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The Honorable James Richard Perry
Secretary of the Energy
United States Department of Energy
1000 Independence Ave, SW
Washington, DC 20585

**Re: Report on Yorktown Units 1 and 2 Revised Construction Schedule –
Order No. 202-17-4**

Dear Secretary Perry:

Pursuant to Order No. 202-17-4 (the “Renewal Order”) issued on September 14, 2017, by the Secretary of Energy (“Secretary”), PJM Interconnection, L.L.C. (“PJM”) and Virginia Electric and Power Company (“Dominion Energy Virginia”) respectfully submit the attached Skiffes Creek Construction Transmission Outage Schedule and Yorktown Units 1 and 2 Emission Estimates as of October 9, 2017 (“Outage Schedule”). This submission is in accordance with the Secretary’s directive that PJM and Dominion Energy Virginia provide an updated outage schedule and associated Yorktown Units 1 and 2 emission estimates in the event the schedule or emission estimates change from those presented in the PJM Renewal Application Filing dated August 24, 2017 (“Renewal Application”).¹

Previously, on June 16, 2017 the Secretary issued Order No. 202-17-2 directing the operation of Yorktown Units 1 and/or 2 only as needed to ensure reliability for a 90 day period, subject to a dispatch methodology submitted to the Department of Energy (“DOE”) for review

¹ Renewal Order at 2. The Renewal Order directs that every two weeks PJM and Dominion shall report the dates and associated emissions that the Yorktown Units 1 and/or 2 are operated, but does not specify the time to report changes to the Outage Schedule and estimated associated emissions. Nevertheless, this report is filed at the end of the second two week period after the Renewal Order was issued.

("Order").² PJM filed for an extension of the Order on August 24 asserting that there is a continuing emergency in the North Hampton Roads area of the Virginia Peninsula and asked DOE to renew the Order for an additional 90 days.

In the Renewal Application, PJM explained that construction of the Skiffes Creek Transmission Project began in July 10 2017 and is expected to take approximately 18-20 months.³ The Renewal Application provided the then current Skiffes Creek Construction Transmission Outage Schedule and Yorktown Units 1 and 2 Emission Estimates as of August 18, 2017. The schedule included a construction schedule and planned transmission outage sequence, and Yorktown run and emission estimates. The schedule also provided actual emissions from the July 11-25 Yorktown unit runs, and the current estimated planned transmission outage time frames, transmission limiting contingencies, Dominion Zone load thresholds which trigger the need to operate Yorktown Units 1 and/or 2, estimated run time in days, and Dominion Energy Virginia's estimated emissions for the remainder of the Order period based on the run time estimates. The Renewal Application explained that "the construction schedule will likely change..." and PJM and Dominion Energy Virginia would provide DOE with revised construction schedules and estimated emissions with each renewal application under the Order.⁴

In the Renewal Order, the DOE determined that an emergency exists due to the shortage of electric energy and the shortage of facilities for the generation and transmission of electric energy.⁵ The DOE also determined an emergency exists due to the imminent possibility of implementing the North Hampton Remedial Action Scheme ("RAS") under a range of both steady-state and contingency events, including potential transmission congestion preventing the delivery of available generation to the North Hampton Roads area.⁶ For these reasons, the Secretary found that an emergency exists threatening imminent electric energy shortages, and that the Renewal Order is

² Order at 2.

³ Renewal Application at 3.

⁴ Renewal Application at 4.

⁵ Renewal Order at 1.

⁶ Summary of Findings DOE Order No. 202-17-4 at 7.

necessary to address the emergency and serve the public interest in the North Hampton Roads area.⁷ The Renewal Order also directed PJM and Dominion Energy Virginia to provide an updated outage schedule and associated Yorktown Units 1 and 2 emission estimates in the event the outage schedule or emission estimates change from those presented in the PJM Renewal Application.⁸

The attached Outage Schedule includes a revised construction schedule and planned transmission outage sequence, and Yorktown run and emission estimates. The Outage Schedule also provides actual emissions from the July 11-25 and August 21-23 Yorktown unit runs, and the current estimated planned transmission outage time frames, transmission limiting contingencies, Dominion Zone load thresholds which trigger the need to operate Yorktown Units 1 and/or 2, estimated run time in days, and Dominion Energy Virginia's estimated emissions for the remainder of the schedule based on the run time estimates.

The planned transmission outages are coordinated between PJM and Dominion Energy Virginia to ensure the reliability of service in the area and to support the Skiffes Creek construction schedule. Dominion Energy Virginia management in consultation with PJM revised the construction schedule after further review and meetings with its contractors regarding the Time of Year ("TOY") restrictions imposed by the Virginia Marine Resources Commission ("VMRC") and the U.S. Army Corps of Engineers ("Corps"). The TOY restrictions are imposed to minimize impacts of the installation of transmission tower foundations on anadromous fish species. The TOY restrictions limit the dates Dominion Energy Virginia can install foundations for the transmission towers to be located in the James River. VMRC prohibits the installation of foundations in the shallow waters of the James River between February 15 to June 15 of any given year, and the Corps prohibits the installation of foundations in the deep waters of the James River between February 15 and November 15 of any given year. Collectively, VMRC and Corps TOY restrictions prevent the installation of foundations in a continuous fashion, and finished foundations are needed to erect structures and start

⁷ Renewal Order at 1.

⁸ Renewal Order at 2.

pulling transmission wires. As a result of the TOY restrictions, the plan for the Skiffes Creek Project is extended by approximately five and one-half months, from December 30, 2018 to May 12, 2019.

The construction schedule will likely change again. PJM and Dominion Energy Virginia will provide an updated outage schedule and associated Yorktown Units 1 and 2 emission estimates in the event the outage schedule or emission estimates change further as directed by the Renewal Order.

REQUEST FOR CEII DESIGNATION

The filing consists of the following:

1. Non Public version of Creek Construction Transmission Outage Schedule and Yorktown Units 1 and 2 Emission Estimates as of October 9, 2017 (password protected containing Critical Energy Infrastructure (“CEII”) material); and
2. Public version of Creek Construction Transmission Outage Schedule and Yorktown Units 1 and 2 Emission Estimates as of October 9, 2017 (public version with CEII material redacted).

In regard to the Non Public version, PJM respectfully requests the information submitted to the DOE be designated as CEII pursuant Federal Power Act (“FPA”) Section 215A(d) and the implementing regulations, 18 C.F.R. Section 388.113.

In Fixing America's Surface Transportation Act (“FAST”) Section 215A(a)(3), CEII is specifically defined as information “designated as critical electric infrastructure information by ... the Secretary of the Department of Energy pursuant to subsection (d).”⁹ Under FPA Section 215A(a)(3), CEII includes information that is submitted to the DOE, and designated as such by DOE.¹⁰ The regulations define CEII in pertinent part as follows:

“1) Critical electric infrastructure information means information related to critical electric infrastructure ... Provided to the Commission or other Federal agency ... that is designated as critical electric infrastructure information by the Commission or the Secretary of the

⁹ FAST Act, Pub. L. No. 114-94, section 61,003, 129 Stat. 1312, 1776.

¹⁰ FAST Act, Pub. L. No. 114-94, section 61,003, 129 Stat. 1312, 1773 (“critical electric infrastructure information means information ... generated by or provided to the Commission or other Federal agency ... that is designated as critical electric infrastructure information by the Commission or the Secretary pursuant to subsection (d)”).

Department of Energy pursuant to section 215A(d) of the Federal Power Act. Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations. Critical Electric Infrastructure Information is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552(b)(3) and shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records pursuant to section 215A(d)(1)(A) and (B) of the Federal Power Act.”

2) *Critical energy infrastructure information* means specific engineering, vulnerability, or detailed design information about ... existing critical infrastructure that:

(i) Relates details about the production, generation, transportation, transmission, or distribution of energy;

(ii) Could be useful to a person in planning an attack on critical infrastructure;

(iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and

(iv) Does not simply give the general location of the critical infrastructure.”¹¹

PJM and Dominion Energy Virginia submits the redacted information is CEII because it provides details about the production, generation and transportation of energy, which if publically available could be useful in planning an attack on critical infrastructure in the North Hampton Road area of the Commonwealth of Virginia, namely the electric transmission system.

Respectfully submitted,

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¹¹ 18 C.F.R. Section 388.113(c)(1) and (2).

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