

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

DATE OF CONTROL

**JOINT APPLICATION OF**

**VIRGINIA ELECTRIC AND POWER COMPANY D/B/A  
DOMINION VIRGINIA POWER,**

**and**

**TRANS-ALLEGHENY INTERSTATE LINE COMPANY**

2007 OCT -4 P 2:24

**CASE NO. PUE-2007-00031**

**For certificates of public convenience  
and necessity to construct facilities:  
500 kV Transmission Line from Transmission  
Line # 580 to Loudoun Substation**

**APPLICATION OF**

**TRANS-ALLEGHENY INTERSTATE  
LINE COMPANY**

**CASE NO. PUE-2007-00033**

**For certificates of public convenience  
and necessity to construct facilities:  
500 kV Transmission Line from Virginia-West Virginia  
Boundary to Virginia Electric and Power Company  
Transmission Line # 580**

**HEARING EXAMINER'S RULING**

**October 4, 2007**

On April 19, 2007, Virginia Electric and Power Company d/b/a Dominion Virginia Power ("Dominion"), filed on its own behalf and on behalf of Trans-Allegheny Interstate Line Company ("TrAILCo"), the Application for Approval and Certification of Meadow Brook-Loudoun 500 kV Transmission Line Project, Application No. 233 with the State Corporation Commission ("Commission"). Also on April 19, 2007, TrAILCo filed its Application for Approval and Certification of Electric Facilities for the Construction of 500 kV Transmission Line.

On June 1, 2007, the Commission issued its Order for Notice and Hearing in which, among other things, the Commission appointed a hearing examiner to conduct further proceedings on behalf of the Commission; scheduled a hearing on the applications; established a procedural schedule for the filing of testimony and exhibits; and established public notice requirements.

On September 19, 2007, Staff filed a Motion for Extension of Procedural Dates ("Motion"). In support, Staff stated that due to the complexity of the cases, it needed additional time to complete the investigation directed by Ordering Paragraph (25) of the Commission's

Order for Notice and Hearing. Among other things, Staff pointed to the need to investigate other regional transmission line proposals. Staff also moved that the hearing currently set for January 14, 2008, be convened solely to hear additional public witnesses, and that the evidentiary hearing be convened on February 25, 2008. Staff further proposed that: (i) the filing date for respondent testimony and exhibits be extended from October 9, 2007, to December 4, 2007; (ii) the filing date for Staff testimony and exhibits be extended from November 5, 2007, to January 8, 2008; and (iii) the filing date for Applicants' rebuttal testimony and exhibits be extended from December 3, 2007, to February 5, 2008.

A Hearing Examiner's Ruling dated September 19, 2007, provided for responses to the Motion to be filed on or before October 1, 2007, and any reply to be filed on or before October 4, 2007.

On September 19, 2007, Power-Line Landowners Alliance ("PLA") filed a response in support of Staff's Motion. On September 21, 2007, Virginia's Commitment, LLC ("Virginia's Commitment") filed a response in support of Staff's Motion.

On September 25, 2007, the Piedmont Environmental Council ("Piedmont") filed an "answer" in support of Staff's Motion. Piedmont pointed out that on September 17, 2007, Dominion updated its Application to include a 235-page "DHR Appendix to the DEQ Supplement," and that the DEQ Report was first posted on the Commission's website on September 24, 2007.

On September 26, 2007, the Board of Supervisors of Fauquier County ("Fauquier County"), and the Board of Supervisors for Rappahannock County ("Rappahannock County") filed responses in support of Staff's Motion.

On September 28, 2007, PLA supplemented its response in support of Staff's Motion to stress the need for additional time to review the recently received DHR Appendix to the DEQ Supplement in Dominion's Application and the DEQ Report.

On October 1, 2007, Richard B. Clifford and Julianne C. Clifford ("Cliffords"), and Madison At Greenfields, LLC ("Greenfields") filed responses in support of Staff's Motion.

On October 1, 2007, Dominion and TrAILCo filed responses to the Staff Motion. Dominion raised the concern that Staff's Motion will delay a decision on this project and may jeopardize the construction schedule needed to bring the new transmission line into service by June 2011. Dominion acknowledged that the issues raised in this case are complex, but warned that such complexity could justify continual postponement so that additional information could be studied. Dominion proposed an alternative schedule to address Staff's concerns that would extend the date for the hearing to February 4, 2008, retain the current date for the filing of respondent's testimony, and extend the date for Staff's testimony and Applicants' rebuttal testimony by two weeks.

TrAILCo echoed Dominion's concerns, and stated that the existing procedural schedule already creates a significant challenge to the project's scheduled timeline. TrAILCo pointed out

that Staff's proposed revised schedule reduces its time to prepare for hearing following the filing of rebuttal testimony from forty-two days to twenty days. Though it opposed Staff's Motion, TrAILCo offered the same adjustment in schedule as Dominion as an alternative to Staff's proposal.

On October 2, 2007, Staff filed its reply, which was corrected by letter dated October 3, 2007. Staff reiterated its need to study the impact other proposed regional transmission projects may have on the need for the proposed transmission line that is the subject of these cases. Staff noted that as a matter of fairness and symmetry, it recommended extension of the dates for the filing of respondent and rebuttal testimony. Nonetheless, based on the Applicants' questioning of the need to extend the filing date for respondents, and concern for the proposed reduction of trial preparation time, Staff now takes no position beyond seeking an extension of the date for the filing of Staff testimony and exhibits from November 5, 2007, to January 8, 2008.

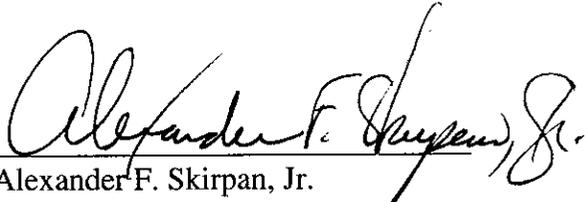
On October 2, 2007, Piedmont filed its Answer in Opposition to Applicants' Proposed Extension of Procedural Schedule. In addition, PLA filed a concurrence with Piedmont's Answer in Opposition, and Greenfields filed an Answer in Opposition to Applicants' Proposed Extension of Procedural Schedule. On October 3, 2007, Virginia's Commitment filed its Response in Opposition to Applicants' Proposed Extension of Procedural Schedule.

It is my understanding that the one-year period for state review of transmission projects in a designated National Interest Corridor began on October 2, 2007. Staff's proposed extension should produce a better record upon which to decide these cases, and permit the case to be concluded prior to the end of the National Interest Corridor period. Furthermore, if Staff is given additional time to investigate and develop its position, I find no reason not to extend the time for respondents to file their testimony and exhibits. Finally, as to the Applicants' concern regarding the reduction in time between the filing of their rebuttal testimony and the hearing, it has been my experience that Staff and respondents are most affected by a shortening of such time periods as only they must deal with new information, *i.e.*, the Applicants' rebuttal testimony. Therefore, I find that Staff's originally proposed procedural schedule should be adopted. Accordingly,

**IT IS DIRECTED THAT:**

- (1) The hearing, currently scheduled to commence on January 14, 2008, shall be retained on the Commission's docket to receive comments from public witnesses;
- (2) The evidentiary hearing shall commence on February 25, 2008, at 9:00 a.m. in a Commission courtroom;
- (3) The date for filing Respondent testimony and exhibits is hereby extended from October 9, 2007, to December 4, 2007;
- (4) The date for the filing of Staff testimony and exhibits is hereby extended from November 5, 2007, to January 8, 2008; and

(5) The date for the filing of Applicants' rebuttal testimony and exhibits is hereby extended from December 3, 2007, to February 5, 2008.



Alexander F. Skirpan, Jr.  
Hearing Examiner

A copy hereof shall be sent 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 State Corporation Commission, c/o Document Control Center, 1300 East Main Street, First Floor, Tyler Building, Richmond, VA 23219.