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## **BY ELECTRONIC FILING**

Mr. Bernard Logan, Clerk  
c/o Document Control Center  
State Corporation Commission  
1300 East Main Street  
Tyler Building – 1st Floor  
Richmond, Virginia 23219

Re: Second Supplemental Correspondence of Loudoun Valley Estates Homeowners Association – FOIA Findings, Legislative Developments, and Response to Recent Filings Application of Virginia Electric and Power Company for approval and certification of electric transmission facilities: 500 kV and 230 kV Golden-Mars Lines, Lockridge 230 kV Loop, Sojourner 230 kV Loop, and Related Projects  
Case No. PUR-2025-00056

Dear Mr. Logan:

Loudoun Valley Estates Homeowners Association (“LVE” or the “Association”) respectfully submits this second supplemental correspondence in connection with the above-captioned proceeding. LVE writes to bring to the Commission’s attention a dispositive regulatory barrier to Route 1F as introduced by the Company.

### **I. Route 1F Is Prohibited Under Virginia Administrative Code §24VAC30-151-330**

Virginia Administrative Code §24VAC30-151-330 governs the placement of utility installations within highway rights-of-way. The regulation provides, in pertinent part:

Virginia Administrative Code §24VAC30-151-330(J) “Longitudinal pole line installation *will not be allowed in the median.*” Emphasis added.

This language is not discretionary. It is a categorical prohibition. Longitudinal pole line installations in a highway median are not permitted under any circumstances.

## **II. Route 1F Introduced by the Company Violates This Prohibition**

As introduced by the Company, Route 1F would place 500 kV transmission structures longitudinally within the median of Loudoun County Parkway. Loudoun County Parkway (State Route 607) is a VDOT-maintained, nonlimited access secondary state highway, subject to the provisions of 24VAC30-151-330. This is precisely the configuration that §24VAC30-151-330(J) prohibits. The Company's own filings and testimony establish that Route 1F contemplates longitudinal pole placement in the median - there is no dispute as to the physical configuration injected into this proceeding.

The Commission therefore lacks the authority to approve Route 1F as the Company has described it. An agency cannot grant a certificate for a facility configuration that is prohibited by regulation.

## **III. The Inclusion of an Impermissible Route Has Prejudiced the Proceedings**

By injecting Route 1F into the proceedings during the evidentiary hearing, the Company caused all parties - participants, Staff, and the Commission - to evaluate, respond to, and expend already limited resources addressing a route that was never lawfully available. Route 1F did not appear in the Company's original application. It was introduced mid-proceeding, and decisions and positions throughout this case were influenced by the assumption that Route 1F was at least a potentially viable alternative. That assumption was incorrect.

LVE would like to understand from Dominion why it proposed a route that is regulatorily impermissible, thus prejudicing every participant in this case.

## **IV. Requested Relief**

Accordingly, the Association respectfully requests that the Commission:

1. Find that longitudinal pole line installations in the median of Loudoun County Parkway are prohibited under Virginia Administrative Code §24VAC30-151-330(J);
2. Find that Route 1F, as introduced by the Company, contemplates such prohibited installations and therefore cannot be approved; and
3. Order that the remaining routes be reevaluated without reference to Route 1F.

Respectfully submitted,

*/s/ Bryan S. Turner*

Bryan S. Turner

cc: Service List  
Loudoun Valley Estates, HOA

Enclosure - Virginia Administrative Code §24VAC30-151-330

## Part VI. Utilities

### 24VAC30-151-330. Overhead utility installations within nonlimited access highways.

- A. Overhead utility crossings shall be located on a line that is perpendicular to the highway alignment. Longitudinal installations shall be located on a uniform alignment as near as possible to the right-of-way line to provide a safe environment and space for future highway improvements and other utility installations.
- B. Overhead longitudinal utilities may be installed on all nonlimited access highways by a public or private utility company under a permit, except in scenic areas, as follows:
1. Overhead utilities may be installed within nonlimited access right-of-way under permit, including a districtwide permit as allowed under 24VAC30-151-30 B 1.
  2. All overhead installations, excluding wireless support structure facilities, shall be located adjacent to the right-of-way line and in accordance with clear zone requirements. Repairs and replacement of similar installations may be performed in existing locations under the existing permit, provided the work shall not impede the traveled way. Additional poles, taller poles, or cross-arms require a separate permit.
- C. Longitudinal installations of overhead lines within the right-of-way shall be limited to single-pole construction. Joint-use, single-pole construction will be encouraged at locations where more than one utility or type of facility is involved, especially where the right-of-way widths approach the minimum needed for safe operations or maintenance requirements, or where separate installations may require extensive removal or alteration of trees.
- D. Consideration will not be given to poles placed on a highway right-of-way of less than 40 feet in width.
- E. Highway crossings should be grouped at one location whenever practical, and as near as possible to right angles to the center of the road.
- F. New overhead installations crossing existing or proposed nonlimited access highways shall provide a minimum of 18 feet of vertical clearance or at a minimum height as established by the standards and specifications set forth in the terms of the permit, whichever is greater. The overlashing of telecommunications lines onto existing lines or strand is not considered a new overhead installation.
- G. Existing overhead utilities that are found to be in horizontal or vertical conflict with proposed traffic control devices or signage shall be adjusted, at the permittee's expense, to provide an unobstructed view for the traveling public and the appropriate clearance from traffic control

devices or signage.

H. The vertical clearance for all new overhead installations parallel to an existing or proposed highway and within nonlimited access rights-of-way shall be in compliance with standards as specified in the terms of the permit. The overlashing of telecommunications lines onto existing lines or strand is not considered a new overhead installation.

I. When crossing a median, all poles or other overhead facilities shall be placed to maintain an adequate clear zone in each direction.

J. Longitudinal pole line installation will not be allowed in the median.

**Statutory Authority**

§33.2-210 of the Code of Virginia.

**Historical Notes**

Derived from Virginia Register Volume 26, Issue 12, eff. March 17, 2010; amended, Virginia Register Volume 42, Issue 5, eff. November 19, 2025.