



Loudoun County, Virginia

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NEWS RELEASE

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State Corporation Commission Seeks Public Comment on Greenway Rate Hike Request; Public Hearing Set for January 9 in South Riding

Loudoun County residents and businesses who wish to offer comment on the Dulles Greenway's proposed rate hike may do so during a State Corporation Commission (SCC) public hearing, **Tuesday, January 9, 2024, 6:00 – 10:00 p.m.** at Freedom High School, 25450 Riding Center Drive in South Riding.

Toll Road Investors Partnership II, LP ("TRIP II"), the company that owns the Greenway, is asking the SCC to approve a request ([Case # PUR-2023-00089](#)) to increase the maximum tolls for most drivers to \$8.10 during peak hours, up from the current \$5.80; and to \$6.40 during off-peak hours, up from \$5.25.

In July, Loudoun County [announced its opposition to the proposed rate hike](#). In September, the Board of Supervisors voted unanimously to [file a "notice of participation"](#) with the SCC in the case. The notice of participation ensures that Loudoun's Board will have access to all information provided to the SCC as it considers the application for a 40% increase in the maximum toll for passenger vehicles on the Greenway. It also allows the Board to provide the SCC with testimony and analysis independent of that offered by the owner of the toll road.

Opportunities for Public Comment

The SCC asks that any member of the public who wishes to provide comment at the January 9 hearing in South Riding arrive at 5:45 p.m. and register to speak. Additional details are published online by the SCC:

- [SCC Schedules Local Hearing to Consider Proposed Dulles Greenway Toll Increase](#)

In addition to the January 9 hearing in South Riding, the SCC is holding a telephonic hearing to receive testimony from members of the public on Tuesday, January 30, 2024, at 10:00 a.m. at 1300 East Main Street in Richmond. Members of the public who wish to provide testimony by telephone must pre-register by 5:00 p.m., Wednesday, January 24, 2024, in one of three ways:

- Complete a [public witness form](#) for case number PUR-2023-00089 on the SCC's website.
- E-mail a [PDF version of the form](#) to SCCInfo@scc.virginia.gov.
- Call the SCC at 804-371-9141 during normal business hours (8:15 a.m. – 5:00 p.m.) and provide your name and a phone number where you can be reached during the hearing.

The SCC allots each witness five minutes to provide testimony.

A separate public evidentiary hearing will be held at 10:00 a.m., Wednesday, January 31, 2024, to receive testimony and evidence from the company, any respondents and the SCC staff. Although testimony from members of the public will not be accepted on January 31, 2024, the hearing will be open to the public.

Written Comments

Members of the public may submit written comments at any time through January 24, 2024. Written comments regarding the Greenway's request for increased toll rates can be provided [through the SCC's online form](#).

Written comments can also be submitted 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 must refer to case number PUR-2023-00089.

More information about the proposed rate hike, including links to documents associated with the case, may be found on the [SCC's website](#).

Background

Loudoun County has opposed toll rate increases requested by the operators of the Dulles Greenway, Toll Road Investors Partnership II (TRIP II), which filed its application for the authorization for an increase in the maximum level of tolls last month. The SCC is the entity that considers such requests.

TRIP II has requested a toll increase of 22% during off-peak hours (from \$5.25 to \$6.40) and a 40% increase during peak morning and afternoon hours (from \$5.80 to \$8.10). TRIP II claims the increases are necessary to meet its debt obligation; however, data shows that use of the Greenway is down because of its already high toll rate. Traffic on the Greenway decreased substantially during the COVID-19 pandemic and has not returned to pre-COVID levels.

To promote use of the Greenway by more motorists, Loudoun County has consistently supported changing the Greenway's toll structure to distance-based tolling while also lowering toll rates. The Greenway operator has the lawful ability to implement both changes now.

Virginia law enacted in 2021 provides objective criteria for evaluating toll increase proposals, including a requirement that proposed Greenway toll rates are "reasonable" to users in relation to the benefit they are deriving from using the road so that the rates do not "materially discourage" use of the road. Loudoun County believes TRIP II's proposed rates will further discourage the use of the Greenway. The SCC uses the objective criteria to evaluate toll rate increase proposals and Loudoun County supports the SCC review process.

In addition, Loudoun County has opposed any legislation that would potentially permit automatic toll rate increases each year of an unknown amount and an extension of the Greenway's operator's license for an unlimited period of time, which is not good for Loudoun residents. The county's opposition to automatic toll rate increase legislation and continued support of the SCC

review process is intended to protect Loudoun residents who may choose to use the Greenway from arbitrary toll rate increases. Legislation supported by TRIP II pertaining to this matter was previously defeated by the Virginia State Senate twice on bipartisan votes.

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