

Virginia State Corporation Commission

eFiling CASE Document Cover Sheet

1003102

Case Number (if already assigned)	PUE-2015-00107
Case Name (if known)	Application of Virginia Electric and Power Company for approval and certification of electric transmission facilities: Haymarket 230 kV Double Circuit Transmission Line Loop and 230-34.5 kV Haymarket Substation
Document Type	OTHR
Document Description Summary	Joint Motion of Somerset Crossing Home Owners Association and Heritage for Expedited Consideration and Extension of Procedural Dates
Total Number of Pages	8
Submission ID	10810
eFiling Date Stamp	3/8/2016 2:59:35PM



CHRISTIAN | BARTON, LLP
Attorneys At Law

804 697 4140

CLIONA MARY ROBB

crobb@cblaw.com

1910846

March 8, 2016

VIA ELECTRONIC FILING

Hon. Joel H. Peck, Clerk
Virginia State Corporation Commission
Document Control Center
1300 East Main Street, 1st Floor
Richmond, VA 23219

Re: Application of Virginia Electric and Power Company for approval and certification of electric transmission facilities: Haymarket 230 kV Double Circuit Transmission Line Loop and 230-34.5 kV Haymarket Substation
Case No. PUE-2015-00107

Dear Mr. Peck:

Attached for electronic filing in the above-referenced proceeding is the ***Joint Motion of Somerset Crossing Home Owners Association and Heritage for Expedited Consideration and Extension of Procedural Dates.***

The Commission's acknowledgment of this filing should be e-mailed to me at crobb@cblaw.com.

If you should have any questions regarding this filing, please call me at (804) 697-4140. Thank you for your assistance.

Sincerely,


Cliona Mary Robb

cc: Service List

1910846

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE-2015-00107

For approval and certification of electric transmission
Facilities: Haymarket 230 kV Double Circuit
Transmission Line and 230-34.5 kV Haymarket Substation

**JOINT MOTION OF
SOMERSET CROSSING HOME OWNERS ASSOCIATION
AND
HERITAGE
FOR
EXPEDITED CONSIDERATION AND EXTENSION OF PROCEDURAL DATES**

Heritage Hunt HT, LLC, Heritage Hunt Commercial, LLC, Heritage Hunt Retail, LLC, Heritage Hunt Office Condominium, LLC, Heritage Sport & Health, LLC, RBS Holdings, LLC, and BKM at Heritage Hunt, LLC (collectively, “Heritage”) , by counsel, and Somerset Crossing Home Owners Association, Inc. (the “Association”), by counsel, pursuant to Rule 110 of the Commission’s Rules of Practice and Procedure, 5 VAC 5-20-110, hereby move that the procedural dates for this proceeding, which have been set by the December 11, 2015 Order for Notice and Comment (the “Order”), be extended by approximately 90 days as shown below, and also request expedited consideration of this Motion:

Notice of Participation as a Respondent: from March 1, 2016 to June 1, 2016.

Written Public Comments: from May 3, 2016 to August 3, 2016.

Testimony by Respondents: from March 22, 2016 to June 22, 2016.

Testimony by Commission Staff: from April 12, 2016 to July 12, 2016.

Rebuttal Testimony by Company: from April 26, 2016 to July 26, 2016.

Evidentiary Hearing: from May 10, 2016 to August 10, 2016 (while keeping May 10, 2016 for the receipt of public comments).

Heritage and the Association have been authorized to represent the positions of other parties in this case regarding the extension of the procedural schedule as follows:

Virginia Electric and Power Company (“Dominion”): would oppose an extension of the procedural schedule.

Staff of the State Corporation Commission (“Staff”): would not support a 90 day extension but would support a one week extension of the filing deadline for testimony by Respondents if the filing deadline for Staff testimony were also extended by one week.

FST Properties, LLC: would support an extension of the procedural schedule.

Southview 66, LLC: would support an extension of the procedural schedule.

Prince William County Board of Supervisors: would support an extension of the procedural schedule.

Coalition to Protect Prince William: would not oppose an extension of the procedural schedule.

Old Dominion Electric Cooperative: would take no position on an extension of the procedural schedule.

In support of this Motion, the Association and Heritage state as follows:

1. On November 6, 2015, Dominion filed its application (“Application”) addressing
 - (a) its proposed route (“I-66 Overhead Route”)
 - (b) the I-66 Overhead Route with the Jordan Lane Variation
 - (c) the I-66 Overhead Route with the Walmart Variation

(d) the Carver Road Alternative Route

(e) the Madison Alternative Route

(f) the I-66 Hybrid Route

(e) the Railroad Alternative Route

2. The Order provides for respondents to submit testimony and exhibits addressing the Application, including the six routing variations, by March 22, 2016.

3. Allowing approximately four and a half months between the submission of the Application and the filing of respondent testimony addressing the Application roughly approximates the intervals set forth in initial scheduling orders for three recent transmission case dockets involving Dominion transmission line cases: the Warrenton-Wheeler initial scheduling order in PUE-2014-00025 provided for an interval of approximately 5 months,¹ the Poland Road initial scheduling order in PUE-2015-00053 provided for an interval of approximately 3.5 months,² and the Yardley Ridge initial scheduling order provided for an interval of nearly 4 months.³

4. The initial scheduling order in a more recently filed Dominion transmission line case, the Remington-Gordonsville line in PUE-2015-00117, calls for an interval of approximately 6 months between the submission of the Application and the filing of respondent testimony.

5. Motions seeking to extend the typical dates established in an initial procedural order addressing a Dominion transmission line application are regularly granted upon good cause

¹ Order for Notice and Hearing issued March 14, 2014 in SCC Case No. PUE-2014-00025 (indicating the application was filed on March 14, 2014 and setting August 12, 2014 as the deadline for respondents to file testimony).

² Order for Notice and Hearing issued June 17, 2015 in SCC Case No. PUE-2015-00053 (indicating the application was filed on May 20, 2015 and setting September 8, 2015 as the deadline for respondents to file testimony).

³ Order for Notice and Hearing issued June 15, 2015 in SCC Case No. PUE-2015-00055 (indicating the application was filed on May 20, 2015 and setting September 15, 2015 as the deadline for respondents to file testimony).

shown, and indeed such motions have been granted for the Warrenton-Wheeler proceeding (final respondent testimony was due on June 24, 2015),⁴ the Poland Road proceeding (respondent testimony is now due on April 21, 2016),⁵ and the Yardley Ridge proceeding (respondent testimony is now due on April 22, 2016)⁶ due to circumstances unique to those proceedings.

6. This case involves consideration of issues not found in typical Dominion transmission line proceedings. The first issue is a hybrid overhead/underground route set forth in the Application, which the Association and Heritage believe may be the route having the least adverse environmental impacts. The second issue is the challenge raised in the Notice of Participation filed by the Association in this proceeding and in the Notice of Participation filed by the Coalition to Protect Prince William in this proceeding regarding the reasonableness of Dominion taking property and assessing costs to all ratepayers for new transmission facilities that are necessary to provide service to one customer.

7. Giving due consideration to such issues may entail significant discovery and the hiring of experts who can credibly assess such issues, be adverse to Dominion, and have sufficient time to prepare pre-filed testimony, all of which are challenging within the timeframes allotted to typical transmission line cases.

8. In other transmission line proceedings, motions to extend the procedural dates have been granted when parties have sought such an extension due to increased complexity requiring more time for parties to complete their investigations. For instance, the hearing examiner's ruling on October 4, 2007 in PUE-2007-00031 and PUE-2007-00033 granted Staff's proposed extension of the procedural schedule on the grounds of increased complexity because

⁴ Hearing Examiner's Ruling issued April 9, 2015 in SCC Case No. PUE-2014-00025.

⁵ Hearing Examiner's Ruling issued February 16, 2016 in SCC Case No. PUE-2015-00053.

⁶ Hearing Examiner's Ruling issued February 19, 2016 in SCC Case No. PUE-2015-00054.

the proposed extension “should produce a better record upon which to decide these cases.” This motion was granted notwithstanding Dominion’s 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.”

9. The Association has submitted multiple written requests for information to Dominion to which Dominion has not responded that the Association believes is critical to the preparation of a complete Written Testimony. A failure to grant an extension of time will prevent the Association from developing the evidence necessary for it to complete its Written Testimony.

10. The original procedural schedule was developed before the Commission scheduled a third set of Public Hearings for May 2, 2016. The Association and Heritage believe all parties would benefit from the completion of all Public Hearing prior to the submission of Written Testimony.

11. Accordingly, good cause exists for the Commission to extend the procedural schedule in this proceeding.

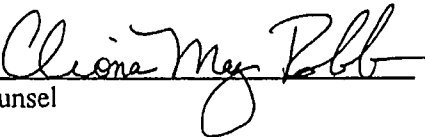
12. Expedited consideration of this Motion is warranted because without an extension of the procedural schedule, Respondent testimony will be due on March 22, 2016.

WHEREFORE, the Association and Heritage respectfully request that the Hearing Examiner issue an expedited ruling that extends the procedural schedule as set forth in this Motion and grants such other and further relief as is appropriate under the circumstances.

Respectfully submitted,

**HERITAGE HUNT HT, LLC,
HERITAGE HUNT COMMERCIAL, LLC,
HERITAGE HUNT RETAIL, LLC
HERITAGE HUNT OFFICE CONDOMINIUM, LLC, HERITAGE
SPORT & HEALTH, LLC
RBS HOLDINGS, LLC
BKM AT HERITAGE HUNT, LLC**

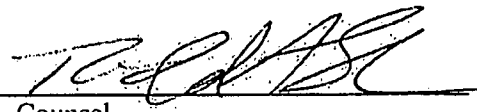
March 8, 2016

By: 
Counsel

Cliona Mary Robb
Michael J. Quinan
James G. Ritter
CHRISTIAN & BARTON, LLP
909 East Main Street, Suite 1200
Richmond, VA 23219
(804) 697-4100
crobb@cblaw.com
mquinan@cblaw.com
jritter@cblaw.com

SOMERSET CROSSING HOMEOWNERS ASSOCIATION, INC.


March 8, 2016

By: 
Counsel

Todd Sinkins, Esq.
VSB #: 36399
Courtney B. Harden, Esq.
VSB # 65470
Kristen Buck, Esq.
VSB #: 86759
Rees Broome, PC
1900 Gallows Road, Suite 700
Tysons Corners, VA 22182
(703) 790-1911
Fax: (703) 848-2350
tsinkins@reesbroome.com
charden@reesbroome.com
kbuck@reesbroome.com

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion was hand-delivered, emailed, and/or mailed, first-class postage prepaid, to the parties below on this 8th day of March 2016.


Cliona Mary Robb

Charlotte P. McAfee
Law Department
Dominion Resources Services, Inc.
120 Tredegar Street
Richmond, VA 23219-4306

Vishwa B. Link
Jennifer D. Valaika
McGuireWoods LLP
Gateway Plaza, 800 East Canal Street
Richmond, Virginia 23219-3916

William H. Chambliss
Alisson P. Klaiber
Andrea B. Macgill
Office of General Counsel
State Corporation Commission
1300 East Main Street, 10th Floor
Richmond, VA 23219

Michelle R. Robl
Curt G. Spear, Jr.
Prince William County Attorney's Office
1 County Complex Court
Prince William, Virginia 22192

C. Meade Browder, Jr.
Office of the Attorney General
Division of Consumer Counsel
900 East Main Street, Second Floor
Richmond, VA 23219

Brian R. Greene
Eric Hurlocker
Will Reinsinger
GreeneHurlocker, PLC
1807 Libbie Ave., Suite 102
Richmond, VA 23226

Glenn Richardson,
Hearing Examiner
State Corporation Commission
Office of Hearing Examiners
1300 East Main Street
Richmond, VA 23219

John A. Pirko
LeclairRyan
4201 Dominion Boulevard, Suite 200
Glen Allen, Virginia 23060

Michael J. Coughlin
Walsh Colucci Lubeley & Walsh, P.C.
4310 Prince William Parkway, Suite 300
Woodbridge, VA 22192