

Pamela F. Faggert
Vice President and Chief Environmental Officer

Dominion Resources Services, Inc.
5000 Dominion Boulevard, Glen Allen, Virginia 23060
Phone: 804-273-3467



VIA FAX, ELECTRONIC TRANSMISSION AND OVERNIGHT DELIVERY

May 6, 2009

Steven Couto, SEW
Water Technical Unit
Office of Enforcement
One Congress Street
Boston, Massachusetts 02114

Re: Notice of Force Majeure Event Under the Order of Compliance Issued by USEPA Region I to the Brayton Point Power Station in the Matter of Dominion Energy Brayton Point, LLC, Brayton Point Power Station, Somerset, Massachusetts, NPDES No. MA0003654, Docket No. 08-007

Dear Mr. Couto:

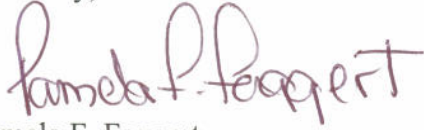
Dominion Energy Brayton Point, LLC (Dominion) hereby provides notice of a Force Majeure Event pursuant to Section IV, subsection 2, and Section VI, subsections 13 and 14, of the above-mentioned Order of Compliance (Order), and seeks relief from complying with the schedule for construction and implementation of closed cycle cooling at Brayton Point Power Station and for meeting the limits contained in Dominion's NPDES Permit.

On May 4, 2009, Dominion learned that Bristol County Broadcasting Inc. filed an appeal before the Environmental Appeals Board (EAB) of EPA's April 2, 2009 issuance of Dominion's Prevention of Significant Deterioration Permit No. 052-120-MA14 (PSD Permit). The PSD Permit will not be effective until the EAB resolves the matter. Issuance of an effective PSD Permit is a prerequisite for Dominion to begin construction of the cooling towers. To date, Dominion has complied with the Order's schedule set out in Section IV, subsections 1.a through 1.h. Due to the limitations of the timing of tie-in and delays that have already occurred, any further delay associated with the appeal may prevent Dominion from complying with the remainder of the schedule of compliance set out Section IV, subsections 1.i through 1.r.

Pursuant to Section IV, subsection 14 of the Order, this serves as notice within five business days of when Dominion first discovered an event that might cause a delay. Per Subsection VI, subsection 14, Dominion will notify the EPA in writing, as soon as practicable but in no event later than ten days after discovering that the event might cause a delay. In the written notice, Dominion will provide the specifics of its Force Majeure claim.

If you have any questions, please contact Cathy Taylor, Director-Electric Environmental Services, at 804-273-2929.

Sincerely,

A handwritten signature in red ink that reads "Pamela F. Faggert". The signature is written in a cursive style with a large initial "P".

Pamela F. Faggert

cc: Edith Goldman, EPA Reg. 1, Office of Enforcement
Diane Leopold
Bob McKinley
Barry Ketschke
Cathy Taylor
Mary Jo Sheeley