701 East Cary Street Richmond, VA 23219

October 2, 2015



Mr. Sutton Stokes Clerk City of Elkins 401 Davis Ave. Ofc Elkins, WV 26241-3874

RE: Atlantic Coast Pipeline Certificate Application Filing Notification: Docket Number: CP15-554-000

Dear Mr. Sutton Stokes:

For the past year, Atlantic Coast Pipeline, LLC (Atlantic) has been sharing information about the Atlantic Coast Pipeline (ACP) project with individuals and communities all along the proposed 564-mile route. The abundant supply of natural gas that would flow safely and reliably through this pipeline is needed by utilities within the project area to generate electricity, heat homes and businesses and meet growing domestic demand for energy.

On September 18, Atlantic officially applied to the Federal Energy Regulatory Commission (FERC) for authorization to build and operate the ACP. Atlantic has applied for what's called a Certificate of Public Convenience and Necessity (Certificate). FERC recently published a Notice of Application (NOA) for the project signifying its acceptance of the filing of Atlantic's Application.

During this Application Phase, FERC will begin work on a Draft Environmental Impact Statement (DEIS). When the DEIS is issued, FERC will initiate a public comment period and may host public meetings to gather additional information. Interested parties may attend the public meetings and/or submit written comments directly to FERC. Following the designated comment period, FERC will address comments, issue a Final EIS and then, if the project is approved, issue the Certificate.

If approved, the ACP could affect your community and constituents you represent.

FERC has jurisdiction over all natural gas transmission pipelines, such as ACP, under the Natural Gas Act. In accordance with FERC regulations, potentially affected property owners also have received the enclosed information materials.

- · FERC's Notice of Application
- FERC Landowner Brochure: An Interstate Natural Gas Facility on My Land? What Do I Need to know?
- ACP Landowner Rights Handout
- ACP Project Overview Map
- List of libraries where you can view a copy of Atlantic's Application to FERC

FERC has assigned this project a new docket number* for the Application Phase: CP15-554-000

ACP materials submitted to or issued from FERC will be available in the FERC eLibrary at www.ferc.gov
Registration is free and the site is searchable by docket number. If you want to ask questions of FERC about the project, be sure to use docket number CP15-554-000.

^{*}During the Pre-Filing Phase, the docket number for this project was PF15-6-000.

About the ACP

As proposed, the ACP would be capable of delivering about 1.5 million dekatherms (equivalent to about 1.5 billion cubic feet) per day of natural gas to markets in Virginia and North Carolina. The partners in the project – Dominion, Duke Energy, Piedmont Natural Gas and AGL Resources – are energy utilities that need the natural gas for electricity generation, for heating homes and businesses and for meeting demand growth from their customers. Dominion Transmission, Inc. (DTI) the interstate gas transmission subsidiary of Dominion would construct and operate the ACP. DTI is a provider of gas transportation and storage services and operates nearly 8,000 miles of interstate pipeline in six states.

The new, underground 564-mile interstate natural gas transmission pipeline would begin in Harrison County, West Virginia, travel southeast through Virginia and then proceed south to Robeson County in North Carolina. In West Virginia and Virginia, the pipeline would be 42 inches in diameter. In North Carolina, the pipeline would be 36 inches in diameter. Three extensions are planned in Virginia, including a 20-inch diameter lateral to Chesapeake and 16-inch diameter laterals in both Brunswick and Greensville Counties. Compressor stations to maintain the flow of natural gas are proposed in Lewis County, West Virginia; Buckingham County, Virginia; and Northampton County, North Carolina. To see where your property is located in relation to Atlantic's current, proposed route, please visit the ACP website to view an interactive map (www.dom.com/ACpipeline).

Atlantic land agents began contacting landowners and agencies in May 2014 to obtain permission to survey. Atlantic has surveyed approximately 85 percent of the pipeline route reflected in the Certificate Application. Agents recently began to meet with landowners to negotiate easements that will allow the construction, operation and maintenance of the ACP. Landowners will receive fair compensation for any property used for the pipeline and for any damages caused by pipeline construction or operation-related activities. Included with this letter is a summary of landowner rights. Please know that Atlantic's preferred approach is always to negotiate fairly and reach voluntary agreements with landowners so that the use of eminent domain is not necessary.

If approved, Atlantic would begin construction in the Fall of 2016. The ACP would go into service late in 2018.

Project Contacts: FERC

- Mail: Federal Energy Regulatory Commission (FERC), 888 First Street NE, Washington, D.C. 20426
- Electronic submittals: www.ferc.gov/help/how-to/ecomment.asp:

Project Contacts: ACP Project Team

- Point of contact: Carole McCoy
- Website: www.dom.com/ACpipeline
- Facebook: Atlantic Coast Pipeline
- General inquiry toll-free number: 844-215-1819
- Email: ACpipeline@dom.com

Safety is our number one priority on this and all projects. ACP would be designed, constructed and operated safely. We look forward to working with you and other stakeholders throughout this process.

Sincerely,

Carrie a. May Atlantic Coast Pipeline, LLC by:

Carole A. McCoy, Authorized Representative

Enclosures



1

Landowner Rights

Commitment to Landowners

Atlantic Coast Pipeline, LLC (Atlantic) is committed to seeking a voluntary agreement with each landowner whose property is crossed by the pipeline and fully supports and promotes the Interstate Natural Gas Association of America (INGAA) commitment to landowners. The full text is available on the INGAA website at www.ingaa.org, but is summarized below:

- Respect and trust: develop positive, long lasting relationships built on mutual respect and trust
- Accurate and timely information: provide information about projects and related processes
- Negotiate in good faith: listen and strive to understand in an honest, fair and reasonable fashion
- Respect the regulatory compact: communicate an understanding of regulatory process/requirements
- Responding to issues: respond to concerns in a timely fashion and provide a single point of contact
- Outreach: promote stakeholder awareness throughout the process
- Industry ambassadors: ensure employees and representatives act in accordance with commitments
- Ongoing training: train representatives to interact positively and productively with all stakeholders

However, in the event that Atlantic is unable to reach a negotiated voluntary agreement with a landowner and, in the event that the Federal Energy Regulatory Commission (FERC) approves Atlantic's Application for a Certificate of Public Convenience and Necessity (CPCN), Atlantic will have the right to use eminent domain to acquire property rights to construct and maintain natural gas facilities. FERC requires Atlantic to provide a brief summary of your rights under eminent domain rules and in proceedings before FERC. The following is only a summary of rights and should in no way be construed as providing legal advice.

Landowner Rights in the FERC Review Process

Landowners have certain rights in proceedings before FERC and in any court proceeding related to a <u>Commission decision</u>. A brief summary is provided below. For additional information visit the FERC website at <u>www.ferc.gov/for-citizens/get-involved.asp.</u>

- · Accessing and inspecting, via eLibrary, all public documents associated with the proposed project
- · Making your concerns known in writing via eFiling to the Commission and its staff
- Participating in public meetings held in the vicinity of the proposed project area
- · Participating in environmental site reviews in the vicinity of the proposed project area
- eFiling comments on draft Environmental Assessments and Environmental Impact Statements
- Intervening on a specific proposed project
- Having the Commission's decision reviewed in federal court (must be an intervener to do this)
- Filing a Critical Energy Infrastructure Information Request

Property Rights sought by Atlantic

To construct, operate, and maintain the pipeline and most related facilities, Atlantic will typically seek an **easement**. An easement is a conveyance of property rights similar to a deed or lease. However, under an easement, the landowner retains ownership of the property. The landowner may continue to use the property as long as the landowner's use does not conflict with Atlantic's rights to own, operate and maintain the pipeline. Atlantic will compensate the landowner for granting the easement, which is then recorded at the county courthouse.

For some permanent structures, such as compressor stations, Atlantic will seek to purchase the property outright by **deed**, rather than by easement, so that Atlantic has full and complete ownership. Other facilities, such as M&R facilities, may be secured by easement.

Landlowner Rights if Eminent Domain is used by Atlantic

Atlantic is committed to seeking a voluntary agreement with each landowner whose property is crossed by the pipeline. However, if an agreement cannot be reached and FERC approves Atlantic's Application and issues a CPCN, Atlantic will be authorized to secure those property rights by use of **eminent domain**, as provided in the Natural Gas Act.

Efforts to obtain property through eminent domain begin with Atlantic filing a complaint or petition with the appropriate court, which can be either a state court or federal district court where the property is located. A bond or other type of financial security may be deposited with the court to secure payment to the landowner. Often the proceeding will be broken into two or more phases, one addressing Atlantic's rights to use eminent domain to take a property interest across the property and to construct the project, the other addressing the appropriate compensation due to the landowner. The United States Constitution and state constitutions require that landowners who must give up some of their property for a public purpose be justly compensated for that loss. The determination of just compensation will be determined by a judge, jury, board of view, or commission, depending on the location of the suit, after considering evidence presented by both the landowner and Atlantic as to the amount of just compensation owed to the landowner for the property that is taken.

After the award of just compensation is made, any party may ask an appellate court to review the award to make sure the award complies with the appropriate body of law. The landowner is entitled to participate in every step of the eminent domain process and will be notified of hearings or other proceedings in the relevant court.

Eminent Domain Rules in the ACP Project Area

Eminent domain procedures vary by state. In accordance with FERC requirements, Atlantic offers the following summaries of eminent domain procedures in the ACP project area. These summaries should not be considered a complete description nor should they in any way be construed as legal advice.

U.S. Federal

Pursuant to the Natural Gas Act it is likely that Atlantic will file eminent domain enforcement proceedings in federal court, if the value of the property taken is greater than \$3,000.00. Under federal law, Atlantic must hold a CPCN from FERC, demonstrate that it was unable to acquire the property by agreement with the landowner, and demonstrate that the value of the property to be taken exceeds \$3,000 before proceeding in Federal Court.

Landowners have the right to have its case resolved using the practice, procedures and rules employed by the Federal Court in such proceedings, hire an independent appraiser, receive just compensation for any property taken by eminent domain and all other substantive and procedural rights afforded by statute, rule or case law, including under the Natural Gas Act (Title 15, Section 717 and successive sections of the United States Code) (www.energy.gov/sites/prod/files/2013/04/f0/2011usc15.pdf); Rule 71.1 of the Federal Rules of Civil Procedure (www.federalrulesofcivilprocedure.org/frcp/title-ix-special-proceedings/rule-71-1-condemning-real-or-personal-property/) and applicable federal case law.

As mentioned above, it is likely that in most circumstances Atlantic will file any necessary eminent domain enforcement proceedings in federal court. In these federal court actions, the practice, procedures, rules and landowner rights discussed above would apply and supersede most, if not all, state specific procedures. However, in the event that the value of the property to be taken is less than \$3,000 or should Atlantic chose to pursue eminent domain enforcement proceedings in the relevant state courts, the following sections provide summaries of the practice, procedures, rules and landowner rights by state that would apply to any state court proceedings.

West Virginia

West Virginia Code Chapter 54 governs eminent domain proceedings under West Virginia Law. The complete Chapter is available for review at www.legis.state.wv.us. Under West Virginia Law, a company seeking to condemn a property (petitioner) is not required to make any prior effort to acquire the property by gift or purchase. The petitioner initiates the condemnation process by filing a petition in the circuit court of the county in which the property is situated.

If the court or judge determines that the petitioner has the lawful right to take property for the purposes stated in the petition, five disinterested freeholders will be selected to determine just compensation to the owners of the property. Either party may file an exception to the commissioners' report and request a jury trial. Alternatively, the parties may waive the commissioners' hearing and proceed directly to a jury trial. At least three of the appointed commissioners must sign a final report determining just compensation and file it with the appropriate county clerk's office with the papers of the case. Within ten days of the report's issuance, either the petitioner or the landowner may file exceptions to the report and demand that the compensation be ascertained by a jury. In the case of a jury trial, a jury of 12 landowners would be convened for the purpose of ascertaining just compensation due to the property owners for the interests acquired by the petitioner. Upon the request of either party, the jury will be permitted to view the premises.

Virginia

The Code of Virginia, Title 25.1 governs eminent domain proceedings under Virginia Law. The complete Title is available for review at http://law.lis.virginia.gov/vacode. Under Virginia Law, a company seeking to condemn a property (petitioner) must make a bona fide, but ineffectual effort to purchase the property. The offer must include a written statement to the property owner that explains the factual basis of the offer. If the offer is not accepted, the petitioner initiates the condemnation process by filing a petition in the circuit court of the county or city where the property is located. The petitioner must give the property owner 21 days' notice of the filing and provide the property owner with a copy of the petition. Following the filing of a petition initiating a condemnation proceeding, both the petitioner and the property owner must attend a mandatory dispute resolution orientation session.

Within 21 days from the date the landowner is served with a copy of the petition, the property owner may file an answer to the petition and note any objections or defenses to the taking or any alleged damaging of the property in question. The property owner may also voice objection to the jurisdiction of the court to hear the case and state a preference for either the appointment of commissioners or empanelment of a jury for determination of just compensation. The issue of just compensation will be determined by a trial before either a panel of independent commissioners or a jury, depending on the preference of the property owner. When the body determining just compensation has arrived at its conclusion, it will make its report in writing to the court.

North Carolina

The North Carolina General Statutes Chapter 40A governs eminent domain proceedings under North Carolina Law. The complete Chapter is available for review at www.ncga.state.nc.us. Under North Carolina Law, if efforts to obtain a voluntary agreement with a landowner are not successful, the company seeking to condemn an easement may file a petition with the clerk of the superior court of the county where the property is located requesting a hearing before the clerk and the appointment of commissioners. The petition must be served on any party with an estate or interest in the property, and the service must be accomplished at least 10 days prior to the date set for the clerk's hearing. At the hearing, the clerk will review the petition, hear any arguments of the parties, and, if no sufficient cause exists to deny the request, will appoint three independent commissioners to determine the amount of just compensation.

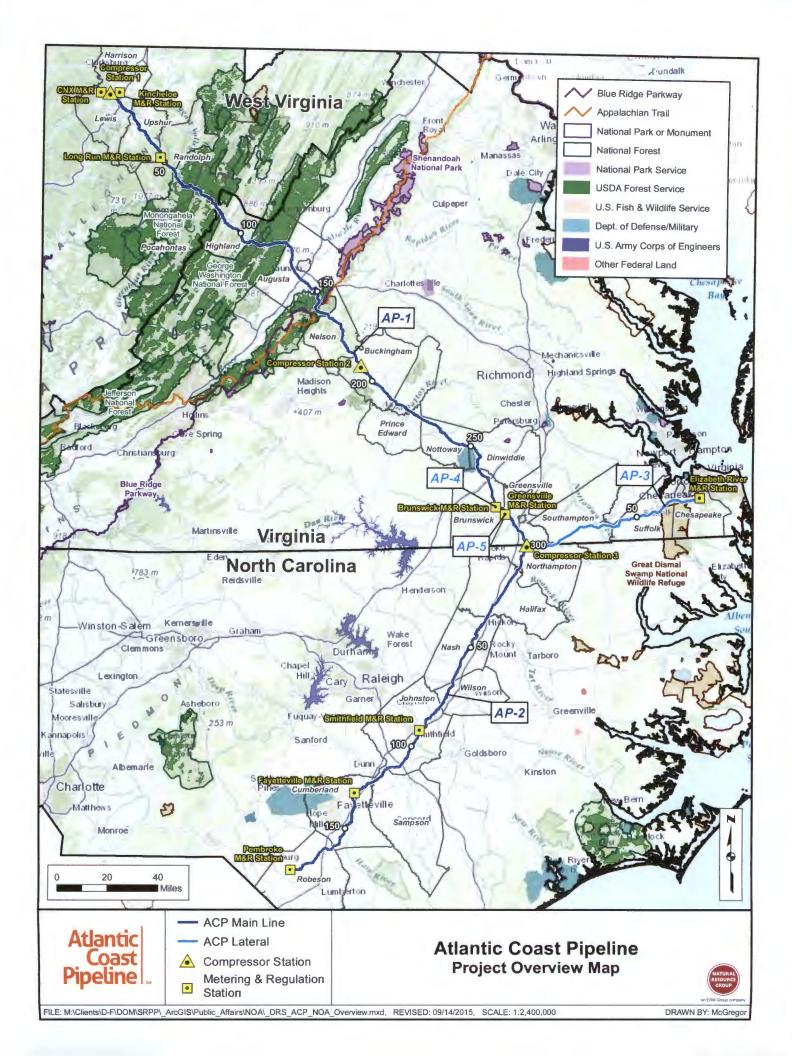
After at least 10 days' notice to the parties, the commissioners will meet, view the premises, and consider the parties' evidence and arguments. After the testimony is closed, the commissioners will determine the amount of just compensation which should be paid by the condemnor to the property owner. The commissioners' report of their decision will be filed with the clerk within 10 days. If the clerk confirms the commissioners' decision, any party may file an appeal and ask for a jury trial on the issue of the amount of just compensation.



Certificate Application Filing Libraries of Record

Following is a list of libraries that received a copy of the Atlantic Coast Pipeline, LLC Application to the Federal Energy Regulatory Commission (FERC) requesting a Certificate of Public Convenience and Necessity for authorization to construct and operate the Atlantic Coast Pipeline (ACP). The Application is available for review at these locations, as well as on the FERC docket at http://elibrary.ferc.gov and on the ACP website at www.dom.com/ACPipeline.

West Virginia	Virginia		North Carolina
HARRISON COUNTY Clarksburg-Harrison Public Library 404 W. Pike Street Clarksburg, WV 26301	HIGHLAND COUNTY Highland County Public Library 10 Water Street Monterey, VA 24465	NOTTOWAY COUNTY Nottoway County Public Library 414 Tyler Street Crewe, VA 23930	NORTHAMPTON COUNTY Northampton County Memorial Library 207 West Jefferson Jackson, NC 27845
LEWIS COUNTY Louis Bennet Public Library 148 Court Ave. Weston, WV 26452	AUGUSTA COUNTY Staunton Public Library 1 Churchville Ave Staunton, VA 24401	DINWIDDIE COUNTY Dinwiddie Library 14103 Boydton Plank Rd. Dinwiddie, VA 23841	HALIFAX COUNTY Halifax County Library 33 Granville Street Halifax, NC 27839
UPSHUR COUNTY Upshur County Public Library 115 Route 20 South Rd. Buckhannon, WV 26201	NELSON COUNTY Nelson Memorial Library 8521 Thomas Nelson Hwy. Lovingston, VA 22949	BRUNSWICK COUNTY Meherrin Regional Library 133 Hicks Street Lawrenceville, VA 23868	NASH COUNTY Harold D. Cooley Library 114 West Church Street Nashville, NC 27856
RANDOLPH COUNTY Elkins-Randolph County Public Library 416 Davis Ave. Elkins, WV 26241	BUCKINGHAM COUNTY Buckingham County Public Library 1140 Main St. Dillwyn, VA 23936	GREENSVILLE COUNTY Richardson Memorial Library 100 Spring Street Emporia, VA 23847	WILSON COUNTY Wilson County Public Library 249 Nash Street W. Wilson, NC 27893
POCAHONTAS COUNTY Pocahontas County Library 500 8 th Street Marlinton, WV 24954	CUMBERLAND COUNTY Cumberland County Public Library 1539 Anderson Hwy. Cumberland, VA 23040	SOUTHAMPTON COUNTY Walter Cecil Rawls Library 22511 Main Street Courtland, VA 23837	JOHNSTON COUNTY Public Library of Johnston County and Smithfield 305 E. Market Street Smithfield, NC 27577
	PRINCE EDWARD COUNTY Farmville Prince Edward Community Library 1303 W. 3 rd Street Farmville, VA 23901	CITY OF SUFFOLK Morgan Memorial Library 443 W. Washington Street Suffolk, VA 23434	SAMPSON COUNTY Sampson-Clinton Public Library 217 Graham Street Clinton, NC 28328
		CITY OF CHESAPEAKE Chesapeake Public Library 298 Cedar Road Chesapeake, VA 23322	CUMBERLAND COUNTY Cumberland County Public Library and Information Center 300 Maiden Lane Fayetteville, NC 28301
			ROBESON COUNTY Robeson County Public Library 101 N. Chestnut Street Lumberton, NC 28359



UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

Atlantic Coast Pipeline, LLC

Docket Nos. CP15-554-000

PF15-6-000

Dominion Transmission, Inc.

CP15-555-000

PF15-5-000

Atlantic Coast Pipeline, LLC and Piedmont Natural Gas Company, Inc. CP15-556-000

NOTICE OF APPLICATION

(October 2, 2015)

Take notice that on September 18, 2015, Atlantic Coast Pipeline, LLC (ACP), 120 Tredgar Street, Richmond, Virginia 23219 filed an application under section 7(c) of the Natural Gas Act and Part 157 of the Commission's regulations requesting authorization to install, construct, own, operate and maintain certain natural gas pipeline facilities for its Atlantic Coast Pipeline project consisting of: i) approximately 564.1 miles of various diameter pipeline; ii) three greenfield compressor stations totaling 117,545 horsepower (HP) of compression; and iii) various appurtenant and auxiliary facilities designed to transport up to approximately 1.5 million dekatherms per day (MMDth/d) of natural gas. Facilities to be constructed are located in Harrison, Lewis, Upshur, Randolph, and Pocahontas Counties, West Virginia; Highland. Augusta, Nelson, Buckingham, Cumberland, Prince Edward, Nottoway, Dinwiddie, Brunswick, Greensville and Southampton Counties and the Cities of Suffolk and Chesapeake, Virginia; and Northampton, Halifax, Nash, Wilson, Johnston, Sampson, Cumberland and Robeson Counties, North Carolina. Additionally, ACP is seeking Blanket Certificates of public convenience and necessity pursuant to Part 284, Subpart G authorizing the transportation of natural gas for others, and Part 157, Subpart F authorizing certain facility construction, operation and abandonment activities, all as more fully described in the application.

In a related filing, on September 18, 2015, Dominion Transmission, Inc. (DTI), 707 East Main Street, Richmond, Virginia 23219, filed under sections 7(b) and 7(c) of the Natural Gas Act and Part 157 of the Commission's regulations requesting authorization to abandon, install, construct, own, operate and maintain certain natural gas pipeline facilities for its Supply Header Project (Supply Header) located in Westmoreland and Greene Counties, Pennsylvania; and Harrison, Doddridge, Tyler, Wetzel, and Marshall Counties, West Virginia. The Supply Header would provide transportation service of approximately 1.5 MMDth/d from supply areas on the DTI system for delivery to the ACP. The Supply Header facilities would consist of: i) two pipeline loops of 30-inch diameter pipeline totaling 37.5 miles; ii) added compression at three existing compressor stations totaling 70,530 HP; and iii) various appurtenant and auxiliary facilities. DTI also proposes to abandon two compressor units in Wetzel County, West Virgitia, all as more fully described in the application.

Finally, on September 18, 2015, ACP and Piedmont Natural Gas Company, Inc. (Piedmont), 4720 Piedmont Row Drive, Charlotte, North Carolina 28210, filed a joint application under section 7(c) of the NGA and Part 157 of the Commission's regulations seeking authorization of a lease pursuant to which ACP will lease capacity (Lease) on Piedmont's system for use by ACP in providing service under its FERC Gas Tariff, primarily for the Public Service Company of North Carolina, Inc. Piedmont, a local distribution company (LDC), also requests a limited jurisdiction certificate in order to enter into the Lease with ACP for the interstate transportation of gas through Piedmont's facilities. Piedmont also requests a determination that the Lease will not affect its status and a LDC not otherwise subject to Commission regulation, all as more fully described in the application.

The filings may also be viewed on the web at http://www.ferc.gov using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC at FERConlineSupport@ferc.gov or toll free at (866) 208-3676, or TTY, (202) 502-8659.

Any questions regarding ACP's or DTI's projects should be directed to Angela Woolard, Gas Transmission Certificates, Dominion Transmission, Inc., 701 East Cary Street, Richmond, Virginia 23219; telephone: 866-319-3382.

Any questions regarding the ACP – Piedmont Lease should be directed to Matthew Bley, Director, Gas Transmission Certificates, Dominion Transmission, Inc., 701 East Cary Street, Richmond, Virginia 23219; telephone: 866-319-3382.

On November 13, 2014, the Commission staff granted ACP's and DTI's requests to utilize the National Environmental Policy Act (NEPA) Pre-Filing Process and assigned Docket Nos. PF15-6-000 and PF15-5-000, respectively to staff activities involving the combined Atlantic Coast Pipeline and Supply Header projects. Now, as of the filing of the applications on September 18, 2015, the NEPA Pre-Filing Process for this project has ended. From this time forward, this proceeding will be conducted in Docket No. CP15-554-000 for the Atlantic Coast Pipeline and CP15-555-000 for DTI's Supply Header project, as noted in the caption of this Notice.

Within 90 days after the Commission issues a Notice of Application for the ACP, Supply Header and ACP – Piedmont Lease projects, the Commission staff will issue a Notice of Schedule for Environmental Review that will indicate the anticipated date for the Commission's staff issuance of the final EIS analyzing both the three proposals. The issuance of a Notice of Schedule for Environmental Review will also serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's final EIS.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive

copies of all documents filed by the applicant and by all other parties. A party must submit 7 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFiling" link at http://www.ferc.gov. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy regulatory Commission, 888 First Street, NE, Washington, DC 20426.

Comment Date: 5:00pm Eastern Time on October 23, 2015

Kimberly D. Bose, Secretary.