

**APPLICATION OF****VIRGINIA ELECTRIC AND POWER COMPANY****CASE NO. PUR-2024-00135****For approval and certification of electric transmission facilities: 230 kV Lines #210 and #243 Extension and 230-34.5 kV Edsall Substation****HEARING EXAMINER'S RULING****November 22, 2024**

On July 26, 2024, Virginia Electric and Power Company d/b/a Dominion Energy Virginia (“Dominion” or “Company”) filed an application (“Application”) with the State Corporation Commission (“Commission”) for approval and certification of electric transmission facilities pursuant to § 56-46.1 of the Code of Virginia (“Code”) and the Utility Facilities Act, Code § 56-265.1 *et seq.*

On August 22, 2024, the Commission entered an Order for Notice and Hearing in this case that, among other things, assigned a Hearing Examiner to conduct all further proceedings in this matter on the Commission’s behalf.

The Fairfax County Board of Supervisors (“Fairfax” or “County”); the Bren Pointe Homeowners Association, the Ridges at Edsall Homeowners Association Inc., the Jefferson Green Unit Owners Association Inc., the Bren Mar Recreation Association Inc., and the Overlook Foundation Inc. (collectively, “Association Respondents”); the Fairfax County Park Authority; and J-Del, LLC, B-DEL Corporation and Ford Farrington 6021, LLC (collectively, “Landowners”) (collectively, “Parties”) filed Notices of Participation in this proceeding.

On November 14, 2024, Fairfax filed a Motion to Hold a Local Public Hearing (“Local Hearing Motion”). In support thereof, Fairfax stated the transmission line proposed in the Application runs entirely through Fairfax County and the Fairfax County Board of Supervisors is the governing body of Fairfax County.<sup>1</sup> Fairfax represented that December 5, 2024, is the preferred local public hearing date for the County and the Company; however, the Association Respondents prefer the local public hearing be held during the first full week of January.<sup>2</sup> Fairfax further represented that Staff and the Parties do not oppose the County’s request for a local public hearing.<sup>3</sup> Fairfax stated the County is coordinating with Fairfax County Public Schools to secure the preferred location for the local public hearing: Bren Mar Park Elementary School.<sup>4</sup>

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<sup>1</sup> Local Hearing Motion at 1. Code § 56-46.1 C provides in relevant part, “If, prior to [the Commission’s approval of an electric transmission facility] written requests [for a public hearing] are received from the governing body of any county ... through which the line is proposed to be built ... the Commission shall hold at least one hearing in the area that would be affected by construction of the line, for the purpose of receiving public comment on the proposal.”

<sup>2</sup> Local Hearing Motion at 2.

<sup>3</sup> *Id.* at 2.

<sup>4</sup> *Id.*

On November 15, 2024, the Association Respondents filed the Response of the Association Respondents to the Fairfax County Board of Supervisors Motion to Hold a Local Public Hearing (“Association Respondents’ Response”) in which they recommended that the Commission hold a local public hearing during the first two weeks of January 2025 in lieu of, or in addition to, a public hearing on December 5.<sup>5</sup> According to the Association Respondents, a local public hearing in January would provide a longer notice period; allow additional time for affected citizens to review the Application; and occur after the Commission’s December 16, 2024, technical conference in Case No. PUR-2024-00144,<sup>6</sup> and the Joint Legislative Audit and Review Commission’s next meeting on December 9, 2024, during which the Association Respondents understand data centers will be addressed.

On November 18, 2024, Fairfax filed a Supplement to Motion to Hold a Local Public Hearing (“Supplemental Local Hearing Motion”) confirming that the Bren Mar Park Elementary School, located at 6344 Beryl Road, Alexandria, Virginia 22312, is available for a local public hearing on Thursday, December 5, 2024, at 7:00 p.m.<sup>7</sup>

On November 18, 2024, Dominion filed its Response in Support of Fairfax County’s Motion to Hold a Local Public Hearing on December 5, 2024 (“Dominion’s Response”), in which it requested that the Local Hearing Motion be granted. Alternatively, the Company requested that the Commission schedule the local public hearing for December 3, 2024. Should the Commission schedule the local public hearing in January, the Company requested it be scheduled for either January 6 or 7, 2025, and that only one local public hearing be held.<sup>8</sup> Dominion stated citizens have been aware of the proposed project since April 2024, when the Company held an open house for the public. Dominion further stated a site visit for the Parties has been requested and is contemplated to occur either December 3 or December 5.<sup>9</sup> To promote judicial economy, the Company has requested that the site visit occur on the same day as the local public hearing.<sup>10</sup>

On November 22, 2024, Fairfax filed a Second Supplement to Motion to Hold a Local Public Hearing (“Second Supplemental Local Hearing Motion”) stating the Bren Mar Park Elementary School is not available as set forth in the Supplemental Local Hearing Motion. Fairfax further stated North Springfield Elementary School, located at 7602 Heming Court, Springfield, Virginia 22151,<sup>11</sup> can accommodate a public hearing to begin at 7:00 p.m. Accordingly, the County requested that a local public hearing be held on December 5, 2024, at 7:00 p.m. at the North Springfield Elementary School.

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<sup>5</sup> Association Respondents’ Response at 3.

<sup>6</sup> See *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electric Utilities and Load Growth*, Case No. PUR-2024-00144, Scheduling Order and Notice of Technical Conference (Oct. 2, 2024).

<sup>7</sup> Supplemental Local Hearing Motion at 1.

<sup>8</sup> Dominion’s Response at 3.

<sup>9</sup> *Id.*

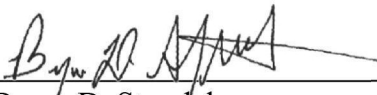
<sup>10</sup> *Id.*

<sup>11</sup> The County stated this location is four miles from the proposed substation location. Second Supplemental Local Hearing Motion at 1.

Having considered the foregoing, I find that the Local Hearing Motion should be **GRANTED**. I note that the procedural schedule in this case provides an additional opportunity for interested citizens to offer public witness testimony on the Company's Application. The public witness hearing established by the Commission's Order for Notice and Hearing will occur on December 19, 2024, at 10:00 a.m. At this time, public witnesses may provide testimony either telephonically or in person in the Commission's second floor courtroom.

Accordingly, **IT IS DIRECTED THAT:**

1. A local public witness hearing is scheduled for Thursday, December 5, 2024, commencing at 7:00 p.m. and concluding at 10:00 p.m., at North Springfield Elementary School, 7602 Heming Court, Springfield, Virginia 22151; and
2. Any person desiring to testify as a public witness at the December 5, 2024, local public witness hearing should arrive at least 15 minutes prior to the scheduled hearing and register to testify with the Commission's Bailiff. To promote fairness for all public witnesses, each witness will be allotted approximately five minutes to provide testimony.

  
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Bryan D. Stogdale  
Hearing Examiner

The Clerk of the Commission is requested to send a copy of this Ruling to all persons on the official Service List. The Service List is 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.