

LEGAL NOTICE

NOTICE TO THE PUBLIC OF AN APPLICATION BY LAUREL CREEK ENERGY STORAGE LLC, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT AND OPERATE A BATTERY ENERGY STORAGE SYSTEM CASE NO. PUR-2026-00001

On February 2, 2026, Laurel Creek Energy Storage LLC ("Laurel Creek" or "Company") filed with the State Corporation Commission ("Commission"), pursuant to §§ 56-580 D, 56-265.2, and 56-46.1 of the Code of Virginia ("Code") and the Commission's Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility, 20 VAC 5-302-10 *et seq.*, an application and supporting documents ("Application") for a certificate of public convenience and necessity ("CPCN") to construct, own, and operate a battery energy storage system in Smyth County, Virginia.

Specifically, Laurel Creek seeks Commission authority to construct, own, and operate a 250-megawatt battery energy storage system ("BESS"). The Company also intends, but does not seek a CPCN, to construct, own, and operate associated facilities necessary to interconnect the BESS to the transmission system ("Interconnection Facilities") (collectively with the BESS, the "Project"). Laurel Creek asserts that it is not requesting a CPCN for the Interconnection Facilities at this time, as such facilities were approved via a local permitting process that satisfies the requirements of Code § 56-265.2 A 2 ii.

The proposed Interconnection Facilities include: (1) an on-site collector substation ("Project Substation") by which power from the BESS would be stepped up from 34.5 kilovolts ("kV") to 138 kV; and (2) a transmission tie line and associated facilities ("Tie Line") extending from the Project Substation to interconnect the BESS to the transmission grid at a point of interconnection ("POI") at Appalachian Power Company's ("APCo") existing Broadford 138 kV Substation.

Laurel Creek states that the BESS and Project Substation would be located on 16 acres of an approximately 48-acre parcel in Smyth County. The Company proposes to construct the Tie Line on a 100-foot-wide transmission easement that extends from this parcel east and then north for approximately 2,000 feet before reaching the proposed POI at APCo's Broadford Substation.

Laurel Creek represents that on October 26, 2023, the Smyth County Board of Supervisors approved a special use permit to construct, maintain, and operate the BESS and Interconnection Facilities and the associated electrical infrastructure. The Company further asserts that Laurel Creek and Smyth County executed a siting agreement for the BESS effective December 18, 2023. The Company also states that on May 22, 2025, the Smyth County Planning Commission made a determination pursuant to Code § 15.2-2232 that the approximate location, character, and extent of the proposed Tie Line and associated facilities connecting the BESS to APCo's Broadford Substation are substantially in accord with the Smyth County Comprehensive Plan.

According to the Application, Laurel Creek intends to operate the BESS similarly to a generating facility and to certify the facility as an exempt wholesale generator with the Federal Energy Regulatory Commission ("FERC"). The Company anticipates that FERC will authorize Laurel Creek to sell energy, capacity, and ancillary services at market-based rates, subject to FERC's jurisdiction, and that the Company will not make direct retail sales of electricity or provide retail electric services to end users in the Commonwealth. Laurel Creek represents that the Project is progressing through the PJM interconnection process and has been placed in Transition Cycle 2. The Company further maintains that, as a condition for interconnection with PJM and APCo, Laurel Creek will be obligated to complete and/or pay for its allocated portion of required upgrades to the system, which will be specified in the interconnection procedures set forth in the PJM tariff and an anticipated Generation Interconnection Agreement among PJM, APCo, and the Company ("GIA"). Laurel Creek anticipates that this GIA will be finalized in Q1 of 2027.

Laurel Creek asserts that the Project would ensure greater reliability of electric service in the local region and enhance grid reliability and operational efficiency by providing fast-responding, dispatchable support to the broader electric system. The Company anticipates charging the BESS during periods of low demand or high renewable output and discharging during peak conditions, which Laurel Creek asserts would reduce congestion and improve usage of the existing transmission system. The Company also asserts that the Project would support the stable and reliable operations of the existing transmission system, increase grid flexibility, and enable greater integration of renewable resources. Moreover, Laurel Creek avers that the proposed location of the Project would deliver benefits to both the local power grid as well as to the Commonwealth's electrical grid more broadly and could lead to deferring additional upgrades to the electrical transmission system in the region. Finally, the Company asserts that the Project would assist PJM in meeting surging load forecasts and state energy goals.

Additional details are set forth in the Company's Application and supporting exhibits. Interested persons are encouraged to review these documents.

The Commission entered an Order for Notice and Comment that, among other things, directed the Company to provide notice to the public and provide interested persons an opportunity to comment on the Company's Application.

To promote administrative efficiency and timely service of filings upon participants, the Commission has directed the electronic filing of pleadings, unless they contain confidential information, and required electronic service on parties to this proceeding.

An electronic copy of the public version of the Company's Application may be obtained by submitting a written request to counsel for the Company: Robert F. Riley, Esquire, Williams Mullen, 8350 Broad Street, Suite 1600, Tysons, Virginia 22102, or rriley@williamsmullen.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/case-information.

On or before June 29, 2026, any interested person may submit comments on the Application electronically by following the instructions on the Commission's website: scc.virginia.gov/case-information/submit-public-comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2026-00001.

On or before June 29, 2026, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission at: scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-10 *et seq.* ("Rules of Practice"), any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2026-00001.

On or before June 29, 2026, any interested person may request that the Commission convene a hearing in this matter by filing a request for hearing electronically via scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file electronically may file such hearing request by U.S. mail to the Clerk of the Commission at the address listed above. Requests for a hearing shall include: (i) a precise statement of the filing party's interest in the proceeding; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in this matter. All filings shall refer to Case No. PUR-2026-00001.

A copy of any notices of participation and requests for hearing shall be served electronically on counsel for the Company, Commission Staff, and any respondents.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Comment, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The public version of the Company's Application, the Commission's Rules of Practice, the Commission's Order for Notice and Comment, and other documents filed in this case may be viewed on the Commission's website at: scc.virginia.gov/case-information.

LAUREL CREEK ENERGY STORAGE LLC