



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

NOV 26 1976

Docket Nos.: 50-338
and 50-339

Virginia Electric and Power Company
ATTN: Mr. W. L. Proffitt
Senior Vice President - Power
P. O. Box 26666
Richmond, Virginia 23261

Gentlemen:

By letter dated November 9, 1976 you informed us that you did not intend that your letters of January 2, 1974 and June 8, 1976 constitute an application for authorization to construct a 230 kV transmission line from the North Anna Power Station to the Louisa Substation. In light of this information, we have removed all reference to this transmission line from the Final Environmental Statement Addendum that we are preparing. In making this change, however, we do not waive the requirement that, if you decide to install the transmission line at some future date, you must provide written notification to and obtain approval from the Director, Office of Nuclear Reactor Regulation, prior to construction of the line.

Sincerely,

A handwritten signature in cursive script that reads "B. J. Youngblood".

B. J. Youngblood, Chief
Environmental Projects Branch 2
Division of Site Safety and
Environmental Analysis

cc: See next page

Virginia Electric & Power Company 2

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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

79

AT RICHMOND, AUGUST 12, 1975

CASE NO. 11655

APPLICATION OF
VIRGINIA ELECTRIC & POWER COMPANY

For approval of electrical facilities under Section 56-46.1 of the Code of Virginia and for certification of certain facilities under the Utility Facilities Act.

ON JUNE 27, 1975 came the applicant and presented its Application No. 79 requesting approval pursuant to Section 56-46.1 of the Code of Virginia and certification under the Utility Facilities Act to construct 14.6 miles of single pole 230 kv line, designated as the North Anna-Louisa Transmission Line and to construct a 230 kv substation, designated as the Louisa Substation. The line and substation are to be located in the County of Louisa.

UPON CONSIDERATION WHEREOF, the Commission is of the opinion that issuance of the requested Certificate of Public Convenience and Necessity and approval of the route of the proposed line is required under the statutes of Virginia and the Rules of this Commission, and public notice will be required in accordance with Section 56-46.1 of the Code of Virginia; accordingly,

IT IS ORDERED:

(1) That the applicant give notice of the filing of Application No. 79 under the Utility Facilities Act and Application for the approval of the North Anna-Louisa Transmission Line and Louisa Substation under Section 56-46.1 of the Code of Virginia by publishing once a week for two successive weeks in newspapers of general circulation in the County of Louisa, the county in which these facilities are proposed to be built, the first publication to be on or before August 21, 1975, the following notice:

"NOTICE TO THE PUBLIC"

"Notice is hereby given to the public that Virginia Electric and Power Company has filed with the State Corporation Commission an application

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for approval to construct 14.6 miles of 230 kv single pole line and to construct a 230 kv substation, the line will begin at the Company's North Anna Substation and terminate at the proposed Louisa Substation, all in Louisa County.

"From North Anna Substation the right-of-way for the proposed line lies between the existing Vepco railroad and Route 700 for a distance of 3.9 miles. The right-of-way crosses Route 652 and continues to follow the railroad to a point 0.1 mile west of Route 712 where it turns westward crossing the railroad. Turning southwestward, the right-of-way crosses Route 522, 0.8 mile north of Route 667, then crosses Route 746, the Chesapeake and Ohio Railroad and Route 22, 0.2 mile east of Route 623. Continuing southwestward the right-of-way crosses Route 767, 0.6 mile south of Route 22, then crosses Route 33, 1.1 miles southeast of Route 22. Continuing southwestward the right-of-way crosses Route 646, 0.4 mile east of Route 208, then crosses Route 208, 0.4 mile south of Route 646. The right-of-way turns northwestward crossing Route 630, 0.6 mile south of Route 753 and terminates at the proposed Louisa Substation on Route 630 which substation is to be located adjacent to the existing substation. All distances cited above for line location are approximate.

"The application and associated maps are on file and may be seen at the office of the State Corporation Commission, Blanton Building, Richmond, Virginia. Also information regarding this application may be obtained at the offices of the company at Orange and Charlottesville and at Room 321A, Electric Building, 7th and Franklin Streets, Richmond, Virginia.

"Any interested person who objects to the approval of the proposed line and substation should advise the State Corporation Commission, Box 1197, Richmond, Virginia 23209 if they wish to be heard on or before September 29, 1975.

"VIRGINIA ELECTRIC AND POWER COMPANY"

and that the applicant furnish proof of the publication of such notice on or before September 29, 1975, and;

(2) That the applicant serve a copy of this order on or before August 21, 1975 on the Chairman of the Board of Supervisors and the Commonwealth's Attorney of the County of Louisa by certified mail and furnish proof of such service to the Commission on or before September 29, 1975.

AN ATTESTED COPY hereof shall be sent to the applicant, Attention Mr. E. B. Crutchfield, Box 26666, Richmond, Virginia 23261; Mr. Douglas B. Fugate, Commissioner, Department of Highways, 1221 East Broad Street, Richmond, Virginia 23219;

Mr. Junius R. Fishburne, Jr., Executive Director, Historic Landmarks Commission, Ninth Street Office Building, Richmond, Virginia 23219; Mr. Marvin M. Sutherland, Director, Department of Conservation and Economic Development, 1100 State Office Building, Richmond, Virginia 23219; Mr. Gerald McCarthy, Director, Governor's Council on the Environment, Eighth Street Office Building, Richmond, Virginia 23219; Mr. Charles A. Christophersen, Director, Division of State Planning and Community Affairs, 109 Governor Street, Richmond, Virginia 23219; Mr. Rob R. Blackmore, Director, Commission of Outdoor Recreation, Eighth Street Office Building, Richmond, Virginia 23219; Mr. J. B. Willson, Jr., Director, Soil and Water Conservation Commission, Madison Building, 109 Governor Street, Richmond, Virginia 23219; and to the Director, Division of Public Utilities of this Commission.

A True Copy

Teste:

William C. Young

Clerk of State Corporation Commission.

§ 56-46.1. Commission to consider environmental factors in approving construction of electrical utility facilities; approval required for construction of certain electrical transmission lines; notice and hearings. — Whenever under any provision of law whatsoever, applicable to the Commission, the Commission is required to approve the construction of any electrical utility facility, it shall give consideration to the effect of that facility on the environment and establish such conditions as may be desirable or necessary to minimize adverse environmental impact. In such proceedings it shall receive and give consideration to all reports that relate to the proposed facility by State agencies concerned with environmental protection; and, if requested by any county or municipality in which the facility is proposed to be built, to local comprehensive plans that have been adopted pursuant to article 4 (§ 15.1-446.1 et seq.) of chapter 11 of Title 15.1 of the Code of Virginia.

No electrical transmission line of two hundred kilovolts or more shall be constructed unless the State Corporation Commission shall, after at least thirty days' advance notice by publication in a newspaper or newspapers of general circulation in the counties and municipalities through which the line is proposed to be built, and written notice to the governing body of each such county and municipality, approve such line. As a condition to such approval the Commission shall determine that the corridor or route the line is to follow will reasonably minimize adverse impact on the scenic and environmental assets of the area concerned. If, prior to such approval, any interested party shall request a public hearing the Commission shall, as soon as reasonably practicable after such request, hold such hearing or hearings at such place as may be designated by the Commission. This section shall apply to such transmission lines for which rights-of-way acquisitions have not been completed as of April eight, nineteen hundred seventy-two. In any such hearing the public service company shall provide adequate evidence that existing rights-of-way cannot adequately serve the needs of said company. For purposes of this section, "interested parties" shall include the governing bodies of any counties or municipalities through which the line is proposed to be built, and persons residing or owning property in each such county or municipality and "environmental" shall be deemed to include in meaning "historic."

Approval of a transmission line pursuant to this section shall be deemed to satisfy the requirements of § 15.1-456 and local zoning ordinances with respect to such transmission line. (1972, c. 652; 1973, c. 307; 1974, c. 498.)

Law Review. — For an article on state constitutions and the environment, see 58 Va. L. Rev. 193 (1972). For survey of Virginia law on administrative law for the year 1971-1972, see 58 Va. L. Rev. 1159 (1972). For article entitled "Regulation of Electric Utilities by the State Corporation Commission," see 14 Wm. & Mary L. Rev. 589 (1973). For survey of Virginia municipal corporations for the year 1973-1974, see 60 Va. L. Rev. 1563 (1974). For survey of Virginia administrative law for the year 1974-1975, see 61 Va. L. Rev. 1632 (1975). For a special section on ratemaking and public policy in Virginia, see 18 Wm. & Mary L. Rev. 73 (1976).

Intent as to Commission action. — It was the intent of the General Assembly in enacting this section that the Commission obtain all relevant environmental information reasonably necessary for it to make a considered judgment, that it was proper for the Commission to

have considered the alternate routes to the one proposed by the power company and for it to have requested a study made of a route which the evidence developed as one that might, to a greater degree than other proposed routes, reasonably minimize adverse impact on the scenic and environmental assets of the area. Board of Supvrs. v. Appalachian Power Co., 216 Va. 93, 215 S.E.2d 918 (1975).

Presumption of correctness. — The findings of fact of the State Corporation Commission in a proceeding under this section are entitled to a presumption of correctness. Rappahannock League for Environment, Protection, Inc. v. VEPCO, 216 Va. 774, 222 S.E.2d 802 (1976).

Licensing flexibility. — This section affords the Commission licensing flexibility. Board of Supvrs. v. Appalachian Power Co., 216 Va. 93, 215 S.E.2d 918 (1975).

This section does not put the Commission in