra Project Substation to the transmission grid at a point of

¹ Bella Terra requests that the Commission consider this Application on an expedited basis, without the need for a public hearing, and provide the relief requested on or before December 31, 2024. Application at 5.

² The supplemental Application information includes the maximum, minimum and average heights of the Gen-Tie Line as well as an in-depth narrative description of proposed routes for the Gen-Tie Line and 34.5 kV Medium Voltage Cable.

interconnection ("POI") with Appalachian Power Company ("APCo") transmission facilities; and (iv) a new 138 kV switchyard (the "Bella Terra Switchyard"), which will be constructed at the POI and will be owned and operated by APCo (collectively, "Transmission Facilities").³

In addition to the Transmission Facilities, the Company states that the project also consists of solar generation facilities with a total nameplate capacity of approximately 100 megawatts ("Solar Facilities," the Transmission Facilities and Solar Facilities are collectively referred to herein as the "Project").⁴ The Company represents that the Solar Facilities are the subject of a Permit-by-Rule application with the Virginia Department of Environmental Quality ("DEQ"), as they meet the definition of a "small renewable energy project" in Code § 10.1-1197.5.⁵ The Company states that it anticipates the Project will achieve commercial operation in the fall of 2026, which requires start of construction no later than spring of 2025.⁶

Bella Terra states the Transmission Facilities are necessary to connect the Solar Facilities to the POI with APCO's facilities and will be dedicated exclusively for use by Bella Terra in connection with the Project.⁷ Bella Terra maintains that it will not make any portion of the Transmission Facilities available for use by third parties and will not provide any service to any third parties through the Transmission Facilities.⁸

³ Application at 3.

⁴ *Id.* at 7.

⁵ *Id.*

⁶ *Id.* at 5.

⁷ *Id.* at 7.

⁸ *Id.*

The Company submits that the Transmission Facilities will create greater reliability in the local region.⁹ Bella Terra further states that the Transmission Facilities are necessary and integral components needed to interconnect the Project to APCo's POI to permit the sale of energy, capacity and ancillary services.¹⁰ The Company states that the Project will not make direct retail sales of electricity or provide retail electric service to end users in the Commonwealth and will contribute to the diversity of competitive wholesale renewable power available in the Commonwealth.¹¹

Bella Terra states that the Project is expected to provide substantial local and regional benefits from renewable energy electric generation, construction jobs and millions of dollars in private infrastructure investment in Virginia.¹² Bella Terra anticipates that the construction phase of the Project will create approximately 90 full-time equivalent jobs in Pulaski County and the surrounding region and that approximately one full-time job with benefits will be created once the Project is operational.¹³ The Company further states that the Project will result in direct and indirect spending from local merchants and will increase the tax base in Pulaski County and the Commonwealth of Virginia.¹⁴

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

⁹ *Id.* at 13.

¹⁰ *Id.* at 15.

¹¹ *Id.* at 13-14.

¹² *Id.* at 15.

¹³ *Id.*

¹⁴ *Id.* at 15-16.

require a CPCN. Acting on behalf of the Board, the 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).¹⁵ The Staff of the Commission ("Staff") has requested that the Office of Wetlands & Stream Protection at DEQ provide the Wetland Impacts Consultation for the Transmission Facilities.¹⁶

As provided by Code §§ 10.1-1186.2:1 B and 56-46.1 A, the Commission and 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),¹⁷ the Commission receives and considers reports on the proposed facilities from state environmental agencies. Staff has requested that DEQ coordinate an environmental review of this Application by the appropriate agencies and provide a report on the review.¹⁸

¹⁵ *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).

¹⁶ Letter from Kelli Jo Cole, Esquire, State Corporation Commission, dated September 19, 2024, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2024-00172.

¹⁷ *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).

¹⁸ Letter from Kelli Jo Cole, Esquire, State Corporation Commission, dated September 19, 2024, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2024-00172.

Finally, in conjunction with the filing of its Application, Bella Terra filed a Motion for Protective Ruling and Additional Protective Treatment ("Motion") and a proposed protective ruling for the use of confidential information in this proceeding.¹⁹

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; Bella Terra 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, and 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 further proceedings in this matter related to discovery and other pre-hearing matters on behalf of the Commission, including ruling on the Company's Motion.

Further, given Bella Terra's representations in its Application, the Commission directs the Company to provide the following information in a supplemental filing due on or before December 15, 2024:

- (1) The contents of the special use permit application submitted in connection with the Project, including whether such contents include any step-up facilities or any other facilities or parts of the Project for which the Company seeks a CPCN;
 - a. If such facilities or parts of the Project included in the special use permit application are also included in the instant Application, include the Company's position on whether or not it has obtained for its Transmission Facilities, approval pursuant to the requirements of (i) Code § 15.2-2232; and (ii) any applicable local zoning ordinances by Pulaski County.

¹⁹ Application at 18.

- (2) The status of the referenced Permit-by-Rule application submitted to the Department of Environmental Quality; and
- (3) The contents of such Permit-by-Rule application to include whether such Permit-by-Rule application encompasses the step-up facilities or any other facilities or parts of the Project for which the Company seeks a CPCN.
- a. If such facilities or parts of the Project are included in the Permit-by-Rule, include the Company's position on what separate approvals are necessary from the Commission.

Bella Terra shall provide updated information related to the status of the Permit-by-Rule application and, as applicable, to each of the remaining directives, every two weeks thereafter.

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 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-2024-00172.
- (2) All pleadings 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")²⁰. 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

²⁰ 5 VAC 5-20-10 *et seq.*

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, 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 rule on any discovery matters and other pre-hearing matters that arise during the course of this proceeding, including the Company's Motion. A copy of each such filing made with the Office of the Clerk in this matter shall also be sent electronically to the Office of the Hearing Examiners.²¹

(5) An electronic copy of the public version of the Application may be obtained by submitting a written request to counsel for the Company: Gregory D. Habeeb, Esquire, or Jasdeep Singh Khaira, Esquire, Gentry Locke, 919 East Main Street, Suite 1130, Richmond, Virginia 23219, or habeeb@gentrylocke.com or khaira@gentrylocke.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

(6) On or before December 13, 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, as

²¹ Such electronic copies shall be sent to: OHEParalegals@scc.virginia.gov.

of the date of this Order, of property within the route or contiguous to the Transmission Facilities, 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 § 58.1-3100 *et seq.* of the Code.

(7) On or before December 13, 2024, the Company shall publish on one (1) occasion the sketch map of the proposed Transmission Facilities as provided in Attachment V.A to the Application and the following notice as display advertising (not classified) in a newspaper or newspapers of general circulation in Pulaski County, Virginia:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
HECATE ENERGY BELLA TERRA, LLC FOR APPROVAL
AND CERTIFICATION OF CERTAIN
ELECTRICAL FACILITIES ASSOCIATED WITH A
SMALL RENEWABLE (SOLAR) ENERGY PROJECT
CASE NO. PUR-2024-00172

On September 17, 2024, Hecate Energy Bella Terra, LLC ("Bella Terra" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity ("CPCN") to construct, own, and operate certain electric facilities in Pulaski County, Virginia. The Company filed its Application pursuant to §§ 56-580 D and 56-46.1 or alternatively, § 56-265.2, of the Code of Virginia ("Code"). On November 1, 2024, the Company filed supplemental Application information.

Through its Application, Bella Terra seeks a CPCN for the following facilities: (i) a 34.5 kilovolt ("kV") distribution-level medium voltage cable collection line ("34.5 kV Medium Voltage Cable"); (ii) a substation and other electrical facilities ("Bella Terra Project Substation") by which solar power will be stepped up from 34.5 kV to 138 kV by means of step-up transformers; (iii) an approximate 0.48 mile 138 kV overhead generation tie line ("Gen-Tie Line") extending from the Bella Terra Project Substation to the transmission grid at a point of interconnection ("POI") with Appalachian Power Company ("APCo") transmission facilities; and (iv) a new 138 kV switchyard (the "Bella Terra

Switchyard"), which will be constructed at the POI and will be owned and operated by APCo (collectively, "Transmission Facilities").

In addition to the Transmission Facilities, the Company states that the Project also consists of solar generation facilities with a total nameplate capacity of approximately 100 megawatts ("Solar Facilities," the Transmission Facilities and Solar Facilities are collectively referred to herein as the "Project"). The Company represents that the Solar Facilities are subject to a Permit by Rule application with the Virginia Department of Environmental Quality, as they meet the definition of a "small renewable energy project" in Code § 10.1-1197.5. The Company states that it anticipates the Project will achieve commercial operation in the fall of 2026, which requires start of construction no later than spring of 2025.

Bella Terra states the Transmission Facilities are necessary to connect the Solar Facilities to the POI with APCo's facilities and will be dedicated exclusively for use by Bella Terra in connection with the Project. Bella Terra maintains that it will not make any portion of the Transmission Facilities available for use by third parties and will not provide any service to any third parties through the Transmission Facilities.

The Company submits that the Transmission Facilities will create greater reliability in the local region. Bella Terra further states that the Transmission Facilities are necessary and integral components needed to interconnect the Project to APCo's POI to permit the sale of energy, capacity, and ancillary services. The Company states that the Project will not make direct retail sales of electricity or provide retail electric service to end users in the Commonwealth and will contribute to the diversity of competitive wholesale renewable power available in the Commonwealth.

Bella Terra states that the Project is expected to provide substantial local and regional benefits from renewable energy electric generation, construction jobs and millions of dollars in private infrastructure investment in Virginia. Bella Terra anticipates that the construction phase of the Project will create approximately 90 full-time equivalent jobs in Pulaski County and the surrounding region and that approximately one full-time job with benefits will be created once the Project is operational. The Company further states that the Project will result in direct and

indirect spending from local merchants and will increase the tax base in Pulaski County and the Commonwealth of Virginia.

Description of the proposed route for the Project

In connection with a proposed solar generating facility in Pulaski County, Virginia, Bella Terra proposes to construct the Bella Terra Project Substation, an approximately 0.48-mile 138 kV overhead Gen-Tie Line, and an approximately 0.31-mile underground 34.5kV Medium Voltage Cable, which are necessary components and are required to interconnect the Solar Facilities with APCo's transmission facilities at a new point of interconnection, the Bella Terra Switchyard. The Gen-Tie Line will begin at the Bella Terra Project Substation in the northeastern area of the southern section of the Solar Facilities region. The route will traverse north for approximately 0.10-mile and then turn west for approximately 0.10-mile. The route will then continue north for approximately 0.02-mile before it crosses Old Route 11, Norfolk Southern Railroad, and U.S. Route 11. After crossing U.S. Route 11, the route will continue for approximately 0.25-mile, and will turn east for approximately 0.02-mile before terminating at the point of interconnect to APCo's transmission system at the Bella Terra Switchyard.

The 34.5kV Medium Voltage Cable will begin at the southeastern edge of the northern section of the Solar Facilities and will run east for approximately 0.20-mile. The 34.5kV Medium Voltage Cable will then turn south for approximately 0.04-mile before it crosses U.S. Route 11, Norfolk Southern Railroad, and Old Route 11. After crossing Old Route 11, the 34.5kV Medium Voltage Cable will run south for approximately 0.005-mile and will terminate at the southern section of the Solar Facilities.

The maximum structure height for the Gen-Tie Line is 105 feet, the minimum structure height is 70 feet, and the average structure height is 88 feet as shown on Attachment II.B.3c to the Application. The heights are subject to final design.

All distances and directions are approximate. A map of the proposed Transmission Facilities accompanies this notice and can be found in Attachment V.A. to the Application. A more detailed map of the proposed routes may be viewed on the Commission's website: scc.virginia.gov/pages/Transmission-Line-Projects. A more complete description of the proposed Transmission Facilities may be found in the Application.

The Commission may consider sites and routes not significantly different from the descriptions in this notice without additional notice to the public.

The Commission entered an Order for Notice and Comment in this case that, among other things, directed the Company to provide public notice of its Application, and provided interested persons an opportunity to file comments on the Application, file a notice of participation as a respondent, and request that a hearing be convened.

Further, given Bella Terra's representations in its Application, the Commission directed the Company to provide the following information in a supplemental filing due on or before December 15, 2024:

- (1) The contents of the special use permit application submitted in connection with the Project, including whether such contents include any step-up facilities or any other facilities or parts of the Project for which the Company seeks a CPCN;
 - a. If such facilities or parts of the Project included in the special use permit application are also included in the instant Application, include the Company's position on whether or not it has obtained for its Transmission Facilities, approval pursuant to the requirements of (i) Code § 15.2-2232; and (ii) any applicable local zoning ordinances by Pulaski County.
- (2) The status of the referenced Permit-by-Rule application submitted to the Department of Environmental Quality; and
- (3) The contents of such Permit-by-Rule application to include whether such Permit-by-Rule application encompasses the step-up facilities or any other facilities or parts of the Project for which the Company seeks a CPCN.
 - a. If such facilities or parts of the Project are included in the Permit-by-Rule, include the Company's position on what separate approvals are necessary from the Commission.

Bella Terra was also directed to provide updated information related to the status of the Permit-by-Rule application and, as applicable, to each of the remaining directives, every two weeks thereafter.

To promote administrative efficiency and timely service of filings upon participants, the Commission has directed the electronic filing of documents 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, 5 VAC 5-20-10 *et seq.* ("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.

An electronic copy of the public version of the Application also may be obtained by submitting a written request to counsel for the Company: Gregory D. Habeeb, Esquire, or Jasdeep Singh Khaira, Esquire, Gentry Locke, 919 East Main Street, Suite 1130, Richmond, Virginia 23219, or habeeb@gentrylocke.com or khaira@gentrylocke.com. Interested persons also may download unofficial copies of the public version of the Application and other documents filed in this case from the Commission's website: scc.virginia.gov/pages/Case-Information.

On or before January 17, 2025, any interested person may submit comments on the Application by following the instructions 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 comments shall refer to Case No. PUR-2024-00172.

On or before January 17, 2025, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission 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. Notices of participation shall include the email address of the party or its counsel. The respondent shall

serve a copy of the notice of participation on counsel to the Company at the address listed above. 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-2024-00172.

On or before January 17, 2025, 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-2024-00172.

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 Rules of Practice.

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

HECATE ENERGY BELLA TERRA, LLC

(8) On or before December 13, 2024, the Company shall serve a copy of this Order for Notice and Comment on the following local officials in Pulaski County, to the extent the position

exists: the chairman of the board of supervisors of the 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 January 3, 2025, the Company shall file proof of the notice and service required by Ordering Paragraphs (7) and (8), including the name, title, and address of each official served, with the Clerk of the Commission by filing electronically at scc.virginia.gov/clk/efiling.

(10) On or before January 3, 2025, the Company shall file with the Clerk of the Commission, electronically at scc.virginia.gov/clk/efiling, a certificate of mailing of the 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 this information.

(11) On or before January 17, 2025, 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 submit 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-2024-00172.

(12) On or before January 17, 2025, 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 shall serve a copy of the notice of participation on counsel to the Company at the address listed in Ordering Paragraph (5). Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the 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-2024-00172.

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

(14) On or before January 17, 2025, 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-2024-00172.

(15) On or before January 24, 2025, Bella Terra 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 February 7, 2025, 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 February 21, 2025, the Company 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 response in rebuttal on Staff and all respondents. Additionally, the Company shall serve a copy of its rebuttal response 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 Rules of Practice.

(19) 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.²² Except as modified herein, discovery shall be in accordance with Part IV of the 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.

²² 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-2024-00172, in the appropriate box.