

## STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 6, 2025

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## APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

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

FINAL ORDER

On March 7, 2024, Virginia Electric and Power Company ("Dominion" or the "Company") filed with the State Corporation Commission ("Commission") an application ("Aspen Application") in the instant case for approval and certification of electric facilities in Loudoun County, Virginia.<sup>1</sup> Dominion filed its Aspen 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 Aspen Application, the Company proposed to complete the following (collectively, the "Aspen-Golden Project"):<sup>2</sup>

- (1) Construct a new 500-230 kilovolt ("kV") substation in Loudoun County, Virginia, entirely on Company-owned property ("Aspen Substation"). The 500 kV source to the Aspen Substation will be created by cutting the Company's existing overhead 500 kV Brambleton-Goose Creek Line #558 into the Aspen Substation between Structure #558/1857 and Structure #558/1856. The cut-in of Line #558 to the Aspen Substation will result in (i) 500 kV Aspen-Brambleton Line #558 and (ii) 500 kV Aspen-Goose Creek Line #597.
- (2) In addition to the 500 kV Aspen-Goose Creek Line #597 that results from the cut in for the Aspen Substation as described above, construct a new 500 kV line to connect the proposed Aspen Substation to the existing Goose Creek Substation. Specifically, the Company proposes to construct a new 500 kV

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<sup>1</sup> Ex. 4 (Aspen Application) at 2.

<sup>2</sup> *Id.* at 2-5.

single circuit transmission line extending approximately 0.2 mile from the proposed 500-230 kV Aspen Substation to the Company's existing 500 kV Goose Creek Substation in Loudoun County, Virginia, named Aspen-Goose Creek Line #5002 (or the "Aspen-Goose Creek Line"). The Aspen-Goose Creek Line will be constructed entirely on Company-owned property or within existing right-of-way supported by one 500 kV single circuit monopole structure and will utilize three-phase triple-bundled 1351.5 Aluminum Conductor Steel Reinforced ("ACSR") conductors with a summer transfer capability of 4,357 megavolt amperes ("MVA"). Substation line terminal upgrade work will be required at the 500 kV Goose Creek Substation in order to terminate the two proposed Aspen-Goose Creek Lines (*i.e.*, Line #597 and Line #5002), as discussed in Appendix Section II.C to the Aspen Application. Combined with the new 500 kV Aspen-Goose Creek Line #597, this new 500 kV Aspen-Goose Creek Line #5002 will bring two new sources to the area by connecting Goose Creek Substation to the area grid via the proposed Aspen Substation.

- (3) Construct a new approximately 9.4-mile overhead 500 kV single circuit transmission line and a new 230 kV single circuit transmission line almost entirely on new right-of-way. The new transmission lines will originate at the 500 kV and 230 kV buses of the proposed Aspen Substation and continue to the proposed 500-230 kV Golden Substation, where the new lines will terminate, resulting in (i) 500 kV Aspen-Golden Line #5001, and (ii) 230 kV Aspen-Golden Line #2333 (collectively, the "Aspen-Golden Lines"). The proposed Aspen-Golden Lines will be constructed on new right-of-way varying between 100 and 150 feet in width in order to support a 5-2 configuration on a combination of dulled galvanized steel double circuit three-pole or two-pole H-frame structures (150-foot-wide right-of-way) or monopole or two-pole structures (100-foot-wide right-of-way), as well as to accommodate the routing of the lines to their respective buses in the proposed Aspen and Golden Substations. The new 500 kV line will utilize three-phase triple-bundled 1351.5 ACSR conductors with a summer transfer capability of 4,357 MVA; the new 230 kV line will utilize three-phase twin-bundled 768.2 Aluminum Conductor Steel Supported/Trapezoidal Wire/High Strength ("ACSS/TW/HS") type conductor with a summer transfer capability of 1,573 MVA.
- (4) Construct a new 500-230 kV substation in Loudoun County, Virginia, on property to be obtained by the Company ("Golden Substation").
- (5) Loop the Company's existing 230 kV overhead Paragon Park-Sterling Park Line #2081 and Paragon Park-Sterling Park Line #2150, which are currently collocated on double circuit lattice towers, into and out of the proposed Golden Substation in Loudoun County, Virginia. Specifically, the Company proposes to cut Line #2081 and Line #2150 between Structure #2081/124 / #2150/184 and Structure #2081/123 / #2150/183, and

loop the existing lines into and out of the proposed Golden Substation, resulting in (i) Golden-Sterling Park #2081, (ii) Golden-Sterling Park #2150, (iii) Golden-Paragon Park #2348, and (iv) Golden-Paragon Park #2351 (collectively, the "Lines #2081/#2150 Loop" or "Line Loop"). To cut the lines into the proposed Golden Substation, the Company will remove one existing double circuit lattice tower (Structure #2081/123 / #2150/183) and replace it with four dulled galvanized steel single circuit monopoles (Structures #2081/122A, #2150/182A, #2348/123A, and #2351/183A). The Line Loop will be constructed entirely within the existing transmission corridor right-of-way or on property to be obtained by the Company for the proposed Golden Substation. Temporary infrastructure may be installed within the existing transmission corridor to keep Lines #2081 and #2150 in service during construction of the Line Loop. The Company proposes to utilize three-phase twin-bundled 768.2 ACSS/TW/HS type conductor with a summer transfer capability of 1,573 MVA for the Line Loop, the rating of which will be limited to the rating of the existing lines. As the closest existing 230 kV lines to the proposed Golden Substation site, the Lines #2081/#2150 Loop will provide a new 230 kV source from the Aspen/Goose Creek Substation area into Data Center Alley via the proposed Golden Substation.

In the Aspen Application, Dominion asserted that the proposed Aspen-Golden Project is necessary to maintain and improve electric service to customers in the eastern Loudoun load area; to address significant load growth in the eastern Loudoun load area; and to resolve identified North American Electric Reliability Corporation reliability violations.<sup>3</sup>

Dominion stated that for the Aspen-Goose Creek Line #5002, the Company identified one approximately 0.2-mile overhead proposed route that will be constructed entirely within existing right-of-way or on Company-owned property.<sup>4</sup>

Dominion stated that for the Aspen-Golden Lines, the Company identified one overhead 9.4-mile proposed route ("Proposed Route" or "Route 1AA") and three overhead alternative

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

<sup>4</sup> *Id.* at 6.

routes that are either 9.4 or 9.5 miles long ("Alternative Route 1AB" or "Route 1AB," "Alternative Route 1BA" or "Route 1BA," and "Alternative Route 1BB" or "Route 1BB").<sup>5</sup>

Dominion stated that one segment of the Proposed Route extends along State Route 7 ("Rt. 7") adjacent to the Belmont Park planned development (the "Belmont Park Segment") and includes two 0.6-mile overhead variations ("Belmont Park Variation A" and "Belmont Park Variation B").<sup>6</sup> A second segment extends along Loudoun Water's Broad Run Water Reclamation Facility property and adjacent to privately owned properties (the "Broad Run Segment") and includes a 2.2-mile variation ("Broad Run Variation A") and a 2.3-mile variation ("Broad Run Variation B").<sup>7</sup> A third segment, which is common to all of the Aspen-Golden Lines route alternatives, extends from the proposed Aspen Substation to the proposed Golden Substation, excluding the Belmont Park Segment and the Broad Run Segment where route variations were identified, for a combined total of 6.6 miles ("Route 1").<sup>8</sup>

The Proposed and Alternative Routes are all comprised of different combinations of these variations, as described below:<sup>9</sup>

- (1) Proposed Route (Route 1AA): Route 1 with Belmont Park Variation A and Broad Run Variation A (approximately 9.4 total miles);
- (2) Alternative Route 1AB: Route 1 with Belmont Park Variation A and Broad Run Variation B (approximately 9.5 total miles);
- (3) Alternative Route 1BA: Route 1 with Belmont Park Variation B and Broad Run Variation A (approximately 9.4 total miles); and

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

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

<sup>7</sup> *Id.* at 6-7.

<sup>8</sup> *Id.* at 7.

<sup>9</sup> *Id.* at 7-8.

(4) Alternative Route 1BB: Route 1 with Belmont Park Variation B and Broad Run Variation B (approximately 9.5 total miles).

For the Lines #2081/#2150 Loop, the Company identified one approximately < 0.1-mile (approximately 490 feet) overhead proposed route that will be constructed entirely on existing right-of-way or property to be obtained by the Company at the Golden Substation.<sup>10</sup>

The Company stated the desired in-service date for the proposed Aspen-Golden Project is June 1, 2028.<sup>11</sup> The Company represented the estimated conceptual cost of the proposed Aspen-Golden Project is approximately \$700.1 million (in 2024 dollars).<sup>12</sup>

On April 17, 2024, the Commission issued an Order for Notice and Hearing, which among other things: consolidated and docketed the applications for Case Nos. PUR-2024-00032 and PUR-2024-00044 ("Applications");<sup>13</sup> established a procedural schedule; directed Dominion to provide notice of its Applications to interested persons and the public; scheduled public hearings for the purpose of receiving testimony and evidence on the Applications; provided interested persons an opportunity to file comments on the Applications or participate as a respondent; directed the Commission's Staff ("Staff") to investigate the Applications and file testimony and exhibits containing its findings and recommendations; and appointed a Hearing Examiner to conduct all further proceedings in the consolidated matter on behalf of the Commission and file a final report.

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<sup>10</sup> *Id.* at 8.

<sup>11</sup> *Id.* at 10.

<sup>12</sup> *Id.* at 12. This estimated conceptual cost was revised from the original figure of \$688.6 million (in 2023 dollars) by the Company's August 23, 2024 errata filing.

<sup>13</sup> On March 27, 2024, the Company filed its Motion of Virginia Electric and Power Company to Consolidate, for Procedural and Hearing Purposes Only, Case No. PUR-2024-00032 and Case No. PUR-2024-00044, which was granted in the Commission's April 17, 2024, Order for Notice and Hearing.

Timely notices of participation were filed by Loudoun County, Virginia ("Loudoun"); JK Land Holdings, LLC ("JK Land Holdings"); Lansdowne Conservancy ("Lansdowne"); NA Dulles Real Estate Investor, LLC ("NA Dulles"); Theresa A. Ghiorzi; Allan Myers VA, Inc. ("Allan Myers"); Leesburg Pike Community Church ("LPCC"); Loudoun County Sanitation Authority ("LCSA"); Piedmont Environmental Council ("Piedmont"); Philadelphia-Baltimore-Washington Laborers' District Council ("PBWLDC"); and Visa U.S.A. Inc. ("Visa"). The Commission received a large number of public comments on the Company's Applications.

On August 6, 2024, a telephonic public witness hearing was held with counsel for Dominion, Loudoun, JK Land Holdings, Lansdowne, LPCC, LCSA, Piedmont, Visa, and Staff in attendance, with Theresa Ghiorzi appearing pro se. Additionally, on September 5, 2024, a public witness hearing was convened in Leesburg, Virginia, where approximately forty witnesses provided testimony to the Commission.

On August 13, 2024, Allan Myers and PBWLDC filed testimony. On August 14, 2024, Loudoun, NA Dulles, LPCC, LCSA, Lansdowne, JK Land Holdings, and Theresa Ghiorzi filed testimony.

On August 21, 2024, Staff filed its testimony and exhibits, and on September 4, 2024, the Company filed its rebuttal testimony.

On August 23, 2024, the Company filed an errata to the Applications.

The Hearing Examiner convened an evidentiary hearing on both cases, beginning on September 18, 2024, and continuing through September 19, 20, 23, and 26, 2024. Counsel for Dominion, JK Land Holdings, Lansdowne, LPCC, Piedmont, Visa, PBWLDC, NA Dulles,

Loudoun, LCSA, and Staff were in attendance, with Theresa Ghiorzi appearing pro se. No public witnesses signed up to testify.<sup>14</sup>

On November 1, 2024, the Senior Hearing Examiner issued the Report of M. Renae Carter, Senior Hearing Examiner ("Report"). In the Report, the Senior Hearing Examiner made the following findings and recommendations for the combined cases:<sup>15</sup>

- (1) There is sufficient evidence that the Aspen-Golden and Apollo-Twin Creeks Projects are needed.
- (2) The evidence demonstrates that both the Aspen-Golden and Apollo-Twin Creeks Projects support economic development in Loudoun County and the Commonwealth.
- (3) Dominion has provided sufficient evidence that existing rights of way would be used for the Aspen-Golden Project where possible but that existing rights of way cannot meet the needs for the majority of the Aspen-Golden Project. The record supports approval of Route 1AA with the [JK Land Holdings] Belmont Landbay KK Variation (including flexibility to microsite the Aspen-Golden Lines' route and structures on the [JK Land Holdings] Belmont Property); the [LPCC] Proposed Modified Segment; and the ability to work with Allan Myers to determine possible siting solutions on Allan Myers' property.
- (4) Given the concerns about the Updated Hybrid Proposal's<sup>16</sup> route, constructability, and cost and given the lack of environmental analysis and environmental justice analysis, I do not find the Updated Hybrid Proposal meets the statutory criteria for [Certificate of Public Convenience and Necessity ("CPCN")] issuance, nor do I find that the total public interest is best served by the Updated Hybrid Proposal.
- (5) Dominion has provided sufficient evidence that existing rights of way cannot meet the needs for the Apollo-Twin Creeks Project, and the record evidence supports Commission approval of the route proposed in the Apollo-Twin Creeks Application.
- (6) The record establishes that Aspen-Golden Route 1AA and the Apollo-Twin Creeks Route both avoid or reasonably minimize adverse impacts to the

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<sup>14</sup> Tr. at 245.

<sup>15</sup> Report at 173-75.

<sup>16</sup> The Updated Hybrid Proposal was proposed by Loudoun.

greatest extent reasonably practicable to environmental, historic, and scenic resources.

- (7) It is desirable or necessary to establish the uncontested recommendations of the [Department of Environmental Quality ("DEQ")] Report as conditions for approval of the Aspen-Golden and Apollo-Twin Creeks Projects.
- (8) Pertaining to the Apollo-Twin Creeks Project only, the Commission should require Dominion to:
  - Coordinate with the Department of Wildlife Resources to minimize impacts to songbirds from the project;
  - Coordinate with the Department of Wildlife Resources and DEQ, as appropriate, to minimize any impact to the presence of the Green Floater should either or both of (i) in-stream work in Goose Creek or its tributaries be necessary, or (ii) the Company anticipate that right of way clearing will reduce shade along Goose Creek or its tributaries; and
  - Follow any laws or regulations, and obtain any relevant permits, concerning the avoidance and/or handling of Torrey's Mountain-mint.
- (9) Pertaining to the Aspen-Golden Project only, the Commission should adopt as reasonable Dominion's proposal to plot and call out wells and to coordinate with the Virginia Department of Health's Office of Drinking Water as needed.
- (10) Pertaining to both the Aspen-Golden and Apollo-Twin Creeks Projects, the Commission should:
  - Decline to adopt the DEQ recommendation that Dominion further evaluate certain petroleum release sites to determine the location, nature, and extent of release, as well as the potential to impact the projects;
  - Decline to condition approval of either project on the DEQ recommendation to avoid and minimize impacts to ecological cores; and
  - Decline to adopt the recommendations that Dominion develop and implement an invasive species management plan as part of its right of way maintenance practices, as well as any requirement that these practices include revegetation using native species, with robust monitoring and an adaptive plan if initial revegetation attempts are unsuccessful or an outbreak of invasive species emerges.
- (11) The Aspen-Golden Project's cost estimate, utilizing Route 1AA, and the Apollo-Twin Creeks Project's cost estimate, are supported by the evidence. The cost estimate for the Updated Hybrid Proposal is not reasonable based on this record.



- (12) There is sufficient record evidence that the public health and safety will not be harmed by the construction and operation of the Apollo-Twin Creeks Project or the Aspen-Golden Project.
- (13) The Company reasonably considered the requirements of the Virginia Environmental Justice Act in both the Aspen-Golden and Apollo-Twin Creeks Applications.
- (14) The Commission should decline to approve a specific requirement that construction of the Aspen-Golden Project incorporate any specific amount of labor from Loudoun County, the Commonwealth, and/or environmental justice communities.

NOW THE COMMISSION, having considered this matter, is of the opinion and finds as follows.

#### Hearing Examiner's Report

After analyzing the law and weighing the evidence – and providing a thorough and detailed analysis thereof – the Senior Hearing Examiner made the following recommendations:<sup>17</sup>

Accordingly, ***I RECOMMEND*** the Commission enter an Order:

- (1) ***ADOPTING*** the findings above;
- (2) ***APPROVING*** the Aspen-Golden and Apollo-Twin Creeks Applications subject to the conditions set forth herein;
- (3) ***GRANTING*** Certificates of Public Convenience and Necessity for: (i) the Apollo-Twin Creeks Project, using the route proposed in that Application; and (ii) the Aspen-Golden Project, using Route 1AA as modified for the [JK Land Holdings] Belmont Landbay KK Variation and the [LPCC] Proposed Modified Segment, and including the ability to work with Allan Myers to determine possible solutions to site the Aspen-Golden Lines on Allan Myers' property without interfering with this business's future construction plans; and
- (4) ***DISMISSING*** [this case] from the Commission's docket of active cases.

Upon consideration of this matter, the Commission finds that the Senior Hearing Examiner's findings and recommendations, as applicable to Case No. PUR-2024-00032, are

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<sup>17</sup> *Id.* at 175.

supported by law and evidence, have a rational basis, and should be adopted subject to the modifications herein. The Commission appreciates the extensive record the participants developed over the course of this proceeding. We have considered and adopted the Senior Hearing Examiner's extensive summary and analysis of the hybrid routes, including the Updated Hybrid Route contained in the Report, as noted above. The Commission finds that the public convenience and necessity requires the construction of the Aspen-Golden Project and that a CPCN authorizing the Aspen-Golden Project should be issued subject to the recommended findings and conditions contained in the Report.<sup>18</sup>

Accordingly, IT IS ORDERED THAT:

- (1) The Commission adopts the Senior Hearing Examiner's findings and recommendations in the Report, as applicable to Case No. PUR-2024-00032.
- (2) As applicable to Case No. PUR-2024-00032, the Senior Hearing Examiner's recommendations set forth in the Report are ordered.
- (3) Dominion is authorized to construct and operate the Aspen-Golden Project as proposed in its Aspen Application and provided for herein.
- (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 Aspen-Golden Project is granted as provided for herein.

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<sup>18</sup> We have considered all comments filed in this proceeding, including comments filed by Loudoun alleging due process violations against the Senior Hearing Examiner. Upon review of the record, the Commission finds no error in the Senior Hearing Examiner's evidentiary rulings. In addition, based on the specific issues attendant to the Senior Hearing Examiner's rulings and the totality of the process provided to Loudoun, we find that any error, if it existed, would be harmless for the purpose of the Commission's particular findings in this matter. Further, the Commission has fully considered the evidence and arguments in the record. *See Board of Supervisors of Loudoun County v. State Corp. Comm'n*, 292 Va. 444, 454 n.10 (2016) ("We note that even in the absence of this representation by the Commission, pursuant to our governing standard of review, the Commission's decision comes to us with a presumption that it considered all of the evidence of record.") (Citation omitted). Our findings herein, adopted through the Senior Hearing Examiner's Report, are supported thereby.

(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-LDN-2025-A, which authorizes Virginia Electric and Power Company under the Utility Facilities Act to operate certificated transmission lines and facilities in Loudoun County, all as shown on the map attached to the certificate, and to construct and operate facilities as authorized in Case No. PUR-2024-00032, cancels Certificate No. ET-DEV-LDN-2024-A, issued to Virginia Electric and Power Company in Case No. PUR-2024-00044 on February 5, 2025.

(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 foregoing Certificate Number that show the routing of the transmission line approved herein. Maps shall be submitted to Michael Cizenski, Deputy Director, Division of Public Utility Regulation, [mike.cizenski@scc.virginia.gov](mailto:mike.cizenski@scc.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 Aspen-Golden Project approved herein must be constructed and in service by June 1, 2028. The Commission approves a CPCN sunset date of June 1, 2029, for energization of the Aspen-Golden Project. No later than ninety (90) days before the CPCN sunset 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.