

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

April 18, 2005

In Reply Refer To:
Virginia Electric and Power Company
Docket Nos. ER05-581-000 and
ER05-581-001

Bruder, Gentile & Marcoux, L.L.P.
Attn: Peter K. Matt, Esq.
Counsel for Virginia Electric and Power Company
1701 Pennsylvania Avenue, N.W.
Suite 900
Washington, D.C. 20006-5807

Dear Mr. Matt:

1. On February 15, 2005, as amended on February 24, 2005, Virginia Electric and Power Company (Dominion Virginia Power) submitted a compliance filing revising tariff sheets incorporating changes to the *pro forma* Large Generator Interconnection Procedures (LGIP) and Large Generator Interconnection Agreement (LGIA) contained in its Open Access Transmission Tariff (OATT) as directed by the Commission in Order No. 2003-B (Order No. 2003-B Compliance Filing).¹
2. In this letter order, we accept Dominion Virginia Power's Order No. 2003-B Compliance Filing, subject to Dominion Virginia Power serving a complete copy of the filing on each person whose name is on the official service list, as discussed below, to be effective on January 19, 2005. This order benefits customers because it ensures that the rates, terms, and conditions for interconnection service are just, reasonable, and uniform and therefore encourages more competitive markets.

¹ See *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, 68 Fed. Reg. 49,845 (2003), FERC Stats. & Regs. ¶ 31,146 (2003), *order on reh'g*, Order No. 2003-A, 69 Fed. Reg. 15,932 (2004), FERC Stats. & Regs. ¶ 31,160 (2004), *order on reh'g*, Order No. 2003-B, 70 Fed. Reg. 265 (2005), FERC Stats. & Regs. ¶ 31,171 (2004), *reh'g pending*.

Background

3. In Order No. 2003,² the Commission required all non-independent public utilities that own, control, or operate facilities for transmitting electric energy in interstate commerce to file revised OATTs containing the *pro forma* LGIP and LGIA, and deemed all such transmission providers to have adopted the LGIP and LGIA into their OATTs.³ The Commission later issued Order No. 2003-A, which revised the *pro forma* LGIP and LGIA.

4. On December 20, 2004, the Commission issued Order No. 2003-B, which deemed the OATT of each non-independent Transmission Provider to be amended to adopt revisions to the *pro forma* LGIP and LGIA. Order No. 2003-B also requires each non-independent Transmission Providers to submit revised tariff sheets incorporating the changes contained in Order No. 2003-B.⁴ The Commission directed entities to make the required compliance filing within 60 days of the issuance of Order No. 2003-B.

5. On May 10, 2004, Dominion Virginia Power submitted its revised *pro forma* LGIP and LGIA in compliance with Order No. 2003-A. It was accepted in part and rejected in part by the Commission in *Virginia Electric and Power Company*, 107 FERC ¶ 61,010 (2004). On August 24, 2004, the Commission denied rehearing and accepted Dominion Virginia Power's compliance filing in *Virginia Electric and Power Company*, 108 FERC ¶ 61,206 (2004).

Dominion Virginia Power's Filing

6. Dominion Virginia Power has now submitted revised tariff sheets in compliance with Order No. 2003-B and proposes an additional revision in order to correct an apparent typographical error.

7. Dominion Virginia Power requests that the proposed revisions to its OATT be made effective on January 19, 2005, the effective date required in Order No. 2003-B.⁵ In addition, Dominion Virginia Power requests waiver of the Commission's regulation requiring it to serve copies of the entire filing on all of its customers. Dominion Virginia Power states that instead of serving a copy of the entire filing, it

² *Id.*

³ *See Notice Clarifying Compliance Procedures*, 106 FERC ¶ 61,009 (2004).

⁴ Order No. 2003-B at P 139; *see also id.* at Appendix B.

⁵ *See* Order No. 2003-B at P 148.

served a copy of the transmittal letter on all of its customers under the OATT, and proposes to post the revised sheets on its Open-Access Same Time Information System. Dominion Virginia Power further states that it will provide a copy of the entire filing to any customer who requests one.

Notice of Filing and Responsive Pleadings

8. Notice of Dominion Virginia Power's February 15, 2005 filing was published in the *Federal Register*, 70 Fed. Reg. 9,638 (2005) with comments, protests, or interventions due on or before March 8, 2005. Notice of Dominion Virginia Power's February 24, 2005 filing was published in the *Federal Register*, 70 Fed. Reg. 11,229 (2005) with comments, protests, or interventions due on or before March 17, 2005. No adverse comments were filed. North Carolina Electric Membership Corporation filed a motion to intervene.

Discussion

9. The Commission accepts Dominion Virginia Power's Order No. 2003-B Compliance Filing.

Waiver Request

10. In its filing, Dominion Virginia Power requests a waiver of 18 C.F.R. § 385.2010, which required it to serve a copy of the filing on its customers. Dominion Virginia Power states that it served a copy of the transmittal letter on all of its customers under its OATT and proposes to post the revised sheets on its Open-Access Same Time Information System. Dominion Virginia Power commits to providing a paper copy of the entire filing to any customer who requests one.

11. The Commission will grant the waiver request subject to Dominion Virginia Power serving the entire filing by electronic means on all parties, with the exception of those parties who are unable to receive such service or who desire Dominion Virginia Power to provide a paper copy consistent with the Commission's Order No. 653.⁶

⁶ See *Electronic Notification of Commission Issuances*, Order No. 653, 70 Fed. Reg. 8,720 (Feb. 23, 2005), FERC Stats. & Regs. ¶ 31,176 (2005).

12. Order No. 653 revises 18 C.F.R. § 385.2010(f)⁷ to require senders and recipients to serve documents upon one another by electronic means, with the exception of those who are unable to receive such service, unless the parties agree otherwise. If Dominion Virginia Power wishes to take advantage of the electronic filing process approved in Order No. 653, it must comply completely with the order.

Section 11.2 of LGIA

13. Order No. 2003-B changed the fifth sentence of LGIA section 11.2 from "... Section 13.5 within sixty days of tender of completed draft of the LGIA appendices, it shall have deemed to have withdrawn its Interconnection request." to "... Section 13.5 within sixty (60) Calendar days of the tender of draft LGIA, it shall be deemed to have withdrawn its Interconnection Request." Dominion Virginia Power states in its filing that this change prematurely terminates the provision after the word "LGIA" and appears to be a typographical error. Therefore, Dominion Virginia Power proposes to replace the "." after the word "LGIA" with a "," to preserve the initial intent of the provision. We will accept Dominion Virginia Power's proposed typographical revision.

By direction of the Commission.

Magalie R. Salas,
Secretary.

⁷ 18 C.F.R. § 385.2010(f) (2004). The Commission issued Order No. 653 on February 10, 2005, and since Dominion Virginia Power's filing was submitted on February 15, 2005, before the March 21, 2005 effective date of Order No. 653, Dominion Virginia Power requests a waiver of the *then* effective requirements of 18 C.F.R. § 385.2010(f).

Enclosure

Virginia Electric and Power Company
Docket No. ER05-581-001⁸
Rate Schedule Designations
Effective Date: January 19, 2005

The tariff sheets listed below revise the Virginia Electric and Power Company's interconnection terms and conditions and its *pro forma* LGIA agreement in FERC Electric Tariff, Second Revised Volume No. 5.

<u>Designation</u>	<u>Supersedes</u>
1. Substitute First Revised Sheet No. 226	Substitute Original Sheet No. 226
2. Substitute First Revised Sheet No. 230	First Revised Sheet No. 230
3. Substitute First Revised Sheet No. 231	Substitute Original Sheet No. 231
4. Substitute Original Sheet No. 231A	Original Sheet No. 231A
5. Substitute First Revised Sheet No. 233	Substitute Original Sheet No. 233
6. Substitute First Revised Sheet No. 242	Substitute Original Sheet No. 242
7. Substitute First Revised Sheet No. 243	Substitute Original Sheet No. 243
8. Substitute First Revised Sheet No. 246	Substitute Original Sheet No. 246
9. Substitute First Revised Sheet No. 247	Substitute Original Sheet No. 247
10. Substitute First Revised Sheet No. 248	Substitute Original Sheet No. 248
11. Substitute First Revised Sheet No. 255	Substitute Original Sheet No. 255
12. Substitute First Revised Sheet No. 257	Substitute Original Sheet No. 257
13. Substitute First Revised Sheet No. 283	Substitute Original Sheet No. 283
14. Substitute First Revised Sheet No. 286	Substitute Original Sheet No. 286
15. Substitute First Revised Sheet No. 290	Substitute Original Sheet No. 290
16. Substitute First Revised Sheet No. 296	Substitute Original Sheet No. 296
17. Substitute First Revised Sheet No. 297	Substitute Original Sheet No. 297
18. Substitute First Revised Sheet No. 306	Substitute Original Sheet No. 306
19. Substitute First Revised Sheet No. 311	Substitute Original Sheet No. 311
20. Substitute First Revised Sheet No. 312	Substitute Original Sheet No. 312
21. Substitute First Revised Sheet No. 327	Substitute Original Sheet No. 327
22. Substitute Original Sheet No. 327A	Original Sheet No. 327A
23. Substitute First Revised Sheet No. 335	Substitute Original Sheet No. 335
24. Substitute First Revised Sheet No. 336	Substitute Original Sheet No. 336
25. Substitute First Revised Sheet No. 337	Substitute Original Sheet No. 337

⁸ The substitute sheets filed in Docket No. ER05-581-001 render the sheets filed in Docket No. ER05-581-000 moot.

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| 26. | Substitute First Revised Sheet No. 338 | Substitute Original Sheet No. 338 |
| 27. | Substitute First Revised Sheet No. 339 | Substitute Original Sheet No. 339 |
| 28. | Substitute First Revised Sheet No. 343 | Substitute Original Sheet No. 343 |
| 29. | Substitute First Revised Sheet No. 349 | Substitute Original Sheet No. 349 |