

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, MARCH 25, 2024

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APPLICATION OF

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VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2023-00110

For approval and certification of electric transmission facilities: 230 kV Elmont-White Oak Line #2075, 230 kV Chickahominy-White Oak Line #2294, and White Oak Substation Expansion

FINAL ORDER

On June 23, 2023, Virginia Electric and Power Company ("Dominion" or the "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Henrico County, Virginia. 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 "Project":<sup>1</sup>

- Construct two new approximately 4.69-mile overhead 230 kilovolt ("kV") transmission lines on primarily double circuit monopole structures in a new predominantly 100-foot-wide right-of-way by cutting the Company's existing 230 kV Chickahominy-Elmont Line #2075 at a location between Structures #2075/150 and #2075/151, resulting in (i) 230 kV Elmont-White Oak Line #2075, and (ii) 230 kV Chickahominy-White Oak Line #2294 ("White Oak Lines"). At the cut-in location within the existing right-of-way, the Company will remove one single circuit lattice tower and install one single circuit H-frame structure on 500 kV Chickahominy-Elmont Line #557 to facilitate construction of the White Oak Lines. From the cut-in location within the existing right-of-way, the White Oak Lines will extend a total of approximately 4.69 miles generally in a southwesterly direction before terminating at the expanded White Oak Substation. While the proposed cut-in location is in the existing right-of-way, the proposed White Oak Lines will be constructed in new

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<sup>1</sup> Ex. 2 (Application) at 2-3.

rights-of-way supported primarily by double circuit weathering steel monopoles and will utilize three-phase twin-bundled 768.2 ACSS/TW type conductor with a summer transfer capability of 1,573 MVA;

- Expand the Company's existing White Oak Substation in Henrico County, Virginia, in order to accommodate the termination of the new White Oak Lines ("White Oak Substation Expansion"). The White Oak Substation Expansion will require an additional approximately 0.7 acre, which the Company will obtain through easement; and
- Perform line-protection resets at the Company's existing Chickahominy and Elmont Substations.

On August 3, 2023, the Commission entered an Order for Notice and Hearing that, among other things: docketed the Company's Application; established a procedural schedule; required the Company to provide public notice of its Application; provided interested persons an opportunity to comment on the Application or participate in the proceeding as a respondent by filing a notice of participation; scheduled public witness and evidentiary hearings; directed the Commission's Staff ("Staff") to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon; and appointed a Hearing Examiner to conduct all further proceedings in this matter and to 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 August 18, 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 ("DEQ-OWSP").

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<sup>2</sup> Letter from C. Austin Skeens, Esquire, State Corporation Commission, dated June 29, 2023, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2023-00110; Letter from C. Austin Skeens, Esquire, State Corporation Commission, dated June 29, 2023, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2023-00110.

The Myrtle M. Holland Family Trust ("Trust"), Hourigan Development, LLC ("Hourigan"), and Quality Investment Properties Richmond, LLC ("Quality Investment") filed notices of participation. Public comments on the Application were also filed with the Commission.

On October 20, 2023, Hourigan and Quality Investment each filed separate testimony. On October 23, 2023, the Trust filed its testimony.<sup>3</sup> On November 3, 2023, Staff filed its testimony, and on November 30, 2023, the Company filed its rebuttal testimony.

On December 6, 2023, the Senior Hearing Examiner convened the evidentiary portion of the hearing in the Commission's courtroom.<sup>4</sup> Dominion, Staff, the Trust, Hourigan, and Quality Investment participated at the hearing by counsel.

On January 17, 2024, the Report of Michael D. Thomas, Senior Hearing Examiner ("Report"), was issued. In the Report, the Senior Hearing Examiner made the following findings:<sup>5</sup>

- (1) The Company established the need for the Project to resolve projected NERC<sup>6</sup> reliability violations beginning in the summer of 2023 and to provide the White Oak Load Area with additional transmission sources to reliably serve future load growth;
- (2) The Company established that [demand-side management] will not obviate the need for the Project;
- (3) The Company's proposed construction schedule and in-service date for the Project appear reasonable;

<sup>3</sup> Trust witness Donald Andrews did not appear at the hearing to sponsor his prefiled testimony or to be subject to cross-examination. Due to his failure to appear, the Senior Hearing Examiner did not admit the prefiled Testimony of Donald Andrews into the record. Tr. at 41-45, 64, 66.

<sup>4</sup> No public witnesses appeared to testify during the public witness portion of the hearing.

<sup>5</sup> Report at 58-59.

<sup>6</sup> North American Electric Reliability Corporation.

- (4) The Company's proposed transmission related and substation related costs for the Project appear reasonable and prudent;
- (5) The Company's selection of the Proposed Route for the Project right-of-way was reasonable and is supported by the evidence in the record;
- (6) The Project along the Proposed Route would avoid or reasonably minimize adverse impacts to the greatest extent reasonably practical on scenic, environmental, or historic resources;
- (7) The Commission should decline to adopt the following recommendations in the DEQ Report: (i) the recommendation by [DEQ's Division of Land Protection and Revitalization] to further evaluate two petroleum release sites identified in the DEQ Report; (ii) the recommendations by [the Department of Conservation and Recreation] related to a survey of Swamp Pink and an inventory for the resource in the study area; (iii) the recommendation by [DCR- Division of Natural Heritage ("DCR-DNH")] to avoid or minimize impacts to ecological cores; (iv) the recommendation of DCR-DNH related to the development of an [Invasive Species Management Plan ("IVMP")]; and (v) the recommendations by DCR-DNH regarding enhanced planned right-of-way restoration and maintenance practices, to the extent they require the Company to do more [than] provided for in the Company's existing IVMP;
- (8) The other recommendations in the DEQ Report's "Summary of Findings and Recommendations" are "desirable or necessary to minimize adverse environmental impact" associated with the Project and should be adopted by the Commission;
- (9) The Commission should decline to adopt DEQ-OWSP's finding that, in light of the amount of wetlands along each route, Alternative Route 2 should be the preferred route because the Company's selection of the Proposed Route was reasonable and is supported by the evidence in the record;
- (10) The Commission should decline to adopt [the Department of Historic Resources'] finding that Alternative Route 2, if constructed, would result in moderate adverse impact on the Second Cold Harbor Battlefield because the finding is moot;
- (11) The Company reasonably considered and rejected the Southern Alternative in favor of the Project along the Proposed Route;
- (12) The Project does not represent a hazard to public health or safety;
- (13) The Company reasonably addressed the impact of the Project on aviation resources; and
- (14) The Company reasonably considered the requirements of the Virginia Environmental Justice Act in its Application.

On January 26, 2024, Dominion, Quality Investment, and Hourigan 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>7</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 the Company to construct and operate the Project; and
- (3) *DISMISSES* this case from the Commission's docket of active cases.

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 Project and that a CPCN authorizing the 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.

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<sup>7</sup> Report at 59.

(3) Dominion is authorized to construct and operate the 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 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-HCO-2024-A, which authorizes Virginia Electric and Power Company under the Utility Facilities Act to operate certificated transmission lines and facilities in Henrico County, all as shown on the map attached to the certificate, and to construct and operate facilities as authorized in Case No. PUR-2023-00110, cancels Certificate No. ET-86r, issued to Virginia Electric and Power Company in Case No. PUR-2018-00082 on December 21, 2018.

(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 Project approved herein must be constructed and in service by April 30, 2026. 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.

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.

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