

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, JANUARY 22, 2024

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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2023-00054

For approval and certification of electric transmission facilities: Chesterfield – Hopewell Lines #211 and #228 Partial Rebuild Project

FINAL ORDER

On April 6, 2023, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Chesterfield County, Virginia ("County"). 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.*

Through its Application, the Company proposes to complete the following, which is collectively referred to as the "Rebuild Project":

- Rebuild, entirely within existing right-of-way ("ROW") or on Company-owned property, approximately 2.9 miles of 230 kilovolt Lines #211 and #228 on double-circuit weathering steel structures between Chesterfield Substation and Hopewell Substation;
- Reconductor approximately 0.09 miles of Line #228 outside of Hopewell Substation; and
- Complete work at Chesterfield and Hopewell Substations to support the new line rating.<sup>1</sup>

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<sup>1</sup> Application at 2.

On April 24, 2023, the Commission entered an Order for Notice and Comment, which among other things: docketed the Company's Application; established a procedural schedule; required the Company to provide public notice of its Application; allowed interested persons an opportunity to file written comments on the Application; allowed any person or entity to participate as a respondent by filing a notice of participation; allowed for the filing of requests for a hearing on the Application; directed Staff to investigate the Application and file a Staff Report; and assigned the case to 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 to provide a report on the review.<sup>2</sup> On June 15, 2023, 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.

No notices of participation or hearing requests were filed. One public comment on the Application was filed by the County with the Commission.

On September 1, 2023, Staff filed its Staff Report, and on September 15, 2023, the Company filed its rebuttal testimony.

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<sup>2</sup> Letter from Michael J. Zielinski, Esquire, State Corporation Commission, dated April 12, 2023, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2023-00054; Letter from Michael J. Zielinski, Esquire, State Corporation Commission, dated April 12, 2023, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2023-00054.

On September 20, 2023, the Report of Michael D. Thomas, Senior Hearing Examiner ("Report"), was issued. In the Report, the Senior Hearing Examiner made the following findings:<sup>3</sup>

- (1) The Rebuild Project is needed to comply with mandatory North American Reliability Corporation Reliability Standards and to maintain reliable service to accommodate overall growth and system generation capability in the project area;
- (2) The Company established that demand side management will not obviate the need for the Rebuild Project;
- (3) The Company's proposed construction timeline and desired in-service date appear reasonable;
- (4) The Company's proposed costs for the Rebuild Project appear reasonable;
- (5) The reconductoring of approximately 0.09 miles of Line #228 outside of Hopewell Substation qualifies as an ordinary extension or improvement in the usual course of business;
- (6) Since the Rebuild Project will be constructed entirely within existing ROW or Company-owned land, the Company reasonably considered the use of existing ROW for the project;
- (7) The Rebuild Project will have no material adverse impact on scenic, environmental, or historic resources;
- (8) In part, the recommendations in the DEQ Report "Summary of Findings and Recommendations" are "desirable or necessary to minimize adverse environmental impact"<sup>4</sup> associated with the Rebuild Project;
- (9) The Commission should reject the following recommendations in the DEQ Report: (i) the DEQ Division of Land Protection and Revitalization's recommendation that the Company further evaluate the pollution complaint case identified in the DEQ Report and coordinate with DEQ<sup>5</sup>; (ii) DEQ's recommendation that the Company consider development of an effective Environmental Management System<sup>6</sup>; and (iii) the

<sup>3</sup> Report at 21-22.

<sup>4</sup> Code § 56-46.1 A.

<sup>5</sup> DEQ Report at 14.

<sup>6</sup> *Id.* at 19.

Department of Wildlife Resource's recommendation regarding matting made from natural/organic materials<sup>7</sup>;

- (10) The Company reasonably addressed the other comments in the DEQ Report;
- (11) The Company reasonably addressed the County's comments concerning construction precautions and access to the County's Battery Danzler and Ware Bottom Church Parks;
- (12) The Company reasonably considered alternatives to the Rebuild Project;
- (13) The Rebuild Project does not represent a hazard to public health or safety;
- (14) The Company reasonably addressed the impact of the Rebuild Project on aviation resources; and
- (15) The Company reasonably considered the requirements of the Virginia Environmental Justice Act in its Application.

On September 29, 2023, Dominion filed comments on the Report.

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

Senior 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>8</sup>

I therefore *RECOMMEND* the Commission enter an Order that:

- (1) *ADOPTS* the findings and recommendations contained in the Report;
- (2) *ISSUES* a certificate of public convenience and necessity ("CPCN") to construct and operate the Rebuild Project;
- (3) *DISMISSES* this case from the Commission's docket of active cases.

<sup>7</sup> *Id.* at 23.

<sup>8</sup> Report at 22.

Upon consideration of this matter, the Commission concludes that the Senior Hearing Examiner's findings and recommendations are supported by law and evidence, have a rational basis, and are adopted herein. The Commission finds that the public convenience and necessity requires the construction of the Rebuild Project and that a CPCN authorizing the Rebuild 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 Senior Hearing Examiner's findings and recommendations.
- (2) The Senior Hearing Examiner's recommendations, set forth herein, are hereby ordered.
- (3) Dominion is authorized to construct and operate the Rebuild Project as proposed in its Application, subject to the findings and conditions imposed 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 Rebuild 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-CHE-2024-A, which authorizes Virginia Electric and Power Company under the Utility Facilities Act to operate certificated transmission lines and facilities in Chesterfield County, all as shown on the map attached to the certificate, and to construct and operate facilities as authorized in Case No. PUR-2023-00054, cancels Certificate No. ET-DEV-CHE-2021-A, issued to Virginia Electric and Power Company in Case No. PUR-2020-00239 on March 23, 2021.

- (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 an electronic map 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@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 Rebuild Project approved herein must be constructed and in service by June 1, 2025. 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.

Commissioner James C. Dimitri participated in this matter.

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.