

Chickahominy pipeline seeks to avoid regulation from state commission

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NEW KENT, Va. (WRIC) — On Sep. 3, Chickahominy Pipeline, LLC petitioned the State Corporation Commission (SCC) to issue a judgement releasing the company from oversight on its proposed pipeline in Charles City and several surrounding counties.

In documents filed with the SCC, the company argues that the project does not qualify for oversight as a “public utility” because the pipeline will only be used to transport natural gas from an unspecified supplier to the proposed Chickahominy Power Station, which would be owned by Chickahominy Power, LLC.

The petition argues these are “transactions involving private parties over which the Commission has no authority to require regulatory approval” — because both companies are subsidiaries of the same parent company.

That company is Balico, an energy company based out of Northern Virginia. Their proposed project in New Kent would provide 1.65 megawatts of power from a natural gas plant in Charles City County.

Their argument to the SCC hinges on the definition of a “public utility” — lawyers for Chickahominy Pipeline argued that because they won’t actually sell the gas they want to transport, the SCC has no reason to regulate them. But Balico, the parent company for both the plant and the pipeline, may be considered a public utility if they provide power to residential buyers.

If the petition is granted, it would clear the way for construction of the pipeline and power station — which was already approved by the SCC in 2018 — to begin in earnest.

But the proposal has also drawn opposition from community members, who formed the group [“Citizens Against Chickahominy Pipeline”](#) to argue against its construction.

In July, the [Virginia Mercury reported](#) that the pipeline could follow a route — as yet unplanned — through Louisa, Hanover, Charles City, Henrico, and New Kent counties.

The SCC has not yet scheduled a meeting to take up the company’s petition, but in their filing the company requested an expedited ruling by no later than Nov. 1.