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<b>Case Name (if known)</b>	Application of Virginia Electric and Power Company, For approval and certification of electric transmission facilities: Culpeper Technology Zone 230 KV Loop and Lines #2 and #1065 Conversion Project
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McGuireWoods LLP  
Gateway Plaza  
800 East Canal Street  
Richmond, VA 23219-3916  
Phone: 804.775.1000  
Fax: 804.775.1061  
www.mcguirewoods.com

Jontille D. Ray  
Direct: 804.775.1173  
jray@mcguirewoods.com

May 12, 2025

**BY ELECTRONIC DELIVERY**

Mr. Bernard Logan, Clerk  
State Corporation Commission  
Document Control Center  
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1300 E. Main Street  
Richmond, VA 23219

*Application of Virginia Electric and Power Company, For approval and certification of electric transmission facilities: Culpeper Technology Zone 230 KV Loop and Lines #2 and #1065*  
*Conversion Project*  
**Case No. PUR-2025-00032**

Dear Mr. Logan:

Please find enclosed for electronic filing in the above-referenced matter the *Motion of Virginia Electric and Power Company for Entry of a Protective Ruling and Additional Protective Treatment*, including a Proposed Protective Ruling as Attachment 1.

Please do not hesitate to contact me if you have any questions regarding the enclosed.

Highest regards,

/s/ Jontille D. Ray

Jontille D. Ray

Enclosures

cc: Hon. D. Mathias Roussy, Jr., Chief Hearing Examiner  
William H. Chambliss, Esq.  
William H. Harrison, IV, Esq.  
Clay F. Kulesza, Esq.  
Charlotte P. McAfee, Esq.  
Vishwa B. Link, Esq.  
Briana M. Jackson, Esq.  
Alexis S. Hills, Esq.

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

APPLICATION OF	)	
	)	
VIRGINIA ELECTRIC AND POWER COMPANY	)	Case No. PUR-2025-00032
	)	
For approval and certification of electric transmission	)	
facilities: Culpeper Technology Zone 230 kV Loop	)	
and Lines #2 and #1065 Conversion Project	)	

**MOTION OF VIRGINIA ELECTRIC AND POWER COMPANY FOR ENTRY OF A  
PROTECTIVE RULING AND ADDITIONAL PROTECTIVE TREATMENT**

Virginia Electric and Power Company (“Dominion Energy Virginia” or the “Company”), by counsel, hereby moves the State Corporation Commission of Virginia (the “Commission”) for Entry of a Protective Ruling and Additional Protective Treatment (“Motion”) pursuant to Rules 110 and 170 of the Commission’s Rules of Practice and Procedure (“Procedural Rules”), 5 VAC 5-20-110 and 5 VAC 5-20-170. In support of the Motion, the Company respectfully states as follows:

1. On February 20, 2025, the Company filed with the Commission an application (the “Application”) for approval and certification of electric transmission facilities pursuant to § 56-46.1 of the Code of Virginia (“Code”) and the Utility Facilities Act, Code § 56-265.1 *et seq.*
2. On March 26, 2025, the Commission issued an Order for Notice and Hearing in this proceeding that, among other things, appointed a Hearing Examiner to conduct all further proceedings in this matter and file a final report.
3. On May 5, 2025, Commission Staff (“Staff”) issued its First Set of Interrogatories and Requests for Production of Documents (“First Set”) to the Company. Staff’s First Set seeks, among other things, information regarding customers’ electric service agreements, ramping schedules, and load letters (“Customer-Specific Information”) for the data center served by the planned substation.

4. Rule 170 of the Procedural Rules authorizes the Commission or Hearing Examiner to issue an appropriate protective order or ruling establishing procedures applicable to the use of confidential information in a proceeding. Further, Rule 170 of the Procedural Rules authorizes the Commission or Hearing Examiner to issue an appropriate protective order or ruling establishing procedures applicable to the use of confidential information, including extraordinarily sensitive information, in a proceeding.

5. Because the Company's responses to the discovery requests contain extraordinarily sensitive information, and during the course of this proceeding the Company may provide additional confidential or extraordinarily sensitive information to Staff or other parties in response to interrogatories or requests for production of documents or things, or in its rebuttal testimony, in compliance with Rule 170 of the Procedural Rules, the Company is filing this Motion to request the Hearing Examiner enter a protective ruling, which also grants the Company's proposed treatment of extraordinarily sensitive information.

6. A proposed form of Protective Ruling is set forth in Attachment 1 to this Motion, which includes an Attachment A to address the treatment of confidential information and an Attachment B to address the treatment of extraordinarily sensitive information.<sup>1</sup> The response to Staff Set 01-03 contains the extraordinarily sensitive Customer-Specific Information.

7. The proposed Protective Ruling set forth in Attachment 1, as well as the protections proposed for extraordinarily sensitive information, and the agreement to adhere, are substantially similar to the Protective Ruling issued by the Hearing Examiner in Case No.

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<sup>1</sup> Although the Company does not currently have confidential information in this proceeding, the Company anticipates that such information may need to be provided in discovery, in rebuttal testimony, or at the evidentiary hearing. Accordingly, for judicial economy, the Company is seeking a Protective Ruling to address confidential information that may be provided in the future.

PUR-2024-00135 on November 12, 2024,<sup>2</sup> notwithstanding specific references to issues presented in that particular proceeding.

### **REQUEST FOR ADDITIONAL PROTECTIVE TREATMENT**

8. Pursuant to Rule 170 of the Procedural Rules, “[a] party may request additional protection for extraordinarily sensitive information by motion filed pursuant to 5 VAC 5-20-110, and filing the information with the Clerk of the Commission under seal and delivering a copy of the information to commission staff counsel under seal . . . .” Pursuant to Paragraph (13) of the Protective Ruling that is proposed to be entered in this proceeding, and which is substantially the same as Paragraph (13) of the protective rulings in other recent proceedings,<sup>3</sup> the following procedure would apply to requests for additional protective treatment:

(13) To the extent that a party contends that the terms of this Protective Ruling do not provide sufficient protection to prevent harm to the producing party or to others, the party may request additional protection for extraordinarily sensitive information by filing a motion with the Commission, pursuant to 5 VAC 5-20-110 and 5 VAC 5-20-170. The moving party shall also file such extraordinarily sensitive information with the Clerk of the Commission under seal and deliver a copy of the information to Staff counsel under seal. The producing party has the burden to demonstrate to the satisfaction of the Commission that this Protective Ruling does not provide the extraordinarily sensitive information sufficient protection and that the proposed restrictions are necessary.

(a) The motion shall: (1) describe each document and all information for which additional protection is sought, such description to include the character and contents of each document and all information to the extent reasonably possible without disclosing the confidential information; (2) explain in detail for each document and all information why the confidential treatment afforded under this Protective Ruling is not sufficient to protect the producing party’s interests; (3) describe and explain in detail the anticipated harms that might be suffered if the information is not

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<sup>2</sup> *Application of Virginia Electric and Power Company For approval and certification of electric transmission facilities: 230 kV Lines #210 and #243 Extension and 230-34.5 kV Edsall Substation*, Case No. PUR-2024-00135, Hearing Examiner’s Protective Ruling and Additional Protective Treatment for Extraordinarily Sensitive Information (Nov. 12, 2024).

<sup>3</sup> *See, e.g., id.*

afforded the higher protection; and (4) explain the producing party's proposed additional restrictions and why such restrictions are the minimum necessary to protect that party.

(b) Within three (3) business days of the filing of the motion, Staff and any other party may file a response to the motion.

(c) Within two (2) business days of filing of any response, the producing party may file a reply.

Notwithstanding the provisions of this Paragraph, the Company may designate certain, limited information as extraordinarily sensitive information without first seeking and obtaining prior Commission approval for such designation. Such information shall be within the scope of information designated in the Motion as "extraordinarily sensitive" involving Customer-Specific Information as defined in the Motion. However, the Commission, any Hearing Examiner assigned to this docket, the Staff, or any party hereto, may challenge the Company's designation of any such information as extraordinarily sensitive by filing a motion promptly with the Commission. Any motion filed under this section shall, except for good cause shown, be accompanied by a certification that the movant has in good faith conferred or attempted to confer with the party asserting extraordinarily sensitive treatment in an effort to resolve the dispute without Commission action. Upon such challenge, the Company shall have the burden to demonstrate to the satisfaction of the Commission or Hearing Examiner, as the case may be, that this Protective Ruling does not otherwise provide the information claimed to be extraordinarily sensitive, sufficient protection and that the additional, proposed restrictions are necessary.

9. The category of information for which the Company seeks extraordinarily sensitive treatment is Customer-Specific Information, as this term is defined in this Motion. The information is contained in the Extraordinarily Sensitive Version of the Company's responses to Staff's First Set of data requests. See Exhibit 1 for the response to Staff's First Set, Question No. 3, providing a description of Attachments Staff Set 01-03(a) – (d) (NE) ES. Because these materials are voluminous in nature, the Company asks that the Commission waive the requirement to file this information in hard copy with this Motion consistent with recent

Commission orders granting similar waivers.<sup>4</sup> If the Commission or Hearing Examiner so desires, the Company can make the information available to the Commission in an electronic format for *in camera* review.

10. The Customer-Specific Information is extraordinarily sensitive information that contains proprietary, market-sensitive, and customer-specific information that, if not afforded the highest level of protection, could result in harm to the Company's customers. If known, this information would give the following persons market intelligence that they could use to their competitive advantage: (i) those engaged in the business of, or providing products or services related to, ownership, operation, development, manufacturing, construction, or installation of data centers, data center equipment supply, or data center business development; (ii) those engaged in the business of, or providing products and services related to, ownership, development, operation, manufacturing, construction, installation, or sales of cloud computing, infrastructure, or technology, including computing, storage, database, analytics, application and deployment products and services; or (iii) property owners, real estate brokers or sales agents of potential future data center or cloud computing facility sites.

11. Access to the Customer-Specific Information would give the foregoing persons a competitive advantage by providing the information and data necessary, through reverse engineering, to determine a customer's operating characteristics and specifications of its data centers and cloud computing infrastructure, including server density, cooling technology, and other engineering features. These engineering details and specifications would provide concrete numbers from which competitors could design, build, and operate competing data centers and cloud computing businesses. Competitors would also be able to determine the scale and commercial characteristics, and real estate needs of a customer's operations in Virginia. This

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<sup>4</sup> The Company will make these documents available via an electronic discovery site ("eRoom") contemporaneously with the filing of this Motion with immediate access to Commission Staff.

information would establish a baseline for competitors to know actual types and amounts of infrastructure necessary to compete against a customer on an equivalent scale and could put a customer at a disadvantage in competing or negotiating for real estate. The harms to the Company's customers of public disclosure of the commercially sensitive Customer-Specific Information, as described above, far outweigh any remote public interest there may be disclosing this Customer-specific information.

12. Because additional parties that are potential competitors in data center development may join the proceeding as respondents and issue discovery requests, the terms of the a proposed Protective Ruling for confidential information are insufficient to protect this extraordinarily sensitive information because any party to this proceeding, their counsel, expert witnesses, and support staff, are allowed to sign the Agreement to Adhere to the Protective Ruling and gain access to this despite the nature of their job function or the party's business interest. Additional protective treatment is not only appropriate and warranted under these circumstances, but also necessary to protect the customers' commercial and business interests, as well as the competitive marketplace. The Company has requested, and the Commission has awarded, additional protective treatment for Customer-Specific Information in prior proceedings.<sup>5</sup>

### **PROPOSED PROTECTIONS**

13. Dominion Energy Virginia respectfully moves the Commission for a ruling

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<sup>5</sup> See, e.g., *Application of Virginia Electric and Power Company, For approval and certification of electric transmission facilities: 500-230 kV Aspen Substation, 500 kV Aspen-Goose Creek Line #5002, 500 kV and 230 kV Aspen-Golden Lines #5001 and #2333, 500-230 kV Golden Substation, and Lines #2081/#2150 Loop*, Case No. PUR-2024-00032 and *Application of Virginia Electric and Power Company, For approval and certification of electric transmission facilities: 230 kV Apollo-Twin Creeks Lines, and Twin Creeks, Sycolin Creek, Starlight, Lunar, and Apollo Substation*, Hearing Examiner's Protective Ruling Providing Additional Protective Treatment for Extraordinarily Sensitive Customer-Specific Information (Aug. 5, 2024); See also, e.g., *Application of Virginia Electric and Power Company For approval and certification of electric transmission facilities: 230 kV Lines #210 and #243 Extension and 230-34.5 kV Edsall Substation*, Case No. PUR-2024-00135, Hearing Examiner's Protective Ruling and Additional Protective Treatment for Extraordinarily Sensitive Information (Nov. 12, 2024).



imposing additional restrictions on the review of this extraordinarily sensitive information to prevent access to it by the entities described below. The conditions are substantially the same as those proposed by the Company and approved by the Commission in prior proceedings and are the minimum necessary to protect the Company and its customers from harm. Specifically, the Company requests the following conditions be placed on any review of the extraordinarily sensitive information:

- Access to the Customer-Specific Information shall be given to (i) in-house counsel and/or parties not engaged in the business of, or providing products or services related to, (a) ownership, operation, development, manufacturing, construction, or installation of data centers, data center equipment supply, or data center business development; (b) ownership, development, operation, manufacturing, construction, installation, or sales of cloud computing, infrastructure, or technology, including computing, storage, database, analytics, application and deployment products and services; or (c) property owners, real estate brokers or sales agents of potential future data center or cloud computing facility site; (ii) outside retained counsel; or (iii) individual consultants who have been retained by a party for the purposes of providing consulting services and/or expert testimony in this proceeding;
- Oral testimony concerning the extraordinarily sensitive information will be taken *in camera*;
- If an attorney licensed to practice law in Virginia, admitted *pro hac vice* in this case, or employed as corporate counsel, returning or destroying documents containing extraordinarily sensitive information except for the attorney's notes and work product, and documents that are part of the record in this proceeding (including, but not limited to, transcripts, testimony, exhibits, pleadings, rulings, and orders); and if not covered included in the above categories, returning or destroying all documents containing extraordinarily sensitive information upon conclusion of the proceedings, and any appeal thereof;
- No party or consultant may use the extraordinarily sensitive information to give any party or any competitor of any participant a commercial advantage; provided, however, that nothing in the agreement shall prevent any person signing it from using the extraordinarily sensitive information in this proceeding consistent with the terms of the agreement and the Protective Ruling;
- Paragraph (13) of the Protective Ruling shall include the following language:
  - Notwithstanding the provisions of this Paragraph, the Company may designate certain, limited information as extraordinarily sensitive

information without first seeking and obtaining prior Commission approval for such designation. Such information shall be within the scope of the information designated as “extraordinarily sensitive” in the Motion for Additional Protective Treatment involving Customer-Specific Information, all as defined in the Motion. However, the Commission, any Hearing Examiner assigned to this docket, the Staff, or any party hereto, may challenge the Company’s designation of any such information as extraordinarily sensitive. Upon such challenge, the Company shall have the burden to demonstrate to the satisfaction of the Commission or Hearing Examiner, as the case may be, that this Protective Ruling does not otherwise provide the information claimed to be extraordinarily sensitive, sufficient protection and that the additional, proposed restrictions are necessary.

- Subject to the provisions of the Protective Ruling and Additional Protective Treatment for Extraordinarily Sensitive Information, and execution by appropriate party representatives (other than Staff) of the “Agreement to Adhere to the Ruling Granting Additional Protective Treatment for Extraordinarily Sensitive Information” included as Attachment B, the Company agrees to provide copies of the extraordinarily sensitive information.

These restrictions should not adversely impact access to this information in this proceeding by the Commission Staff.

14. The protections set forth in Paragraph (13) of this Motion are the minimum necessary to protect the Company’s extraordinarily sensitive information from access by those identified above.

WHEREFORE, for the reasons set forth above, the Company respectfully requests that the Commission grant its Motion for Protective Ruling and Additional Protective Treatment by issuing a Protective Ruling as set forth in Attachment 1 to this Motion, including Attachments A and B, for use in this proceeding, and require the additional safeguards proposed by the Company herein for the access to confidential and extraordinarily sensitive information.

Respectfully Submitted,

**VIRGINIA ELECTRIC AND POWER COMPANY**

By: /s/ Jontille D. Ray

Charlotte P. McAfee

Dominion Energy Services, Inc.  
120 Tredegar Street  
Richmond, Virginia 23219  
(804) 771-3708 (CPM)  
*charlotte.p.mcafee@dominionenergy.com*

Vishwa B. Link  
Jontille D. Ray  
Briana M. Jackson  
Alexis S. Hills  
McGuireWoods LLP Gateway Plaza  
800 E. Canal Street  
Richmond, Virginia 23219  
(804) 775-4330 (VBL)  
(804) 775-1173 (JDR)  
(804) 775-1323 (BMJ)  
(804) 775-4758 (ASH)  
*vlink@mcguirewooods.com*  
*jray@mcguirewoods.com*  
*bmjackson@mcguirewoods.com*  
*ahills@mcguirewoods.com*

*Counsel for Virginia Electric and Power Company*

May 12, 2025

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

APPLICATION OF )  
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VIRGINIA ELECTRIC AND POWER COMPANY ) Case No. PUR-2025-00032  
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For approval and certification of electric transmission )  
facilities: Culpeper Technology Zone 230 kV Loop )  
and Lines #2 and #1065 Conversion Project )

**[PROPOSED] PROTECTIVE RULING INCLUDING ADDITIONAL PROTECTIVE  
TREATMENT FOR EXTRAORDINARILY SENSITIVE INFORMATION**

On February 20, 2025, Virginia Electric and Power Company (“Dominion Energy Virginia” or the “Company”), by counsel, filed with the State Corporation Commission of Virginia (the “Commission”) an application (the “Application”) for approval and certification of electric transmission facilities pursuant to § 56-46.1 of the Code of Virginia (“Code”) and the Utility Facilities Act, Code § 56-265.1 *et seq.* On March 26, 2025, the Commission issued an Order for Notice and Hearing in this proceeding that, among other things, appointed a Hearing Examiner to conduct all further proceedings in this matter.

On May 5, 2025, Commission Staff (“Staff”) issued its First Set of Interrogatories and Requests for Production of Documents (“First Set”) to the Company. Staff’s First Set seeks, among other things, information regarding customers’ electric service agreements, ramping schedules, and load letters (“Customer-Specific Information”) for the data center served by the planned substation.<sup>1</sup> In response to Staff’s discovery request, the Company filed a Motion for Entry of a Protective Ruling and Additional Protective Treatment (“Motion”) along with a proposed form of Protective Ruling (“Proposed Protective Ruling”), which included an

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<sup>1</sup> Motion at ¶ 3.

Attachment A to address the treatment of confidential information an Attachment B to address the treatment of extraordinarily sensitive information. In its Motion, the Company indicated that the Proposed Protective Ruling is substantially similar to the Protective Ruling issued by the Hearing Examiner in Case No. PUR-2024-00135 on November 12, 2024,<sup>2</sup> notwithstanding specific references to issues presented in that particular proceeding.<sup>3</sup>

In support of its Motion, the Company stated that it had filed and described in this proceeding extraordinarily sensitive Customer-Specific Information, as that term is defined in the Motion.<sup>4</sup>

Specifically, Dominion Energy Virginia requested in its Motion that the following conditions be placed on any review of the extraordinarily sensitive Customer-Specific Information identified by the Company:

- Access to the Customer-Specific Information shall be given to (i) in-house counsel and/or parties not engaged in the business of, or providing products or services related to, (a) ownership, operation, development, manufacturing, construction, or installation of data centers, data center equipment supply, or data center business development; (b) ownership, development, operation, manufacturing, construction, installation, or sales of cloud computing, infrastructure, or technology, including computing, storage, database, analytics, application and deployment products and services; or (c) property owners, real estate brokers or sales agents of potential future data center or cloud computing facility site; (ii) outside retained counsel; or (iii) individual consultants who have been retained by a party for the purposes of providing consulting services and/or expert testimony in this proceeding;
- Oral testimony concerning the extraordinarily sensitive information will be taken *in camera*.
- If an attorney licensed to practice law in Virginia, admitted *pro hac vice* in this case, or employed as corporate counsel, return or destroy documents containing extraordinarily sensitive information except for the attorney's notes

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<sup>2</sup> *Application of Virginia Electric and Power Company For approval and certification of electric transmission facilities: 230 kV Lines #210 and #243 Extension and 230-34.5 kV Edsall Substation*, Case No. PUR-2024-00135, Hearing Examiner's Protective Ruling and Additional Protective Treatment for Extraordinarily Sensitive Information (Nov. 12, 2024).

<sup>3</sup> Motion at ¶ 7.

<sup>4</sup> Motion at ¶ 3.

and work product, and documents that are part of the record in this proceeding (including, but not limited to, transcripts, testimony, exhibits, pleadings, rulings, and orders); and if not covered included in the above categories, return or destroy all documents containing extraordinarily sensitive information upon conclusion of the proceedings, and any appeal thereof.

- No party or consultant may use the extraordinarily sensitive information to give any party or any competitor of any participant a commercial advantage; provided, however, that nothing in the agreement shall prevent any person signing it from using the extraordinarily sensitive information in this proceeding consistent with the terms of the agreement and the Protective Ruling.
- Paragraph (13) of the Protective Ruling shall include the following language:
  - Notwithstanding the provisions of this Paragraph, the Company may designate certain, limited information as extraordinarily sensitive information without first seeking and obtaining prior Commission approval for such designation. Such information shall be within the scope of the information designated as “extraordinarily sensitive” in the Motion involving Customer-Specific Information, as defined in the Motion. However, the Commission, any Hearing Examiner assigned to this docket, the Staff, or any party hereto, may challenge the Company’s designation of any such information as extraordinarily sensitive by filing a motion promptly with the Commission. Any motion filed under this section shall, except for good cause shown, be accompanied by a certification that the movant has in good faith conferred or attempted to confer with the party asserting extraordinarily sensitive treatment in an effort to resolve the dispute without Commission action. Upon such challenge, the Company shall have the burden to demonstrate to the satisfaction of the Commission or Hearing Examiner, as the case may be, that this Protective Ruling does not otherwise provide the information claimed to be extraordinarily sensitive, sufficient protection and that the additional, proposed restrictions are necessary.
- Subject to the provisions of the Protective Ruling and Additional Protective Treatment for Extraordinarily Sensitive Information, and execution by appropriate party representatives (other than Staff) of the “Agreement to Adhere to the Ruling Granting Additional Protective Treatment for Extraordinarily Sensitive Information” included as Attachment B, the Company agrees to provide copies of the extraordinarily sensitive information.

UPON CONSIDERATION of the Company's Motion and the Commission's Rules of Practice and Procedure,<sup>5</sup> I find that, to facilitate the handling of confidential and extraordinarily sensitive information identified in the Motion, and to permit the development of all issues in this proceeding, the Company's Motion should be granted and a Protective Ruling including conditions applicable to the review of extraordinarily sensitive information should be entered. The Protective Ruling herein adopts the substantive provisions of the Proposed Protective Ruling submitted by the Company. Accordingly,

**IT IS DIRECTED THAT** the following procedures shall be established for the filing, exchange, and handling of confidential information and documents in this case:

(1) Any documents, materials and information to be filed with or delivered to the Commission or produced by any party to Staff or another party, including transcripts, which the producing party designates and clearly marks as confidential or as containing trade secrets, privileged, or confidential commercial or financial information ("Confidential Information"), shall be filed, produced, examined, and used only in accordance with the conditions set forth below. Information that is available to the public anywhere else will not be granted confidential treatment and shall not be designated as "Confidential Information" by any party.

(2) Parties shall clearly mark and file under seal with, or deliver to, the Commission all information otherwise required to be filed or delivered but considered by the party to be Confidential Information. Items filed or delivered under seal shall be securely sealed in an opaque container that is clearly labeled "UNDER SEAL" and, if filed, shall meet the other requirements for filing contained in the Commission's Rules. An original and fifteen (15) copies of all such information shall be filed with the Clerk of the Commission and one (1) additional

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<sup>5</sup> 5 VAC 5-20-10 *et seq.*

copy of all such information shall also be delivered under seal to the Staff counsel assigned to the matter.

(3) Parties shall also file with, or deliver to, the Commission an original and one (1) copy of an expurgated or redacted version of all such documents containing Confidential Information for use and review by the public. On every document filed or delivered under seal as containing some Confidential Information, the producing party shall mark each individual page of the document that contains such Confidential Information, and shall clearly indicate the specific information requested to be treated as confidential by the use of highlighting, underscoring, bracketing or other appropriate marking. All remaining materials on each page of the document shall be treated as non-confidential and available for public use and review, as well as introduction at any hearing without regard to the remaining procedures established by this Protective Ruling. If an entire document is confidential, or if all information provided in electronic format is confidential, a marking prominently displayed on the first page of such document, or at the beginning of any information provided in electronic format, indicating that the entire document is confidential, shall suffice.

(4) If information that is requested pursuant to a discovery request in this proceeding is considered by the producing party to be Confidential Information, the producing party shall clearly mark all Confidential Information produced to Staff or other individuals authorized under this Protective Ruling to receive Confidential Information.

(5) Confidential Information from this proceeding that is retained by an attorney pursuant to Paragraph (17) (a), below, is not precluded from use in a subsequent Commission proceeding (if otherwise relevant and admissible) but shall remain subject to this Protective Ruling and any future order or ruling related thereto. Otherwise, all Confidential Information



filed or produced by a party shall be used solely for the purpose of this proceeding (including any appeals).

(6) Access to Confidential Information shall be provided and specifically limited to Staff and any party, their counsel and expert witnesses, and to support personnel working on this case or a future case, subject to the conditions in Paragraphs (5), (17) (a), and (17) (b), under the supervision of said counsel or expert witnesses and to whom it is necessary that the Confidential Information be shown for the purpose of this or a future proceeding, provided each such person granted access has previously executed an Agreement to Adhere to Protective Ruling (“Agreement”), which is set forth as Attachment A to this Protective Ruling. Staff and Staff counsel are not required to sign the Agreement, but are hereby ordered to preserve the confidentiality of the Confidential Information. All Agreements shall be promptly forwarded to the producing party and Staff counsel, and filed with the Clerk of the Commission upon execution.

(7) Staff or any party to the proceeding may challenge the confidential designation of particular information by filing a motion promptly with the Commission. Any motion filed under this section shall, except for good cause shown, be accompanied by a certification that the movant has in good faith conferred or attempted to confer with the party asserting confidential treatment in an effort to resolve the dispute without Commission action. The Commission or Hearing Examiner will conduct an *in camera* review of the challenged documents, materials or information. Upon challenge, the information shall be treated as confidential pursuant to the Rules only where the party requesting confidential treatment can demonstrate to the satisfaction of the Commission that the risk of harm of publicly disclosing the information outweighs the presumption in favor of public disclosure. In no event shall any party disclose the Confidential

Information it has received subject to this Protective Ruling absent a finding by the Commission or Hearing Examiner that such information does not require confidential treatment.

(a) Within five (5) business days of the filing of the motion, the party requesting confidential treatment shall file a response. The response shall respond to each and every document and all information that is subject to the party's motion. The response shall: (1) describe each document and all information, such description to include the character and contents of each document and all information to the extent reasonably possible without disclosing the Confidential Information; (2) explain in detail why the information requires confidential treatment; and (3) describe and explain in detail the anticipated harms that might be suffered as a result of the failure of the document to be treated as confidential.

(b) Within five (5) business days of the filing of the motion, Staff or any other party to the proceeding may file a response.

(c) Within three (3) business days of the filing of any response, the party objecting to confidential treatment, or Staff if Staff is challenging confidentiality, may file a reply.

(d) Upon a determination by the Commission or the Hearing Examiner that all or portions of any materials filed under seal are not entitled to confidential treatment, the filing party shall file an original and one (1) copy of the redacted, or unredacted, if applicable, version of the document reflecting the determination.

(8) The Commission or the Hearing Examiner may challenge, *sua sponte*, the confidential designation of particular information at any time during the proceeding. If prior to the hearing, the Hearing Examiner challenges the confidential designation of particular

information, the Hearing Examiner shall issue a ruling directing the party requesting confidential treatment to demonstrate that the risk of harm of publicly disclosing the information outweighs the presumption in favor of public disclosure. The Hearing Examiner will conduct an *in camera* review of the challenged documents, materials or information. The party requesting confidential treatment shall submit a response as directed by the Hearing Examiner. The response shall respond to each and every document and all information that is subject to the ruling. The response shall: (1) explain in detail why the information requires confidential treatment; and (2) describe and explain in detail the anticipated harms that might be suffered as a result of the failure of the document to be treated as confidential. In no event shall any party disclose the Confidential Information it has received subject to this Protective Ruling absent a finding by the Hearing Examiner or the Commission that such information does not require confidential treatment.

(9) In the event that Staff or any other party seeks permission to grant access to any Confidential Information to any person other than a person authorized to receive such information under Paragraph (6) above, Staff or the party desiring permission shall first obtain the consent of counsel for the producing party. In the event of a negative response, Staff or the party seeking disclosure permission may file a motion with the Commission for such permission and shall bear the burden of proving the necessity for such disclosure.

(10) The producing party shall be under no obligation to furnish Confidential Information to persons other than those authorized to receive such information under Paragraph (6) above unless specifically ordered otherwise by the Commission or Hearing Examiner. Parties are encouraged to seek consent to disclose information or documents designated as

confidential from the producing party to the maximum extent practicable before filing a motion pursuant to Paragraph (9) above.

(11) The Clerk of the Commission is directed to maintain under seal all documents, materials and information filed with the Commission in this proceeding that the producing party has designated as Confidential Information until further Order of the Commission or Hearing Examiner Ruling.

(12) A producing party is obligated to separate to the fullest extent practicable non-confidential documents, materials and information from Confidential Information and to provide the non-confidential documents, materials and information without restriction.

(13) To the extent that a party contends that the terms of this Protective Ruling do not provide sufficient protection to prevent harm to the producing party or to others, the party may request additional protection for extraordinarily sensitive information by filing a motion with the Commission, pursuant to 5 VAC 5-20-110 and 5 VAC 5-20-170. The moving party shall also file such extraordinarily sensitive information with the Clerk of the Commission under seal and deliver a copy of the information to Staff counsel under seal, pursuant to Paragraph (2) above. The producing party has the burden to demonstrate to the satisfaction of the Commission that this Protective Ruling does not provide the extraordinarily sensitive information sufficient protection and that the proposed restrictions are necessary.

(a) The motion shall: (1) describe each document and all information for which additional protection is sought, such description to include the character and contents of each document and all information to the extent reasonably possible without disclosing the Confidential Information; (2) explain in detail for each document and all information why the confidential treatment afforded under this Protective Ruling is not

sufficient to protect the producing party's interests; (3) describe and explain in detail the anticipated harms that might be suffered if the information is not afforded the higher protection; and (4) explain its proposed additional restrictions and why such restrictions are the minimum necessary to protect that party.

(b) Within three (3) business days of the filing of the motion, Staff and any party may file a response to the motion.

(c) Within two (2) business days of the filing of any response, the producing party may file a reply.

Notwithstanding the provision of this Paragraph, the Company may designate certain, limited information as extraordinarily sensitive information without first seeking and obtaining prior Commission approval for such designation. Such information shall be within the scope of information designated in the Motion as "extraordinarily sensitive" involving Customer-Specific Information, as defined in the Motion. However, the Commission, any Hearing Examiner assigned to this docket, the Staff, or any party hereto, may challenge the Company's designation of any such information as extraordinarily sensitive. Upon such challenge, the Company shall have the burden to demonstrate to the satisfaction of the Commission or Hearing Examiner, as the case may be, that this Protective Ruling does not otherwise provide the information claimed to be extraordinarily sensitive, sufficient protection and that the additional, proposed restrictions are necessary.

(14) In the event the Staff or any other party seeks to use Confidential Information in filed pleadings, testimony, or other documents, Staff or the party seeking such introduction shall:

(a) file both confidential and non-confidential versions of the pleading, testimony, or other document. Confidential versions of the filed pleadings, testimony, or

other documents shall clearly indicate the confidential material, including extraordinarily sensitive information, if any, contained within by highlighting, underscoring, bracketing, or other appropriate marking;

(b) submit the confidential version to the Clerk of the Commission securely sealed in an opaque container that is clearly labeled "UNDER SEAL." Non-confidential versions of filed pleadings, testimony, or other documents shall redact all references to the Confidential Information. The filed pleadings, testimony, or other documents containing the Confidential Information shall be kept under seal unless and until the Commission rules to the contrary. Each party having signed Attachment A hereof, Staff, and each party to whom the Confidential Information belongs shall receive a copy of those parts of the filed pleadings, testimony, or other documents that contain references to or portions of the designated Confidential Information; provided, however, that a party shall not be entitled to receive an unredacted copy of filed pleadings, testimony, or other documents that include extraordinarily sensitive information for which additional protective treatment has been provided for by Order of the Commission or Hearing Examiner Ruling, unless such party otherwise has been provided access to such information contained in such filed pleadings, testimony, or other documents by such Order or Ruling. Each party having signed Attachment A hereof and Staff shall be bound by the Protective Ruling insofar as it restricts the use of and granting of access to the Confidential Information and by any such Order or Ruling providing additional protections for the extraordinarily sensitive information.

(15) Oral testimony regarding Confidential Information, if ruled admissible by the Commission, will be taken *in camera* and in the presence of only Staff and those other persons

who have been granted access to such specific Confidential Information pursuant to this Protective Ruling. That portion of the transcript recording such testimony shall be placed in the record under seal.

(16) No person authorized under this Protective Ruling to have access to Confidential Information shall disseminate, communicate, or reveal any such Confidential Information to any person not specifically authorized under this Protective Ruling to have access to the same.

(17) (a) Attorneys may retain Confidential Information contained in their notes, other work product, and documents that are part of the record in this proceeding (including, but not limited to, transcripts, testimony exhibits, pleadings, rulings, and orders), provided that Confidential Information contained therein must continue to be treated as directed by this Protective Ruling.

(b) If not covered by (a), above, at the conclusion of this proceeding (including any appeals), any originals or reproductions of any Confidential Information produced pursuant to this Protective Ruling shall be returned to the producing party or destroyed. In addition, at such time, any notes, analysis or other documents prepared containing Confidential Information shall be destroyed. At such time, any originals or reproductions of any Confidential Information, or any notes, analysis or other documents prepared containing Confidential Information in Staff's possession, will be returned to the producing party, destroyed or kept with Staff's permanent work papers in a manner that will preserve the confidentiality of the Confidential Information. The producing party shall also retain all Confidential Information for a period of at least five (5) years after the conclusion of this proceeding (including any appeals). Insofar as the provisions of this Protective Ruling restrict the communications and use of the Confidential Information produced thereunder, such restrictions shall continue to be binding after

the conclusion of this proceeding (including any appeals) as to the Confidential Information.

(18) Any party or person who obtains Confidential Information and thereafter fails to reasonably protect or misuses it in any way shall be subject to sanctions as the Commission may deem appropriate, including the penalties provided for in § 12.1-33 of the Code of Virginia. This provision is not intended to limit the producing party's rights to pursue any other legal or equitable remedies that may otherwise exist.

(19) Attachment B is hereby adopted to address the handling of extraordinarily sensitive Customer-Specific Information upon the following terms and conditions :

(a) Access to the Customer-Specific Information shall be given to (i) in-house counsel and/or parties not engaged in the business of, or providing products or services related to, (a) ownership, operation, development, manufacturing, construction, or installation of data centers, data center equipment supply, or data center business development; (b) ownership, development, operation, manufacturing, construction, installation, or sales of cloud computing, infrastructure, or technology, including computing, storage, database, analytics, application and deployment products and services; or (c) property owners, real estate brokers or sales agents of potential future data center or cloud computing facility site; (ii) outside retained counsel; or (iii) individual consultants who have been retained by a party for the purposes of providing consulting services and/or expert testimony in this proceeding;

(b) Oral testimony concerning the extraordinarily sensitive information will be taken *in camera*; and

(c) If an attorney licensed to practice law in Virginia, admitted *pro hac vice* in this case, or employed as corporate counsel, returning or destroying documents



containing extraordinarily sensitive information except for the attorney's notes and work product, and documents that are part of the record in this proceeding (including, but not limited to, transcripts, testimony, exhibits, pleadings, rulings, and orders); and if not covered included in the above categories, returning or destroying all documents containing extraordinarily sensitive information upon conclusion of the proceedings, and any appeal thereof;

(d) No party or consultant may use the extraordinarily sensitive information to give any party or any competitor of any participant a commercial advantage; provided, however, that nothing in this agreement shall prevent any person signing this agreement from using the extraordinarily sensitive information in this proceeding consistent with the terms of this agreement and the Protective Order; and

(e) Subject to the provisions of the Protective Order and Additional Protective Treatment for *Extraordinarily Sensitive Information*, and execution by appropriate party representatives (other than Staff) of the "Agreement to Adhere to the Order Granting Additional Protective Treatment for Extraordinarily Sensitive Projected Rate Model" included as Attachment B, the Company agrees to provide copies of the extraordinarily sensitive information that is defined as Customer-Specific Information.

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AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the State Corporation Commission, c/o Document Control Center, 1300 East Main Street, First Floor, Tyler Building, Richmond, Virginia 23219.

## COMMONWEALTH OF VIRGINIA

## STATE CORPORATION COMMISSION

APPLICATION OF )  
 )  
 VIRGINIA ELECTRIC AND POWER COMPANY ) Case No. PUR-2025-00032  
 )  
 For approval and certification of electric transmission )  
 facilities: Culpeper Technology Zone 230 kV Loop )  
 and Lines #2 and #1065 Conversion Project )

**AGREEMENT TO ADHERE TO PROTECTIVE RULING  
 PROVIDING FOR CONFIDENTIAL TREATMENT**

I, \_\_\_\_\_, on behalf of and representing \_\_\_\_\_, hereby acknowledge having read and understood the terms of the Protective Ruling entered in this proceeding on \_\_\_\_\_, 2025, and agree to treat all Confidential Information that I receive in connection with Case No. PUR-2025-00032 as set forth in that Protective Ruling. Such treatment shall include, but not be limited to: (1) not disseminating, communicating or revealing any Confidential Information to any person, other than Staff, not specifically authorized to receive Confidential Information under that Protective Ruling; (2) if an attorney licensed to practice law in Virginia, admitted *pro hac vice* in this case, or employed as corporate counsel, returning or destroying all Confidential Information produced pursuant to that Protective Ruling except for the attorney's notes and work product, and documents that are part of the record in this proceeding (including, but not limited to, transcripts, testimony, exhibits, pleadings, rulings, and orders); and (3) if not covered by (2), above, returning or destroying all Confidential Information produced pursuant to that Protective Ruling.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 On behalf of

\_\_\_\_\_  
 Date

## COMMONWEALTH OF VIRGINIA

## STATE CORPORATION COMMISSION

APPLICATION OF )  
 )  
 VIRGINIA ELECTRIC AND POWER COMPANY ) Case No. PUR-2025-00032  
 )  
 For approval and certification of electric transmission )  
 facilities: Culpeper Technology Zone 230 kV Loop )  
 and Lines #2 and #1065 Conversion Project )

**AGREEMENT TO ADHERE TO PROTECTIVE RULING  
 AND ADDITIONAL PROTECTIVE TREATMENT FOR  
EXTRAORDINARILY SENSITIVE INFORMATION**

I, \_\_\_\_\_, on behalf of and representing \_\_\_\_\_, hereby acknowledge having read and understood the terms of the Hearing Examiner's Ruling Providing Additional Protective Treatment for Extraordinarily Sensitive Information ("ES Ruling"), entered in this proceeding on \_\_\_\_\_, 2025 and agree to treat all extraordinarily sensitive Customer-Specific Information that I receive in connection with Case Nos. PUR-2025-00032 as set forth in that Protective Ruling. The persons signing this Agreement attest that they are (i) in-house counsel, and/or parties not engaged in the business of, or providing products or services related to, (a) ownership, operation, development, manufacturing, construction, or installation of data centers, data center equipment supply, or data center business development; (b) ownership, development, operation, manufacturing, construction, installation, or sales of cloud computing, infrastructure, or technology, including computing, storage, database, analytics, application and deployment products and services; or (c) property owners, real estate brokers or sales agents of potential future data center or cloud computing facility site; (ii) outside retained counsel; or (iii) individual consultants who have been retained by a party for the purposes of providing consulting services and/or expert testimony in this proceeding.

The treatment shall include, but not be limited to: (1) not disseminating, communicating, or revealing any extraordinarily sensitive information to any person, other than Staff, not specifically authorized to receive extraordinarily sensitive information under that Ruling; (2) oral testimony concerning the extraordinarily sensitive information will be taken *in camera*; (3) if an attorney licensed to practice law in Virginia, admitted *pro hac vice* in this case, or employed as corporate counsel, returning or destroying all documents containing extraordinarily sensitive information upon conclusion of the proceedings, and any appeal thereof except for the attorney's notes and work product, and documents that are part of the record in this proceeding (including, but not limited to, transcripts, testimony, exhibits, pleadings, rulings, and orders); (4) if not covered by (3) above, returning or destroying all extraordinarily sensitive information produced pursuant to that Protective Ruling; and (5) no party or consultant may use the extraordinarily sensitive information to give any party or any competitor of any participant a commercial advantage; provided, however, that nothing in this agreement shall prevent any person signing

this agreement from using the extraordinarily sensitive information in this proceeding consistent with the terms of this agreement and the Protective Ruling.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
On behalf of

\_\_\_\_\_  
Date

**Virginia Electric and Power Company**  
**Case No. PUR-2025-00032**  
**Virginia State Corporation Commission Staff**  
**First Set**

The following response to Question No. 3 of the First Set of Interrogatories and Requests for Production of Documents propounded by Virginia State Corporation Commission Staff received on May 5, 2025, was prepared by or under the supervision of:

Nerlyn Echevarria  
Staff Engineer – Electric Distribution Grid Planning  
Virginia Electric and Power Company

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**Question No. 3**

Please refer to page 3 of the Appendix to the Application where it mentions three different data center customers.

- a. Please provide documentation of the Delivery Point requests associated with each substation being constructed to serve the respective customer's load.
- b. Please provide the electrical service agreements and load letters/ramp schedules for each building located on each data center campus. Please describe the nature of each of the three data center customers and their respective campuses (e.g., collocation, enterprise, cloud/hyperscale, cryptocurrency mining, etc.).

**Response:**

- a. Please see Attachments Staff Set 01-03(a) - (d) (NE) ES. Note that confidential Customer-identifying information has been redacted from these attachments.
- b. Electrical Service Agreements are not executed until a minimum of a year out from energization and accordingly are not yet available. All four data centers will be collocation.

Attachments Staff Set 1-3(a) - (d) (NE) ES are extraordinarily sensitive in their entirety and are being provided pursuant to the protections set forth in 5 VAC 5-20-170, and subject to the Company's Motion for Entry of a Protective Ruling and Additional Protective Treatment filed in this docket on May 12, 2025, any protective order or ruling issued in this proceeding, and the agreements to adhere executed pursuant to any such orders or rulings.