Part 3

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REMAND DIRECT TESTIMONY OF JON M. BERKIN ON BEHALF OF VIRGINIA ELECTRIC AND POWER COMPANY BEFORE THE STATE CORPORATION COMMISSION OF VIRGINIA CASE NO. PUE-2015-00107

1	Q.	Please state your name, position of employment, and business address.
.2	A.	My name is Jon M. Berkin, and I am employed as a Partner with Environmental
3		Resources Management, Inc. ("ERM"). My business address is 1000 IDS Center, 80
4		South Eighth Street, Minneapolis, Minnesota 55402. ERM recently acquired my former
5		company, Natural Resource Group, LLC ("NRG").
6	Q.	Have you previously sponsored or submitted testimony in this proceeding?
7	A.	Yes. I adopted the pre-filed direct testimony of Jeffrey R. Thommes, which was
8		submitted on behalf of Virginia Electric and Power Company ("Dominion Energy
9		Virginia" or the "Company") to the State Corporation Commission of Virginia (the
10		"Commission") in this proceeding on November 6, 2015. I also submitted pre-filed
11		rebuttal testimony on behalf of the Company on June 9, 2016. Finally, I testified at the
12		evidentiary hearing on direct and rebuttal on June 21, 2016, and June 22, 2016,
13		respectively.
14	Q.	What is the purpose of your remand direct testimony?
15	Α.	I am providing remand direct testimony in continuing support of the Company's
16		application to (i) convert its existing 115 kV Gainesville-Loudoun Line #124, located in
17		Prince William and Loudoun Counties, to 230 kV operation; (ii) construct in Prince
18		William County, Virginia and the Town of Haymarket, Virginia a new 230 kV double

1		circuit transmission line from a tap point approximately 0.5 mile north of the Company's
2		existing Gainesville Substation on the converted Line $#124$ to a new 230-34.5 kV
3		Haymarket Substation; and (iii) construct a 230-34.5 kV Haymarket Substation on land in
4		Prince William County to be owned by the Company (collectively, the "Project").
5		Specifically, I will address the Company's proffered additional variations to the proposed
6		routes in the record. I will also update certain information pertinent to routing
7		considerations.
8	Q.	Are you sponsoring any exhibits as part of your rebuttal testimony?
9	A.	Yes. Company Exhibit No, JMB, consisting of Remand Direct Schedules 1-2, was
10		prepared under my direction and supervision, and is accurate and complete to the best of
11		my knowledge and belief. My Remand Direct Schedule 1 is the route map for the I-66
12		Overhead Route, and my Remand Direct Schedule 2 is the route map for the I-66 Hybrid
13		Route. Each schedule shows the route as originally filed in this proceeding, as well as
14		variations that have developed as this case has been pending and that will be discussed in
15		my remand direct testimony.
16	Q.	What are the proposed routes in the record?
17	A.	The Company originally submitted for consideration a total of five routes, which
18		included: (1) the Proposed I-66 Overhead Route; (2) the Carver Road Alternative Route;
19		(3) the Madison Alternative Route; (4) the I-66 Hybrid Alternative Route; and (5) the
20		Railroad Alternative Route.
21		On April 6, 2017, the Commission issued an Interim Order, which, among other things,
22		found with respect to routing that "both the Railroad Route and the Carver Road Route

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1	meet the statutory criteria [for approval] in this case." (Interim Order at 11.) The Interim
2	Order also explained how, though both routes met the statutory criteria for approval, the
3	Commission found the Railroad Route preferable to the Carver Road Route. (Interim
4	Order at 13-14.) Because the Railroad Route crossed property controlled by Prince
5	William County, the Commission directed the Company to request Prince William
6	County to take the actions necessary to remove any legal constraints blocking
7	construction of the Railroad Route, and to file written confirmation of any response
8	within 60 days. (Interim Order at 14-15.)
9	On June 5, 2017, the Company notified the Commission that construction of the Railroad
10	Route was not feasible due to the legal inability to procure the necessary rights-of-way.
10	Route was not reasible due to the legal maching to produce the needsbary rights or way.
11	On June 23, 2017, the Commission entered a Final Order wherein it approved
12	construction and operation of the Proposed Project along the Carver Road Route.
13	On July 24, 2017, the Company requested the Commission hold the proceeding in
14	abeyance while it evaluated certain issues with the Carver Road Route. And, on
15	September 22, 2017, the Company notified the Commission that through its detailed
16	surveying and engineering processes, the Company had identified a property interest held
17	by Prince William County in certain land along the Carver Road Route, which is
18	dedicated for an extension of Somerset Crossing Drive. The Company noted that it sent a
19	letter to Prince William County on September 8, 2017, in which it formally requested that
20	Prince William County confirm that it will not approve the grant of an easement to
21	Dominion Energy Virginia for the construction and operation of the Project along the
22	Carver Road Route. The Company further explained how, on September 12, 2017,

- Prince William County's Board of Supervisors unanimously passed a resolution to deny
 the Company's Carver Road easement request.
- 3 Accordingly, the proposed routes in the record for this proceeding are the Proposed I-66
- 4 Overhead Route; the Madison Alternative Route; and the I-66 Hybrid Alternative Route.

5 <u>I-66 Overhead Route</u>

6	Q.	Has the Company, in conjunction with ERM, undertaken detailed design and

7 surveying to evaluate known impediments to the I-66 Overhead Route?

- 8 A. Yes. The Company is not aware of any impediments to the construction of the I-66
- 9 Overhead Route that would require authorization from Prince William County for the line
- 10 itself. However, the Company now proposes certain minor variations to that route.

11 Q. Please describe the Company's proposed variations to the I-66 Overhead Route.

- 12 A. First, in its Application the Company included the Jordan Lane Variation to the I-66
- 13 Overhead Route:
- 14 Jordan Lane Variation:
- 15 In contrast to the rest of I-66 that the Proposed Route parallels, 16 approximately 675 feet of existing roadway along Jordan Lane within Haymarket Township was not established as [Virginia 17 Department of Transportation ("VDOT")] right-of-way. This 18 19 stretch of Jordan Lane near the eastern end currently remains a 20 county road dedicated to the Town of Haymarket and Prince 21 William County via Piedmont Mews, LLC subdivision. Dominion 22 Virginia Power will work with these localities to negotiate an 23 overhang easement within the dedicated road easement. However, 24 in the event that these negotiations are unsuccessful, the Jordan 25 Lane Variation would eliminate the need for the Company to 26 obtain an easement from the Town of Haymarket or Prince 27 William County. The Jordan Lane Variation would involve the 28 location of one structure inside the proposed sound wall along I-29 66. The Company does not anticipate that this single structure will 30 unnecessarily burden construction or operation of the transmission

line or impede construction or vehicle operations within the existing I-66 right-of-way. This variation does not materially affect the length or impacts of the Proposed Route except to the extent it eliminates a crossing of the Jordan Lane dedicated road parcel.

5 (Appendix at 48.)

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6 Through further survey and property title research, the Company also discovered a 7 Department of Environmental Quality/Army Corps of Engineers conservation easement 8 in this area at Jordan Lane at milepost 3.59 of the route. In order to avoid this 9 conservation easement, the Company proposes to cross inside of the VDOT sound wall 10 approximately 650 feet east of the original crossing location (at approximate milepost 11 3.44 rather than 3.56) and place a total of three structures (rather than one as described 12 above) inside of (*i.e.*, on the I-66 side of) the sound wall. The three structures inside the 13 sound wall are not contiguous. There is one inside the wall at milepost 3.53, then one 14 outside the wall and then two more inside the wall at mileposts 3.75 and 3.82. 15 respectively. In total, this engineering change results in approximately 1,050 feet of the 16 proposed transmission line being located on the I-66 side of the sound wall whereas the 17 original design contemplated 886 feet. All structures within the VDOT right-of-way 18 would be located by VDOT permit rather than easement. Therefore, the complete Jordan 19 Lane Variation now begins at milepost 3.44 and extends to milepost 3.92 of the I-66 20 Overhead Route. This area of the I-66 Overhead Route is depicted on my Remand Direct 21 Schedule 1, Pages 5-6.

Second, as part of this proceeding, Respondent FST Properties, LLC ("FST") requested that the I-66 Overhead Route and I-66 Hybrid Route be adjusted to avoid FST's 4.6 acre parcel by turning sharply south on the eastern side of the parcel and continuing until the

1	property line, and then turning sharply west past the southern border of FST's property
2	until making a final sharp turn north and terminating at the proposed Haymarket
3	Substation ("FST Variation"). To eliminate the additional heavy angles in the FST
4	Variation, the Company offered the FST Optimization Variation. From the southwest
5	intersection of Route 55 and Route 15, the FST Optimization Variation runs southwest
6	and parallel to FST's southern property line until making a final sharp turn north and
7	terminating at the proposed Haymarket Substation. The FST Optimization Variation can
8	be seen on my Remand Direct Schedule 1, Page 7, shown as "Dominion FST
9	Optimization."
10	As shown, the Company's conceptual design for the FST Optimization Variation requires
11	a minor adjustment as a result of further engineering analysis and detailed survey work.
12	Specifically, at the intersection of Route 55 and Route 15, it was necessary to shift the
13	angle structure location approximately 55 feet southwest in order to avoid an existing 20-
14	foot wide Washington Gas and Light Company gas line easement. In addition, it also
15	was necessary to shift a portion of the filed route north of Route 55 beginning at milepost
16	4.53 slightly to the west to accommodate the change in the location of the angle structure

17 noted above. The hard angle structure location just south of the proposed Haymarket

18 Substation was also moved approximately 75 feet south in order to avoid existing

19 electrical duct banks. The combination of these two adjustments caused the entire

20 alignment of the original FST Optimization Variation to shift approximately 50 feet to

the south (*i.e.*, the change between the dashed orange and white and red lines depicted in
Remand Direct Schedule 1, Page 7.)

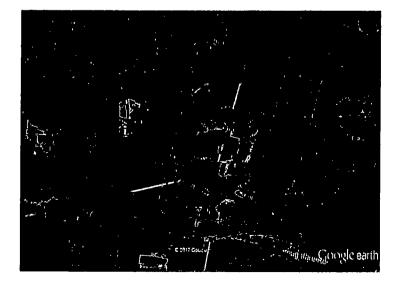
23 Although the Company supported the Walmart Variation for the I-66 Overhead Route in

1	its post-hearing submissions, detailed survey and engineering has found the existence of a
2	strip of property on the south side of Route 55 (north of the proposed Haymarket
3	Substation), which is dedicated to Prince William County for future use as a public
4	roadway. Prince William County's authorization would be required in order for the
5	transmission line to cross this strip of property if the Walmart Variation was chosen by
6	the Commission. The location of this dedicated road easement can be seen on my
7	Remand Direct Schedule 1, Page 7. Thus, the Company now supports the Route
8	Variation (in red) as its preferred route segment within the Route 55 corridor of the I-66
9	Overhead Route.
10	On November 28, 2017, the Company personnel met with representatives from VDOT

11 regarding the Project and proposed routes. VDOT expressed concerns with certain 12 towers that are conceptually located within VDOT parking lots and the potential loss of 13 parking their construction would cause. These conceptual tower locations and VDOT 14 parking areas can be seen on Remand Direct Schedule 1, Pages 1 and 2 (denoted as 15 "Proposed Park & Ride"). If the Commission ultimately approves the I-66 Overhead 16 Route, the Company will conduct final engineering and coordinate with VDOT on the 17 final tower locations, and minor shifts in the tower locations could be necessary. These 18 shifts could, depending on the locations and resulting span lengths, result in minor 19 variations in tower heights.

Finally, the Company made a slight change to I-66 Overhead Route at the crossing of I-66 just west of Jefferson Street between mileposts 4.09 and 4.31 for constructability reasons. The Company reduced the angle of the highway crossing in order to avoid the need to place a structure inside the VDOT sound wall on the south side of I-66 at

- 1 milepost 4.20 of the filed route. This change is depicted in my Remand Direct Schedule 2 1, Page 6. 3 Do you have a schedule depicting the I-66 Overhead Route with the noted Q. variations? 4 5 A. Yes. The entirety of the I-66 Overhead Route, including the variations at Jordan Lane, 6 the area of the FST property and others discussed herein, is depicted in my Remand 7 Direct Schedule 1. The Company requests approval of the I-66 Overhead Route with the 8 Route Variations shown therein in red if an overhead route is chosen by the Commission. Madison Alternative Route 9 10 Q. Have there been any developments since the close of this proceeding that impact the
- 10 Q. Have there been any developments since the close of this proceeding that impact the
 11 constructability of the Project along the Madison Route?
- A. Yes. As a result of surveying efforts, the Company has learned that a new residence has
 been constructed within the proposed right-of-way for the Madison Route at 15308
- 14 Thoroughfare Road, as seen in the below Google Earth image. The red line represents
- 15 the noticed right-of-way for the Madison Route:



This location is approximately at milepost 5.4 of the Madison Route.

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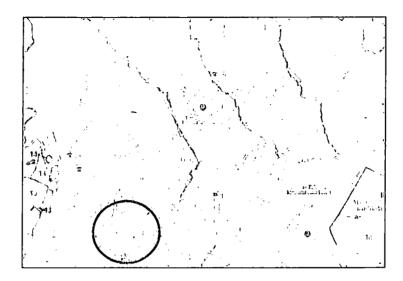
2	In addition, the Company recently became aware of the dedication of two new road
3	easements on the property of Southview 66, LLC at 14300 John Marshall Highway that
4	both cross the Madison Route. These road easements consist of a planned extension of
5	Daves Store Lane and the development of a new road to be named Grove Hill Boulevard.
6	The Company would need to obtain permission from Prince William County to cross
7	these two dedicated road easements.
8	It also is important to note that the Madison Route crosses a number of planned
9	developments in various states of approval, which collectively span over 2.0 miles of the
10	route. Thus, it is possible that other new developments could be impacted by the
11	Madison Alternative Route at these locations.
12	Finally, following approval of the Carver Road Route, a number of public comments
13	were submitted to the Commission's docket that focused on additional cultural and
14	potentially historic resources along that route that were not included in publicly available
15	datasets or public comments, and not otherwise raised during the case. Because the
16	Carver Road and Madison Routes follow the same path for the first approximately 4.7
17	miles of each route, many of the same cultural and potentially historic resources will also
18	exist on the Madison Route.
19	In particular, concerns were raised by residents about the potential impacts of the Carver
20	Route to an historic African-American neighborhood along Carver Road. The Company
21	has previously submitted a Pre-Application Analysis for review by the Virginia
22	Department of Historic Resources ("VDHR") that included a review of the known

1	cultural resources along each of the routes for the Project, including the Carver Route, as
2	a part of its application. The Pre-Application Analyses for transmission line projects
3	require the identification of the following resource types:
4	• All National Historic Landmarks within 1.5 mile;
5	• All resources listed in the National Register of Historic Places ("NRHP"), all
6	battlefields, and all historic landscapes within 1.0 mile;
7	• All resources previously determined eligible for listing in the NRHP within 0.5
8	mile; and
9	• All previously recorded archaeological sites within the right-of-way.
10	The Company's cultural resources consultant for the project, Dutton + Associates,
11	rechecked the VDHR's records to determine whether any new resources had been
12	reported in the area of concern along Carver Road subsequent to the submission of the
13	Pre-Application Analysis. This review revealed that there had been no changes reported
14	in this area in the VDHR's records.
15	Dutton + Associates also expanded its records review to look outside of the sources
16	required by the VDHR for the Pre-Application Analysis and were able to locate some
17	additional information regarding the area of concern. According to Prince William
18	County's 2008 Comprehensive Plan Maps: High Sensitivity Areas and County Registered
19	Historic Sites, the area of concern is located between "Historic High Sensitivity Areas" at
20	Haymarket, between I-66 and Route 29, and at Route 15 and Route 29 and northeast of
21	the "County Registered Historic Sites" of Cerro Gordo (#14), Buckland Historic District

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(#13), and Buckland Hall (#15). This area is depicted on the map below.¹

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This area of concern was known as The Settlement and is also depicted on the historic
 map below.² According to historian Eugene Scheel:³

5	THE SETTLEMENT: There were two Negro communities with this
6	name: one, south of Catharpin; the other, west of Gainesville. These were
7	forsaken areas, alloted [sic] to ex-slaves who first rented, then bought.
8	Remembered at the former site were midwife Frances Beale, Nelson and
9	Martha Elliott, and Robert Allen and Thornton Allen.
10	The larger Settlement had about fifteen houses at the century's turn. Some
11	old marked stones in the Mt. Pleasant Church graveyard honor Anna
12	Churchill, Estella Crawford, John Perry, and Charles Randall. Other

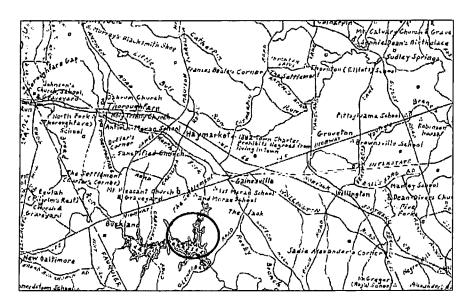
¹ Detail of Prince William County 2008 Comprehensive Plan High Sensitivity Areas and County Registered Historic Sites, published 2009, depicting the area of concern. Source: http://eservice.pwcgov.org/planning/documents/MAP 10W8 2008CP HiSens and CRHS3000.pdf.

² Detail of *African-American Heritage Prince William County*, by Eugene Scheel in 2000, depicting the area of concern.

³ Scheel, Eugene M. African-American Heritage Prince William County. October 2000. Available online at http://www.pwcgov.org/government/dept/planning/Documents/PWC_AfricanAmerican_Heritage_Map.pdf.

prominent surnames: Berry, Berryman, Gaskins, Johnson, McPherson,

2 Thomas, Tibbs, Tyler, Peterson, and Strother.



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The Company is providing this information for the record, but does not currently propose
any route variations associated with the Madison Alternative Route. As the Company
noted in both its Comments to the Hearing Examiner's Report (filed December 6, 2016)
and its September 22, 2017 Update to the Commission, other routes are superior to
Madison in terms of cost and impact. Thus, the Company does not advocate selection of
the Madison Alternative Route.

10 <u>I-66 Hybrid Alternative Route</u>

- Q. Finally Mr. Berkin, are there any updates related to the I-66 Hybrid Route that you
 wish to address?
- A. Yes. A map of the I-66 Hybrid Route as filed and with the variations discussed herein is
 included as my Remand Direct Schedule 2.
- 15 To begin, I would direct you to Remand Direct Schedule 2, Page 6, which depicts the I-

1	66 Hybrid Route crossing over I-66 in the area of Jefferson Road between mileposts 4.1
2	and 4.5. In his rebuttal testimony beginning on page 13, Company Witness Donald R.
3	Koonce addressed the difficulty of 90 degree bored crossings of I-66 and recommended
4	switching to diagonal horizontal directional drilling crossings, to the extent permitted by
5	VDOT. The Company has incorporated this change into the I-66 Hybrid Route, and it is
6	shown as a Route Variation in my Remand Direct Schedule 2, Page 6. The alignment of
7	the crossing of I-66 has been further refined to avoid directly impacting two proposed
8	VDOT storm water ponds on the east side of Jefferson Road and to also shift the route
9	further away from the VDOT sound wall on the southern side of I-66. In addition, this
10	change will improve the placement at the drill rig near milepost 4.50, which will be
11	required for drilling under I-66. This Route Variation, however, will be subject to
12	approval by VDOT. The Company respectfully requests that at this location, as well as
13	other locations in which VDOT right-of-way is impacted, the Company be permitted the
14	discretion to use its engineering judgment during final design to make minor adjustments
15	as may be necessary to obtain VDOT's authorization and to construct the route.
16	Second, in his rebuttal testimony Mr. Koonce also recommended using the Walmart
17	Variation for the I-66 Hybrid Route because it would eliminate some of the heavy angles
18	present in the area near the proposed Haymarket Substation. As discussed above with
19	respect to the I-66 Overhead Route, the area on the south side of I-66 near the FST
20	property is encumbered with multiple existing underground utility easements (gas and
21	power). Using the Walmart Variation for the I-66 Hybrid Route eliminates this issue.
22	Thus, my Remand Direct Schedule 2, Page 7 shows the I-66 Hybrid Route using the
23	Walmart Variation as a Route Variation (in red).

However, the Company is aware of two planned developments to the west of the
 Walmart that will require modification of the route as it traverses the area west of
 Walmart and crosses VA-55 to enter into the Haymarket Substation. These planned
 developments consist of an expansion of the Market Center at Haymarket, which is
 located adjacent to the Walmart, and the James Madison Marketplace, which will include
 the construction of a Home Depot.

7 The Company currently is investigating two possible route variations through this area, as 8 shown on Remand Direct Schedule 2, Page 7. Variation 1 (yellow dotted line) would 9 turn south and extend along the parcel boundary between the proposed expansion of the 10 Market Center at Haymarket and the James Madison Marketplace. This variation would 11 then turn southwest at different points to cross VA-55 to enter into Haymarket 12 Substation. Alternatively, Variation 2 (pink dotted line) would turn south and extend 13 along the property line between the Walmart and the adjacent parcel that would contain 14 the proposed expansion of the Market Center at Haymarket and then turn southwest to 15 cross VA-55 to enter into Haymarket Substation. The Company will work with the 16 developers of these properties to find an optimal route that will minimize impacts to both 17 planned developments and also will consult with VDOT to determine the best crossing of 18 VA-55. Should the Commission approve the I-66 Hybrid Route, the Company requests 19 discretion to implement either Variation 1 or 2, or another suitable variation, as a result of 20 those discussions with developers and VDOT.

Next, in working with the Company's structural engineering group to undertake detailed
 engineering of the I-66 Hybrid Route, the proposed alignment was slightly modified in
 some locations to accommodate the reality of underground construction wherein large

1	drilling equipment must navigate the chosen route. Although this route, if chosen by the
2	Commission, would still be subject to final engineering, the changes to the I-66 Hybrid
3	Route alignment are shown in red in my Remand Direct Schedule 2, while the light blue
4	line shows the originally proposed route.
5	Specifically, a slight modification was made to the route between mileposts 2.36 and 2.41
6	just west of the transition station for constructability reasons. The route was straightened
7	to remove two sharp angles. This change is shown on Remand Direct Schedule 2, Page 3
8	in red.
9	A similar modification was made to the alignment of the I-66 Hybrid Route between
10	mileposts 3.27 and 3.3. Specifically, the route was straightened in this location to remove
11	a sharp angle for constructability reasons. This change is shown on Remand Direct
12	Schedule 2, Page 5 in red.
10	Finally, Longe that the VDOT multice investigation of the second share with a second to the LCC
13	Finally, I note that the VDOT parking issue discussed above with respect to the I-66
14	Overhead Route also exists on the I-66 Hybrid Route, because the implicated parking
15	areas occur during the segment of the I-66 Hybrid Route that would be overhead. These
16	can be seen on Remand Direct Schedule 2, Pages 1 and 2 (denoted as "Proposed Park &
17	Ride").
18	For all route variations subject to future coordination with VDOT and/or private
19	developers, the Company will attempt to obtain further information in advance of the
20	remand hearing.
21	Should the Commission approve the I-66 Hybrid Route, the Company requests approval

of the route (with Route Variations) as shown in my Remand Direct Schedule 2.

2	Q.	Does the I-66 Hybrid Route cross any County-owned or -controlled property?
3	A.	Yes. As can be seen on Remand Direct Schedule 2, Pages 5 and 6, the I-66 Hybrid Route
4		crosses a county road dedicated to the Town of Haymarket and Prince William County
5		via Piedmont Mews, LLC subdivision in the area of Jordan Lane. Additionally, as can be
6		seen on Remand Direct Schedule 2, Page 7, the I-66 Hybrid Route crosses an area of
7		County-dedicated land on the south side of VA-55 to the north of the proposed
8		Haymarket Substation. If the Project is approved by the Commission for construction
9		and operation along the I-66 Hybrid Route, the Company will request the necessary
10		authority from Prince William County and the Town of Haymarket to acquire the
11		necessary easements. Although the Company cannot be certain that the County and
12		Town will grant the requisite authority, the Company believes, based on the many public
13		statements and resolutions, that these entities will grant authority to acquire the necessary
14		easements if underground construction is approved by the Commission.
15	Q.	Do you have any further comments regarding the I-66 Hybrid Route?
16	Α.	The I-66 Hybrid Route also requires the construction of a new transition station at the
17		point along the route where the line would transition from overhead to underground –
18		milepost 2.2, as shown on Remand Direct Schedule 2, Page 3. As presented during the
19		case, the Company conceptually planned for this transition station to be located on a
20		property currently owned by Southview 66, LLC. To the Company's knowledge, no

21 development has taken place on this piece of property that would prevent construction of

22 the transition station.

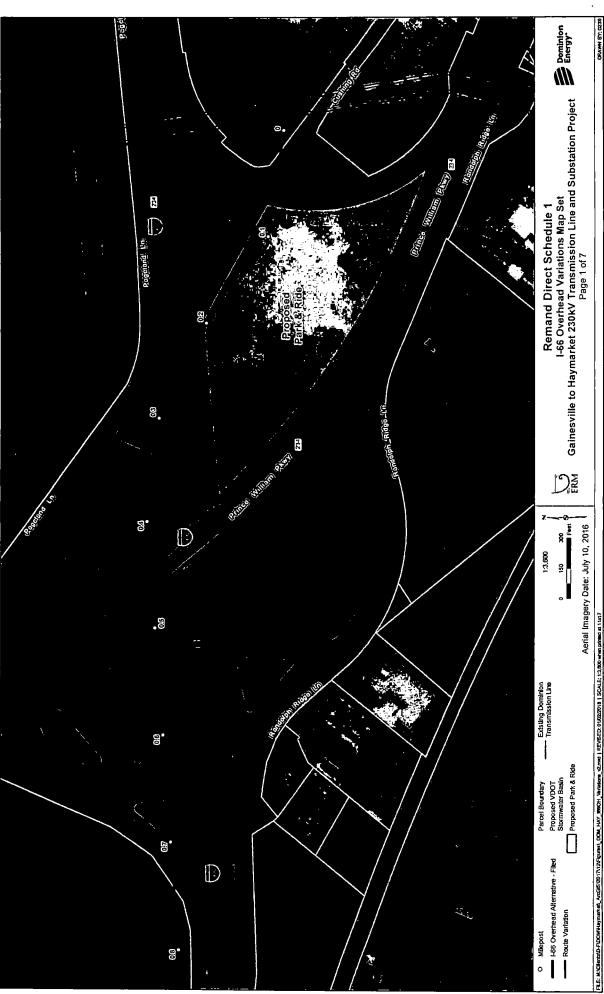
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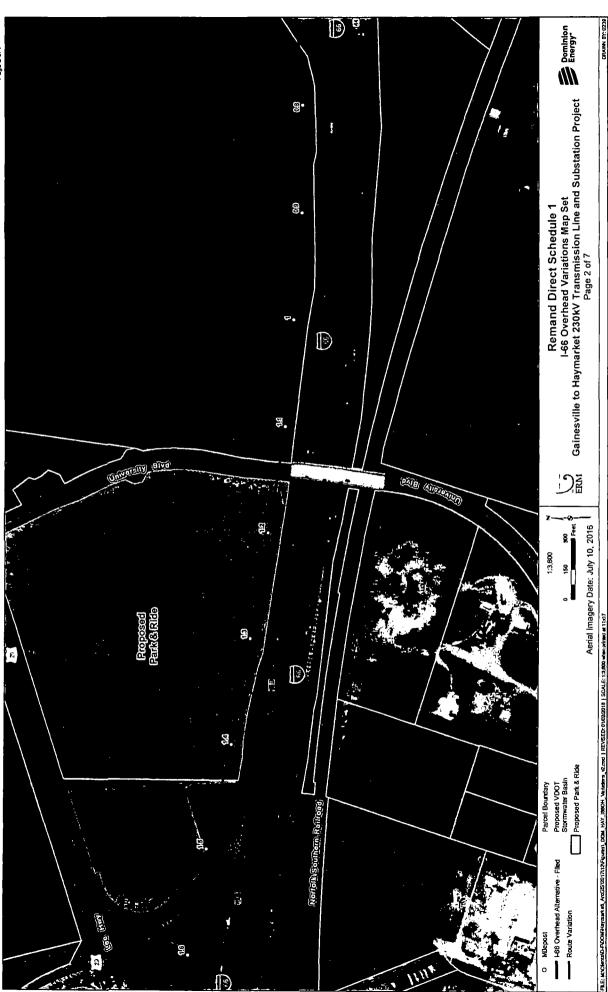
6	Q.	Does this conclude your remand direct testimony?
5		Direct Schedule 2, Pages 4-7 (denoted as "Additional Workspace").
4		Lane. For completeness of the record, these areas are also depicted within Remand
3		in various locations along the route, including the area of Jefferson Street and Jordan
2		staging and laydown of equipment, and has identified certain parcels that may be suitable
1		The Company has also undertaken additional review of potential sites along this route for

7 A. Yes, it does.





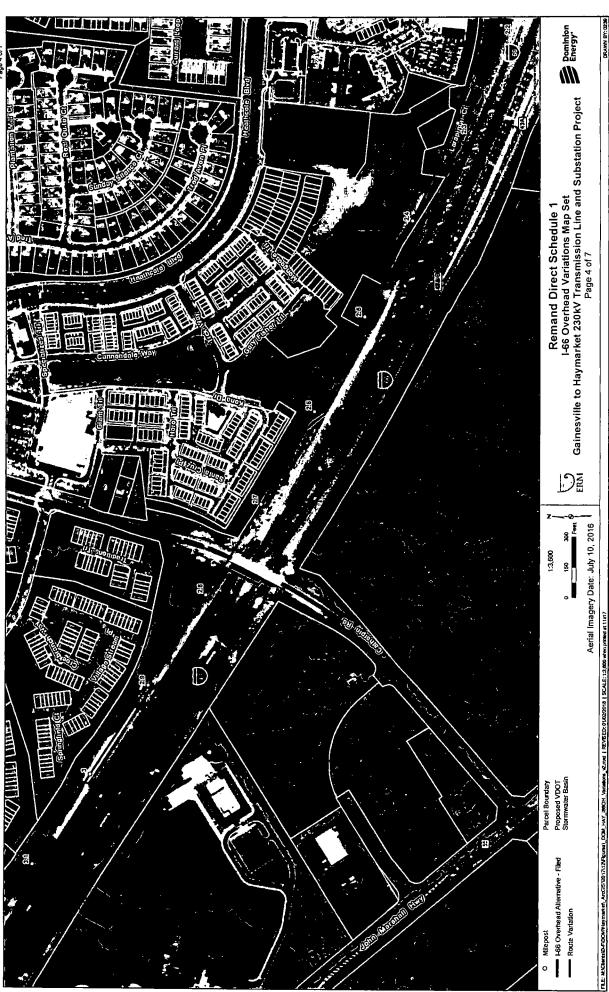
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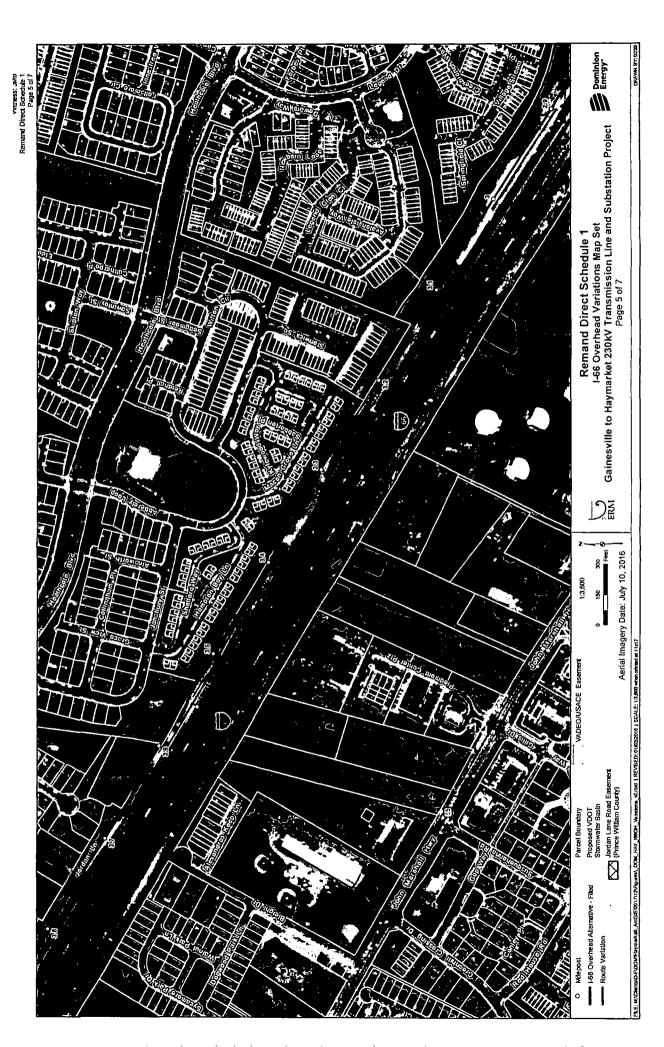


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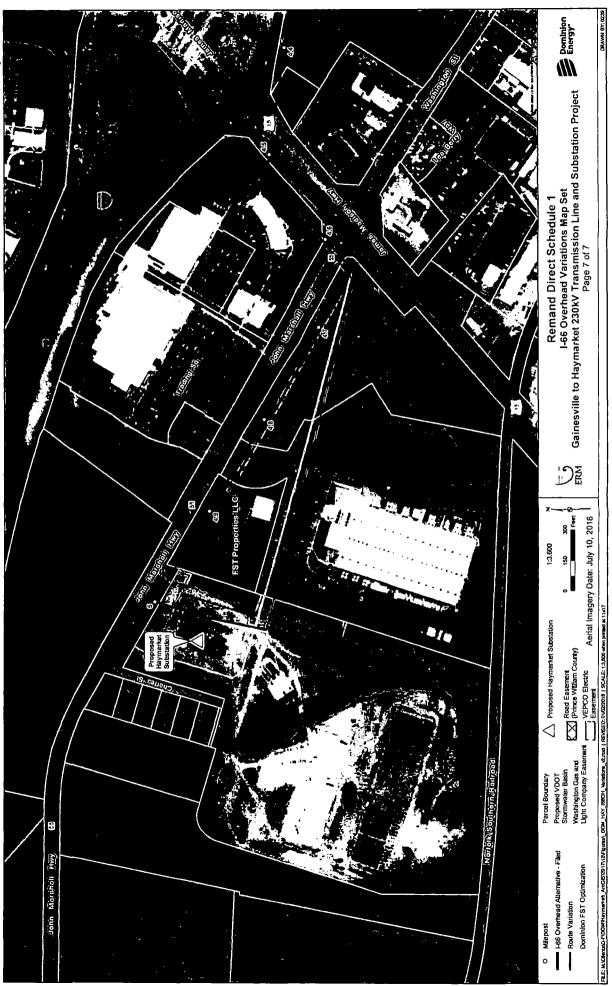


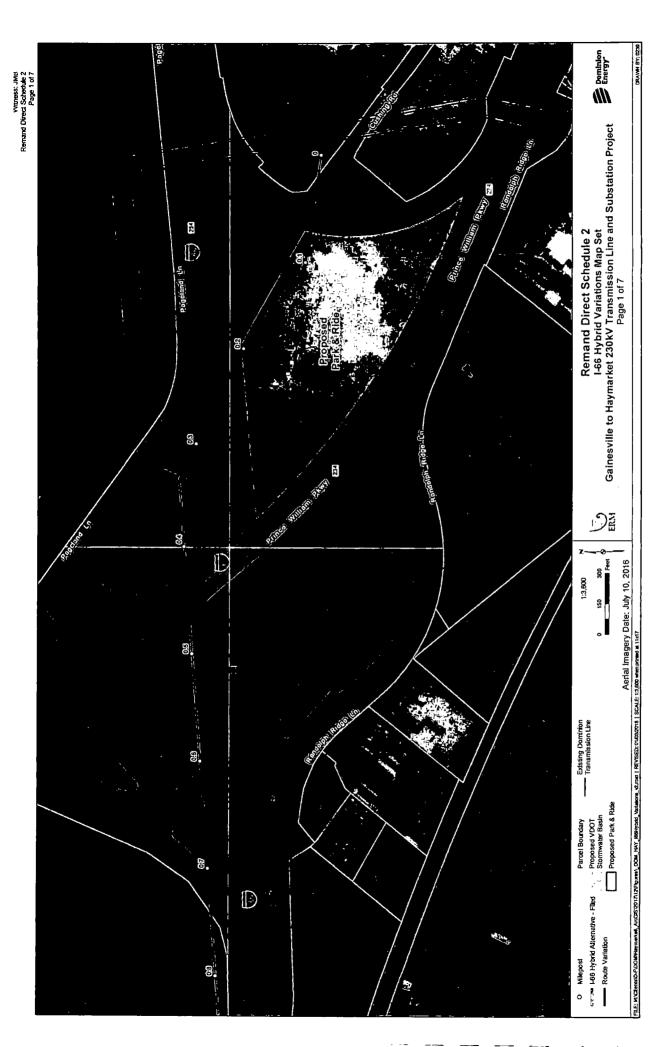


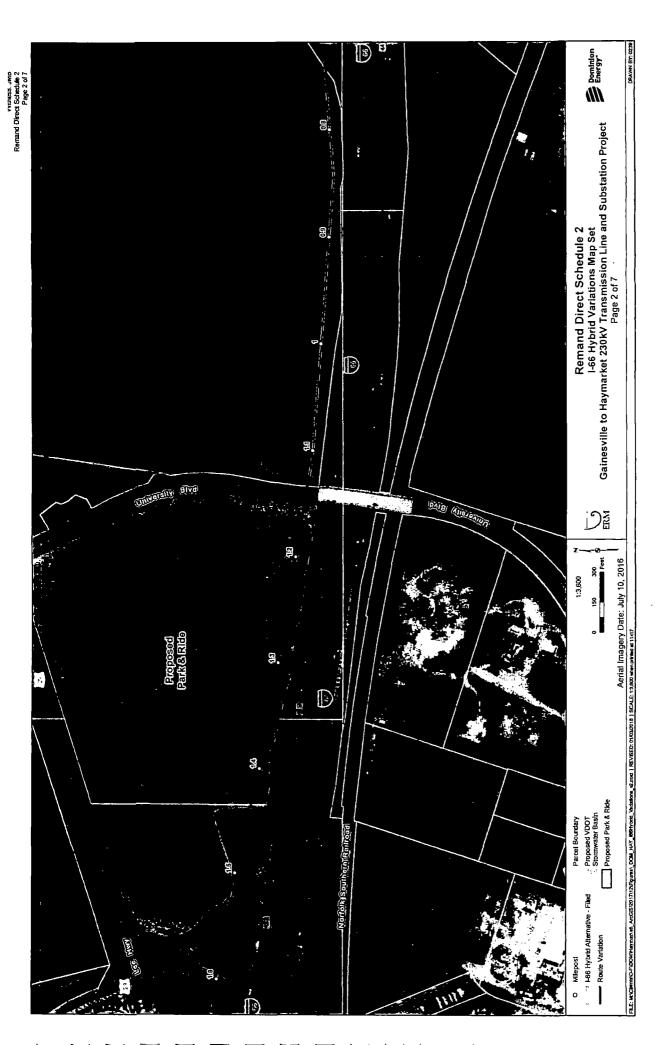


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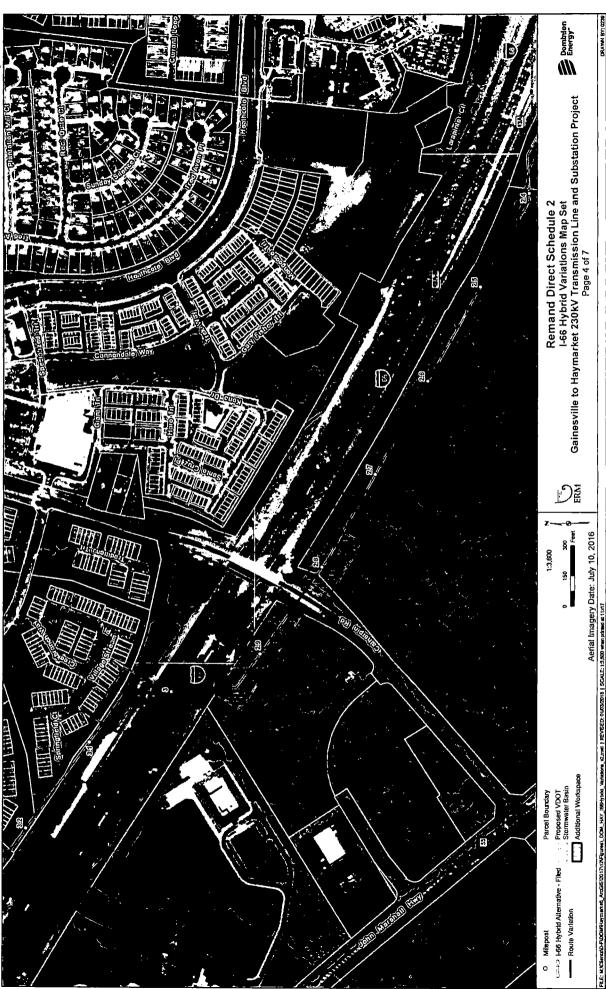
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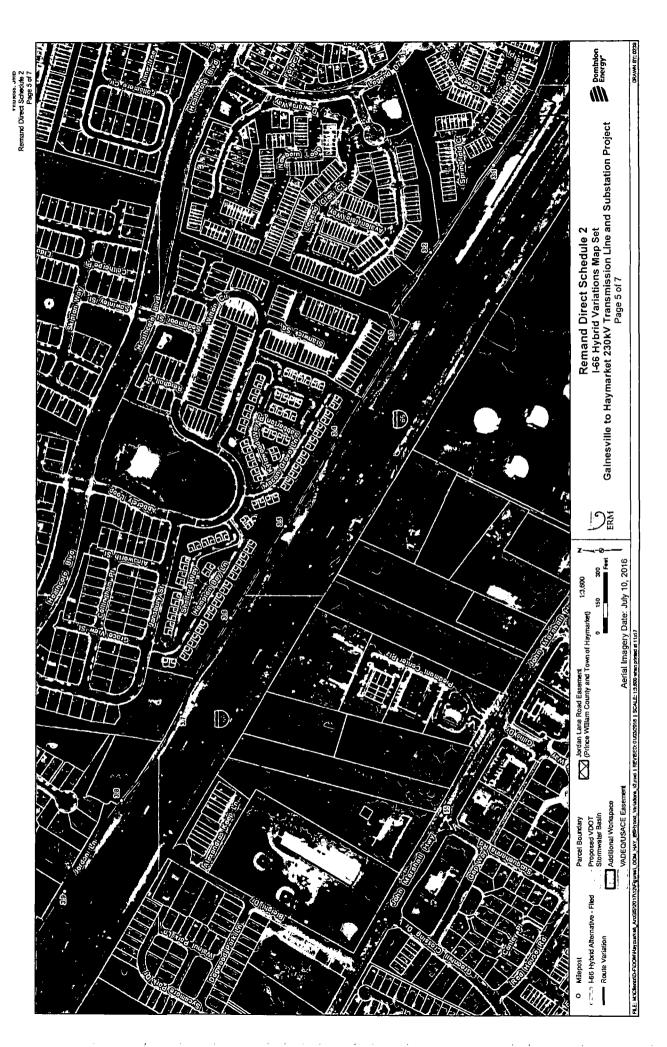




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