



COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

\*\*\*\*\*  
APPLICATION OF CASE NO. PUE-2015-00107  
VIRGINIA ELECTRIC AND POWER COMPANY

For approval and Certification  
of Electric Facilities Haymarket  
230 kV Double Circuit Transmission  
Line and 230-34.5 kV Haymarket  
Substation  
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TRANSCRIPT OF PROCEEDINGS BEFORE  
THE HONORABLE GLENN P. RICHARDSON, HEARING EXAMINER

June 22, 2016  
VOLUME II  
9:00 a.m. - 7:38 p.m.  
Richmond, Virginia

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1	P R O C E E D I N G S	
2	THE HEARING EXAMINER: Good morning,	
3	ladies and gentlemen.	
4	Counsel, when we recessed yesterday, it	
5	was Mr. Chambliss' turn to begin his redirect, so	
6	Mr. Chambliss.	
7	MR. CHAMBLISS: I will, but I believe	
8	there's a preliminary matter one of the counsel wants	
9	to bring up.	
10	MS. HARDEN: Yes, sir, just briefly. On	
11	Friday, late in the afternoon, ODEC filed what is --	
12	they called it supplemental comments or supplemental	
13	testimony, but they had not filed their respondent's	
14	testimony on May 10th or any other document, and I	
15	would just like to make an oral motion to strike that	
16	from the record as having not been timely filed; or in	
17	the alternative, as ODEC is not here to represent	
18	themselves, have it treated simply as a public	
19	comment.	
20	THE HEARING EXAMINER: All right. We've	
21	already marked that document or not?	
22	MS. HARDEN: It is in the record as	
23	having been filed, Your Honor, with -- he filed it	
24	through the website on Friday, but I don't have it	
25	here. I have -- I have one, but it is marked.	

1 THE HEARING EXAMINER: It hasn't been  
2 marked and received as an exhibit, that's my question?

3 MS. HARDEN: Yes, sir, that's correct.

4 THE HEARING EXAMINER: I don't recall  
5 that it has. We'll just go ahead and treat that as a  
6 comment then. The motion is granted with respect to  
7 your request, and we'll treat it as a comment and pass  
8 it to the file.

9 MS. HARDEN: Thank you so much.

10 MS. ALEXANDER: With respect to the  
11 exhibit that was marked, Exhibit 15 yesterday, I do  
12 have enough copies, so I don't know if you want me to  
13 hand them out now --

14 THE HEARING EXAMINER: That would be  
15 great if you would pass it out.

16 MS. ALEXANDER: Thank you.

17 THE HEARING EXAMINER: Anything else  
18 before Mr. Chambliss is turned loose?

19 All right. Mr. Chambliss.

20 MR. CHAMBLISS: Thank you, Your Honor.

21 NEIL JOSHUPURA, recalled as a witness,  
22 having been previously duly sworn, was examined and  
23 testified as follows:

24 REDIRECT EXAMINATION

25 BY MR. CHAMBLISS:

1 A. Yes.

2 Q. And she showed you testimony that there  
3 was going to be 169 megawatts served from that  
4 facility?

5 A. Yes.

6 Q. All right. Was that line built?

7 A. Yes, it was.

8 Q. Was that line built at a cost of  
9 approximately \$42 million, or at least was that the  
10 original estimated cost for the line?

11 A. It was estimated to cost 42 million.

12 MR. CHAMBLISS: All right. Your Honor,  
13 this is the Commission's final order in Case Number  
14 PUE-2011-00011, which I'd ask you to take judicial  
15 notice of.

16 THE HEARING EXAMINER: I can certainly  
17 take judicial notice of the Commission's final orders.

18 MR. CHAMBLISS: Uh-huh.

19 BY MR. CHAMBLISS:

20 Q. On page two of that order, does it show  
21 that the estimated cost to construct the project is  
22 about \$42 million?

23 A. Correct.

24 Q. Were you also asked questions about  
25 whether the Staff had applied that same sentence or

1 Q. Mr. Joshupura, I have placed on the  
2 screen, the overhead, an excerpt from page 16 of your  
3 Staff report.

4 Do you recall being questioned at some  
5 length by Ms. Link about this passage yesterday?

6 A. Yes, I do.

7 Q. And this is the passage that -- where  
8 Staff talks about the project being driven by the need  
9 of a single customer rather than system network needs,  
10 correct?

11 A. Correct.

12 Q. All right. And she asked whether the  
13 Staff had inserted that sentence or applied that  
14 standard -- and I'll put air quotes around that -- in  
15 other cases in which projects had been driven by a  
16 large, single customer requesting service.

17 Do you remember those questions?

18 A. Yes, I do.

19 Q. And did she ask you questions about this  
20 case in which the Company needed to build a line  
21 called the Cannon Branch-Cloverhill line?

22 A. Yes, to the Cloverhill Substation.

23 Q. This is the one that was going to serve a  
24 data center that was going to be built by Unicorn  
25 Interests; remember that?

1 entered that same sentence from page 16 of your report  
2 in the case of the Waxpool, Brambleton-BECO  
3 transmission project?

4 A. Yes, I was.

5 MR. CHAMBLISS: And this is, Your Honor,  
6 Case Number PUE-2011-00129, Commission's final order,  
7 which I also ask you to take judicial notice of.

8 THE HEARING EXAMINER: All right, sir.

9 BY MR. CHAMBLISS:

10 Q. Was this line constructed?

11 A. Yes, it was.

12 Q. Do you remember what the approximated  
13 cost of that line was?

14 A. It was approximately estimated at that  
15 time 48.9 million --

16 Q. All right.

17 A. -- dollars.

18 Q. That was to serve a block load?

19 A. Yes.

20 MR. CHAMBLISS: All right. Your Honor, I  
21 have an exhibit I want to pass out that contains  
22 confidential information; I'm not going to put it on  
23 the screen, and I'm not going to ask for any  
24 confidential information that's contained on it to be  
25 read aloud in open court, but I want to make sure all

<p style="text-align: right;">Page 299</p> <p>1 counsel are aware this contains confidential 2 information.</p> <p>3 THE HEARING EXAMINER: All right. If 4 other counsel have any questions regarding this 5 document, I would ask that you phrase your questions 6 in such a way that we do not disclose the confidential 7 information; or if you need to ask specific questions 8 about the confidential information, please let me know 9 in advance so we can terminate the webcast, at least 10 temporarily, so that information is not publicly 11 disclosed.</p> <p>12 MS. LINK: Your Honor, I'd just ask, I 13 have not a current list of who has signed the 14 protective ruling in the matter; and I just trust if 15 folks are looking at the confidential information, 16 they have signed the agreement to adhere.</p> <p>17 THE HEARING EXAMINER: Is that true? 18 Have all counsel signed the protective order?</p> <p>19 MS. LINK: Thank you.</p> <p>20 MR. CHAMBLISS: First of all, Your Honor, 21 can we mark this as an exhibit.</p> <p>22 THE HEARING EXAMINER: Yes, this will be 23 marked as Exhibit 23C. 24 (Confidential Exhibit No. 23C was marked 25 for identification.)</p>	<p style="text-align: right;">Page 301</p> <p>1 marked anyway, so we will go ahead and proceed. 2 MS. LINK: I'm sorry, Your Honor. My 3 apologies.</p> <p>4 BY MR. CHAMBLISS: 5 Q. What was the Staff asking the Company to 6 supply? Would you read the question? Not the 7 response, just the question.</p> <p>8 A. Sure. For all new data centers served by 9 the Company during the last ten years that required a 10 transmission project as a condition for providing 11 service, please provide the customer's initial load 12 letter and the verified load of the data center after 13 it was operational for one year, two years, five 14 years, and ten years, if available.</p> <p>15 Q. And if we turn to page three -- actually, 16 it's not marked three, but it's the third page, the 17 last page -- did the Company supply a response to you 18 for how much load center -- data center load had been 19 provided for the Waxpool and the Cloverhill projects?</p> <p>20 A. Yes.</p> <p>21 Q. Is the answer there shown in the 22 far-right corner?</p> <p>23 A. Yes.</p> <p>24 Q. The far-right column rather?</p> <p>25 A. Yes, the last column.</p>
<p style="text-align: right;">Page 300</p> <p>1 THE HEARING EXAMINER: And it's a letter 2 to Mr. Chambliss, dated November 20, 2015, from 3 Charlotte McAfee.</p> <p>4 BY MR. CHAMBLISS: 5 Q. Mr. Joshipura, did you receive a copy of 6 this letter?</p> <p>7 A. Yes, I did.</p> <p>8 Q. You're cc'd at the bottom of the page, 9 correct?</p> <p>10 A. Yes, I see that.</p> <p>11 Q. Is this the response of the Company to an 12 interrogatory posed by the Staff in Case Number 13 PUE-2015-0053 involving the Poland Road transmission 14 project?</p> <p>15 A. Yes.</p> <p>16 Q. That case is currently pending?</p> <p>17 A. Correct.</p> <p>18 Q. All right. We can turn to the question 19 that was asked --</p> <p>20 MS. LINK: Your Honor, just real quickly, 21 I guess, this was a discovery response in a different 22 proceeding, but -- I'm sorry. Never mind. They 23 signed a confidential protective ruling. I think 24 we're covered.</p> <p>25 THE HEARING EXAMINER: It's already been</p>	<p style="text-align: right;">Page 302</p> <p>1 Q. And does the first column indicate what 2 the anticipated load was going to be?</p> <p>3 A. Yes.</p> <p>4 MR. CHAMBLISS: All right. So those are 5 all the questions I have for this document, Your 6 Honor, and ask that it be admitted.</p> <p>7 THE HEARING EXAMINER: It will be 8 admitted, subject to questions from other counsel. 9 (Confidential Exhibit No. 23C was 10 admitted into evidence.)</p> <p>11 MR. CHAMBLISS: All right.</p> <p>12 BY MR. CHAMBLISS: 13 Q. Now, let me ask you a little bit more 14 about these projects, the Cannon Branch and the 15 Waxpool projects.</p> <p>16 In either one of those cases, did the 17 Company propose an underground alternative?</p> <p>18 A. No, they did not.</p> <p>19 Q. Both of these lines were proposed and 20 built as overhead transmission lines, correct?</p> <p>21 A. Correct.</p> <p>22 Q. At a collective cost of at least 23 \$90 million?</p> <p>24 A. Yes.</p> <p>25 Q. All right. Did you provide testimony in</p>

1 those cases?

2 A. Yes, I did.

3 Q. In either one of those cases, was there a  
4 home located within 500 feet of the proposed route?

5 A. No, there wasn't.

6 Q. All right. In either one of those cases,  
7 did elected officials appear at public hearings to  
8 oppose the projects?

9 A. No, they did not.

10 Q. All right. Were there respondents in  
11 either one of those cases?

12 A. There were some respondents.

13 Q. All right. Was the respondent in one  
14 case the City of Manassas?

15 A. Yes, it was.

16 Q. And did the City of Manassas request a  
17 payment from either the Company or the Applicant -- or  
18 the load center in that case, the data center?

19 A. Yes.

20 Q. Did they get it?

21 A. No.

22 Q. Okay. In either of those cases for which  
23 the Company received these load letters and built  
24 these facilities in either the Waxpool or the  
25 Cloverhill case, was the customer that provided the

1 load letter a current customer of the Company?

2 A. No.

3 Q. All right. If you know, did the Company  
4 in this case conduct a number of meetings with local  
5 officials and interested property owners in the area  
6 in which the project was going to be -- was proposed  
7 to be built before the case was filed?

8 A. Yes.

9 Q. Okay. And in this case, this Haymarket  
10 case, the Company did propose an underground  
11 alternative, correct?

12 A. Correct.

13 Q. All right. Now, I have some questions,  
14 Mr. Joshipura, for another statement in your testimony  
15 that seemed to bother the Company. And this is on  
16 page 20 where the Staff considers Section XXII to be  
17 ambiguous with respect to its applicability to  
18 transmission facilities.

19 Do you recall questions from Ms. Link  
20 about that passage?

21 A. Yes, I do.

22 Q. Several questions?

23 A. Several questions.

24 Q. Several dozen questions?

25 A. Sure.

1 Q. Okay. And appended to your report was  
2 the Company's response to a data request in which the  
3 Company initially stated that the line extension  
4 policy would apply, correct?

5 A. Yes, to Poland Road.

6 Q. That's in -- that was this response you  
7 received in November in the Poland Road case, correct?

8 A. Correct, November 20th.

9 Q. And you attached this response to your  
10 testimony, right, your report?

11 A. Correct.

12 Q. And I think Ms. Link noted that you  
13 didn't provide the -- attach the corrected version,  
14 the Company's corrected version, so let me now ask you  
15 and let me distribute to the parties.

16 First of all, let's go back to the  
17 Company's original response. What was the date the  
18 Company delivered its first response in the Poland  
19 Road case?

20 A. November 20th, 2015.

21 MR. CHAMBLISS: All right. Now, I've put  
22 on the screen, Your Honor, what is represented by  
23 counsel's letter to be the corrected response of the  
24 Company to request number 22. It also indicates that  
25 there's confidential information in here; I don't

1 intend to go any further into it.

2 BY MR. CHAMBLISS:

3 Q. What's the date on this response?

4 A. April 4th, 2016.

5 MR. CHAMBLISS: Your Honor, I'd like to  
6 have this exhibit marked.

7 THE HEARING EXAMINER: All right. We  
8 will mark this exhibit as 24C.

9 (Confidential Exhibit No. 24C was marked  
10 for identification.)

11 BY MR. CHAMBLISS:

12 Q. And that date is April 4th of this year?

13 A. Correct.

14 Q. So approximately six months after the  
15 initial response was filed?

16 A. Yes.

17 MR. CHAMBLISS: Now, Your Honor, I've  
18 placed on the screen -- and I'll distribute to the  
19 parties -- another exhibit.

20 BY MR. CHAMBLISS:

21 Q. Mr. Joshipura, is this an interrogatory  
22 propounded to the Company in this case, the Haymarket  
23 case, on March 10th, 2016?

24 A. Yes.

25 Q. And did the Staff ask in this

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1 interrogatory about the line extension policy?

2 A. Yes.

3 Q. And any contribution the customer might

4 be making towards the proposed cost of the

5 transmission facilities?

6 A. Yes.

7 Q. All right.

8 THE HEARING EXAMINER: Would you like

9 this marked, Mr. Chambliss?

10 MR. CHAMBLISS: Yes, I would, Your Honor.

11 THE HEARING EXAMINER: We will mark the

12 letter from Ms. McAfee's interrogatories as

13 Exhibit 25.

14 (Exhibit No. 25 was marked for

15 identification.)

16 BY MR. CHAMBLISS:

17 Q. All right.

18 THE HEARING EXAMINER: There's no

19 confidential information in here?

20 MR. CHAMBLISS: No. These are just

21 questions, Your Honor. There's no confidential

22 information.

23 THE HEARING EXAMINER: All right.

24 BY MR. CHAMBLISS:

25 Q. What response did the Company make to

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1 this interrogatory?

2 A. They provided their current response

3 where the proposed transmission facilities do not fall

4 under the line extension policy.

5 Q. They had at this point, following this

6 question corrected their response in the Poland Road

7 case; is that right?

8 A. That's correct.

9 Q. And in responding to the interrogatory

10 posed in this case decided that this was not a line

11 extension; is that right?

12 A. Yes.

13 Q. Okay. Now, without regard to whether the

14 Company now has resolved in its own mind that there's

15 no ambiguity, does Staff still believe that there's

16 ambiguity in respect to the wording of Section XXII of

17 the line extension policy?

18 A. Yes.

19 Q. What is that?

20 A. So going back to the discussion that we

21 had -- that I had with Ms. Link via her questions, we

22 discussed the approach line and branch feeder, and we

23 basically stated that the new facilities would fall

24 under either approach line or a branch feeder.

25 Again, the definition for approach lines

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1 is facilities installed from an existing source to the

2 property of the customer, developer requesting

3 electric delivery service.

4 Q. All right. I've placed up on the screen

5 an overview map of the entire project.

6 Here is the Gainesville Substation.

7 Is that the existing source in this case?

8 A. No. The existing source would be

9 Line 124.

10 Q. Well, where is Line 124 on here?

11 A. If you --

12 Q. Further off to the east?

13 A. No. It's located -- connected to

14 Gainesville Station headed north.

15 Q. Okay. Is that this line?

16 A. Correct.

17 Q. That's the source. There are new

18 facilities coming from the Gainesville Station all the

19 way to the Haymarket Substation?

20 A. Correct.

21 Q. The Haymarket Substation is located on

22 property owned by the customer or will be if it's

23 built?

24 A. According to Ms. Link, the property will

25 be transferred to company ownership, but, yes, it's

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1 currently -- it will be currently built on --

2 Q. The property is currently owned by the

3 customer; isn't that right?

4 A. Correct.

5 Q. So the existing source is here and all

6 the facilities terminate at a facility on property

7 currently owned by the customer?

8 A. Correct, the transmission facilities.

9 Q. All right. Do the definitions of

10 approach lines or branch feeder limit themselves to

11 distribution facilities?

12 A. It does not state that.

13 Q. Now, I want to ask you a couple more

14 questions about this ambiguity.

15 MR. CHAMBLISS: I have another exhibit

16 that I'd ask to be marked.

17 THE HEARING EXAMINER: What is this,

18 Mr. Chambliss?

19 MR. CHAMBLISS: These are pages from the

20 Company's current Integrated Resource Plan filed with

21 the Commission on April 29th of this year --

22 THE HEARING EXAMINER: All right.

23 MR. CHAMBLISS: -- in Case Number

24 PUE-2016-00049.

25 THE HEARING EXAMINER: All right. This

1 three-page document will be marked as Exhibit 26.  
2 (Exhibit No. 26 was marked for  
3 identification.)

4 BY MR. CHAMBLISS:

5 Q. Mr. Joshipura, have you reviewed this  
6 document?

7 A. Yes, I have.

8 Q. And it's quite lengthy, isn't it?

9 A. Yes.

10 Q. So on the second page of this exhibit  
11 we've taken page 161 from the Company's Integrated  
12 Resource Plan, correct?

13 A. Correct.

14 Q. And what does that -- what's shown on  
15 this page?

16 A. Plan transmission line, Virginia  
17 transmission line projects.

18 Q. All right. Is this the new 230 kV line  
19 and new Haymarket Substation facility that we're  
20 discussing in this case?

21 A. Yes, yes, it is.

22 Q. And here is the Poland Road Substation  
23 and line case that we've also discussed?

24 A. Correct.

25 Q. Here's a third case we haven't discussed,

1 and you state that if the Commission finds that the  
2 line extension policy applies to this transmission  
3 line, that the customer, the company building the data  
4 center, would essentially be responsible for  
5 \$115.7 million payment; is that correct?

6 THE WITNESS: If the line is constructed  
7 underground with the hybrid.

8 THE HEARING EXAMINER: Now, what about  
9 the other lines under consideration, would there be  
10 any customer cost responsibility for those  
11 alternatives?

12 THE WITNESS: Well, we haven't received  
13 those numbers from previous other cases. The  
14 customer's revenue would cover the cost of the  
15 project. It's typically based on a four-year annual  
16 revenue. And typically these types of customers have  
17 large enough revenue to cover the cost of the project.

18 THE HEARING EXAMINER: All right. So  
19 your opinion is based on what you know now is the  
20 other alternatives before the Commission would not  
21 subject the new customer to any payment obligation?

22 THE WITNESS: Correct.

23 THE HEARING EXAMINER: All right. Any  
24 questions from counsel on these new exhibits?

25 MR. CHAMBLISS: Before we go to that, may

1 but is this also pending?

2 A. Yes, the Yardley Ridge.

3 THE HEARING EXAMINER: What case is that  
4 again, Mr. Chambliss?

5 MR. CHAMBLISS: That's the Yardley Ridge  
6 case, Your Honor.

7 THE HEARING EXAMINER: All right, sir.  
8 Thank you.

9 BY MR. CHAMBLISS:

10 Q. If we turn to the following page,  
11 page 162, from the Company's filing, how does the  
12 Company characterize the Haymarket project?

13 A. States that it's a 230 kV line extension.

14 Q. All right. How do they characterize the  
15 Poland Road project?

16 A. 230 kV line extension.

17 Q. How about the Yardley Ridge project?

18 A. 230 kV line extension.

19 MR. CHAMBLISS: Your Honor, that's all  
20 the questions I have.

21 THE HEARING EXAMINER: All right,  
22 Mr. Chambliss. Thank you.

23 I just have a couple of questions of  
24 Mr. Joshipura.

25 I'm looking at page 21 of your testimony,

1 I follow up with that?

2 THE HEARING EXAMINER: Certainly.

3 FURTHER REDIRECT EXAMINATION

4 BY MR. CHAMBLISS:

5 Q. In either the Waxpool or Cannon Branch  
6 case, was there any payment made by the customer as a  
7 result of the line extension policies?

8 A. No, there wasn't.

9 Q. And that was because the expected revenue  
10 was going to be high enough to cover the expenses of  
11 those overhead constructions?

12 A. I believe so.

13 MR. CHAMBLISS: All right. That's all,  
14 Your Honor. Thank you.

15 THE HEARING EXAMINER: All right. Thank  
16 you, Mr. Chambliss.

17 Ms. Link?

18 MS. LINK: Yeah.

19 RE CROSS-EXAMINATION

20 BY MS. LINK:

21 Q. Good morning, Mr. Joshipura.

22 A. Good morning.

23 Q. First, I'd like to go to your redirect  
24 with Mr. Chambliss as to the definitions of approach  
25 lines and branch feeder.



<p style="text-align: right;">Page 315</p> <p>1 A. Sure.</p> <p>2 Q. And we talked yesterday about where the</p> <p>3 line would --</p> <p>4 MR. CHAMBLISS: Your Honor, I'm going to</p> <p>5 object.</p> <p>6 MS. LINK: Your Honor, may I have -- may</p> <p>7 I give my question before the objection because it is</p> <p>8 in the scope of your redirect.</p> <p>9 MR. CHAMBLISS: General recross, you're</p> <p>10 recrossing on the new exhibits?</p> <p>11 MS. LINK: Yes, that's completely</p> <p>12 appropriate.</p> <p>13 THE HEARING EXAMINER: I think it is,</p> <p>14 too. I recall some questions about the approach lines</p> <p>15 and branch feeders, so proceed.</p> <p>16 The objection is overruled.</p> <p>17 MS. LINK: Thank you, Your Honor.</p> <p>18 BY MS. LINK:</p> <p>19 Q. We talked yesterday about the existing</p> <p>20 source to the property of the customer or developer,</p> <p>21 correct?</p> <p>22 A. Correct.</p> <p>23 Q. And we talked yesterday about the</p> <p>24 facilities installed on the property of the customer,</p> <p>25 correct?</p>	<p style="text-align: right;">Page 317</p> <p>1 A. I see that.</p> <p>2 Q. Does that look familiar to you?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And so that is defined as</p> <p>5 distribution service; do you see that?</p> <p>6 A. I see that.</p> <p>7 Q. And the delivery of electricity under</p> <p>8 this tariff to customers served at transmission-level</p> <p>9 voltage; do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Let me ask you this: The hybrid</p> <p>12 line, is that providing distribution service to the</p> <p>13 customer?</p> <p>14 A. In order to receive distribution service</p> <p>15 for the customer, a transmission line is necessary.</p> <p>16 Q. So you believe that that language that</p> <p>17 says distribution service means if transmission or</p> <p>18 generation even is needed to provide service to a</p> <p>19 customer, that would be considered distribution</p> <p>20 service?</p> <p>21 A. I'm not stating that. I'm just stating</p> <p>22 that in order to receive distribution service, this</p> <p>23 customer requires transmission-level service.</p> <p>24 Q. Can you look above at the definition of</p> <p>25 distribution service.</p>
<p style="text-align: right;">Page 316</p> <p>1 A. We discussed branch feeders.</p> <p>2 Q. Okay. I want to point you to the term</p> <p>3 "requesting electric delivery service."</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. So it would be important that these</p> <p>7 facilities, if they are approach lines, would be from</p> <p>8 the customer or developer requesting electric delivery</p> <p>9 service, correct?</p> <p>10 A. Could you restate that question.</p> <p>11 Q. For an approach line, its facilities</p> <p>12 installed from an existing source to the property of</p> <p>13 the customer or developer requesting electric delivery</p> <p>14 service, correct?</p> <p>15 A. Correct.</p> <p>16 Q. And since that's a capitalized term, do</p> <p>17 you think that is defined in the tariff?</p> <p>18 A. It is.</p> <p>19 Q. Have you looked at that definition?</p> <p>20 A. I have. I don't recall it.</p> <p>21 Q. I'm putting what's in front of you from</p> <p>22 the Virginia Electric and Power Company terms and</p> <p>23 conditions. I'm putting up on the screen the</p> <p>24 definition of electric delivery service; do you see</p> <p>25 that?</p>	<p style="text-align: right;">Page 318</p> <p>1 Can you read that?</p> <p>2 A. Sure. The delivery of electricity</p> <p>3 through the distribution facilities of the Company to</p> <p>4 the delivery point of a customer.</p> <p>5 Q. Okay. So with the definition of</p> <p>6 distribution service, do you believe the hybrid line</p> <p>7 that emanates from existing Line 124 and terminates at</p> <p>8 the high side of the protection of the transmission</p> <p>9 substation at Haymarket is going to be distribution</p> <p>10 service, that component of it?</p> <p>11 A. No.</p> <p>12 Q. Okay. Let's go to, and the delivery of</p> <p>13 electricity under this tariff to customers served at</p> <p>14 transmission-level voltage.</p> <p>15 Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. Is this customer going to be served at</p> <p>18 transmission-level voltage?</p> <p>19 A. No.</p> <p>20 Q. Okay. And related utility services to</p> <p>21 the extent each is provided under this tariff by the</p> <p>22 Company.</p> <p>23 Do you think that "and related utility</p> <p>24 service" is what is being provided to this customer</p> <p>25 through the hybrid line, the hybrid component?</p>

1 A. No.

2 Q. No? So the hybrid component is not  
3 providing distribution service, correct?

4 A. Correct.

5 Q. The hybrid component is not providing the  
6 delivery of electricity -- I'm sorry -- the customer  
7 is not receiving the delivery of electricity under  
8 this tariff at transmission-level voltage, correct?

9 A. Correct.

10 Q. And it is not related utility service,  
11 the hybrid, correct?

12 A. Correct.

13 Q. So, therefore, it is not electric  
14 delivery service, is it?

15 A. Correct. But the definition of an  
16 approach line states facilities installed from an  
17 existing source to a customer requesting electric  
18 delivery service.

19 Q. And we can go into legal interpretation,  
20 but electric delivery service is a component. The  
21 request for electric delivery service is a component  
22 of both approach lines and branch feeder, correct?

23 A. Correct.

24 Q. And if it's not electric delivery  
25 service, it's very possible it's not an approach line

1 entirely -- an opportunity to ask about yesterday..

2 THE HEARING EXAMINER: I understand that,  
3 but I think Mr. Joshipura says he's aware of the case,  
4 and that's it and nothing else.

5 MS. LINK: Your Honor, if I could for the  
6 record, the exhibit that Mr. Chambliss did introduce  
7 today, Exhibit 23C --

8 THE HEARING EXAMINER: All right.

9 MS. LINK: And I'm not going to reveal  
10 confidential information.

11 THE HEARING EXAMINER: Sure.

12 MS. LINK: But it talks -- the very first  
13 project listed, project NIVO --

14 THE HEARING EXAMINER: All right.

15 MS. LINK: -- that's what I'm asking  
16 about.

17 MR. CHAMBLISS: Go ahead.

18 THE HEARING EXAMINER: Go ahead.

19 Objection overruled.

20 BY MS. LINK:

21 Q. Beaumeade to NIVO line, familiar  
22 generally?

23 A. It's possible. It was a case that was  
24 performed before I came to the Commission, but --

25 Q. Would you accept, subject to check, that

1 or a branch feeder, correct?

2 A. That's open to interpretation.

3 Q. Okay. Fair enough.

4 Let me ask you, yesterday when we  
5 discussed this matter, you said the Staff was not  
6 advocating this method, you were not advocating that  
7 the customer be charged.

8 Have you changed that position?

9 A. No, we have not.

10 Q. The Staff is still not advocating that  
11 the customer be charged for the transmission costs,  
12 correct?

13 A. Correct.

14 Q. And then one other piece. We talked  
15 about the Cannon Branch and the Waxpool cases.

16 Are you also familiar with the Beaumeade  
17 to NIVO Line?

18 A. I'm aware of that case. I didn't work on  
19 it directly.

20 MR. CHAMBLISS: Your Honor, she's opening  
21 brand new areas here. The purpose of recross is to  
22 allow questions on new exhibits, and there's no  
23 exhibit that relates to that particular facility in  
24 this case. I've let her go further than I needed to.  
25 She's asked questions about things she had an

1 it was for a data center?

2 A. Sure.

3 Q. Would you accept, subject to check, that  
4 it was an underground project under House Bill 1319?

5 A. I believe it was an underground project;  
6 it was a pilot program --

7 Q. And Mr. Chambliss asked you about whether  
8 you knew about the cost recovery for Cloverhill or  
9 Waxpool, and you did know about those, and you believe  
10 the customer wasn't charged for transmission  
11 facilities in those cases?

12 A. Correct.

13 Q. Do you know if the customer was charged  
14 for any transmission facilities in the Beaumeade to  
15 NIVO Line for transmission facilities that went  
16 underground?

17 A. No. I don't have that information before  
18 me.

19 Q. Okay. Fair enough.

20 MS. LINK: Thank you, Your Honor. That's  
21 all I have.

22 THE HEARING EXAMINER: Mr. Chambliss, any  
23 further questions?

24 MS. LINK: I'm sorry, Your Honor.

25 Briefly.

<p style="text-align: right;">Page 323</p> <p>1 BY MS. LINK:</p> <p>2 Q. Mr. Joshipura, on the exhibit that</p> <p>3 Mr. Chambliss raised, Exhibit 26, is that familiar?</p> <p>4 A. Yes.</p> <p>5 Q. The header that we're talking about here</p> <p>6 is what?</p> <p>7 A. Transmission.</p> <p>8 Q. Okay. And it talks about the following</p> <p>9 planned transmission projects, correct?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. Major transmission additions,</p> <p>12 correct?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Planned transmission additions on</p> <p>15 figure 7.4.1?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So all these are transmission</p> <p>18 projects, correct? Whether or not they are called</p> <p>19 line extensions or not, they are transmission-level?</p> <p>20 A. Correct.</p> <p>21 MS. LINK: Thank you. That's all I have.</p> <p>22 THE HEARING EXAMINER: Before I ask</p> <p>23 Mr. Chambliss if he has any additional questions, do</p> <p>24 other counsel have any questions regarding the new</p> <p>25 exhibits?</p>	<p style="text-align: right;">Page 325</p> <p>1 MR. CHAMBLISS: I think so, Your Honor,</p> <p>2 yes.</p> <p>3 THE HEARING EXAMINER: I only saw two</p> <p>4 witnesses.</p> <p>5 MR. CHAMBLISS: Yes.</p> <p>6 THE HEARING EXAMINER: I think it's time</p> <p>7 for the Company rebuttal.</p> <p>8 And one thing I wanted to ask counsel</p> <p>9 before we get into the Company's rebuttal is -- and</p> <p>10 I'm not sure we have this in the record. I think I</p> <p>11 saw the DEQ coordinated review in one of the witness'</p> <p>12 testimony, rebuttal testimony for the Company, but I</p> <p>13 want to make sure we have the DEQ coordinated review</p> <p>14 and also the wetlands impact consultation in the</p> <p>15 record.</p> <p>16 Has that been introduced? I don't recall</p> <p>17 it being introduced.</p> <p>18 MS. LINK: Your Honor, those were filed</p> <p>19 in the docket. I don't know that those end up</p> <p>20 becoming marked exhibits -- Your Honor, I guess I'm</p> <p>21 informed Staff typically would do that.</p> <p>22 THE HEARING EXAMINER: I remember when I</p> <p>23 was on the other side of the bench that I would always</p> <p>24 contact counsel and ask them whether or not they had</p> <p>25 any questions --</p>
<p style="text-align: right;">Page 324</p> <p>1 All right. Mr. Chambliss, anything</p> <p>2 further?</p> <p>3 FURTHER REDIRECT EXAMINATION</p> <p>4 BY MR. CHAMBLISS:</p> <p>5 Q. Just since Ms. Link asked about this NIVO</p> <p>6 project, it's an underground project; is that right?</p> <p>7 A. Yes.</p> <p>8 Q. The Company proposed it as an underground</p> <p>9 project?</p> <p>10 A. Yes.</p> <p>11 MR. CHAMBLISS: All right. That's all I</p> <p>12 have.</p> <p>13 THE HEARING EXAMINER: All right.</p> <p>14 Mr. Joshipura, you are excused. And exhibits</p> <p>15 number -- I believe it's 19 through 26 will be</p> <p>16 received into the record.</p> <p>17 (Confidential Exhibit No. 24C was</p> <p>18 admitted into evidence.)</p> <p>19 (Exhibit No. 25 was admitted into</p> <p>20 evidence.)</p> <p>21 (Exhibit No. 26 was admitted into</p> <p>22 evidence.)</p> <p>23 THE HEARING EXAMINER: And I think that</p> <p>24 completes the Staff's direct case; is that true,</p> <p>25 Mr. Chambliss?</p>	<p style="text-align: right;">Page 326</p> <p>1 MS. LINK: And they have done that; we</p> <p>2 didn't have any questions for DEQ.</p> <p>3 THE HEARING EXAMINER: Nobody has any</p> <p>4 questions?</p> <p>5 MS. LINK: No, Your Honor, we did not.</p> <p>6 MR. CHAMBLISS: I think, Your Honor, we</p> <p>7 can introduce it as an exhibit without -- no one had</p> <p>8 any questions.</p> <p>9 THE HEARING EXAMINER: All right. Well,</p> <p>10 why don't we do this, I will ask Staff to get that</p> <p>11 exhibit together, everything from DEQ, and I will</p> <p>12 reserve as a late-filed Exhibit Number 27 for the DEQ</p> <p>13 documents.</p> <p>14 MS. LINK: Your Honor, just so we're</p> <p>15 aware of what ends up getting marked as Exhibit 27,</p> <p>16 could we just ask Staff to identify which</p> <p>17 communications from DEQ will be part of Exhibit 27?</p> <p>18 THE HEARING EXAMINER: Well, yeah, I</p> <p>19 would ask the Staff to share it with the Company</p> <p>20 before filing the exhibit.</p> <p>21 MR. CHAMBLISS: We will.</p> <p>22 MS. LINK: Thank you.</p> <p>23 THE HEARING EXAMINER: Just want to make</p> <p>24 sure I have the proper documents in the file because</p> <p>25 it's something obviously we have to consider.</p>

1 All right. So Exhibit 27 will be  
2 reserved for the late-filed exhibit.

3 (Exhibit No. 27 will be marked and  
4 admitted into evidence as a late-file exhibit.)

5 THE HEARING EXAMINER: And, Ms. Link,  
6 it's time for the Company's rebuttal.

7 MS. LINK: Thank you, Your Honor.  
8 There's one correction that was in -- that was made to  
9 the Company's application that I forgot to mention  
10 when we marked the application.

11 THE HEARING EXAMINER: And what was that?

12 MS. LINK: And that was filed on  
13 November 9th, 2015. It's a public version only. It  
14 was to page 122A of the appendix. It had been  
15 inadvertently omitted with the November 6th, 2015,  
16 filing.

17 THE HEARING EXAMINER: All right. Can we  
18 just insert that in lieu of the current page of the  
19 appendix of Exhibit 3?

20 MS. LINK: Yes.

21 THE HEARING EXAMINER: Make sure that  
22 everyone has that.

23 MS. LINK: Yes, it was filed in the  
24 docket.

25 THE HEARING EXAMINER: We'll go ahead and

1 to that document?

2 A. Yes. On page three, on line 16  
3 through 18, please strike the words starting with  
4 "Gestl," G-e-s-t-l, and ending with the word "sites,"  
5 s-i-t-e-s.

6 MS. LINK: Your Honor, that's part of the  
7 corrections we noted we'd be making to the rebuttal  
8 testimony based on the withdraw of Heritage.

9 THE HEARING EXAMINER: All right.  
10 BY MS. LINK:

11 Q. With that correction, Mr. Gill, if I were  
12 to ask you the questions appearing in that document,  
13 would you provide the same or substantially the same  
14 answers here today?

15 A. Yes.

16 Q. And do you wish to sponsor that document  
17 as your rebuttal testimony in this proceeding?

18 A. I do.

19 MS. LINK: Your Honor, may we have  
20 Mr. Gill's rebuttal testimony marked?

21 THE HEARING EXAMINER: Mr. Gill's  
22 rebuttal testimony will be marked as Exhibit 28.  
23 (Exhibit No. 28 was marked for  
24 identification.)

25 MS. LINK: Your Honor, I'd move the

1 incorporate that revised page.

2 MS. LINK: Thank you. The Company would  
3 recall Mark Gill.

4 MARK R. GILL, recalled as a rebuttal  
5 witness, having been previously duly sworn, was  
6 examined and testified as follows:

7 DIRECT EXAMINATION (Reb.)

8 BY MS. LINK:

9 Q. Good morning, Mr. Gill.

10 A. Good morning.

11 Q. Are you the same Mark Gill who provided  
12 testimony on direct in this case?

13 A. Yes, ma'am.

14 Q. Do you have with you a document entitled,  
15 rebuttal testimony of Mark R. Gill, consisting of a  
16 one-page witness rebuttal testimony summary, 18 typed  
17 pages of questions and answers, and an accompanying  
18 exhibit consisting of eight rebuttal schedules which  
19 was filed in public version only in this proceeding on  
20 June 9th, 2016?

21 A. Yes.

22 Q. And was that document prepared by you or  
23 under your supervision?

24 A. Yes, it was.

25 Q. Do you have any corrections or additions

1 admission of Exhibit 28, subject to Mr. Gill's  
2 surrebuttal and cross-examination.

3 THE HEARING EXAMINER: All right. It  
4 will be so received into the record.

5 (Exhibit No. 28 was admitted into  
6 evidence.)

7 MS. LINK: All right. Thank you, Your  
8 Honor.

9 BY MS. LINK:

10 Q. Mr. Gill, were you here yesterday when  
11 other witnesses testified?

12 A. Yes, I was.

13 Q. Okay. Did you hear the testimony of FST  
14 witness -- of FST, Southview 66, and the public  
15 witness Mr. Cooper regarding the Clavelli property?

16 A. Yes, I did.

17 Q. Okay. And you heard about the  
18 development that is imminent in this area?

19 A. Yes.

20 Q. And you did an analysis in your rebuttal  
21 testimony, did you not, referring to the county's  
22 buildout analysis?

23 A. Yes, ma'am.

24 Q. Okay. And can you tell us how the  
25 information you heard yesterday from those three

<p style="text-align: right;">Page 331</p> <p>1 witnesses relates to the analysis you did?</p> <p>2 A. Sure. The list of parcels that I used in</p> <p>3 my analysis is in my rebuttal as schedule two. And</p> <p>4 what I heard yesterday with the Haymarket Crossing,</p> <p>5 which I believe was the Home Depot and the Southview,</p> <p>6 which I believe Mr. Fuccillo spoke about, those were</p> <p>7 all incorporated into the analysis.</p> <p>8 I did not seem to capture the FST</p> <p>9 Property, which was approximately 91,000 and some</p> <p>10 change square feet. I used publicly available data</p> <p>11 from the Prince William County planning website. And</p> <p>12 what I heard yesterday and what I found from the</p> <p>13 county planning website was that this area is clearly</p> <p>14 continuing to grow; and I was given a response that I</p> <p>15 provided to The Coalition. I believe it was to their</p> <p>16 interrogatory 2-16.</p> <p>17 And after hearing all of that, I think I</p> <p>18 would -- if I had a do-over, I would add three words</p> <p>19 to the end of that, and those words would be "at this</p> <p>20 time." In other words, the response that I had to</p> <p>21 that interrogatory was the Company did not have plans</p> <p>22 to construct a 230 kV line into the Haymarket load</p> <p>23 area at this time. So, again, that area is continuing</p> <p>24 to grow.</p> <p>25 Q. Okay. And I put on the screen your</p>	<p style="text-align: right;">Page 333</p> <p>1 Q. Mr. Gill, can you speak up?</p> <p>2 A. I'm sorry.</p> <p>3 Q. The mike won't catch it.</p> <p>4 A. So Haymarket Crossing was the Home Depot</p> <p>5 area, clearly, you know, west of Route 15. This is</p> <p>6 the subject property, the Midwood Center, where the</p> <p>7 proposed Haymarket Substation is to be located. There</p> <p>8 are other parcels down in here in NOVEC service</p> <p>9 territory; Haymarket, Haymarket Landing, University of</p> <p>10 Virginia property, Villages of Piedmont.</p> <p>11 And moving further east, Village Place at</p> <p>12 Gainesville, some of the Heritage Hunt properties.</p> <p>13 But then continuing east over near the Gainesville</p> <p>14 Substation, I've highlighted several properties</p> <p>15 actually east of the Gainesville Substation. And the</p> <p>16 reason for highlighting those properties is those will</p> <p>17 all be loads that when they develop -- because of the</p> <p>18 configuration, Dominion serves NOVEC's Gainesville</p> <p>19 delivery point out of the Gainesville Substation.</p> <p>20 They have -- at the present time, there are three</p> <p>21 circuits that come out of there. Their 923 circuit</p> <p>22 actually comes out and goes along Balls Ford Road</p> <p>23 where the majority of those properties are located;</p> <p>24 and presently load in that area is served out of</p> <p>25 Gainesville.</p>
<p style="text-align: right;">Page 332</p> <p>1 rebuttal schedule two.</p> <p>2 A. Oh, thank you.</p> <p>3 Q. You're welcome. And can you detail for</p> <p>4 the Hearing Examiner -- and I have this laser pointer</p> <p>5 if you would like to use it.</p> <p>6 The rebuttal schedule five that is behind</p> <p>7 you that Mr. Berkin put together, did you ask him to</p> <p>8 put some of the larger parcels from this non</p> <p>9 residential inventory on that map?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Would you like the laser pointer,</p> <p>12 or you just want to stand up?</p> <p>13 A. I'll point them out to the Hearing</p> <p>14 Examiner.</p> <p>15 THE WITNESS: Would it be all right to</p> <p>16 turn this?</p> <p>17 THE HEARING EXAMINER: Sure. Could you</p> <p>18 turn it a little bit so I can see it.</p> <p>19 All right. I can see, Mr. Gill.</p> <p>20 THE WITNESS: Okay. So this is the</p> <p>21 Southview 66 site, where the switching station is</p> <p>22 proposed if the underground option is selected.</p> <p>23 Pretty much anything with a yellow</p> <p>24 borderline and hash box --</p> <p>25 BY MS. LINK:</p>	<p style="text-align: right;">Page 334</p> <p>1 So what I'm trying to get at with that</p> <p>2 analysis is Gainesville is the only game in town. And</p> <p>3 without the Haymarket Substation, as the load in</p> <p>4 Gainesville continues to grow and because it is in</p> <p>5 NOVEC's service territory, Dominion has to bring its</p> <p>6 distribution circuits out approximately three miles</p> <p>7 before they hit the first Dominion customer; the</p> <p>8 majority of that load on Gainesville is NOVEC load.</p> <p>9 So as that load continues to grow in</p> <p>10 addition to the Dominion load that's still remaining,</p> <p>11 which this Midwood site is currently being developed</p> <p>12 as a data center, we find ourselves in a situation</p> <p>13 where we could end up with a NERC criteria violation.</p> <p>14 So that's down the road, but it's not something that</p> <p>15 we looked at for this case.</p> <p>16 THE HEARING EXAMINER: Could you point</p> <p>17 out to me just generally the boundary between the</p> <p>18 Virginia Power and NOVEC service territory?</p> <p>19 THE WITNESS: Yes, sir. This -- I don't</p> <p>20 know if you can see, but kind of a gray haze and this</p> <p>21 area looks very clear --</p> <p>22 THE HEARING EXAMINER: Yes, sir.</p> <p>23 THE WITNESS: -- the very clear area is</p> <p>24 the Virginia Power -- or the Dominion service</p> <p>25 territory; and kind of the gray or the hazed area is</p>

12 (Pages 331 to 334)

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1 the NOVEC service territory.

2 THE HEARING EXAMINER: The NOVEC service  
3 territory looks much larger than Virginia Power's on  
4 this map.

5 THE WITNESS: Yes, sir, it is.

6 THE HEARING EXAMINER: All right.

7 BY MS. LINK:

8 Q. And you spoke about some of these  
9 parcels, Mr. Gill, in your opinion.

10 Does the parcel have to be of a  
11 particular size to be a potential data center site or  
12 do you know?

13 A. No. Clearly, the data center site that's  
14 being developed now, it was a by-right zoning. And I  
15 understand that that's been something that's been  
16 changed within the county, but the point being that  
17 the county continues to market itself to the data  
18 center industry.

19 And I have a brochure -- bear with me  
20 just one second.

21 Q. We have copies. Mr. Gill, let's give the  
22 bailiff a moment to get the copies of the brochure.

23 A. Sure.

24 MS. LINK: Your Honor, there is a  
25 brochure entitled, Prince William County, Virginia: A

1 we're looking at as part of this case, the Haymarket  
2 property or the Haymarket Substation area, as one of  
3 their ten discrete data center facilities within the  
4 county. They don't name all of them, but you can  
5 count the dots and you'll see that there are ten. So  
6 they are clearly marketing towards that area or had  
7 been marketing towards that area.

8 Q. Is there anything from inside the  
9 brochure you want to highlight for the Examiner?

10 A. Well, just under where it says Prince  
11 William County, an optimal location, they do mention  
12 robust power and fiber, and the fact that data centers  
13 are a targeted industry status with fast-track  
14 permitting and accelerated time to market, plus  
15 personalized concierge service for data center  
16 clients.

17 MR. CHAMBLISS: Your Honor, may I enquire  
18 what this is surrebutting?

19 THE HEARING EXAMINER: Ms. Link.

20 MR. CHAMBLISS: This appears to be a  
21 document Ms. Gill has had in his possession for over a  
22 year and could have been part of his direct or his  
23 rebuttal testimony.

24 MS. LINK: Your Honor, I think it is  
25 surrebutting the notion that several parties to this

1 national leader in data center market.

2 May we have it marked?

3 THE HEARING EXAMINER: This two-page  
4 document will be marked Exhibit 29.

5 (Exhibit No. 29 was marked for  
6 identification.)

7 MS. LINK: Thank you, Your Honor.

8 BY MS. LINK:

9 Q. Mr. Gill, will you explain where you got  
10 this brochure from?

11 A. Yes. I periodically attend data center  
12 conferences, and this is a brochure I picked up, I  
13 believe it was, last year at one. I happened to see  
14 the Prince William County folks. And I'd like to  
15 point out -- well, I have a trifold, so it's the part  
16 underneath where you just read, national leader in the  
17 data center market.

18 And were these color copies?

19 Q. These are color, sir.

20 A. So the yellow dots are what they call  
21 existing data center, and then what looks like a  
22 series of roadways -- and they may actually follow  
23 roadways, but they are calling them fiber pathways in  
24 western Prince William County.

25 And they clearly show the parcel that

1 case are still saying there's no need for the  
2 facility. They are questioning the need and they are  
3 suggesting that perhaps the center could -- this  
4 campus could move to another location.

5 MR. CHAMBLISS: That's why we have  
6 rebuttal testimony if people are opposing a project.  
7 We don't have any -- we didn't have any witnesses in  
8 here that he's providing this in direct surrebuttal  
9 to.

10 MS. LINK: Your Honor, he's providing it  
11 in surrebuttal to opening statements that we heard for  
12 the first time today and The Coalition to Protect  
13 William to Prince William County has no witness, so we  
14 heard their position yesterday for the first time.

15 THE HEARING EXAMINER: Well, I think --

16 MR. REISINGER: Your Honor, The Coalition  
17 did not make an argument regarding need. The  
18 Coalition supported the hybrid alternative route and  
19 has a cost allocation legal argument.

20 MS. LINK: And The Coalition is making an  
21 argument that all the legislators in the area oppose  
22 the facility, want it underground, and we are showing  
23 this that the area, the county itself, is marketing  
24 itself to data centers. We think it's completely  
25 proper surrebuttal.

<p style="text-align: right;">Page 339</p> <p>1 MR. CHAMBLISS: I don't think there's any 2 question about that. 3 THE HEARING EXAMINER: You know, this is 4 a legislative proceeding. The rules of evidence are 5 somewhat relaxed in a legislative proceeding, so I'll 6 let Ms. Link proceed. 7 I think we've heard testimony before that 8 the Company is actively, actively soliciting these 9 data centers, and this just confirms that. 10 MS. LINK: The county. 11 THE HEARING EXAMINER: The county, yes. 12 MS. LINK: Your Honor, I'd move the 13 admission of Exhibit 29. 14 THE HEARING EXAMINER: I'll allow it. 15 MR. CHAMBLISS: I'll object. 16 THE HEARING EXAMINER: Understood. Your 17 objection is noted. 18 (Exhibit No. 29 was admitted into 19 evidence.) 20 BY MS. LINK: 21 Q. All right. Let's move to a slightly 22 different topic. On June 17th in the docket for the 23 Commission comments, there were two comment letters 24 filed by Chris Price and Robert B. Weir. 25 Are you familiar with those?</p>	<p style="text-align: right;">Page 341</p> <p>1 introduction of these documents if they are offered in 2 rebuttal to comments filed in the case. This is 3 improper surrebuttal and rebuttal testimony. 4 MS. LINK: Your Honor, it's absolutely 5 proper. The comments were filed post -- 6 THE HEARING EXAMINER: I believe if they 7 are comments in the case that question Mr. Gill's 8 testimony and build-out analysis testimony, that he 9 should be able to file a response. I think the 10 Commission should have a fully-developed record on 11 this before making its decision. 12 So the objection is overruled. 13 MS. LINK: Just for reference, I'll just 14 show to the Commission so that -- it's a June 17th 15 supplemental -- it's called testimony, but it was 16 submitted as comments of Robert B. Weir. 17 THE HEARING EXAMINER: Right. Mr. Weir 18 was one of the public witnesses in this case, correct? 19 MS. LINK: Correct. And he has done a 20 several-page critique, six-page critique with 21 supporting exhibits. 22 Your Honor, we just thought it would be 23 important for the record to be able to provide 24 surrebuttal on that topic. 25 THE HEARING EXAMINER: See, I think it's</p>
<p style="text-align: right;">Page 340</p> <p>1 A. Yes. 2 Q. In those letters they criticize the 3 buildout analysis that you had reviewed in your 4 rebuttal testimony, correct? 5 A. That's correct. 6 Q. Okay. Do you have any surrebuttal 7 comments on the June 17th letters submitted to the 8 docket? 9 A. Sure. I mentioned -- 10 Q. Do we need to hand out some documents 11 first? 12 A. Yes, please. I mentioned earlier that I 13 extracted the parcels from Prince William County's 14 planning website. And this is the document that I'm 15 referring to; it says build-out analysis. 16 Q. We're going to hand out two documents. 17 One is called a build-out analysis. The cover says 18 it's as of December 31, 2014. 19 A. It says as of December 31, 2014. But if 20 you look in the inside it has a November 19, 2015, 21 date. I'm not sure why the discrepancy there. 22 BY MS. LINK: 23 Q. Okay. And we'll hand out a second 24 document. It's called build-out analysis methodology. 25 MR. CHAMBLISS: I'll object to the</p>	<p style="text-align: right;">Page 342</p> <p>1 appropriate for Mr. Gill to respond. That testimony 2 looks somewhat of a technical nature, not normally the 3 type of testimony that public witnesses introduce at a 4 hearing; in other words, I don't want it in my 5 backyard, make them go away. 6 So I'll go ahead and allow you to 7 introduce these exhibits. 8 MS. LINK: Right. I do believe that 9 Prince William County -- although they were a 10 respondent, they withdrew from being a respondent in 11 favor of participating as public. And so the other 12 letter that we are responding to here came in also 13 after rebuttal testimony last Friday, June 17th, and 14 it came from the County of Prince William, the 15 planning office, and it was signed by Christopher M. 16 Price. So those will be the comments we are providing 17 surrebuttal to, Your Honor. 18 THE HEARING EXAMINER: All right. 19 BY MS. LINK: 20 Q. All right, sir. 21 MS. LINK: Let's first have these 22 documents marked. Your Honor, may we have the 23 build-out analysis document where the cover says it's 24 as of December 31, 2014, marked for identification. 25 THE HEARING EXAMINER: Is this the</p>

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1 December 31, 2014, or the methodology?  
2 MS. LINK: The December 31st, 2014.  
3 THE HEARING EXAMINER: All right. That  
4 will be marked Exhibit 30.  
5 (Exhibit No. 30 was marked for  
6 identification.)  
7 MS. LINK: Thank you. May we have the  
8 methodology document marked?  
9 THE HEARING EXAMINER: Yes. Methodology  
10 document for the build-out analysis will be marked as  
11 Exhibit 31.  
12 (Exhibit No. 31 was marked for  
13 identification.)  
14 MS. LINK: Thirty-one, thank you.  
15 BY MS. LINK:  
16 Q. Mr. Gill --  
17 A. Yes, ma'am.  
18 Q. -- we're not going to go through every  
19 one of the critiques that Mr. Weir or Price sent in on  
20 June 17th; just some of the major ones, correct?  
21 A. Correct.  
22 Q. Let's first talk about what they called  
23 a -- excuse me -- let's go into the timing of the  
24 document itself.  
25 You said it was as of December 31, 2014,

1 Q. So we heard that yesterday from  
2 Mr. Cooper with regard to the Home Depot property?  
3 A. Yes. And I believe we heard it from the  
4 Southview folks as well.  
5 Q. Thank you. Another area of criticism  
6 from Mr. Price and Mr. Weir is that you double counted  
7 some of the square footage in your analysis.  
8 Can you respond to that criticism?  
9 A. Sure. That's one of the reasons that I  
10 created that schedule two of my rebuttal, which is the  
11 Excel spreadsheet that identifies all the parcels that  
12 I pulled out that I felt would be on the Gainesville  
13 Substation if Haymarket were not developed. I wanted  
14 to be as transparent as possible so everybody could  
15 see where these were coming from. And if there's any  
16 debate or discussion, that's what we do. But you can  
17 also see that there are no properties in there that  
18 are listed twice or double counted.  
19 Q. All right, sir. Mr. Price in his letter,  
20 he indicates that significant amount of the land  
21 included in the parcels you identify as remaining non  
22 residential development is held by public entities and  
23 would likely develop as a low-intensity public use.  
24 And what's your response to that?  
25 A. Well, if I can direct you to the

1 on the cover?  
2 A. Yes, on the cover.  
3 Q. Okay. And then inside it?  
4 A. It says November 19, 2015.  
5 Q. Okay. So there's one criticism of you  
6 that this was a -- you were relying on a stale zoning  
7 analysis?  
8 A. Yes.  
9 Q. Can you provide your response to that?  
10 A. Sure. If I can direct you to page three  
11 of that document, it looks like third heading down  
12 under build-out area, they discuss some larger tracts  
13 of undeveloped R4 B1 zoned lands designated in 1958  
14 when zoning was established in the county and  
15 currently planned for a different use were also added.  
16 And then they go on to say, this analysis assumes that  
17 these stale zoning cases will be rezoned to a  
18 higher-intensity use in accordance with the  
19 comprehensive plan.  
20 So I just wanted to point that out that  
21 while Mr. Weir states that I'm using stale data, the  
22 county's document indicates that stale zoning cases  
23 are assumed to be rezoned to a higher-intensity use.  
24 And I think based on what we heard yesterday that  
25 plans do change and a lot of times they get bigger.

1 build-out analysis, the methodology document, I think  
2 it was Exhibit 31, on page seven, it looks like  
3 subsection E -- and, again, I'm not a land use  
4 planner; that was pointed out in some of the  
5 criticism.  
6 But the way I read this, again as just  
7 information that's available to the public, it talks  
8 about public lands are in the development area  
9 identified in the county's public land inventory or  
10 open space inventory. These areas include public  
11 facilities and goes on to list some of them, but then  
12 it also states these areas are not included in the  
13 build-out calculations. So my read of that is that  
14 they would not have any impact on the tables where I  
15 extracted the non residential inventory.  
16 Q. So you used the tables in the county's  
17 build-out analysis to just put them in your Excel  
18 spreadsheet?  
19 A. Yes.  
20 MS. LINK: Your Honor, can we move the  
21 admission of Exhibits 30 and 31?  
22 BY MS. LINK:  
23 Q. Does that conclude your discussion of the  
24 critiques of Mr. Price and Weir?  
25 A. Yes, ma'am, it does.



<p style="text-align: right;">Page 347</p> <p>1 MR. CHAMBLISS: I'd object, of course.  2 THE HEARING EXAMINER: Objection is  3 noted.  4 MR. CHAMBLISS: Okay.  5 THE HEARING EXAMINER: Exhibit 30 and 31  6 will be received --  7 MS. LINK: Thank you.  8 THE HEARING EXAMINER: -- subject to  9 additional questions.  10 (Exhibit No. 30 was admitted into  11 evidence.)  12 (Exhibit No. 31 was admitted into  13 evidence.)  14 MS. LINK: Thank you.  15 BY MS. LINK:  16 Q. All right. Let's move to a slightly  17 different area of surrebuttal.  18 A. Sure.  19 Q. There has been some discussion of the  20 customer potentially moving to another location where  21 they would be closer to an existing transmission  22 source; and specifically that was brought up in the  23 opening statement of The Coalition to Protect Prince  24 William County?  25 MR. REISINGER: Your Honor, I don't</p>	<p style="text-align: right;">Page 349</p> <p>1 make sure that any contingencies don't violate the  2 Company's planning criteria or other planning  3 criteria.  4 Q. , And we also heard some -- specifically it  5 came up in Mr. Weir's letter critiquing you about not  6 incorporating the new data overlay district into your  7 analysis?  8 A. Yes. I don't recall exactly how he  9 phrased it. It wasn't very nice, but --  10 Q. Yeah, I'll show it to you, sir. It's on  11 page five of his letter. He says, it is thus stunning  12 that in the 23 days between the adoption of the  13 ordinance and the filing of Gill's rebuttal testimony  14 that Gill remained unaware of the changes to the  15 Prince William County zoning ordinance.  16 Do you see that?  17 A. Yes. I would like to point out -- and I  18 think we have a hand out, a letter to help  19 distribute -- it's a response to Mr. Price from  20 Deborah Johnson, who is our director of state and  21 local affairs.  22 Q. And we'll also -- sort of do it all at  23 once since we're also handing out lots of documents.  24 We'll hand out the county's press release and the map  25 of the overlay district.</p>
<p style="text-align: right;">Page 348</p> <p>1 believe that was in our opening statement. I don't  2 think we made any recommendation that the customer  3 should move to any particular location.  4 THE HEARING EXAMINER: Well, you know, I  5 heard a lot of public witness testimony saying they  6 should move this facility to -- I believe it's  7 Innovation Park, so I'm going to allow --  8 MR. REISINGER: Just for the record, that  9 was not in the Coalition's opening statement.  10 THE HEARING EXAMINER: All right.  11 BY MS. LINK:  12 Q. Does proximity to a transmission or  13 distribution source necessarily mean that a project  14 like this one can be avoided?  15 A. No. That's somewhat of a myth. And I've  16 seen it in the county's comprehensive -- I guess it's  17 their long-range plan, the map they have of existing  18 and future transmission corridors. And the myth seems  19 to be that you can site anything you want near an  20 existing transmission line and there's adequate  21 capacity, there's plenty of capacity, and that is not  22 the case.  23 We evaluate large block load customers on  24 a case-by-case basis. We look at the direct connected  25 load to the lines, and we evaluate the entire area to</p>	<p style="text-align: right;">Page 350</p> <p>1 A. Yes.  2 Q. Okay. So we'll hand those out.  3 Mr. Gill, let's start with the letter.  4 MS. LINK: Let's have it marked first.  5 Your Honor, there's a letter dated April 12th, 2016.  6 It is from Dominion's director of state and local  7 affairs, Deborah Tompkins Johnson, to Mr. Chris Price,  8 the planning director at Prince William County.  9 May we have it marked?  10 THE HEARING EXAMINER: Exhibit 32.  11 (Exhibit No. 32 was marked for  12 identification.)  13 MS. LINK: Thank you.  14 BY MS. LINK:  15 Q. And, Mr. Gill, so let's just back up a  16 second.  17 A. Sure.  18 Q. Were you aware as a transmission planner  19 of the Prince William County efforts to create a data  20 overlay district?  21 A. Yes.  22 Q. And were you consulted on some input that  23 the Company would like to provide to the county with  24 regard to the data center opportunity zone overlay  25 district?</p>

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1 A. Yes, I was asked.

2 Q. Okay. Can you overview this letter for  
3 us?

4 A. Sure. I think specifically second  
5 paragraph, this was the part that I had the most  
6 concern, that I wanted to make sure that as many  
7 people in Prince William County understand this, that,  
8 you know, we note that the draft ordinance does not  
9 appear to reflect the fact that proximity to a  
10 transmission line greater than 69 kV does not  
11 establish that existing infrastructure has the  
12 capability to serve nonspecific block load additions.  
13 Case-by-case analysis would be needed by the electric  
14 utility to determine the suitability of existing  
15 facilities for new load as Dominion has discussed  
16 previously.

17 And I actually attended a meeting with  
18 the Prince William County economic development folks  
19 back in February, and I tried to make that point --  
20 again, without giving away any confidential  
21 information -- that just because you say put a large  
22 block load next to an existing line doesn't mean that  
23 at some point in the future we're not going to be back  
24 asking for a line to serve that area.

25 THE HEARING EXAMINER: So I guess the

1 point is that when they are looking at these data  
2 center overlay districts, they are not considering the  
3 existing infrastructure --

4 THE WITNESS: Well --

5 THE HEARING EXAMINER: -- to serve that  
6 load; is that your point?

7 THE WITNESS: Well, the county's -- I  
8 don't know what their thought was, but it appears that  
9 they have simply looked at maybe Google Earth -- and I  
10 think NOVEC actually provides locations for their  
11 transmission facilities. Dominion does not because  
12 it's critical energy infrastructure information. But  
13 they had taken what appears to be a snapshot of  
14 existing corridors from approximately 2008 and said,  
15 you know, this is where all future transmission lines  
16 will be routed.

17 Now, I would like to note that in 2012  
18 they updated that map. It does not appear to have  
19 included projects that were either built or underway  
20 at that time, which they should have known about,  
21 specifically the Cannon Branch-Cloverhill and  
22 Cloverhill to Liberty lines; those were not noted in  
23 the long-range map that was included in their  
24 comprehensive plan.

25 But it seems that they have just taken

1 that snapshot and said that's where everything goes,  
2 but there was no consideration or no consultation that  
3 I'm aware of with the Company specifically, the  
4 transmission department, of, you know, is that a good  
5 policy; will that policy support future data centers.

6 And that's what we were trying to get  
7 into this letter is just because you say put it over  
8 near an existing line does not mean that that line has  
9 the capacity, or there may be direct connected load  
10 that factors into the contingency analysis that we do  
11 that would impact trying to put another large block  
12 load in that area. So that's the point that I'm  
13 trying to get across.

14 BY MS. LINK:

15 Q. And to further that point with the fourth  
16 paragraph of the letter, that's -- Ms. Johnson does  
17 bring up the hundred megawatt standard that we've  
18 talked about in this proceeding, correct?

19 A. Yes, yes. And let me just continue on  
20 that it appears from this overlay map, the draft --

21 Q. Move to exhibit --

22 A. Yes, please.

23 MS. LINK: All right, Your Honor. We've  
24 also passed out a Prince William County news release  
25 from their website. It's dated May 18, 2016. It's

1 entitled, Prince William County solidifies data center  
2 opportunities, and it has attached a color map of the  
3 draft, Prince William County data center opportunity  
4 zone overlay district.

5 BY MS. LINK:

6 Q. Would you like the map?

7 A. I've got it.

8 Q. Would you like to talk from the map?

9 A. Sure, sure, if I could.

10 The large -- I guess it's the blue area,  
11 thank you. Any of the blue areas I believe are what  
12 they are calling the overlay zone of the proposed  
13 overlay district. And, you know, there's some  
14 outliers that are adjacent to existing transmission  
15 lines, but the bulk of this overlay district appears  
16 to be concentrated around the Innovation Technology  
17 Park area.

18 And I'd like to point out that while we  
19 have the major north-south -- I'll call it  
20 north-south; it's kind of southwest-northeast --  
21 corridor running up through there, picking up the  
22 Gainesville Station and then skirting around the  
23 battlefield, continuing --

24 Q. Am I pointing to the right location, this  
25 red line?

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1 A. Yes, ma'am, that's the corridor that I  
2 was speaking of.  
3 Q. Okay.  
4 A. I've heard comments about, well, you  
5 know, you just built those 500 kV lines and you have  
6 all this capacity, I think it's worth pointing out  
7 that those 500 kV lines are the backbone of the  
8 system. They terminate at Loudoun Substation, which  
9 is several miles further north. They do not have an  
10 injection point into the Gainesville Substation,  
11 detailed in the appendix section of how Gainesville is  
12 actually fed.  
13 But continuing on to that point, a lot of  
14 these lines that are shown in here are the NOVEC  
15 facilities, which the majority are 115 kV lines, the  
16 majority of the lines that are shown on here. There  
17 are a couple of Dominion 230 kV lines which we feed  
18 NOVEC delivery points and they take delivery at 115  
19 and distribute that radially through their territory.  
20 There is a recent delivery point that is at 230 kV,  
21 but that's just the newest or the only 230 kV delivery  
22 point for NOVEC in this area.  
23 And I point this out because any large  
24 block load addition going in this area -- and we have  
25 had inquiries and we're presently dealing with

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1 potential new data centers, and the amount of load --  
2 and give hats off to the county, they have been  
3 successful in attracting this type of load to their  
4 county, but the amount of load that we're starting to  
5 see, you know, the interest in, it's causing us some  
6 concern in the sense that we're going to end up  
7 converting or having to convert at some point some of  
8 these 115 kV lines in this zone that's going to impact  
9 NOVEC, and it will require them to completely redo  
10 their delivery points, the ones that are fed from 115.  
11 And at some point, even that won't be enough; we'll  
12 have to bring additional sources into the area because  
13 that large blue area really only has three 230 kV  
14 lines feeding it. We have one that comes up from -- I  
15 don't know if you can see Nokesville. I don't know  
16 how best to point this, but Nokesville on the overlay  
17 or --  
18 Q. It's hard to see anything on the overlay.  
19 A. It's in the bottom-left corner in that  
20 general facility of Nokesville --  
21 MS. HARDEN: Could I ask that you go  
22 point it out there and then we can see?  
23 THE WITNESS: Sure.  
24 MS. LINK: I can try and point. Here's  
25 Nokesville. We'll do a better job of communicating.

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1 THE WITNESS: So in that corridor, we  
2 have two 500 kV lines, and underbuild each of those is  
3 a 230 kV line on five two-style towers.  
4 The line that's on the eastern side of  
5 the right-of-way comes up from our Bristers  
6 Substation, which is off of this map, and it cuts to  
7 the -- well, it looks like here it cuts to the  
8 southeast --  
9 BY MS. LINK:  
10 Q. Why don't we have you go up to the map.  
11 A. I'm sorry.  
12 Q. You'll just have to speak really loud.  
13 Thank you.  
14 A. So one of the 230 kV lines that comes up  
15 this corridor cuts over and goes to our Liberty  
16 Switching Station and then loops back out to the  
17 corridor. And that's a recent conversion of a 115 kV  
18 line, and it continues on and terminates at our  
19 Gainesville Substation. So that's two lines going  
20 into that area, one source being from Bristers, one  
21 source being from Gainesville.  
22 The other source comes from Fairfax  
23 County, our Clifton Substation, and it's a 230 kV line  
24 that runs down through the City of Manassas Park and  
25 City of Manassas to our Cannon Branch Substation, and

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1 then from Cannon Branch it goes on down to Cloverhill  
2 and then loops over to Liberty, and that's part of the  
3 project that was discussed earlier.  
4 Those are the only three sources into  
5 that -- the only three 230 kV sources into that area.  
6 So continuing to pile data centers into that area just  
7 because you have lines, while thermally they may be  
8 okay, at some point we're going to have to look at the  
9 contingency of what happens when everything is  
10 configured and we end up with loss of two sources and  
11 we've dropped more than 300 megawatts; and that is a  
12 very real possibility in this area, especially with  
13 the county continuing to try and put data centers over  
14 there. It's nothing that we can't handle, but at the  
15 same time it's going to require more lines just like  
16 what we're here for today, that I'm sure there's going  
17 to be some unhappy people somewhere in Prince William  
18 County.  
19 THE HEARING EXAMINER: Could you point  
20 out to me where the Innovation Park Center is located?  
21 THE WITNESS: I don't have specific  
22 boundaries that I can describe.  
23 THE HEARING EXAMINER: Just give me a  
24 general idea of where it's located.  
25 THE WITNESS: So here is our Cannon --

1 yeah, here's our Cannon Branch facility, the line that  
2 goes over double circuit down to Cloverhill. The  
3 Innovation Park is up in this area. I don't know how  
4 far up it extends. There's a description on the  
5 county website that gives the boundaries of it.

6 BY MS. LINK:

7 Q. So it's north and west of the City of  
8 Manassas on the map?

9 A. Yes, I'd say that's accurate.

10 THE HEARING EXAMINER: Is it north of the  
11 City of Manassas or west?

12 THE WITNESS: It continues up into this  
13 area.

14 THE HEARING EXAMINER: I'm having a hard  
15 time seeing here. You're in the way when you're  
16 pointing.

17 THE WITNESS: So I'm using this as my  
18 reference just because that's how I get oriented.

19 THE HEARING EXAMINER: All right.

20 THE WITNESS: So it's up in this area of  
21 that zone -- or of that blue area.

22 THE HEARING EXAMINER: I'm sure you heard  
23 that there's a lot of testimony by a lot of witnesses  
24 at the local hearings that a transmission line is not  
25 needed, the Company doesn't develop in the data

1 answering it just today? Forgetting about the --  
2 would it be possible to serve that additional block  
3 load from Innovation Park that you're constructing  
4 this transmission line to serve? Forgetting about  
5 future growth. Just today?

6 THE WITNESS: From a thermal perspective,  
7 the lines can handle it. But performing a contingency  
8 analysis, I cannot say with any certainty that --  
9 while we can serve it, I can't say that it would not  
10 require additional sources into the area.

11 THE HEARING EXAMINER: Just needs further  
12 study?

13 THE WITNESS: Yes, sir.

14 THE HEARING EXAMINER: Okay.

15 BY MS. LINK:

16 Q. And that's the case-by-case analysis?

17 A. That's the case-by-case analysis. And we  
18 do try to, you know, make sure that whatever solution  
19 we select, you know, it's going to be robust and allow  
20 us the flexibility to entertain these new inquiries.

21 Q. And just staying with the data center  
22 overlay district, what is your understanding if a new  
23 data center would like to site outside the district,  
24 the overlay district, is that still possible?

25 A. Well, it's my understanding that that is

1 center, should go to Innovation Park?

2 THE WITNESS: Yes, sir.

3 THE HEARING EXAMINER: And that there are  
4 existing facilities there now. I'm not expressing any  
5 opinion on whether or not the Commission has the  
6 authority to deny the application on that basis,  
7 because I'm highly doubtful on it, but the question I  
8 have is, is there sufficient infrastructure at  
9 Innovation Park? If the Company moved there with  
10 their load, would you need to upgrade your electric  
11 facilities to serve it?

12 THE WITNESS: As I explained in another  
13 case, this is a very dynamic area, and there are a lot  
14 of moving pieces, so it would depend on where they  
15 located in that area, what else was going on because  
16 as I was speaking yesterday, I received a call as I  
17 was getting prepared for this from NOVEC, you know,  
18 hey, we've got an inquiry for a new data center. And  
19 we started evaluating, and that particular inquiry  
20 would require a line extension. Now, not necessarily  
21 outside of -- you know, from outside into this area,  
22 but it just adds to all of the load that's going to  
23 eventually be packed in here, so I can't answer your  
24 question.

25 THE HEARING EXAMINER: How about

1 still possible, but it will require a special  
2 exception or a special use permit. Again, I'm not a  
3 land planner, but some kind of a special exception or  
4 use.

5 Q. That wasn't the case with this particular  
6 campus; this campus was zoned by right?

7 A. No. This campus was zoned by right. I  
8 was out there last Thursday, and the customer already  
9 has steel coming up out of the ground, you know, for  
10 the new buildings, so they are rolling along.

11 Q. All right. Anything else with regard to  
12 exhibits --

13 MS. LINK: Your Honor, did we mark the  
14 overlay district?

15 THE HEARING EXAMINER: I haven't marked  
16 it. I marked the letter April 12th letter as  
17 Exhibit 32.

18 MS. LINK: Okay. Can we mark the press  
19 release with the map from Prince William County's  
20 overlay district, please?

21 THE HEARING EXAMINER: Did I note your  
22 exception, Mr. Chambliss?

23 MR. CHAMBLISS: Being offered into the  
24 evidence, yes.

25 THE HEARING EXAMINER: Okay.

<p style="text-align: right;">Page 363</p> <p>1 MS. LINK: And what is the objection 2 exactly? 3 MR. CHAMBLISS: The objection is, for 4 instance, this Exhibit 33 is a letter dated May 18th. 5 Mr. Gill's testimony was -- rebuttal testimony was 6 filed on June 9th. If he wanted to address this, the 7 proper way to have done this would have been in his 8 rebuttal testimony, not -- this is supplemental 9 general rebuttal here. This is not surrebuttal that 10 Ms. Link is conducting him through at this point. 11 The objection is not so much to the 12 content, but to the procedure. 13 THE HEARING EXAMINER: Sure. 14 MS. LINK: My response on the procedure 15 is we would not have been bringing this up but for a 16 June 17th letter which was filed after our rebuttal 17 from Mr. Weir criticizing Mr. Gill about not knowing 18 about the change to the county ordinance. 19 THE HEARING EXAMINER: And that's exactly 20 why I'm going to admit it, is because the, quote, 21 supplemental testimony, which, I guess, is 22 supplemental public testimony -- 23 MR. CHAMBLISS: She didn't tie this 24 document back to Mr. Weir's testimony at all. 25 MS. LINK: Your Honor, this is -- I'll</p>	<p style="text-align: right;">Page 365</p> <p>1 THE HEARING EXAMINER: All right, sir. 2 BY MS. LINK: 3 Q. I'd like to move to a different area at 4 this time. 5 Pursuant to cross-examination from 6 Mr. Reisinger, I believe you brought up NERC 7 reliability criteria FAC-001-2 and FAC-002-2? 8 A. Yeah, FAC-001 and FAC-002. 9 Q. And you also brought up the Company's 10 facility interconnection requirements? 11 A. Yes, ma'am. 12 MS. LINK: Your Honor, we have some 13 documents to hand out. 14 THE HEARING EXAMINER: All right. 15 MS. LINK: I think we've handed out three 16 documents; and maybe we'll have them all marked at 17 this time. 18 Your Honor, may we have -- 19 MR. CHAMBLISS: We just have one at this 20 time. 21 THE HEARING EXAMINER: I just have one. 22 MS. LINK: Thank you. Your Honor, I put 23 on the screen -- I think everyone has three documents 24 now. 25 FAC-001-2, facility interconnection</p>
<p style="text-align: right;">Page 364</p> <p>1 put it back up just to be clear on the record. 2 Mr. Weir's letter, June 17th, page five. 3 THE HEARING EXAMINER: I understand that 4 and I'll allow it in simply because it was filed late. 5 This supplemental testimony is not normally what we 6 see from a public witness, it's fairly technical, and 7 I think that Virginia Power should be given an 8 opportunity to respond. 9 So on that basis, I'm going to admit it, 10 and I will note the Staff's objection. 11 So the press release is Exhibit 33, 12 marked and received, subject to any questions of 13 counsel. 14 (Exhibit No. 33 was marked and admitted 15 into evidence.) 16 THE HEARING EXAMINER: And I wanted to 17 ask Mr. Gill, what is the status, if any, of these new 18 actions by Prince William County to establish these 19 areas for data centers? Is that still pending? Is 20 that still something they are working on? 21 THE WITNESS: No, sir. My understanding, 22 subject to check, was that this data center overlay -- 23 or not sure exactly what -- the opportunity zone was 24 approved at their May 17 board of supervisors' 25 meeting.</p>	<p style="text-align: right;">Page 366</p> <p>1 requirements, may we have that marked for 2 identification? 3 THE HEARING EXAMINER: Be marked as 4 Exhibit 34. That's FAC-001-2, correct, Ms. Link? 5 That's what you have up on the overhead? 6 MS. LINK: Okay. 7 (Exhibit No. 34 was marked for 8 identification.) 9 MS. LINK: Then we'll move to FAC-002-2, 10 facility interconnection studies. 11 Can we have that marked? 12 THE HEARING EXAMINER: Yes, Exhibit 35. 13 (Exhibit No. 35 was marked for 14 identification.) 15 MS. LINK: And then finally this is an 16 excerpt from Dominion's facility interconnection 17 requirements. 18 Can we have that marked? 19 THE HEARING EXAMINER: Exhibit 36. 20 (Exhibit No. 36 was marked for 21 identification.) 22 BY MS. LINK: 23 Q. Mr. Gill, yesterday you were questioned 24 on whether there would be NERC reliability violations 25 not --</p>

1 MR. REISINGER: Your Honor, I think I'll  
2 object to this question. This was cross-examination  
3 from yesterday. Ms. Link had the opportunity to do a  
4 redirect examination if she needed to at that point.

5 MS. LINK: I didn't have the documents  
6 printed out, Your Honor. I'm just putting them in for  
7 evidence of what Mr. Gill said verbally, which is that  
8 we are required to -- by NERC required to have  
9 facility interconnection requirements and we are  
10 required to follow them. And then I also thought  
11 important for the record for you to be able to see  
12 exactly where in the requirements we have the  
13 100-megawatt threshold listed and what the solutions  
14 for 100 megawatts are.

15 Again, a party that had not filed  
16 anything prior to the hearing came in on the hearing  
17 and is questioning the need.

18 MR. REISINGER: Your Honor, the extent of  
19 my cross-examination yesterday was simply asking  
20 Mr. Gill to read into the record his statement in a  
21 Company interrogatory response, and then I asked her  
22 that interrogatory to be admitted into the record.  
23 That was the extent of my cross-examination. Ms. Link  
24 did not choose to do any redirect examination at that  
25 time.

1 requirements. And FAC-002 just says we need to meet  
2 those requirements.

3 Q. I know we went really quick. But under  
4 001 it's B.R1 that says you must document facility  
5 interconnection requirements?

6 A. Yes. Each transmission owner's facility  
7 interconnection requirements shall address  
8 interconnection requirements for -- and it goes  
9 through -- generation facilities, transmission  
10 facilities, end-user facilities.

11 Q. And B.M1 states that you shall have  
12 evidence that you met all the requirements --

13 A. Correct.

14 Q. -- in R1?

15 A. Correct.

16 Q. Is that all for Exhibit 34?

17 A. It is. But I believe that M1 refers to  
18 what will be Exhibit 36, which is our interconnection  
19 requirements document, so...

20 Q. Let's -- on Exhibit 35, how does that  
21 relate then to Exhibit 34?

22 A. Well, as I mentioned earlier, 34 says you  
23 have to have the requirements. And 35 basically  
24 states that you have to adhere to those requirements.  
25 Let me see. Where is it. I'm going to say B.R1, each

1 MS. LINK: Well, first I'll say that was  
2 the extent of your cross, but then Mr. Chambliss  
3 followed up with his cross and brought up the  
4 facility -- the 100-megawatt threshold, and Mr. Gill  
5 gave his answer about the requirements, and then I did  
6 do redirect on the topic. I did not have the  
7 documents handy. I have them handy now. It's  
8 important for completion of the record.

9 THE HEARING EXAMINER: I think, it is,  
10 too, and I'll allow them.

11 MS. LINK: I'm sorry?

12 THE HEARING EXAMINER: I said I'll allow  
13 the exhibits to be introduced.

14 MS. LINK: Thank you. And I'll be brief.  
15 BY MS. LINK:

16 Q. So Mr. Gill, can you just briefly walk us  
17 through the documents that give support to your  
18 statements yesterday about requirements from NERC that  
19 you maintain facility interconnection requirements and  
20 that you follow them?

21 A. Sure.

22 Q. Let's start with Exhibit 34.

23 A. Okay. Again, trying to go quickly here,  
24 the FAC-001 is basically the document that says the  
25 Company must have interconnection standards and

1 transmission planner and planning coordinator shall  
2 study the reliability impact of interconnecting new  
3 generation, transmission, or electricity end-user  
4 facilities, reliability impact of new  
5 interconnection --

6 Q. Is it --

7 A. The following shall be studied, and it  
8 gives a list of things we need to study.

9 Q. One of them being --

10 A. 1.2, adherence to the applicable NERC  
11 reliability standards, regional and transmission owner  
12 planning criteria, and facility interconnection  
13 requirements.

14 Q. So this is what tells you -- that NERC  
15 tells you that you have to adhere to your facility  
16 interconnection requirements?

17 A. Yes.

18 Q. Okay. And then we go to the excerpt from  
19 your facility interconnection requirements,  
20 Exhibit 36?

21 A. Sure.

22 Q. Okay. And, again, we said that's an  
23 excerpt. I've listed just the table of contents to  
24 ground folks.

25 And so then there's a purpose and

<p style="text-align: right;">Page 371</p> <p>1 introduction that I'm pointing to?</p> <p>2 A. Yes.</p> <p>3 Q. And that is to document that the facility</p> <p>4 interconnection requirements document is publicly</p> <p>5 available?</p> <p>6 A. Right.</p> <p>7 Q. And to provide guidance?</p> <p>8 A. Yeah, as required by NERC reliability</p> <p>9 standard FAC-001.</p> <p>10 Q. There it is, it's the evidence.</p> <p>11 Okay. And then I would direct you to the</p> <p>12 next page in the document. Dominion has prepared this</p> <p>13 document for the purpose of complying with NERC</p> <p>14 reliability standards, specifically standard FAC-001?</p> <p>15 A. Correct.</p> <p>16 Q. And this is an excerpt from one of the</p> <p>17 appendices, page 16 of 31, and it talks about radial</p> <p>18 transmission lines.</p> <p>19 Can you just highlight what that</p> <p>20 provision says?</p> <p>21 A. Well, that's the Dominion radial</p> <p>22 transmission line criteria C.2.6.</p> <p>23 Do you want to just read the whole --</p> <p>24 Q. No. You can just give us generally what</p> <p>25 that means to you as a transmission planner.</p>	<p style="text-align: right;">Page 373</p> <p>1 interconnection requirements that's required by NERC;</p> <p>2 and by following them, you avoid a violation of a NERC</p> <p>3 reliability --</p> <p>4 A. That's correct.</p> <p>5 Q. -- criteria, correct?</p> <p>6 A. Yes, yes.</p> <p>7 MS. LINK: All right. Your Honor, I move</p> <p>8 the admission of 34, 35, and 36.</p> <p>9 MR. REISINGER: Your Honor, I object for</p> <p>10 the record.</p> <p>11 MR. CHAMBLISS: Your Honor, I do not</p> <p>12 object for the record for the introduction of these</p> <p>13 documents.</p> <p>14 THE HEARING EXAMINER: Thank you,</p> <p>15 Mr. Chambliss, for that.</p> <p>16 Mr. Reisinger, your objection is noted.</p> <p>17 MR. REISINGER: Thank you.</p> <p>18 THE HEARING EXAMINER: 34, 35, and 36</p> <p>19 will be received into the record.</p> <p>20 (Exhibit No. 34 was admitted into</p> <p>21 evidence.)</p> <p>22 (Exhibit No. 35 was admitted into</p> <p>23 evidence.)</p> <p>24 (Exhibit No. 36 was admitted into</p> <p>25 evidence.)</p>
<p style="text-align: right;">Page 372</p> <p>1 A. Sure. Basically it says that load on a</p> <p>2 radial line 100 megawatts or greater will have to be</p> <p>3 networked.</p> <p>4 Q. Okay. And the radial line in this</p> <p>5 situation was the Gainesville to Loudoun Line Number</p> <p>6 124?</p> <p>7 A. No. The radial line would have been the</p> <p>8 line from the -- extending from whatever source we</p> <p>9 would choose, you know, which --</p> <p>10 Q. To Haymarket?</p> <p>11 A. To Haymarket, correct. And --</p> <p>12 Q. So this said you could not have made the</p> <p>13 tap point from north of Gainesville to Haymarket a</p> <p>14 single circuit?</p> <p>15 A. No. We would have to network that. And</p> <p>16 that's what the proposed solution is, is a loop down</p> <p>17 and back, which is, according to this, a perfectly</p> <p>18 acceptable -- and it's actually the preferred network</p> <p>19 from separate transmission substation sources. So</p> <p>20 with the converted 124 Line, one source would be the</p> <p>21 Gainesville Substation, with the line going from</p> <p>22 Gainesville to Haymarket, and then from Haymarket back</p> <p>23 out to that corridor and continuing on to Loudoun</p> <p>24 where the other termination would be.</p> <p>25 Q. Okay. So it is following these facility</p>	<p style="text-align: right;">Page 374</p> <p>1 BY MS. LINK:</p> <p>2 Q. All right. One brief final area.</p> <p>3 THE HEARING EXAMINER: And I think it's</p> <p>4 important that this information come into the record</p> <p>5 because there was a suggestion that maybe you could</p> <p>6 serve this facility or radial line it over a hundred</p> <p>7 megawatts. And anything that adds to the record which</p> <p>8 addresses that contention I think is important.</p> <p>9 BY MS. LINK:</p> <p>10 Q. All right. Just briefly, Mr. Gill, we</p> <p>11 had some discussion with Mr. Joshipura about the</p> <p>12 Staff's reading of the tariff.</p> <p>13 Were you in the courtroom for that?</p> <p>14 A. Yes, I was.</p> <p>15 Q. Okay. And in your view for the</p> <p>16 transmission component or the transmission project,</p> <p>17 what is the existing source?</p> <p>18 A. The source as Mr. Joshipura pointed out</p> <p>19 would be the converted 124 Line.</p> <p>20 Q. So the tap point that's about a half mile</p> <p>21 north of Gainesville Substation?</p> <p>22 A. That's correct.</p> <p>23 Q. That's the existing source in your view?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And then the transmission line,</p>

1 whether it's overhead or hybrid, where does it then, I  
2 guess, terminate?

3 A. It will terminate at the Haymarket  
4 Substation on Company-owned property. The Company  
5 does not own the property yet, but will own the  
6 property.

7 Q. So before the Company builds Haymarket  
8 Substation, it will acquire the property?

9 A. Correct.

10 Q. And it will own it in fee in its own  
11 name?

12 A. Yes. We would not build it unless we  
13 owned it.

14 Q. And in terms of the very specific  
15 termination point of the transmission in the  
16 substation, does it terminate at the high side of the  
17 pro --

18 A. At the high side of the protective  
19 device.

20 Q. Of the substation?

21 A. Of the substation, yes.

22 Q. That's where it terminates. And then  
23 from there towards the customer, it becomes a  
24 distribution facility?

25 A. Sure.

1 Q. Transformer --

2 A. Transformer on down.

3 Q. Is distribution?

4 A. Yes.

5 THE HEARING EXAMINER: When you say  
6 terminate at the high side, you're talking about the  
7 230 kV; is that what you mean by high side?

8 THE WITNESS: Yes, sir. We're going to  
9 have -- I believe it will be set up for a ring bus  
10 configuration, and two bus sections will be set for  
11 the lines that come in, and two other bus sections  
12 will be used to feed the transformers.

13 THE HEARING EXAMINER: So the termination  
14 point is between the ring bus and the 230 kV line?

15 THE WITNESS: The termination point would  
16 be the bus segment between the two breakers, which  
17 would be considered the protective device.

18 THE HEARING EXAMINER: Okay.

19 BY MS. LINK:

20 Q. So since the transmission facilities will  
21 be on Company-owned property, do you believe there  
22 will be any transmission facilities on customer-owned  
23 property once they are built -- once it is built?

24 A. No.

25 MS. LINK: Thank you.

1 That's all I have. Your Honor, Mr. Gill  
2 is available for cross. And I believe all my exhibits  
3 are in, 28 through 36. Thank you.

4 THE HEARING EXAMINER: I was a little  
5 confused by the answer to that last question.

6 You said there would be no transmission  
7 line on customer-owned property? Is that what you  
8 said?

9 THE WITNESS: Correct.

10 THE HEARING EXAMINER: Is the property  
11 that's going to be conveyed to you located on the  
12 boundary of the customer's property?

13 THE WITNESS: That's my understanding,  
14 but I would have to -- subject to check...

15 THE HEARING EXAMINER: Okay. I was just  
16 wondering whether or not that transmission line will  
17 span the customer's property to reach the substation.

18 THE WITNESS: That's a good question. I  
19 can't say definitively, but my understanding is it  
20 will terminate on a substation that's fully on  
21 Dominion-owned property.

22 THE HEARING EXAMINER: All right. Okay.

23 Does that complete your direct, Ms. Link?

24 MS. LINK: Yes.

25 THE HEARING EXAMINER: All right.

1 Mr. Coughlin?

2 MR. COUGHLIN: Good morning, Your Honor.

3 THE HEARING EXAMINER: Good morning.

4 CROSS-EXAMINATION (Reb.)

5 BY MR. COUGHLIN:

6 Q. Good morning as well, Mr. Gill.

7 A. Good morning.

8 Q. Turning to the Southview property, isn't  
9 it true that that property could be served just by a  
10 distribution line?

11 A. I suspect that would depend on what the  
12 build-out would be, what the uses would be. If you're  
13 talking about a data center, likely not.

14 Q. But if it wasn't a data center, isn't it  
15 true it could be served by a distribution facility?

16 A. Again, that would be something that would  
17 depend on the type of load; and I would have to defer  
18 that to Company Witness Potter.

19 Q. And so in the record right now, there's  
20 no study in terms of the load requirements for the  
21 Southview 66 property, correct?

22 A. We don't have any load information that  
23 I'm aware of. That would have to come from the  
24 developer of the site; they would provide that to us.

25 Q. And assuming it were a distribution



<p style="text-align: right;">Page 379</p> <p>1 facility, I mean, there's been no study done in terms</p> <p>2 of how you would ultimately get the lines into the</p> <p>3 Southview property, correct, at this point?</p> <p>4 A. That's going to be a distribution</p> <p>5 question.</p> <p>6 Q. And there's been no study put into the</p> <p>7 record regarding how that might be done, correct?</p> <p>8 A. Not that I'm aware of. We don't have any</p> <p>9 firm plans of what load is going to develop there.</p> <p>10 Q. Okay. And I believe earlier you said --</p> <p>11 I just want to make sure that it's clear -- currently</p> <p>12 there are no NERC violations imminent, setting aside</p> <p>13 the data center site that we're here about today, at</p> <p>14 the Gainesville Substation?</p> <p>15 A. Correct. That's not what's driving this</p> <p>16 project, correct.</p> <p>17 MR. COUGHLIN: Thank you. No further</p> <p>18 questions.</p> <p>19 THE HEARING EXAMINER: All right. Thank</p> <p>20 you.</p> <p>21 Ms. Alexander?</p> <p>22 MS. ALEXANDER: I have a couple. Thank</p> <p>23 you.</p> <p>24 CROSS-EXAMINATION (Reb.)</p> <p>25 BY MS. ALEXANDER:</p>	<p style="text-align: right;">Page 381</p> <p>1 additional circuit added, correct, to serve any new</p> <p>2 data center that was locating within that zone?</p> <p>3 A. Again, subject to study on a case-by-case</p> <p>4 basis.</p> <p>5 Q. Right. And would you agree that that is</p> <p>6 not the same thing as building a completely new</p> <p>7 transmission line of the length that we're talking</p> <p>8 about in the present case?</p> <p>9 A. Could you restate that question, please?</p> <p>10 Q. Sure. In other words, if you have said</p> <p>11 that there are already lines within the data</p> <p>12 opportunity zone overlay district and that if a large</p> <p>13 block load customer wanted to locate within that area,</p> <p>14 that you could either be adding another line or</p> <p>15 modifying existing lines already in service; you had</p> <p>16 said that was most likely how you would serve those</p> <p>17 customers in the future?</p> <p>18 A. Well, when I said adding a line, that</p> <p>19 could come from outside of the data center opportunity</p> <p>20 zone from a distance every bit as great as what we're</p> <p>21 proposing to Haymarket.</p> <p>22 Q. Would you agree that this is more of a</p> <p>23 commercial or industrial type of area rather than the</p> <p>24 length, span we're talking about within this line that</p> <p>25 is more of an agricultural and residential type of</p>
<p style="text-align: right;">Page 380</p> <p>1 Q. I'll stay seated, if that's okay, so</p> <p>2 everyone can hear me.</p> <p>3 A. Yes.</p> <p>4 Q. You spent a lot of time discussing what</p> <p>5 was marked as Exhibit 33, the overlay district for the</p> <p>6 data center opportunity zone. Overlay district is</p> <p>7 what it was identified as.</p> <p>8 And you were mentioning that a large</p> <p>9 block load customer shouldn't assume and the public,</p> <p>10 in general, shouldn't assume because there's now this</p> <p>11 overlay district that the county, Prince William</p> <p>12 County, has approved doesn't mean they can just</p> <p>13 relocate or put a data center within that area and</p> <p>14 assume it can just connect to, you know, a facility</p> <p>15 that's already there.</p> <p>16 Was that generally your testimony?</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. Okay. But isn't it also true that within</p> <p>19 that overlay district, which we kind of generally were</p> <p>20 showing, I think you generally showed the Innovation</p> <p>21 Park area as kind of being within the center of that</p> <p>22 data center overlay district.</p> <p>23 There are already lines within that --</p> <p>24 within that data center opportunity zone overlay</p> <p>25 district that could either be modified or maybe an</p>	<p style="text-align: right;">Page 382</p> <p>1 nature?</p> <p>2 A. I'm not going to speculate on the nature</p> <p>3 of the zoning, agricultural or residential, for this</p> <p>4 line.</p> <p>5 Q. Do you want to switch to Exhibit 30? Do</p> <p>6 you have that in front of you?</p> <p>7 A. Give me just one second, please.</p> <p>8 Okay. I've got it.</p> <p>9 MS. LINK: What page are you on again?</p> <p>10 MS. ALEXANDER: Page 11 of Exhibit 30.</p> <p>11 It's just this build-out component.</p> <p>12 BY MS. ALEXANDER:</p> <p>13 Q. This is just referring to a county map</p> <p>14 you were relying on in your earlier surrebuttal.</p> <p>15 The rural area is, you know, shown again,</p> <p>16 according to the county, in this light green color,</p> <p>17 and then the dark grown shows residential, and then</p> <p>18 development area, this box area shows it's clear.</p> <p>19 Doesn't obviously indicate whether that's -- you know,</p> <p>20 what type of development that is, but you'd agree that</p> <p>21 the rural area shown here is -- you know, the light</p> <p>22 green kind of encompasses this whole outer area,</p> <p>23 correct?</p> <p>24 A. I think I also heard you mention that the</p> <p>25 dark green was residential?</p>

1 Q. Right.  
 2 A. Could you show me where that's stated on  
 3 that map?  
 4 Q. Right here. It says residential  
 5 inventory.  
 6 MS. ALEXANDER: I'm showing something you  
 7 guys can't see. But it is the key down here at the  
 8 bottom of the page.  
 9 THE WITNESS: Okay.  
 10 BY MS. ALEXANDER:  
 11 Q. So, again, while they do have an  
 12 additional area that's shown, the line is  
 13 essentially -- the proposed line is, you would agree,  
 14 obviously here is 66, so we're talking about  
 15 terminating somewhere within this -- if this is  
 16 Route 15, north-south, you know, I believe it's fair  
 17 to say the line termination point would be somewhere  
 18 close to that?  
 19 A. I'd agree with that, yes.  
 20 Q. That's all I got.  
 21 A. Sure.  
 22 Q. Okay. There we go.  
 23 MS. LINK: Ms. Alexander, can you point  
 24 again where you would -- where you put the line on  
 25 this?

1 MS. ALEXANDER: You can see Haymarket is  
 2 there, but I just know this is going to be the  
 3 Route 15 north-south; this is showing 66, you know,  
 4 east and west.  
 5 BY MS. ALEXANDER:  
 6 Q. I believe this red here showing non  
 7 residential right here and here as most likely the  
 8 Wal-Mart and my client's property here within the red.  
 9 And, again, I represent FST, but then there is  
 10 obviously all this surrounding it is in the light  
 11 green or in the residential zones, correct? Again --  
 12 A. It says development area. And apparently  
 13 the dark green is the residential inventory, so it's  
 14 the acreage --  
 15 Q. So far?  
 16 A. Not so far, but remaining to be built is  
 17 my understanding.  
 18 Q. And when I say "so far," I just mean  
 19 units developed so far, they are actually showing in  
 20 the dark green, but the remaining to be developed, I  
 21 believe, is left in the clear as far as the  
 22 residential components?  
 23 A. No. I believe that's backwards. My  
 24 understanding is residential inventory would be the  
 25 dark green.

1 Q. Yes, that is correct, as of that -- at  
 2 that time. And then when they talk about development  
 3 area, it's not showing exactly what types of units are  
 4 being built within that area; is that correct?  
 5 A. Well, again, I'm going to -- I'm not  
 6 trying to be argumentative, but my understanding is  
 7 the dark green is the residential area remaining to be  
 8 developed. The lighter area is what's already  
 9 developed, and that's just based on my local knowledge  
 10 that there are, in fact -- was it the Dominion valley  
 11 north of Interstate 66, a lot of that residential is  
 12 already there.  
 13 Q. And a lot of it is to be built, correct?  
 14 A. That's my understanding of the dark green  
 15 areas.  
 16 Q. Okay. And then the light green, again,  
 17 is the rural component, correct?  
 18 A. The light green, yes, it's identified as  
 19 rural area, yes.  
 20 Q. So when we're talking about a line that  
 21 is starting from somewhere approximately here and  
 22 going the length to approximately here, that is a  
 23 fairly extensive transmission line project, correct?  
 24 A. I believe it's listed as 5.1 miles.  
 25 Q. Okay. So my point there is if there is a

1 data center overlay district which is somewhere within  
 2 this zone here --  
 3 THE HEARING EXAMINER: Try to describe  
 4 specifically where you're pointing to because I know  
 5 the record when somebody looks at the transcript,  
 6 we're not going to know what you're talking about.  
 7 MS. ALEXANDER: I apologize. You're  
 8 correct.  
 9 BY MS. ALEXANDER:  
 10 Q. There's a red non residential inventory  
 11 area that is a little bit southeast of 29. And I  
 12 don't think 234 is shown on this map, but I believe,  
 13 again, the 234 intersection -- 234 bypass is traveling  
 14 south on this exhibit; and this gray zone here I  
 15 believe to be the City of Manassas; is that fair to  
 16 say with respect to the overlay district?  
 17 A. Well, based on what I can read here, it  
 18 says undeveloped land is in gray.  
 19 Q. Okay. Maybe it's better if we put this  
 20 one back up.  
 21 THE HEARING EXAMINER: What map is that,  
 22 Ms. Alexander?  
 23 MS. ALEXANDER: We're back to Exhibit 33.  
 24 THE HEARING EXAMINER: All right. The  
 25 third page of Exhibit 33, I think I'm with you.

1 BY MS. ALEXANDER:

2 Q. Basically, again, my point was simply the  
3 blue on this also, I believe, shows industrial  
4 employment and then it also indicates it's the  
5 proposed overlay district, correct? The blue key --

6 A. I can't tell -- to have two designations  
7 on the same map with the same color, I can't tell if  
8 those are the same color because, you know, you said  
9 the industrial employment, but then there's another  
10 one that says proposed overlay district.

11 Are there actually two different shades  
12 of blue? Again, I'm not trying to be argumentative; I  
13 just want to understand.

14 Q. Do you see any other dark blue within the  
15 map that we're looking at on page three?

16 A. Well, I see Possum Point Power Station by  
17 the Potomac River. I don't know if that would be  
18 considered industrial employment. And that does  
19 appear to be a slightly different shade of blue, so...

20 Q. Okay. So you don't think that it was the  
21 Prince William County's intention to allow future data  
22 centers in areas of industrial employment versus, say,  
23 agricultural, residential, or the red, which was non  
24 residential inventory?

25 A. I really don't know that I'm able to

1 originally was beginning to operate, correct?

2 A. Correct. They were being fed through our  
3 distribution system, but I do not know at what stage  
4 of their ramp-up they were in.

5 Q. At what stage of their ramp-up?

6 A. Yes.

7 Q. Okay. Well -- so you don't know, in  
8 other words, how long that data center was being  
9 served prior to the request for additional service?

10 A. That's correct.

11 Q. But it is true that the county has now  
12 made their position clear that they don't think that  
13 the expansion of data centers should be allowed to  
14 drive a new transmission line unless it is within a  
15 more heavily industrial area, correct?

16 A. That's my understanding of it. But they  
17 also will allow data centers other locations with a  
18 special use permit.

19 MS. ALEXANDER: Thank you. I have  
20 nothing further.

21 MS. HARDEN: I have a few questions.

22 THE HEARING EXAMINER: All right,  
23 Ms. Harden.

24 CROSS-EXAMINATION (Reb.)

25 BY MS. HARDEN:

1 speculate on what their intentions were. It does  
2 seem, however, that their policy up until the May 17th  
3 change for this overlay district was to allow data  
4 centers pretty much anywhere in the county.

5 Q. Let me ask you then -- and I'll go back  
6 to my seat because I think my other questions deals  
7 with an exhibit back there.

8 You also then think we're referring to  
9 Exhibit 29, which was the marketing material that you  
10 indicated was passed out maybe in a meeting that you  
11 attended in 2015, or you said you've had it for about  
12 a year?

13 A. Yes, ma'am.

14 Q. And is that what you were referring to  
15 when you said they were marketing these data centers  
16 and allowing them pretty much anywhere?

17 A. Yes.

18 Q. Okay. And you referred to that one dot  
19 on the far-left, kind of on the western side of  
20 Route 15 there, and you indicated that that was this  
21 site, correct, this data center site?

22 A. Correct.

23 Q. But isn't it true that a data center had  
24 been in existence in that area but it did not require  
25 any additional service at the time that data center

1 Q. I apologize; I seem to be losing my  
2 voice.

3 Is that better?

4 A. Yes.

5 Q. Okay. I'll go back over some of the  
6 testimony that you've given to Ms. Link -- I think  
7 it's fresher in your mind -- and then we'll go back to  
8 the historical stuff if we need to.

9 A. Sure.

10 Q. When you and Ms. Link first started  
11 talking, you said that after hearing the testimony  
12 from the witnesses from Southview and from FST that  
13 your belief was that development is occurring  
14 imminently or faster than you had previously thought,  
15 and you would have changed your -- and, please, tell  
16 me if I'm characterizing this incorrectly -- you would  
17 have changed your interrogatory statement to add "at  
18 this time"; is that what you recall saying?

19 A. I recall saying that I would like to have  
20 a do-over on that particular interrogatory response  
21 and add those three words at the end, yes.

22 Q. And that was because of the testimony  
23 that you heard yesterday; is that right?

24 A. That, and the looking through this  
25 build-out analysis, yes.

1 Q. I see, okay. And the build-out analysis,  
2 those were the two exhibits at 30 and 31 we're talking  
3 about; is that right? It's the build-out analysis and  
4 then the build-out methodology?

5 A. Yes.

6 Q. Okay. When did you first review those  
7 documents?

8 A. I can't give you a specific date, but I  
9 believe it was in response to some of the testimony  
10 provided by, I think it was, Mr. Napoli.

11 Q. Okay. And then I believe you testified  
12 that it was in response also to Mr. Weir's letter and  
13 the Prince William County letters that came in late  
14 last week; is that also correct?

15 A. Yes.

16 Q. Okay. Then I would like to understand a  
17 little bit better about -- your position is a  
18 transmission line planner, that's correct?

19 A. Yes, ma'am.

20 Q. And are you required in your planning  
21 methodology to evaluate the development in the certain  
22 area where you're going to propose that the lines go?

23 A. Not necessarily. A lot of the more, I'm  
24 going to say, ground level analysis would come through  
25 our distribution group, just like NOVEC would evaluate

1 stressed; and, therefore, I don't really have to look  
2 at anything else in the community; I just know it will  
3 be stressed with this one customer?

4 A. You would have to ask Mr. Potter that  
5 question.

6 Q. Sure. But as the planner, is it your  
7 understanding when you're evaluating different  
8 requests from customers on a case-by-case basis that  
9 you would always -- or should always incorporate an  
10 analysis of the development potential in the  
11 community?

12 A. I don't know that we look at it quite at  
13 that level of detail in the grass or the weeds,  
14 whatever you'd like to call it.

15 Q. Sure. Now, here's the basis of the  
16 question: Wouldn't it behoove the Company to know if  
17 they were going to have this request for the customer  
18 and that there was also a site plan that was ready to  
19 be approved for a new commercial development right  
20 around the corner that would also be on here as to  
21 whether or not you would need the 230 kilowatt or  
22 whether you would need other facilities to be built?

23 A. We do try to stay on top of what's coming  
24 in the pipeline. We do subscribe to various  
25 newsletters for the Northern Virginia area that try to

1 their system and decide when and where they needed a  
2 new substation. That's basically what happened in  
3 this case.

4 You know, Mr. Potter is our distribution  
5 company witness, determined that he needed a new  
6 substation to serve this load, and so the process is  
7 he submits a delivery point request, which is the same  
8 thing we require of the other load-serving entity in  
9 the area, which is NOVEC; anytime they require new  
10 facilities or a change or a modification to an  
11 existing facility, that delivery point request or  
12 change request is kind of the kick-off document that  
13 says, hey, Gill, you need to start evaluating how  
14 you're going to get a transmission line to where I  
15 need this capacity.

16 Q. Okay. So it would have been Mr. Potter's  
17 responsibility to evaluate when the development was  
18 going to occur or how much development was occurring  
19 as far as other benefits to the community?

20 A. He would -- yes, he would determine when  
21 his distribution system is stressed to the point that  
22 he needs new capacity.

23 Q. And would it have been simply sufficient  
24 in this particular case that he would just say we have  
25 this request from the customer; my line will be

1 detail, you know, actions within the county, new  
2 developments. Again, that's more at the level of  
3 detail that Mr. Potter would deal with.

4 Q. So then do you know how soon any of the  
5 other development that is included in the build-out  
6 analysis and the build-out analysis methodology -- do  
7 you have any idea when there would be a request for  
8 Dominion to supply power to any of this build-out?

9 A. No, ma'am, I don't. I'd also add that I  
10 don't know that some of these developers know when  
11 they are going to pull the trigger.

12 Q. Sure. I just wanted to clarify if you  
13 had any idea of an end date, 2018, 2024.

14 Do you normally include that as part of  
15 your evaluation for planning?

16 A. Include what?

17 Q. Include the end date for development.  
18 Meaning, do you consider what other development would  
19 be in the pipeline as you're reading the newsletters,  
20 as you're looking at the different things that are  
21 coming in the county? Do you consider that as --

22 A. Again, that's at a level that Company  
23 Witness Potter would address.

24 Q. Okay. No problem. You have said -- you  
25 were talking about the county -- the county -- I

<p style="text-align: right;">Page 395</p> <p>1 believe you were talking about the long-range plan  2 when you talked about a snapshot being taken from  3 overhead, probably supplied by NOVEC that was updated  4 in 2012 that designated the corridors, and your point,  5 I believe, was that no consideration or consultation  6 was made with you or with anyone at the Company  7 regarding those corridors; is that correct?  8 A. Yes. I was referring to the map that's  9 in the county's comprehensive plan; I think it's --  10 I'm not exactly certain of the location, but it's  11 designated something to the effect of existing  12 transmission corridors and future transmission  13 corridors within the county. I think it's like their  14 long-range land use plan map or something; it has a  15 pretty long name.  16 Q. But to your knowledge, there's no  17 coordination between the county and you or anyone in  18 the Company that helped with that?  19 A. Not on that map, not that I'm aware of.  20 Q. And I believe that you said that you  21 didn't think that was a good policy; am I  22 characterizing that accurately?  23 A. Well, I don't think it's good that a  24 locality would just proclaim this is where all future  25 transmission lines need to go without, in my opinion,</p>	<p style="text-align: right;">Page 397</p> <p>1 from the Company, or are you actively involved in  2 comprehensive plans and transmission line corridors  3 for other localities?  4 THE WITNESS: I'm not aware of us being  5 involved with other counties to develop a corridor for  6 existing transmission facilities. And part of that  7 may be that we do consider our transmission facilities  8 critical energy infrastructure information, and we  9 just soon not have it published. But that's also one  10 of the reasons that it would be good maybe to have a  11 heads-up, you know, when they are trying to court a  12 large customer, you know, to say what do you think;  13 and we can provide some guidance.  14 And that does take place to an extent,  15 but to have a policy where they just state this is  16 where all future transmission corridors should be, I  17 just don't agree with that. I think it's shortsighted  18 because, as I stated earlier, the analysis that we  19 will do for various contingencies might determine that  20 we need a new line into the area. And, for instance,  21 that north-south corridor with the 500 over the 230s,  22 I don't know what our ability is, but I believe that  23 corridor is full. And if we were to have to bring a  24 new facility up that corridor, it would have to be  25 widened or, you know, brought another route.</p>
<p style="text-align: right;">Page 396</p> <p>1 any knowledge of the transmission system or how it  2 operates or without any consultation with the entity  3 that serves or that owns and operates those  4 facilities.  5 Q. So are you suggesting then it's the  6 Company's position that the Company should be included  7 in setting county policies?  8 A. I don't know that we should set policies,  9 but it would be nice to be consulted if they are going  10 to make a designation for something that would impact  11 us or NOVEC.  12 Q. But isn't that something like the tail  13 wagging the dog? Aren't the counties the entity that  14 get to set policy and aren't you a provider of  15 electricity that can supply it or not supply it as is  16 requested?  17 MS. LINK: Your Honor, I think he's  18 answered the question on whether the Company should be  19 involved in setting policy.  20 THE HEARING EXAMINER: Let me ask you  21 this: Is this unique, Prince William County? In  22 other words, when a locality is developing a  23 comprehensive plan or laying out transmission line  24 corridors, do all counties act or all localities act  25 like Prince William County and don't solicit the input</p>	<p style="text-align: right;">Page 398</p> <p>1 THE HEARING EXAMINER: All right.  2 BY MS. HARDEN:  3 Q. I'm going to ask the question again.  4 Do you believe it is Dominion's place to  5 be providing policy recommendations to Prince William  6 County?  7 MS. LINK: Objection; asked and answered.  8 MS. HARDEN: It was not answered, sir.  9 THE HEARING EXAMINER: Go ahead and  10 answer that.  11 THE WITNESS: Would you ask that one more  12 time, please?  13 BY MS. HARDEN:  14 Q. Sure. Do you believe it is your place,  15 you, as representative of Dominion, to be making  16 policy recommendations to Prince William County?  17 MS. LINK: Your Honor, his answer before  18 was I don't know that we should set policies, but it  19 would be nice to be consulted if they are going to  20 make a designation for something that would impact us  21 or NOVEC.  22 MS. HARDEN: That was an answer to a  23 different question. I'm now asking this question.  24 MS. LINK: That was the answer to this  25 exact question.</p>

1 THE HEARING EXAMINER: I understand.  
2 Listen, I think the Company should be consulted when  
3 they lay out this transmission line corridor. I don't  
4 believe that's establishing policy; I believe it's  
5 providing input that allows a county to determine  
6 where these corridors should be.

7 So I understand where you're going with  
8 this, but go ahead and ask the question.

9 MS. HARDEN: Yes, sir, I understand. The  
10 point is that all of this evidence was introduced  
11 today; I am working off of an hour of evidence. I'd  
12 like to make sure that I understand exactly what the  
13 Company's position is with regard to the extra 15  
14 exhibits, sir.

15 BY MS. HARDEN:

16 Q. What is your answer?

17 A. I'm sorry. I'll have to ask you to ask  
18 it one more time.

19 Q. Do you believe it's Dominion's position  
20 or -- is it Dominion's position that you should be  
21 contributing or -- I can't remember the question -- to  
22 policy --

23 THE HEARING EXAMINER: I think the  
24 question was --

25 BY MS. HARDEN:

1 Q. -- policy recommendations to the county?

2 THE HEARING EXAMINER: Do you think that  
3 DVP should be establishing policy --

4 MS. HARDEN: Yes, sir.

5 THE HEARING EXAMINER: -- as opposed to  
6 providing input to allow the county to provide the  
7 policy?

8 THE WITNESS: I don't believe we should  
9 establish the policy. That's the county to do. I  
10 believe we should be providing input.

11 BY MS. HARDEN:

12 Q. With regard to the Innovation area that  
13 you were talking about, did you provide input in --  
14 when that area was being built out or advertised as a  
15 prime location for data centers?

16 A. Other than the response -- are you  
17 talking about the overlay zone?

18 Q. Let me direct you.

19 THE HEARING EXAMINER: I think the  
20 question was specifically with respect to Innovation  
21 Park; in other words, did Dominion Virginia Power  
22 provide any input for the establishment of that  
23 area --

24 THE WITNESS: No, not that I'm aware of.

25 THE HEARING EXAMINER: -- as an

1 industrial park?

2 BY MS. HARDEN:

3 Q. Okay. You were quite detailed --

4 A. I'm sorry. Let me just back up. If they  
5 did, it was before my time in the transmission group,  
6 but not that I'm aware of.

7 Q. Okay. I'm going to put a map with my  
8 terrible handwriting up here for us to talk about.

9 A. I'm not one to criticize anyone's  
10 handwriting.

11 Q. I was trying to take notes when you were  
12 telling me the different three lines that feed into  
13 the Innovation area. And what I did is I circled the  
14 Innovation area in green here, and then I believe you  
15 were talking about the 230 kilovolt lines that feed  
16 it, one coming from over here, and one coming from  
17 over here, and then I believe this was the one that  
18 came from Fairfax County, and then I believe that  
19 there was another one that you were discussing that  
20 came into the Innovation Park area?

21 A. There was -- maybe I can help you out  
22 here. There was a line, a 115 kV line, that was  
23 converted, and it was wrecked and rebuilt as a double  
24 circuit 230. One source was coming from the south  
25 from our Bristers Substation and going into the

1 Liberty Switching Station.

2 Q. Which is this one?

3 A. Well, you see the dark, purple line that  
4 comes up and it has the blue triangle near Nokesville?

5 Q. Yes, this line?

6 A. Yeah. So that dark, purple line is the  
7 corridor that contains the two 500 kV lines with the  
8 underbuild 230s. And the easternmost underbuild 230  
9 was cut at the location where that 115 kV line came in  
10 from the west -- it was actually sourced out of  
11 Gainesville -- and it went over to NOVEC's Wellington  
12 delivery point. But at that point where it made its  
13 turn to go towards Wellington, that's where the  
14 Company wrecked and rebuilt it, cut the easternmost  
15 underbuild 230 kV line and extended that as a double  
16 circuit 230 to a new Liberty Switching Station. Those  
17 are two sources into the area --

18 Q. Okay.

19 A. -- again with the southernmost source of  
20 that -- or terminal of that line being Bristers  
21 Substation down in Fauquier County.

22 Q. Okay.

23 A. So that was a Bristers to Liberty Line.  
24 And then the other side of that, that  
25 double circuit 230 that went along the wrecked and

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<p style="text-align: right;">Page 403</p> <p>1 rebuilt 172 Line, that terminates at Liberty; and the 2 other source of that is Gainesville. 3 So you have a Bristers to Liberty, you 4 have a Gainesville to Liberty. And then the third 5 source that I mentioned was the line that started in 6 Fairfax County, went through the City of Manassas Park 7 and the City of Manassas and terminated at our Cannon 8 Branch Substation. 9 Q. Were those 230 -- those conversions or 10 the build-out of those 230 lines that were stemming 11 off of your 500-kilovolt lines, is that in response to 12 the need for power in Innovation Park? 13 A. I won't say that it was specifically due 14 to the need within Innovation Park because the 15 majority of that is served by NOVEC, so the trigger 16 from me was load that was on the existing NOVEC and 17 City of Manassas delivery points that were in that 18 corridor. 19 And let me just clarify. At that time -- 20 I'm sorry. There were two components to that project; 21 there was a Cannon Branch to Cloverhill project and 22 then part two was Cloverhill back to Liberty. That 23 was in response to a required baseline upgrade, so 24 there was a pending NERC criteria violation that was 25 requiring us to provide a second source to the Cannon</p>	<p style="text-align: right;">Page 405</p> <p>1 But my recollection is the driver of that 2 was the loss of the source coming from Clifton would 3 exceed -- the load would exceed a certain threshold, 4 and it required us to have to network that Cannon 5 Branch facility. 6 Q. I guess I don't understand, not having 7 understood this throughout, how a violation can be 8 pending or as you -- you said not pending, but that it 9 would occur -- a violation will occur. 10 Is that because you know after you've 11 done a certain test you've stress loaded, or how do 12 you identify a violation that will occur? 13 A. Well, studies are done. Again, I would 14 have to go back and look at the application for that 15 case. 16 Q. Well, how about in this case because 17 there's actually been several mentions of the 18 potential NERC violations, and I think in the capacity 19 of this case, it's talking about the drop of a 20 30-megawatt something, something, and I don't 21 understand how we keep referring to violations which 22 haven't occurred and don't seem to be likely to occur, 23 so I just wanted you to explain that particular issue. 24 A. Well, I think I have a section in my 25 rebuttal that talks about the various types of</p>
<p style="text-align: right;">Page 404</p> <p>1 Branch Substation because prior to that, Cannon 2 Branch-Cloverhill, Cloverhill-Liberty completion of a 3 230 kV network, Cannon Branch was only served by the 4 230 kV line from Clifton. 5 Now, it stepped the 230 down to 115, and 6 there was a circuit that left Cannon Branch at 115 kV; 7 it went off to feed the City of Manassas, Micron and 8 Lomar delivery points -- 9 Q. I'm going to hold you up because I feel 10 like you're probably going to tell me forever, and I 11 think I have what I need to ask my next question. And 12 not that I'm not interested at all, it's just I know 13 everybody wants to move along. 14 You said there was a pending NERC 15 violation. 16 When you say a pending NERC violation, 17 how long can a pending NERC violation exist before it 18 turns into an actual violation? 19 A. Well, maybe "pending" was not the right 20 word choice, but there was a NERC violation that had 21 been identified that was to occur. And, again, this 22 is going to be subject to check because it's going 23 back to that application that extended the line from 24 Cannon Branch to Cloverhill and then Cloverhill to 25 Liberty; that was two separate cases.</p>	<p style="text-align: right;">Page 406</p> <p>1 upgrades -- 2 Q. Yes, I'll pull it up. 3 A. -- the baseline and the network and the 4 supplemental. 5 Q. Do you have your rebuttal testimony 6 there, sir? 7 A. Yes, I do. 8 Q. It's on page 14? 9 A. Yes. 10 Q. And it goes over to page 15? 11 A. Correct. 12 Q. And I understand that this is how you're 13 identifying projects, but -- wait. Maybe the 14 violation is actually on the -- I don't recall exactly 15 where it is, but I believe you have discussed the 16 potential of a NERC violation, and I will find it. 17 What is it you think will be the 18 potential violation with regard to this project? 19 A. The potential violation would be trying 20 to serve the Haymarket Substation with a radial line. 21 Q. It's on page five. Sorry. 22 A. Wow. I was way off, too. 23 Q. At the top, midway through the paragraph, 24 you referred to it as the 300-megawatt criteria 25 violation. And that's actually in another case, but</p>

1 the sentence before that you say, which could result  
2 in a violation of the NERC reliability standards.

3 And I think you were just saying that  
4 it's the -- it would be a violation to try to serve  
5 the Haymarket area without upgrading; is that what  
6 you're saying?

7 A. No. This is different than what I just  
8 mentioned about trying to serve it with a radial line.

9 Q. With a radial line?

10 A. No. This particular response to the  
11 questions are what are some of the issues of load from  
12 the remaining development -- and that's referring to  
13 the build-out analysis that I did -- including load  
14 from the customer is served from the Gainesville  
15 Substation and the proposed project is not  
16 constructed.

17 And then this is a hypothetical that if  
18 load were served out of Gainesville, including the  
19 load that's -- including the load that's projected to  
20 be on the two Dominion distribution transformers at  
21 Gainesville -- and I would have to go back and look,  
22 but I think I identified that as just a little under  
23 56 MVA, 55.8, and that's for transformer one and  
24 four -- those are Dominion transformers -- and then  
25 from NOVEC's projections that I receive annually from

1 violation?

2 A. No.

3 Q. Okay. So let me rephrase the question.

4 In your hypothetical that you laid out  
5 here, this was what would happen with the rest of the  
6 development and with customer's load that it would be  
7 possible that you would go over the 300 mark --

8 A. Yes.

9 Q. -- and there would then be a violation if  
10 you lost the load at any point in time in a single  
11 event, correct?

12 A. Correct. And that single event was the  
13 same contingency that we used for the Gainesville Vint  
14 Hill to Wheeler project --

15 Q. Yes, understood.

16 A. -- that was recently approved by the  
17 Commission.

18 Q. I'm going to change your hypothetical.  
19 What if there's no customer load? Is  
20 there any potential NERC violation?

21 A. If there's no customer load?

22 Q. Correct.

23 MS. LINK: I think, again, it's asked and  
24 answered; he just answered that.

25 THE HEARING EXAMINER: I'll let her ask

1 them, for 2018, they were projecting at the  
2 Gainesville delivery point 126.1 megawatts and then  
3 the 120 megawatts from the customer.

4 Again, the question was what are some of  
5 the issues if load from the remaining development,  
6 including load from the customer, is served from the  
7 Gainesville Substation and the proposed project is not  
8 constructed.

9 Again, hypothetical, but based on the  
10 projections, it would end up being slightly north of  
11 300 megawatts, which is a NERC criteria violation if  
12 we were to lose that load in one event.

13 Q. Okay. Without the load from the  
14 customer, would there be a potential NERC violation?

15 A. Well, it's my understanding that the  
16 customer load is already there from an existing  
17 building, and that there is also another building  
18 coming up out of the ground, which I saw last  
19 Thursday.

20 And as far as I know, Prince William  
21 County has not told the customer that they are not  
22 going to be allowed to build there, so --

23 Q. So are you telling me that the load is  
24 already there, so -- because the project hasn't been  
25 built that it's possible that you are already in

1 the question.

2 BY MS. HARDEN:

3 Q. That's okay.

4 A. If there's no customer load --

5 Q. Right.

6 A. So hypothetically if we were to take that  
7 120 megawatts and make it go away, then you're  
8 correct, that hypothetical situation would not exist.

9 Q. Okay. So -- but isn't that hypothetical  
10 situation exactly what the situation is now?

11 A. No, because -- well, when you say exactly  
12 what that is now --

13 Q. What I mean is --

14 THE HEARING EXAMINER: Let him answer the  
15 question, please.

16 MS. HARDEN: Yes, sir.

17 THE HEARING EXAMINER: Go ahead and  
18 proceed.

19 THE WITNESS: Could you repeat the  
20 question, please?

21 BY MS. HARDEN:

22 Q. Sure. Isn't the current condition that  
23 there is a certain amount of load in the area and that  
24 there may be an addition of some load in 2018 and that  
25 that wouldn't come anywhere near overloading the



<p style="text-align: right;">Page 411</p> <p>1 system without the customer's load added in?</p> <p>2 A. I don't know that I'm quite following</p> <p>3 your question. Let me see if I can --</p> <p>4 Q. Okay.</p> <p>5 A. It's my understanding that the county has</p> <p>6 not prevented this customer from continuing the</p> <p>7 build-out of their campus. They already have an</p> <p>8 existing building there, and Company Witness Potter</p> <p>9 can tell you how much load.</p> <p>10 Q. Okay.</p> <p>11 A. The application indicates that there is</p> <p>12 the potential for an additional 120 megawatts. Again,</p> <p>13 from my visit out there last Thursday, they have a</p> <p>14 building coming up out of the ground, so that tells me</p> <p>15 that they are continuing to build and that that load</p> <p>16 will be coming on.</p> <p>17 Q. Okay. I'm going to -- I'm going to</p> <p>18 direct you to your answer to the question on page</p> <p>19 four, and I'm going to change some of the language in</p> <p>20 here just so that we're clear.</p> <p>21 Line 19, what you say is, further, in</p> <p>22 2018 the projected Gainesville load without the</p> <p>23 customer as shown in attachment 1.B -- or I.B.1 of the</p> <p>24 appendix is 55.8 MVA.</p> <p>25 And then you say at the bottom that,</p>	<p style="text-align: right;">Page 413</p> <p>1 potential violation without the customer load?</p> <p>2 A. Well, the second part of this</p> <p>3 hypothetical question was, and without the proposed</p> <p>4 project being constructed.</p> <p>5 I have no reason to believe that the</p> <p>6 proposed project will not be constructed.</p> <p>7 Q. No. But, again, you've engaged in the</p> <p>8 hypotheticals in your rebuttal and I'm, again, asking</p> <p>9 another question about that.</p> <p>10 Has there been any analysis done if the</p> <p>11 project wasn't constructed as to when there would be a</p> <p>12 potential violation?</p> <p>13 A. Not under these scenario, this scenario.</p> <p>14 Q. Okay.</p> <p>15 THE HEARING EXAMINER: Yeah, that's a</p> <p>16 good question. So you don't know -- if the customer</p> <p>17 load doesn't develop, you don't know when you would</p> <p>18 need to add additional facilities? You don't have any</p> <p>19 type of studies which would indicate when a</p> <p>20 transmission line would be built?</p> <p>21 THE WITNESS: No, sir, we don't -- we</p> <p>22 don't have that. Again, I'm going to defer some of</p> <p>23 that to Company Witness Potter because he's more at</p> <p>24 the ground level where the development takes place.</p> <p>25 As I mentioned previously, my trigger is</p>
<p style="text-align: right;">Page 412</p> <p>1 NOVEC -- projected NOVEC Gainesville delivery point</p> <p>2 load, which is approximately 126.1 MW based on the</p> <p>3 annual delivery forecast.</p> <p>4 And that is without any customer load?</p> <p>5 I'm just using those two numbers.</p> <p>6 A. That is without the --</p> <p>7 Q. The customer load?</p> <p>8 A. -- the customer load that's the subject</p> <p>9 of this application, which is the 120 megawatts.</p> <p>10 Q. That's correct. What I'm asking you to</p> <p>11 do is to pretend that it doesn't exist and tell me</p> <p>12 whether there is going to be any NERC violation.</p> <p>13 A. I think I already answered that, and the</p> <p>14 answer was no.</p> <p>15 Q. Okay.</p> <p>16 THE HEARING EXAMINER: Do you want to add</p> <p>17 at this time?</p> <p>18 THE WITNESS: At this time, thank you.</p> <p>19 BY MS. HARDEN:</p> <p>20 Q. Actually just heard a comment from</p> <p>21 Mr. Chambliss.</p> <p>22 When would there be a violation? How</p> <p>23 many years? Is there any estimate on that? Have you</p> <p>24 performed any studies based on the development to find</p> <p>25 out without the customer load when there would be a</p>	<p style="text-align: right;">Page 414</p> <p>1 a delivery point from him saying my distribution</p> <p>2 system is going to be beyond the ability for me to</p> <p>3 serve load, I need another delivery point, and then</p> <p>4 that's when I get engaged with --</p> <p>5 THE HEARING EXAMINER: So the answer is</p> <p>6 the fact that if the Company doesn't build this load</p> <p>7 center, you don't know when the new facilities would</p> <p>8 be required; but if development continues to proceed,</p> <p>9 there would be some additional facilities needed, but</p> <p>10 you don't know exactly where?</p> <p>11 THE WITNESS: But the point of this</p> <p>12 hypothetical was if this project does not proceed but</p> <p>13 the customer load is still there -- and that was part</p> <p>14 of my point of putting all these parcels up on the</p> <p>15 map, was all of that load gets focused back into or</p> <p>16 served from the Gainesville Substation.</p> <p>17 Does that --</p> <p>18 THE HEARING EXAMINER: Well, I think</p> <p>19 Ms. Harden's question was a little different, and that</p> <p>20 is if the load wasn't there, period, just as a</p> <p>21 hypothetical.</p> <p>22 MS. HARDEN: That's correct. I'll ask it</p> <p>23 a different way.</p> <p>24 BY MS. HARDEN:</p> <p>25 Q. I believe that you have previously</p>

32 (Pages 411 to 414)

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1 testified in my section of the questions that you --  
 2 that the Company evaluates and looks at newsletters  
 3 with coming development and tries to keep abreast of  
 4 what's coming in the pipeline so you have an idea on  
 5 the timing of development and when that might occur so  
 6 that you're aware of what Company needs will be in  
 7 order to supply power to those areas?

8 A. Again, I'll have to say that that's going  
 9 to be a Company Witness Potter question because he's  
 10 more at that level of looking at the individual  
 11 developments and determining when he would need a new  
 12 source.

13 Q. And I totally understand that.

14 A. Okay.

15 Q. What I want to know is are you aware of  
 16 any analysis that's been done in this particular area  
 17 without the customer's request, just as general  
 18 evaluation of Company facilities, that would have put  
 19 it on your radar to be a long-term plan for -- to  
 20 build these power lines because of the developments  
 21 that is impending without the customer?

22 A. We keep missing because, again, that's a  
 23 Company Witness Potter analysis.

24 Q. Okay. No problem. No problem.  
 25 One of the other portions that you

1 to actually build it?

2 A. No, ma'am, I do not.

3 Q. And you don't know what impediments would  
 4 exist other than it's zoning and having the by-right  
 5 use?

6 A. Correct.

7 Q. Okay. This project requires a  
 8 substation; is that correct?

9 A. Yes.

10 Q. Okay. And that's the substation that is  
 11 currently on customer property but will be on Company  
 12 property in the future?

13 A. It's not an existing substation yet.

14 Q. I apologize. The land is currently held  
 15 by the customer and will be transferred into  
 16 possession of the Company; is that correct?

17 A. That's my understanding, yes.

18 Q. Okay. Why doesn't the Company own it  
 19 now?

20 A. When I first received the delivery point  
 21 request from Mr. Potter, the next phase of that  
 22 process is I send out a conceptual phase request to  
 23 our director of engineering and construction, and that  
 24 allows the project team to be formed. And as part of  
 25 that conceptual phase request, or CPR, if you will, I

1 testified about are about going out to look at the  
 2 customer's campus and the fact that Prince William  
 3 County isn't doing anything to stop the building in  
 4 your estimation?

5 A. I said I'm not aware of them trying to  
 6 stop that.

7 Q. And I believe you made the point  
 8 previously that the reason why -- I don't know if you  
 9 said the reason, but you commented that this campus  
 10 was built by right; is that correct?

11 A. That's my understanding of it, yes.

12 Q. And what is your understanding of a  
 13 by-right ability to build on a piece of property?

14 A. That there are certain uses that the  
 15 customer can submit a site plan for that does not  
 16 require board of county supervisor approval.

17 Q. And when you put it in that terminology,  
 18 you would be referring to having to get a special use  
 19 permit for the use?

20 A. Again, I'm not a land use planner; I'm  
 21 just giving you my understanding of it.

22 Q. So understanding your background, if  
 23 you -- if you look at something and you say that it's  
 24 a by-right use, do you have any idea whether or not  
 25 what the process is that they would need to go through

1 requested that the project team go out and acquire  
 2 land that was suitable to accommodate a substation. I  
 3 didn't give them a specific location; I gave them an  
 4 idea, you know, certain parcels, but I also included  
 5 in that request that the parcel be large enough to  
 6 accommodate a potential collocated site with NOVEC.

7 So why they don't own the site now is,  
 8 you know, it's just the way the land search ended up,  
 9 is the way I understand it.

10 Q. Did the customer purchase the parcel  
 11 that's been identified as the future location for the  
 12 substation on behalf of Dominion?

13 A. Not that I'm aware of.

14 Q. Did the customer already own that parcel  
 15 before Dominion sent out its search request for the  
 16 location of a substation?

17 A. I don't know that I'm privy to that  
 18 information.

19 Q. Who would have that information?

20 A. Probably the customer.

21 Q. Okay. And when you identified that  
 22 parcel, did you tell the customer we've identified one  
 23 of your parcels to use as the substation, or did they  
 24 say to you, we have a parcel you can use as the  
 25 substation?

<p style="text-align: right;">Page 419</p> <p>1 A. I don't know how those negotiations took 2 place. 3 Q. Who does those negotiations? 4 A. Somebody in our real estate department -- 5 Q. Okay. 6 A. -- likely. 7 THE HEARING EXAMINER: Ms. Harden, I hate 8 to interrupt you during your cross-examination -- I do 9 apologize, but I do have a previous commitment that I 10 have to attend to -- 11 MS. HARDEN: Understood. 12 THE HEARING EXAMINER: -- during the 13 lunch hour, so I'll go ahead and recess now. You can 14 continue your cross-examination when we reconvene. 15 I think I indicated yesterday we'd 16 reconvene at 2:30, but I think we'll reconvene at two. 17 I'll be back at two, so you can continue at 18 two o'clock. 19 MS. HARDEN: Thank you. 20 (A luncheon recess was taken.) 21 THE HEARING EXAMINER: Ms. Harden, 22 Mr. Chambliss. 23 MR. CHAMBLISS: At the appropriate time, 24 either now or when Ms. Harden finishes, we have those 25 DEQ reports to be introduced.</p>	<p style="text-align: right;">Page 421</p> <p>1 THE HEARING EXAMINER: This is a 2 January 20th letter? 3 MR. CHAMBLISS: Yes. 4 THE HEARING EXAMINER: I reserved Exhibit 5 Number 27 for all of the documents. 6 MR. CHAMBLISS: All right. 7 THE HEARING EXAMINER: And do we have the 8 latest from the wetlands consultation? I saw 9 something dated June 2nd. 10 MR. CHAMBLISS: Yes, that's the second 11 document I passed out to the parties, so we'll make 12 that collective Exhibit Number 27? 13 THE HEARING EXAMINER: Yes, sir. 14 MR. CHAMBLISS: All right. Thank you. 15 THE HEARING EXAMINER: I think I'm still 16 waiting for the second document; I don't know whether 17 I have that or not. 18 THE CLERK: Yes. 19 THE HEARING EXAMINER: I do? They are 20 all attached? 21 MR. CHAMBLISS: They are two separate 22 documents. 23 THE HEARING EXAMINER: Yes, I've got it. 24 Second document dated June 2nd, 2016. Both of these 25 documents will be received collectively as Exhibit 27.</p>
<p style="text-align: right;">Page 420</p> <p>1 THE HEARING EXAMINER: Let's receive them 2 now, if you'll pass them out. 3 MS. HARDEN: Your Honor, if I may, while 4 they are being passed out, we've been discussing the 5 potential of staying late to get all the testimony 6 done tonight, and I didn't know if I should make a 7 motion with regard to -- 8 THE HEARING EXAMINER: Let's see how that 9 goes. I'm willing to go obviously over business hours 10 to receive the testimony, but I'm not going to go to 11 ten or 11 or 12 o'clock tonight because that 12 jeopardizes the safety of the witnesses and the people 13 in the courtroom, so let's see how far we get today, 14 and we can discuss at the appropriate time when we 15 should break. 16 MS. HARDEN: Yes, sir, thank you. 17 THE HEARING EXAMINER: Thanks. Again, 18 I'd like to apologize to counsel for being slightly 19 late to reconvene. 20 MR. CHAMBLISS: Your Honor, we've 21 distributed two documents from the Department of 22 Environmental Quality, a thicker one dated January 20, 23 2016, letter from Bettina Sullivan to Mr. Joel Peck, 24 the clerk of the Commission -- and I guess we need to 25 mark that document.</p>	<p style="text-align: right;">Page 422</p> <p>1 MS. HARDEN: Your Honor, I actually have 2 another matter for the record. I believe that 3 Ms. Link introduced a number of the exhibits for 4 Mr. Gill's rebuttal testimony in response to two 5 public comment letters that came in late last week -- 6 THE HEARING EXAMINER: Yes. 7 MS. HARDEN: -- but it's not clear to me 8 the public comment letters have been made exhibits to 9 this matter. I have two clean -- or one clean copy of 10 those letters. But if they are being introduced in 11 rebuttal, I think they should be exhibits here. 12 THE HEARING EXAMINER: Any objection to 13 marking these letters as exhibits? 14 MS. LINK: I guess no objection, Your 15 Honor. I think earlier we had a discussion about this 16 when the case started about marking some other public 17 comment letters as exhibits, and the response was they 18 are not here to be cross-examined so we didn't put 19 them as exhibits, so this seems to be contrary to 20 that, but I don't have an objection. 21 THE HEARING EXAMINER: Let's go ahead and 22 mark them. The standard Commission procedure is we 23 don't mark public comments as an exhibit, but these 24 comments that came in, as I mentioned earlier, were of 25 a pretty highly technical nature, and the witness had</p>

1 to respond to them, so let's go ahead and mark those  
2 as well.

3 MS. LINK: It's only one copy though,  
4 right?

5 MS. HARDEN: I have only one copy. The  
6 larger document is the letter from Mr. Weir with all  
7 the exhibits; and the smaller copy is the letter from  
8 Prince William County.

9 THE HEARING EXAMINER: You don't have  
10 enough copies for counsel?

11 MS. HARDEN: I literally only had the  
12 two. As it was a response --

13 MS. LINK: They are on the Commission's  
14 website I bet and can be printed out.

15 THE HEARING EXAMINER: Commission's  
16 website?

17 MS. LINK: I think so.

18 MS. HARDEN: The exhibits are not  
19 attached.

20 THE HEARING EXAMINER: Let me look at  
21 these and I'll go ahead and identify them as exhibits.

22 Mr. Weir's comments, this booklet that I  
23 have here?

24 MS. LINK: Let me see what I have.

25 MS. HARDEN: It's about six or seven

1 because I have what I think is the --

2 THE HEARING EXAMINER: Certainly. I have  
3 something considerably bigger.

4 MS. LINK: Let me ask my witness what he  
5 looked at because I'm not sure we're able to look at  
6 the whole exhibit.

7 THE HEARING EXAMINER: This is a lot more  
8 pages as well.

9 MS. HARDEN: I'm happy to remove the page  
10 that's --

11 MS. LINK: I guess, can we go back to the  
12 practice of what's on the website is what we were  
13 responding to rather than --

14 MS. HARDEN: I'd object to that only  
15 since we introduced several new exhibits rebutting  
16 something that needs to be in the record if we spent  
17 all this time rebutting it. If it's not made an  
18 exhibit here, it's not the same.

19 THE HEARING EXAMINER: The problem is the  
20 thing I marked as Exhibit 37, I don't know if that's  
21 entirely on the website or not. I don't have no idea.  
22 I don't remember receiving this. I know there was a  
23 smaller package, but I don't remember this large  
24 package.

25 MS. HARDEN: Understood. My suggestion

1 pages of comments and then the exhibits that he relied  
2 on.

3 MS. LINK: I think so, Your Honor.

4 THE HEARING EXAMINER: I'll go ahead and  
5 mark what Mr. Weir describes as his testimony dated  
6 May 2nd as Exhibit 37, I believe is the next number;  
7 is that correct, Ms. Bailiff?

8 And the Prince William County document as  
9 Exhibit 38.

10 (Exhibit No. 37 was marked for  
11 identification.)

12 (Exhibit No. 38 was marked for  
13 identification.)

14 THE HEARING EXAMINER: And that is dated  
15 June 17th, of course. And it does give some context.

16 MS. LINK: Ms. Harden, I guess when you  
17 said the exhibits were not attached as what got posted  
18 on the website?

19 MS. HARDEN: The one I downloaded from  
20 the website didn't have all of those exhibits that  
21 were -- that had been filed with the SCC.

22 THE HEARING EXAMINER: Well, I don't know  
23 whether or not I can admit this unless it's -- the  
24 website should have all the exhibits.

25 MS. LINK: Your Honor, may I approach

1 would be to make the smaller package. If Ms. Link has  
2 that -- if she has a copy of that, then we can put  
3 that into the record.

4 THE HEARING EXAMINER: All right. I'll  
5 hand this back to you. And the supplemental --

6 MS. HARDEN: Mr. Chambliss has a copy.

7 MS. LINK: A clean version?

8 MS. HARDEN: Yes.

9 MR. CHAMBLISS: See if that's it.

10 MS. LINK: That's the smaller copy.

11 MS. HARDEN: I'd ask that this one then  
12 be entered.

13 THE HEARING EXAMINER: Okay. I think  
14 we're on the same page here. I believe that bigger  
15 package may have been a handout at one of the original  
16 local hearings. And that was his original comments,  
17 and this is supplemental, this smaller package. I  
18 think that's what's going on.

19 Just to be clear, what I am going to  
20 introduce as exhibit -- or allow to be admitted into  
21 the record as Exhibit 37 is what is described as the  
22 supplemental testimony of Robert B. Weir. And also  
23 the letter with the attachments from the County of  
24 Prince William is Exhibit 38, so Exhibit 37 and 38.  
25 (Exhibit No. 37 was admitted into

<p style="text-align: right;">Page 427</p> <p>1 evidence.)  2 (Exhibit No. 38 was admitted into  3 evidence.)  4 MS. HARDEN: Thank you, sir.  5 THE HEARING EXAMINER: You may proceed.  6 BY MS. HARDEN:  7 Q. Good afternoon.  8 A. Good afternoon.  9 Q. We've just been discussing a number of  10 exhibits that were entered into evidence this  11 afternoon in response to Mr. Weir's supplemental  12 testimony and the letter from Prince William County.  13 And you've reviewed those documents, the  14 letter and Mr. Weir's supplemental testimony, and  15 responded to them today under direct examination from  16 Ms. Link?  17 Now, you also testified that you're not a  18 land use guy?  19 A. Correct --  20 Q. Okay.  21 A. -- nor a psychic.  22 Q. Yes, sir. Would the exhibits marked as  23 Exhibit 30, which is the build-out analysis; 31, the  24 build-out analysis methodology; 32 is the letter; and  25 33 is the newscast -- would you normally review those</p>	<p style="text-align: right;">Page 429</p> <p>1 which was your answer to the interrogatory.  2 When you say making an exception based  3 entirely on the type of customer for data centers,  4 what do you -- I don't understand.  5 Making an exception to what?  6 A. That was -- give me just one second to  7 look at the schedule.  8 Q. Of course.  9 A. The rebuttal schedule five is the  10 response to Staff set one, question 13 where it asks  11 would NERC or PJM requirements prohibit the Company  12 from amending its transmission planning criteria to  13 create a different load limit for radial transmission  14 lines that are needed for a line extension to serve a  15 single customer.  16 Q. And so that would be the exception that  17 they are asking about making an exception to the  18 Company policies? That's what you're responding to?  19 A. Yes.  20 Q. Okay. Now, further along in that  21 question, you say could ultimately reduce reliability.  22 What do you mean by reduce reliability?  23 The exception would reduce liability or a policy of  24 having unequal or no standard? What exactly would  25 reduce the reliability?</p>
<p style="text-align: right;">Page 428</p> <p>1 kind of documents in your professional capacity, or  2 did you just review them for this particular case?  3 A. I just reviewed these for this case.  4 Q. Okay. And in your capacity as the  5 transmission line planner, would you have occasion to  6 view similar documents to plan out the location of  7 certain transmission lines or would that be within the  8 purview of Mr. Potter?  9 A. Again, the substation location would  10 typically be determined by where the load is going or  11 that load need would be determined by Mr. Potter.  12 Q. Okay. Fair enough. If I can have you  13 turn to page eight of your rebuttal testimony --  14 A. Yes.  15 Q. -- I'm just going to direct you to  16 line 20. It starts there and it says, as stated in  17 the Company's response to Staff set 1-13, the Company  18 still believes that making an exception based entirely  19 on the type of customer, i.e., data centers, or number  20 of customers that make up the hundred-plus MW load  21 could ultimately reduce liability and negatively  22 impact development, as well as could be inconsistent  23 with the Company's responsibility to provide non  24 discriminatory service.  25 And you referred to the rebuttal schedule</p>	<p style="text-align: right;">Page 430</p> <p>1 A. I believe that trying to put that much  2 load onto a radial line or greater than 100 megawatts  3 without an alternate source would potentially reduce  4 reliability.  5 Q. Okay. And then you go on to say  6 negatively impact economic development.  7 What do you mean by that?  8 A. Well, certainly if the areas of Northern  9 Virginia, Loudoun, Prince William, Fairfax, all where  10 data centers are being developed, if they don't have  11 reliable power, then that certainly will have a  12 negative impact on economic development.  13 Q. Is it Dominion's responsibility to create  14 an environment for economic development?  15 A. I believe that's a good practice.  16 Q. Okay. You go on to say the Company's --  17 could be inconsistent with the Company's  18 responsibility to provide non discriminatory service.  19 Where is it written, or is there a  20 written policy that says the Company has a  21 responsibility to provide non discriminatory service?  22 A. I can't point you to that document.  23 Q. Okay. Is there an unwritten policy?  24 A. Well, again, I think it's in this  25 response that we try not to make a distinction. One</p>

36 (Pages 427 to 430)

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1 customer could be a data center with tens, hundreds,  
2 or thousands of customers behind that meter, or it  
3 could be a NOVEC delivery point, again with  
4 potentially thousands of customers behind that meter.

5 Q. But didn't you testify earlier that every  
6 application or request for power is evaluated on a  
7 case-by-case basis?

8 A. I believe I did.

9 Q. So by that standard -- and you testified  
10 to it several times -- the Company does discriminate  
11 on a case-by-case basis as they evaluate each  
12 application, correct?

13 A. I wouldn't say that we discriminate. I'd  
14 say we evaluate.

15 Q. Understood. So you evaluate each  
16 application on a case-by-case basis?

17 A. Sure.

18 Q. And are some requests for power denied?

19 A. Not that I'm aware of.

20 Q. There's never been a denial --

21 A. I just said not that I'm aware of.

22 Q. Okay. Are there other -- on a  
23 case-by-case basis, does the Company take the position  
24 that if there isn't the infrastructure to provide  
25 power, that they would be willing to do it in the

1 A. I just said I think Witness Potter may be  
2 the best person to answer that.

3 Q. Okay. If you could flip over to page  
4 nine --

5 A. Sure.

6 Q. -- if you look at line four, you state,  
7 the Company does not believe that the reliability  
8 standard for large block load customers should be  
9 treated differently than any other customers in the  
10 Company's system?

11 A. On the Company's system, correct.

12 Q. Yes, sir, I'm sorry.

13 Now, when you make that statement and you  
14 are talking about the reliability standard, that is  
15 talking about how reliable the network is as of the  
16 day the power is turned on; is that correct?

17 A. That's talking about the radial criteria  
18 that loads 100 megawatts or greater needs to have a  
19 networked source.

20 Q. And if I -- if you go to line 11, you  
21 make the statement, the catalyst for the project may  
22 have been a new large block load, but the argument  
23 that this project will only benefit one customer is  
24 simply incompetent correct.

25 Now, you use the word "catalyst," but

1 event that the proposed customer could assist in  
2 building out the infrastructure to get the power where  
3 it needed to go?

4 A. I'm not quite sure I understand your  
5 question.

6 Q. Sure. If I want to build my house on top  
7 of a mountain and there's no power lines out there --

8 A. Sure.

9 Q. -- and I come to Dominion and I say I  
10 would like to have power in my house at the top of the  
11 mountain and I'm willing to pay to build the lines out  
12 there, does that circumstance ever occur?

13 A. I'm not familiar with that part of the  
14 Company's process. I don't know how a customer like  
15 that would be charged. Perhaps Witness Potter could  
16 address that.

17 Q. Okay. Would that be in Mr. Potter's  
18 section of the Company, or is that, again, in the land  
19 section?

20 A. I'm sorry?

21 Q. I think you referred to a land section  
22 earlier?

23 A. You have to direct me --

24 Q. What part of the Company would that be  
25 taken care of?

1 couldn't that be replaced with the word "need"?

2 A. Sure. I won't mince words with you.  
3 Sure.

4 Q. Okay. The argument that the project will  
5 only benefit one customer is simply incorrect.

6 I believe that there was testimony  
7 through the Staff's witnesses that the project will be  
8 97 percent used by the one customer; is that correct?

9 A. I believe that's what I heard, yes.

10 Q. Okay.

11 THE HEARING EXAMINER: Can we qualify  
12 that "at this time"?

13 THE WITNESS: Yes, sir, at this time.

14 MS. HARDEN: Understood.

15 THE HEARING EXAMINER: It may change in  
16 the future when economic development takes place.

17 THE WITNESS: Yes, sir, thank you. I'll  
18 have to get a tattoo or something that says "at this  
19 time."

20 BY MS. HARDEN:

21 Q. I can get you a placard and hold it up.

22 A. That would be less painful, I'm sure.

23 Q. If you flip back to page two of your  
24 testimony --

25 A. Yes, ma'am.

<p style="text-align: right;">Page 435</p> <p>1 Q. -- if you refer to lines 12 through 14, 2 as stated in the Company's application supporting 3 materials, the electric facilities being proposed are 4 necessary for the Company to perform its legal duty to 5 furnish adequate and reliable electric service within 6 its service territory. 7 What is the legal duty? 8 A. To provide power to customers in our 9 service territory. 10 Q. Is there -- you testified earlier that 11 you were not aware that there's ever been a denial of 12 a request for power? 13 A. Not that I'm aware of. 14 Q. Is that because there's a legal 15 obligation to provide power? 16 A. I would say that's the reason. 17 Q. Do you know? 18 A. I don't know of another reason. 19 Q. Okay. We talked at the very beginning of 20 the -- of my cross-examination here of the process by 21 which you're made aware from Mr. Potter that there is 22 a customer that's interested in -- or needs power and 23 that that kicks off a cycle of events as far as 24 identifying a substation and how it's going to occur? 25 A. Sure.</p>	<p style="text-align: right;">Page 437</p> <p>1 Q. Those are the three standards we've 2 discussed in the past -- not standards, but the three 3 different kinds of projects? 4 A. Three types, yes. 5 Q. Okay. So when a request -- and this is 6 type three, a supplemental -- 7 A. Okay. 8 Q. -- I believe you testified to, and when 9 this kind of a request comes in, is there a policy 10 within Dominion to evaluate the credibility of the 11 information provided to them by the data center 12 requester? 13 For example, if a data center requester 14 submits they are going to have a load of 50, do you 15 have any way to know if they are telling the truth? 16 A. There will be the load letter with a ramp 17 schedule and letter of authorization usually to kind 18 of give some seriousness to the request before we kick 19 off this process. 20 Q. What I'm asking is, how do you know if 21 what they are saying is true? If they are saying 22 their load is going to be 120, how do you know that 23 that's an accurate estimation of what the load will 24 be? 25 MS. LINK: Your Honor, can I ask counsel</p>
<p style="text-align: right;">Page 436</p> <p>1 Q. And is that in a letter that is submitted 2 by the customer? 3 A. Is what in -- 4 Q. Is the request for power -- is that 5 submitted via a letter from the customer? How does 6 Mr. Potter know that someone needs power? 7 A. It could be through a customer meeting, 8 it could be through a various avenues. You probably 9 best ask him that question. 10 Q. Sure, no problem. 11 Are you familiar with the term "load 12 letter"? 13 A. Yes. 14 Q. Oh, okay. So once you get a request from 15 a potential client for a load letter, then that kicks 16 off the process; is that correct? 17 A. For me, the process is kicked off with a 18 delivery point request. 19 Q. Okay. Now, are you the individual who 20 evaluates the need for a project or is there a 21 conglomeration of people? How is the need evaluated 22 by the Company? 23 A. It would depend on the type of project. 24 If it's a baseline upgrade that's to resolve a NERC 25 reliability criteria violation --</p>	<p style="text-align: right;">Page 438</p> <p>1 to, at least, clarify what she means by 120? 120 2 what? 3 MS. HARDEN: Sure. I believe in this 4 application, it's -- the customer in this case is 5 asking for a block load of 120 M -- megawatt -- 6 THE HEARING EXAMINER: MVA? 7 MS. HARDEN: Yes, MVA. 8 BY MS. HARDEN: 9 Q. Is that correct? 10 A. Yes. 11 Q. I'll be more specific then. 12 Was there any evaluation by the Company 13 as to whether or not the customer knew what they were 14 talking about when they requested that load? 15 A. I'm trying to think of when you say an 16 evaluation, in terms of -- again, the letter of 17 authorization, which usually has a dollar amount 18 associated with it; that's the fact they have a parcel 19 under their control, the fact that they are willing to 20 put money up -- 21 Q. Well, what I want to understand is 22 whether or not Dominion actually puts forth an 23 application to the State Corporation Commission and 24 kicks off what I have to believe is an incredibly 25 expensive process to get that application approved</p>

1 without ever being sure that the customer is actually  
2 going to use that amount of space on the lines once  
3 the project is built?

4 A. Now, that part I will kick to Mr. Potter  
5 because I believe there are some contracts that take  
6 place as the buildings come online to -- you know, the  
7 customer agrees to pay for a certain amount of usage  
8 regardless of whether they actually hit that level.

9 Q. I see, okay.

10 A. But, again, he would be the person to  
11 give you the details on how that functions.

12 Q. Sure. So the answer to the question is  
13 that you are not aware of any process by which the  
14 credibility of the customer's load letter is  
15 evaluated?

16 A. Other than the fact of the load ramp and  
17 the load letter, the load ramp schedule, the letter of  
18 authorization, we may look at, you know, do they have  
19 other facilities in the area.

20 Q. Right. But all of those things you've  
21 just listed, those are just things that say how much  
22 the customer is willing to pay you even if they don't  
23 use that amount of space.

24 Those aren't back-up materials that  
25 demonstrate that they are projecting that they will be

1 using that much space?

2 A. Well, whether they use it or not, if they  
3 are paying for it, we're obligated to serve it because  
4 they can bring that on in a matter of, you know, a  
5 very short period of time, much quicker than we can  
6 react if we waited until they got the power there and  
7 then said, hey, by the way -- that's just not a good  
8 way of doing business.

9 Q. Understood. But as far as a good way to  
10 do business, if you're asking for a project of this  
11 magnitude to be built to provide this kind of service  
12 but you don't have any reliable data that the service  
13 is needed, it doesn't seem to make sense to me.

14 It's an enormous expenditure.

15 A. If I'm understanding your argument,  
16 you're asking for us to wait until the load actually  
17 gets there before we would come to the Commission and  
18 build this kind of a project. And if that's the case,  
19 then --

20 Q. I'm not.

21 A. -- I'm pretty certain that there's going  
22 to be a lot of companies leaving the State of Virginia  
23 because that's just not the way --

24 Q. No. My question is --

25 MS. LINK: Counsel, would you let him

1 finish what he's saying?

2 MS. HARDEN: Will do. Of course.

3 THE WITNESS: I think I was pretty much  
4 done. I just don't know that that's the way -- you  
5 know, these companies need some certainty that when  
6 they come and they spend millions and millions of  
7 dollars putting these facilities in an area of  
8 Virginia that's perfectly suited for data centers,  
9 they are going to want to make sure that the power is  
10 available. They don't want to wait until they've  
11 built it and have us come in and say, by the way,  
12 sorry, we can't get there.

13 BY MS. HARDEN:

14 Q. Understood. I have a question about  
15 Exhibit 23C, which is one of the confidential  
16 exhibits.

17 A. You'll have to provide that to me. I  
18 don't have it.

19 Q. Understood.

20 THE HEARING EXAMINER: If you are going  
21 to ask questions that will disclose confidential  
22 questions, we need to shut down the webcast.

23 MS. HARDEN: Yes, sir, I am.

24 THE HEARING EXAMINER: All right. We're  
25 going to shut down the webcast.

1 And I'll ask that anyone that has not  
2 signed a nondisclosure agreement to leave and we will  
3 call you back.

4 MS. LINK: Your Honor, the only thing I'd  
5 say is since Mr. Potter actually signed the response,  
6 if she wants to ask about details maybe -- and we have  
7 to shut down the webcast, maybe it's more appropriate  
8 to wait for Mr. Potter.

9 You can ask him here, but it might just  
10 kick to Mr. Potter because he signed it and he's here.

11 MS. HARDEN: Understood. As a matter of  
12 fact, we will do that.

13 THE HEARING EXAMINER: You'll wait for  
14 Mr. Potter?

15 MS. HARDEN: I'll wait for Mr. Potter,  
16 that's fine.

17 THE BAILIFF: We're back on the web.

18 THE HEARING EXAMINER: We're back on the  
19 web?

20 THE BAILIFF: We're back on the web.

21 THE HEARING EXAMINER: Okay. Ms. Harden  
22 will wait until Witness Potter to cross-examine about  
23 the confidential exhibit, so we can go back in  
24 webcast. And I will let everyone know when they have  
25 to leave and the webcast will be terminated.



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1 BY MS. HARDEN:

2 Q. Mr. Gill, I think you testified that

3 whether or not the customer actually uses that amount

4 of space, they pay for it; that's how Dominion

5 evaluates the need there as far as they have asked for

6 it, you need to provide it; is that correct?

7 A. Yes.

8 Q. And are there circumstances where the

9 customer doesn't use the amount of space that they

10 projected?

11 A. I'm sure there are -- again, that might

12 fall to Company Witness Potter because he monitors

13 the --

14 Q. Understood. And if a customer that has

15 purchased the space, as it were, doesn't use the space

16 that they requested, do you sell that -- do you sell

17 that capacity to another customer?

18 A. Again, that's a Company Witness Potter

19 response.

20 MS. HARDEN: Okay. That's all the

21 questions that I have.

22 THE HEARING EXAMINER: All right. Thank

23 you, Ms. Harden.

24 Mr. Reisinger?

25 MR. REISINGER: Yes, Your Honor.

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1 CROSS-EXAMINATION (Reb.)

2 BY MR. REISINGER:

3 Q. Good afternoon, Mr. Gill.

4 A. Good afternoon.

5 Q. I think I just have a couple of

6 questions, and I believe they are all following up on

7 your surrebuttal from this morning.

8 A. Okay.

9 Q. You had a discussion with -- or you

10 referenced Exhibit 5 in your surrebuttal, which was

11 the Company's response to Coalition set number 2-16,

12 and I believe you said that in your answer, if you can

13 answer it again today, you would add a "at this time"

14 at the end; is that right?

15 A. I believe I said if I had a do-over, I

16 would add three words, "at this time."

17 Q. But the remainder of your response would

18 not change?

19 A. Correct.

20 Q. In that same discussion, I believe I also

21 heard you say that you believe that the Haymarket load

22 is continuing to grow?

23 A. I believe that to be the case, yes.

24 Q. And during this case, we've been

25 referring to maps such as the one behind you, right?

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1 A. Yes.

2 Q. An area around the Gainesville

3 Substation, the area east of Route 15; is that right?

4 A. You said an area around the Gainesville

5 Substation? That's well east of Route 15.

6 Was that your intent.

7 Q. Yes.

8 A. Okay.

9 Q. I'll put on the screen a map that I won't

10 have introduced that I produced which shows the area

11 west of Route 15, and this is -- this is an area that

12 we have not been discussing in this case, but would

13 you agree with me that there is not much commercial

14 development west of Route 15 in Prince William County?

15 A. I've got a nice, big glare spot there,

16 but I will agree that the area once you get about a

17 mile past the intersection there at Route 15 and 55,

18 it's a very rural area.

19 Q. And would you agree with me or would you

20 accept, subject to check, that this rural area that

21 you just described west of Route 15 has actually been

22 designated as, quote, a rural area by Prince William

23 County?

24 A. I believe it's The Rural Crescent; is

25 that correct?

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1 Q. Correct. So since it's been designated

2 as a rural area by the county, you wouldn't be

3 expecting too much load growth in that area, would

4 you?

5 A. Well, I believe from looking at our

6 chart, that's actually NOVEC service territory. And

7 while I am somewhat familiar with their system, they

8 could probably better speak to the load growth that

9 will occur in their service territory.

10 Q. Sure, thank you. And Mr. Gill, during

11 your surrebuttal you also had some comments in

12 response to a letter filed by Mr. Chris Price, who is

13 the director of planning for the County of Prince

14 William; is that correct?

15 A. Is that one of the exhibits that was

16 just --

17 Q. I don't know that it was introduced as an

18 exhibit; I believe it's on the docket. I believe it's

19 Exhibit 38, but it's also public comment that was

20 filed on June 17th on the docket.

21 MS. LINK: Your Honor, I believe this is

22 what was handed to you as Exhibit 38; is that correct?

23 MS. HARDEN: I think so.

24 THE HEARING EXAMINER: This is the June

25 17th -- yes. Again, I'd like to make clear that these

1 are admitted as exhibits solely for the purpose of  
2 showing what the witness is responding to.

3 MS. LINK: Thank you.

4 THE HEARING EXAMINER: I think that will  
5 probably eliminate your concern with the inability to  
6 cross-examine the witnesses.

7 MS. LINK: Thank you.

8 BY MR. REISINGER:

9 Q. And you had some responses to some of the  
10 statements made by Mr. Price?

11 A. Correct.

12 Q. And you read in Mr. Price's letter that  
13 he stated would ask that the Commission reject the  
14 Company's rebuttal testimony, support the conclusion  
15 that the principal need for this transmission need is  
16 to serve one client and support the Prince William  
17 Board of County Supervisors' position that if the line  
18 is to be approved, the only acceptable route is the  
19 I-66 hybrid alternative.

20 Do you see that?

21 A. Yes, I see that.

22 THE HEARING EXAMINER: Let me stop you  
23 right there, Mr. Reisinger. I'm looking at a letter  
24 here, and the letter I have here identified is  
25 Exhibit 38. It does not look like the letter you have

1 It was just a copy I had with me.

2 MR. REISINGER: Your Honor, I've just  
3 been handed a copy showing that this letter was filed  
4 on June 17th, at 3:38 p.m., from Chris Price, director  
5 of planning for County of Prince William.

6 THE HEARING EXAMINER: I'll go ahead and  
7 let you proceed with your questions, but I'm not sure  
8 I have that letter in front of me.

9 MS. LINK: Shall we just make sure the  
10 letter that we accept as Exhibit 38 is taken from the  
11 website? What Mr. Reisinger is showing you and what  
12 Mr. Chambliss has put up is what I have, but it  
13 appears what you might have, Your Honor, is different.

14 THE HEARING EXAMINER: Yeah, the one I  
15 have is addressed to the Honorable Hearing Examiner.  
16 That's the one I marked as Exhibit 38. Apparently  
17 this is a different letter, which I'm not sure I have  
18 before me.

19 MS. LINK: Maybe what we can do, Your  
20 Honor -- and I don't have a problem if it doesn't go  
21 in or not, but maybe the copy Mr. Chambliss handed  
22 Mr. Reisinger, which matches what he has, which  
23 matches what I have, maybe that's you what accept as  
24 Exhibit 38.

25 I don't know where Ms. Harden got hers.

1 displayed on the overhead.

2 MR. REISINGER: Maybe counsel for the  
3 Company can tell us if this was actually introduced as  
4 an exhibit today or whether it's just on the --

5 MS. LINK: Well, Your Honor, we're all at  
6 a disadvantage because Ms. Harden handed up one  
7 document and I can't verify. I do have a letter that  
8 looks like what you put up on the screen,  
9 Mr. Reisinger, of June 17th, 2016.

10 Could you show us the second page?

11 THE HEARING EXAMINER: Apparently there's  
12 two letters because one is addressed to the Honorable  
13 Hearing Examiner, which is Exhibit 38, and the letter  
14 you have refers to me as a judge.

15 MR. REISINGER: Your Honor, I'm not sure.  
16 I know this is something that I got from the  
17 Commission's website that indicates it was filed on  
18 June 17th.

19 THE HEARING EXAMINER: Right. It must be  
20 on the website. I don't see it and I'm not sure I  
21 have it.

22 MR. REISINGER: Okay.

23 MS. LINK: Ms. Harden, do you know where  
24 you got that? From the website?

25 MS. HARDEN: No. Mine was on my files.

1 MS. HARDEN: Your Honor, I'm fine with  
2 that.

3 THE HEARING EXAMINER: I'm still confused  
4 with what you're suggesting, Ms. Link.

5 MS. LINK: May I approach?

6 THE HEARING EXAMINER: One person talk at  
7 a time.

8 MS. LINK: May I just look at the letter  
9 that you have as Exhibit 38?

10 THE HEARING EXAMINER: Absolutely.

11 MS. LINK: Sorry.

12 We don't have an objection to the website  
13 version that Mr. Chambliss just handed to  
14 Mr. Reisinger to come in as Exhibit 38.

15 I don't know what that is.

16 MR. REISINGER: Your Honor, I think the  
17 version I have is the website version; I think they  
18 are the same letter.

19 MS. LINK: Right, that's what we're  
20 saying, too.

21 THE HEARING EXAMINER: It's not the same  
22 letter.

23 MS. LINK: It's not what the Hearing  
24 Examiner was handed Ms. Harden. That's the mystery  
25 solved.

<p style="text-align: right;">Page 451</p> <p>1 MR. CHAMBLISS: There are two letters  2 dated and filed on the Commission's electronic web  3 filing system on June 17th. One is from the County of  4 Prince William, and it's a thick letter with some  5 exhibits. That is not the letter that I believe the  6 Company was offering responses to through the  7 surrebuttal this morning.  8 MS. LINK: I agree with that.  9 MR. CHAMBLISS: I think what they are  10 intending to respond to is this letter that we've now  11 distributed. This appears to be the one that's in  12 front of you, to the Honorable Hearing Examiner.  13 There's two letters, Your Honor.  14 THE HEARING EXAMINER: Yes.  15 MS. LINK: Your Honor, I don't know that  16 we had time to study that one. We weren't responding  17 to that one. We were responding to a two-page letter,  18 with one attachment that Mr. Reisinger is referencing,  19 so I thought that's what you had as Exhibit 38.  20 That's the confusion.  21 THE HEARING EXAMINER: Enlighten me on  22 what's going on here.  23 MS. HARDEN: Your Honor, I'm happy to  24 withdraw it.  25 THE HEARING EXAMINER: Withdraw it and we</p>	<p style="text-align: right;">Page 453</p> <p>1 THE HEARING EXAMINER: Three pages, all  2 right. Make sure the bailiff gets a copy of that so  3 we can put it in the record.  4 MS. LINK: Your Honor, if it's helpful,  5 we'll be able to make some copies.  6 THE HEARING EXAMINER: Perfect.  7 MS. LINK: Here's five copies; at least  8 the bailiff will have it.  9 THE HEARING EXAMINER: Could I have one,  10 too?  11 MS. LINK: Of course. Most important.  12 THE HEARING EXAMINER: All right. Please  13 proceed.  14 MR. REISINGER: Your Honor, I apologize.  15 I didn't mean to belabor this issue. I just had one  16 quick question for Mr. Gill.  17 BY MR. REISINGER:  18 Q. Following up on your surrebuttal where  19 you responded and disagreed with some of the  20 statements made by Mr. Price --  21 A. Yes, sir.  22 Q. -- you would agree with me that  23 Mr. Price, as the director of planning for Prince  24 William County, he speaks for the county, correct?  25 A. I'll accept that.</p>
<p style="text-align: right;">Page 452</p> <p>1 will mark this letter?  2 MS. HARDEN: Yes, sir.  3 THE HEARING EXAMINER: This revised  4 letter as Exhibit 38?  5 MS. HARDEN: Yes.  6 THE HEARING EXAMINER: I just want to  7 make sure the record is clear that what I previously  8 identified as Exhibit 38 is a letter dated June 17th  9 to me from Curt Spear. That will be replaced with  10 another June 17th letter to me from whom again?  11 MR. REISINGER: This is from Chris Price.  12 THE HEARING EXAMINER: From Chris Price.  13 And do you have enough copies for the parties or not?  14 MR. REISINGER: I simply wanted to ask  15 Mr. Gill a question. He had responded in his  16 surrebuttal to the statements of Chris Price, and I  17 simply wanted to follow up on that surrebuttal.  18 THE HEARING EXAMINER: Okay. All right.  19 I will mark the Chris Price letter dated June 17th as  20 Exhibit 38.  21 (Exhibit No. 38 was marked and admitted  22 into evidence.)  23 THE HEARING EXAMINER: And how many pages  24 is that revised letter?  25 MR. REISINGER: Three pages.</p>	<p style="text-align: right;">Page 454</p> <p>1 Q. You don't speak for the county or its  2 policy positions?  3 A. That's correct.  4 Q. Okay. And the Board of Supervisors for  5 Prince William County would speak for the county,  6 correct?  7 A. Correct.  8 Q. You're aware they have filed comments in  9 this case?  10 A. Yes.  11 Q. Okay. And, Mr. Gill, one final question  12 going back to a discussion I believe you had with  13 Ms. Link in your surrebuttal. I wrote down a  14 statement -- and I could have gotten your statement  15 wrong, so, please, correct me, but I believe you said  16 something to the effect that there's a myth that data  17 centers are looking for sites that are in close  18 proximity to --  19 A. I can't say data centers are looking for  20 sites. I said the myth is that the county seems to  21 believe that locating these data centers only adjacent  22 to existing transmission facilities means that they  23 won't have to build another transmission line, such as  24 the one that we're here for today.  25 Q. Okay. I understand. Isn't it true</p>

1 though that Dominion has a data center certification  
2 process --

3 A. That is --

4 Q. -- with the number of criteria?

5 A. Yes, I've seen the response from  
6 Mr. Hayworth.

7 Q. And among those criteria in the Company's  
8 data center certification process is location to  
9 existing electric infrastructure; is that right?

10 A. I don't know that I can specifically tick  
11 off the list of what the criteria is.

12 Q. I'm just putting on the screen a printout  
13 from the Company's website regarding site  
14 certification.

15 And would you agree here that the  
16 highlighted statement, one of the primary  
17 considerations initially is close proximity to  
18 electrical transmission lines and substations since  
19 data centers require significant amounts of reliable  
20 power for cooling servers and other components?

21 A. Sure. If you'll give me just one second,  
22 I'll refer to Mr. Hayworth's response to The Coalition  
23 set three, question 11 where he indicates that the  
24 Haymarket site was not considered for site  
25 certification --

1 Q. And --

2 A. -- and that there's really no requirement  
3 for a data center to have a certified site.

4 Q. Sure. The customer can locate -- there's  
5 no legal requirement that the customer's location has  
6 to pass this certification test; is that correct?

7 A. Correct. And as mentioned earlier,  
8 Dominion has the obligation to serve.

9 Q. Correct.

10 MR. REISINGER: That's all the questions  
11 I have.

12 THE WITNESS: If I could, could we go  
13 back to Mr. Price's letter, please.

14 I just like to say I think he needs to  
15 add those same three words where he says that the  
16 principal need at this time.

17 MR. REISINGER: Okay. Fair enough.  
18 Thank you.

19 THE HEARING EXAMINER: Thank you,  
20 Mr. Reisinger.

21 MS. LINK: And, Your Honor, before we  
22 move, I do -- we made some copies of the Weir  
23 supplemental testimony, the one that got into the  
24 record at this point; I think it's 37, Exhibit 37.

25 THE HEARING EXAMINER: Yes.

1 MS. LINK: We have those. We have a few,  
2 at least, for the bailiff.

3 THE HEARING EXAMINER: You can pass those  
4 out.

5 Does someone have a copying machine in  
6 your briefcase for Dominion Power?

7 MS. LINK: We're here pretty often.

8 MR. CHAMBLISS: I don't think I have any  
9 questions from that document; we just didn't have one.  
10 Ready for me, Your Honor?

11 THE HEARING EXAMINER: Yes, sir.

12 CROSS-EXAMINATION (Reb.)

13 BY MR. CHAMBLISS:

14 Q. Mr. Gill, good afternoon.

15 A. Good afternoon.

16 Q. I have just a few questions. You'll be  
17 happy to know that many of those I might have asked  
18 have already been asked, and you already answered  
19 them.

20 Here is Exhibit 34, which is the NERC  
21 reliability standard, one of which has been discussed  
22 in this case; is that right?

23 A. Yes, sir.

24 Q. All right. And that is FAC-001-02,  
25 right?

1 A. Correct.

2 Q. And that is requirements for facility  
3 interconnection; would you agree?

4 A. Yes, sir.

5 Q. Okay. Now, this is an eight-page  
6 document.

7 What I want to ask you is, are the  
8 requirements the little paragraphs designated with Rs?

9 A. I really can't say with certainty. I  
10 don't know the document that well. I just know the  
11 generality that FAC-001 says we have to have the  
12 requirements. FAC-002 says we have to adhere to them.

13 Q. All right. Let's look at line B on this  
14 page. It says requirements and measures.

15 A. Okay.

16 Q. Do you think it's fair to surmise that  
17 the Rs are the requirements and the Ms are the  
18 measures?

19 A. Subject to check, sure.

20 Q. Okay. And paragraph four on this  
21 document is entitled applicability.

22 And this requirement applies to the  
23 functional entities, 4.1.1; transmission owner, 4.1.2;  
24 applicable generator owner; and then a subcategory  
25 4.1.2.1.

<p style="text-align: right;">Page 459</p> <p>1 The way this applies in this case is to</p> <p>2 you as a transmission owner; is that right?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. This is Exhibit 35, and this is</p> <p>5 FAC-002-2 entitled, facility interconnection studies.</p> <p>6 Here we have a whole number of functional</p> <p>7 entities that this requirement is applicable to;</p> <p>8 planning coordinator, transmission planner,</p> <p>9 transmission owner, distribution provider, generator</p> <p>10 owner, applicable generator owner, and load-serving</p> <p>11 entity.</p> <p>12 Now, in which -- which of those applies</p> <p>13 to Dominion in this case?</p> <p>14 A. It's my understanding it's the</p> <p>15 transmission owner.</p> <p>16 Q. Okay. Do you know which one of these</p> <p>17 requirements Dominion would be or might be in</p> <p>18 violation of if this facility is not built to serve</p> <p>19 the load and the load does develop?</p> <p>20 A. Say that one more time, please.</p> <p>21 Q. Okay. Let's -- your testimony says that</p> <p>22 you need to build the Haymarket project to serve this</p> <p>23 load out in this customer's data center or you might</p> <p>24 be in violation of one of these, of a mandatory NERC</p> <p>25 requirement.</p>	<p style="text-align: right;">Page 461</p> <p>1 A. Correct.</p> <p>2 Q. Okay. This document is revised from time</p> <p>3 to time; is that correct?</p> <p>4 A. Yes, sir.</p> <p>5 Q. You're currently on your 12th iteration</p> <p>6 of this document?</p> <p>7 A. That's what it says.</p> <p>8 Q. And it can be amended by the Company</p> <p>9 acting on its own, can it not?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. So -- and it's a lengthy document,</p> <p>12 and I think Ms. Link attached this page, page 16,</p> <p>13 which shows Section C.2.6 that you've just made</p> <p>14 reference to?</p> <p>15 A. Correct.</p> <p>16 Q. All right. And here is where the Company</p> <p>17 has established loading on a single-source radial</p> <p>18 transmission line would be limited to a hundred</p> <p>19 megawatts; is that right?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. And that is -- or let me ask you,</p> <p>22 is that consistent with this letter that's been</p> <p>23 introduced as Exhibit 32, a letter from Deborah</p> <p>24 Tompkins Johnson, of the Company, to Mr. Price in</p> <p>25 which she states there, as I've highlighted, the</p>
<p style="text-align: right;">Page 460</p> <p>1 I'm wondering which one? Which</p> <p>2 requirement?</p> <p>3 A. If we --</p> <p>4 Q. I don't know if it's on this one or the</p> <p>5 other one, but do you know which --</p> <p>6 A. I believe it would fall under the</p> <p>7 transmission owner planning criteria, which is the</p> <p>8 C.2.6 in the facility interconnection requirements</p> <p>9 document, which I believe is Exhibit --</p> <p>10 Q. Let me get there.</p> <p>11 A. -- 36.</p> <p>12 Q. This is Exhibit 36. This is the Dominion</p> <p>13 facility interconnection requirements, right?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Okay. So you're worried that you might</p> <p>16 be --</p> <p>17 A. And the section, the C.2.6, that's</p> <p>18 actually a section out of the transmission owner</p> <p>19 criteria, which is an attachment to the facility</p> <p>20 interconnection requirements document.</p> <p>21 Q. Okay. Is that what I put on the screen</p> <p>22 in front of you there?</p> <p>23 A. Yes, sir.</p> <p>24 Q. Okay. That's a page from Exhibit 36,</p> <p>25 which is a Dominion document, right?</p>	<p style="text-align: right;">Page 462</p> <p>1 Company follows strict electric transmission</p> <p>2 reliability standards as held accountable by our</p> <p>3 regulators. This is important in this context because</p> <p>4 new and expanded loads at or about 100 megawatts must</p> <p>5 be served by two transmission sources; in other words,</p> <p>6 they can't be served by a radial line, right?</p> <p>7 A. Correct.</p> <p>8 Q. That ties back -- that statement in the</p> <p>9 letter ties back to this planning requirement --</p> <p>10 A. Yes.</p> <p>11 Q. -- would you agree?</p> <p>12 A. Yes.</p> <p>13 Q. Thank you. Now, the 100-megawatt limit</p> <p>14 that the Company has set as its planning requirement,</p> <p>15 is that 100-megawatt limitation mandated by either one</p> <p>16 of these NERC standards, if you know?</p> <p>17 A. I believe it's mandated in the sense that</p> <p>18 it is a Dominion requirement that we've established as</p> <p>19 part of our facility interconnection requirements</p> <p>20 document; and per FAC-002 we have to adhere those. In</p> <p>21 other words, we can't set a requirement and then all</p> <p>22 of a sudden, you know, maybe it's -- a project is too</p> <p>23 expensive and say we'll ignore that. It's to make</p> <p>24 sure that we have standards and we adhere to them.</p> <p>25 Q. Okay. But does NERC make you set the</p>

1 standard at a hundred as opposed to 95 or 105?

2 A. No. That's a transmission owner set  
3 criteria.

4 Q. Okay. Thank you. That's what I wanted  
5 to clear up.

6 THE HEARING EXAMINER: Does NERC have to  
7 approve that standard in any way? I mean, NERC may  
8 not set it, but --

9 THE WITNESS: Well, I believe the  
10 Dominion criteria is filed with FERC on Form 715. I  
11 believe that might be an annual filing, so in the  
12 sense that they know what our criteria is and that's  
13 what we're held to.

14 BY MR. CHAMBLISS:

15 Q. Let's be clear. That's filed with FERC,  
16 the Federal Energy Regulatory Commission?

17 A. Yes, sir. Did I misspeak?

18 Q. I said FERC and I wanted to make sure we  
19 got the difference between FERC and NERC because they  
20 kind of sound alike.

21 A. Okay.

22 Q. Mr. Gill, turn to page seven, would you,  
23 of your rebuttal testimony?

24 A. Yes, sir.

25 Q. And here in this response that begins on

1 line five and runs through the next couple of pages,  
2 particularly I want to call your attention to lines 11  
3 through 21.

4 Want to take a minute and look at that  
5 again?

6 A. Sure. Bear with me just a minute.

7 Okay.

8 Q. All right. So I want to see if I  
9 understand what you're saying here. It appears to me  
10 you're saying that whenever you or the Company  
11 receives a request to serve a block load as large as  
12 the one requested here, over a hundred megawatts that  
13 is, the Company will always need to add networked  
14 transmission lines to provide that service; is that  
15 right?

16 A. Assuming that there's not adequate  
17 distribution facilities in the area to serve that  
18 load.

19 For example, in Loudoun County, before  
20 the Pacific project -- which I hope you're familiar  
21 with; I don't recall the PUE number -- that project,  
22 the existing distribution stations in that area and  
23 circuits were feeding data center type load large  
24 blocks, but at some point that block -- those block  
25 load additions got to the point that it started

1 overloading circuits and drove the need to put a  
2 station --

3 Q. You can have the need to add networked  
4 facilities for other reasons; but if you get a request  
5 to serve a hundred megawatt or above block load like  
6 you did here in this case in Haymarket, if you don't  
7 have a net transmission facility, you're going to have  
8 to add one; is that right?

9 A. If it's determined that the transmission  
10 solution is what's needed. As I pointed out, it's  
11 where distribution facilities would be inadequate.  
12 And our interconnection requirements document  
13 indicates that 30 megawatts is the threshold before  
14 which -- or at which transmission should start to be  
15 considered.

16 So, yes, for a hundred megawatts, we  
17 would definitely consider transmission. But if we had  
18 stations in the area with adequate distribution  
19 capability, that could potentially be a solution.

20 Q. There could be loads, block loads, less  
21 than a hundred megawatts that could be served by a  
22 radial transmission line; am I right?

23 A. Sure, yes. But, again, if the substation  
24 is at the end of a radial or on a radial line or maybe  
25 there's multiple delivery points or substations, it's

1 the total load on that radial line. When it gets to  
2 100 megawatts, we're required to network that line.

3 Q. Okay.

4 A. Similar to the Warrenton project.

5 Q. Let's don't go back there.

6 A. Okay.

7 Q. Take a look at what I put up on the  
8 screen there; that's Company's letter Exhibit 32.  
9 Read that highlighted portion to yourself again and  
10 see if you think there's any more elaboration that  
11 needs to be made from what the Company said to  
12 Mr. Price.

13 A. I read it again. I'm not sure what your  
14 question is.

15 Q. Well, Ms. Tompkins Johnson said new and  
16 expanded loads at or above 100 megawatts must be  
17 served by two transmission sources. I took that to be  
18 networked transmission solution.

19 A. That's the way I read it, but also  
20 knowing that Ms. Tompkins Johnson doesn't have an  
21 electrical engineering background, so I read it a  
22 certain way.

23 Q. Okay. But as far as you're concerned,  
24 that's an accurate statement?

25 A. If her intent was to say that loads above

<p style="text-align: right;">Page 467</p> <p>1 a hundred megawatts or if we have something that needs  2 a transmission line, for instance a new substation,  3 and the load on that new substation is going to be at  4 or above 100 megawatts, then that new substation will  5 need to be networked.  6 Q. And that's this requirement, C.2.6?  7 A. Yes, sir.  8 Q. Okay. These network transmission lines,  9 are they integrated and networked into the PJM  10 network?  11 A. That's a question you would have to  12 address with Company Witness Payne, but my opinion is  13 yes. And I can maybe go into what I understand the  14 reasons that they would be on this project.  15 Q. If you want me to go into it with him,  16 I'll go into it with him. If you want to answer some  17 more, I'll ask you some more questions.  18 A. I hate to throw him under the bus. If I  19 get to something or if you get to something I can't  20 answer, then --  21 Q. All right. I'll save the next couple of  22 questions for him. Let's see?  23 MR. CHAMBLISS: In fact, I'll save the  24 rest of my questions for him. That's all I have.  25 Thank you, Mr. Gill.</p>	<p style="text-align: right;">Page 469</p> <p>1 own facility interconnection requirements?  2 A. Yes.  3 Q. And that led to PJM approving this as a  4 supplemental project?  5 A. Yes.  6 MS. LINK: Thank you. Nothing further.  7 THE HEARING EXAMINER: Any further  8 questions of Mr. Gill?  9 No response, Mr. Gill; you may be  10 excused.  11 Exhibit Numbers 28 through 38 will be  12 received into the record, subject to the limitation  13 that I announced previously on 37 and 38.  14 MS. CRABTREE: Is Your Honor ready?  15 THE HEARING EXAMINER: Yes.  16 MS. CRABTREE: The Company recalls  17 Mr. Harrison Potter.  18 With Your Honor's permission, I'd like to  19 change the demonstrative that is currently on the  20 easel. There's one behind it.  21 THE HEARING EXAMINER: All right. That's  22 fine.  23 MS. CRABTREE: Just for the record, the  24 oversized exhibit on the easel is now what is in the  25 record or will be in the record as Mr. John</p>
<p style="text-align: right;">Page 468</p> <p>1 THE WITNESS: Thank you, sir.  2 THE HEARING EXAMINER: Thank you,  3 Mr. Chambliss.  4 Redirect?  5 MS. LINK: Just briefly, Your Honor.  6 REDIRECT EXAMINATION (Reb.)  7 BY MS. LINK:  8 Q. Mr. Gill, in the questioning from  9 Mr. Chambliss with regard to FAC-002, do you recall  10 that?  11 A. Yes.  12 Q. Who is the transmission planner in those  13 documents?  14 A. My understanding is PJM is the  15 transmission planner.  16 Q. And does Dominion interact with PJM in  17 PJM's regional transmission planning process?  18 A. Yes, a back-and-forth arrangement with  19 the load flow cases and developing the models.  20 Q. Okay. And as part of that regional  21 transmission planning process that PJM conducts, does  22 PJM observe the transmission owner planning criteria  23 when it plans the system?  24 A. Absolutely, yes.  25 Q. Does PJM expect that you'll follow your</p>	<p style="text-align: right;">Page 470</p> <p>1 Berkebile's rebuttal schedule six.  2 THE HEARING EXAMINER: All right.  3 HARRISON S. POTTER, recalled as a  4 rebuttal witness, having been previously duly sworn,  5 was examined and testified as follows:  6 DIRECT EXAMINATION (Reb.)  7 BY MS. CRABTREE:  8 Q. Good afternoon. Are you the same  9 Harrison S. Potter that testified on direct?  10 A. Yes.  11 Q. And do you have with you a document  12 entitled, the rebuttal testimony of  13 Harrison S. Potter, consisting of a one-page witness  14 rebuttal testimony summary, seven typed pages of  15 questions and answers, and an accompanying exhibit  16 consisting of one rebuttal schedule which was filed in  17 both public and confidential versions in this  18 proceeding on June 9th, 2016?  19 A. Yes.  20 Q. And was that document prepared by you or  21 under your supervision?  22 A. Yes.  23 Q. Do you have any corrections or additions?  24 A. Yes. On page three, line three, strike  25 "restore" and insert "switch."</p>

46 (Pages 467 to 470)

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1 THE HEARING EXAMINER: What line was that  
2 again?  
3 THE WITNESS: Line three, on page three.  
4 THE HEARING EXAMINER: Okay. And what  
5 was the correction?  
6 THE WITNESS: Strike "restore" and insert  
7 "switch."  
8 BY MS. CRABTREE:  
9 Q. So it should read "fix before switch"?  
10 A. Correct.  
11 THE HEARING EXAMINER: I'm still having  
12 trouble finding this.  
13 MS. CRABTREE: Page three, Your Honor.  
14 THE HEARING EXAMINER: Yes.  
15 MS. CRABTREE: Line three, there's a  
16 phrase in quotation that's says "fix before restore."  
17 THE HEARING EXAMINER: All right.  
18 MS. CRABTREE: That should be "fix before  
19 switch."  
20 THE HEARING EXAMINER: Fix before switch,  
21 okay. Thank you.  
22 THE WITNESS: And the same thing on page  
23 three, line four, it should be "fix before switch."  
24 BY MS. CRABTREE:  
25 Q. Do you have any other corrections?

1 A. No.  
2 Q. If you were asked the questions appearing  
3 in your -- in those documents, with those corrections,  
4 would you provide the same or substantially the same  
5 answers?  
6 A. Yes.  
7 Q. And do you wish to sponsor that document  
8 as your rebuttal testimony in this proceeding?  
9 A. Yes.  
10 MS. CRABTREE: Your Honor, I'd ask that  
11 Mr. Harrison's (sic) rebuttal testimony, the one-page  
12 summary and his rebuttal schedule one be marked for  
13 identification -- as noted, it was filed in both  
14 public and confidential versions.  
15 THE HEARING EXAMINER: Yes, Mr. Potter's  
16 testimony as Exhibit 39. And rebuttal schedule, which  
17 I think is only one page, correct? That's page four?  
18 MS. CRABTREE: The confidential  
19 information is just page four.  
20 THE HEARING EXAMINER: All right. That  
21 will be marked 39C.  
22 (Exhibit No. 39 was marked for  
23 identification.)  
24 (Confidential Exhibit No. 39C was marked  
25 for identification.)

1 MS. CRABTREE: I move admission of  
2 Exhibits 39 and 39C, subject to cross-examination of  
3 Mr. Potter's surrebuttal.  
4 THE HEARING EXAMINER: It will be  
5 received subject to cross.  
6 (Exhibit No. 39 was admitted into  
7 evidence.)  
8 (Confidential Exhibit No. 39C was  
9 admitted into evidence.)  
10 MS. CRABTREE: Thank you.  
11 BY MS. CRABTREE:  
12 Q. Mr. Potter, have you been in the  
13 courtroom for the prior witnesses?  
14 A. Yes.  
15 Q. During this proceeding, there's been some  
16 discussion about other cases before this Commission  
17 that -- in prior years in which the driver for the  
18 project were data centers or other block loads.  
19 Do you remember those conversations?  
20 A. Yes.  
21 Q. And during the cross-examination of Staff  
22 Witness Joshipura, Mr. Joshipura acknowledged that in  
23 those cases when load growth was being examined in an  
24 area, it was presented inclusive of the data center  
25 growth; do you remember that?

1 A. Yes.  
2 Q. And he said that that's different from  
3 the way the information has been presented in this  
4 case?  
5 A. Correct.  
6 Q. And in this case, we've only so far seen  
7 load growth either just the data center or just the  
8 area?  
9 A. Right.  
10 Q. And Mr. Joshipura acknowledged it would  
11 be appropriate to look at the load growth of all  
12 customers in the area, meaning inclusive of the data  
13 center; do you remember that?  
14 A. Yes.  
15 Q. Have you prepared such an exhibit?  
16 A. I have.  
17 MS. CRABTREE: Your Honor, I'd like to  
18 have the exhibit marked.  
19 THE HEARING EXAMINER: I need to see it  
20 first.  
21 All right. I will mark this as  
22 Exhibit 40. And that is entitled, Gainesville  
23 Substation load growth prior to Haymarket  
24 energization.  
25 (Exhibit No. 40 was marked for



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1 identification.)

2 MS. CRABTREE: Thank you.

3 BY MS. CRABTREE:

4 Q. Mr. Potter, as the Hearing Examiner just

5 read, this is titled, the Gainesville Substation load

6 growth prior to the Haymarket energization.

7 Could you, please, explain why that is

8 what we're looking at, as well as what we see here on

9 this Exhibit 40?

10 A. So prior to Haymarket being energized,

11 the only game in town is Gainesville, so all the load

12 that's being served in the Haymarket load area is

13 Gainesville.

14 Q. Mr. Potter, could you possibly either sit

15 closer to the microphone or pull it closer?

16 A. Sorry. So we estimated a one-percent

17 load growth for the area. I think it's a little low,

18 but to just show that there is load growth in the

19 area, so that's the .5 megawatts or MVA in this case

20 per year.

21 Thus far, the existing data center has

22 continued to grow; they went from zero to 13.4 MVA in

23 a year. So far this year, I believe they have ramped

24 six MVA. That -- all these numbers are for summer

25 peak, which is the warmest time of the year. In 2016,

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1 we haven't hit summer peak. So that was my estimate

2 of the load growth in August of 2016 as this company

3 is ramping.

4 In -- so in August, September of this

5 year, the second data center will be online and will

6 begin ramping, so I use a similar load ramp from the

7 existing facility. These were the numbers that we

8 came up with. So the four-year average is 21 percent

9 load growth in the Gainesville area.

10 Q. Okay. And if we look at the numbers you

11 have on this exhibit, I believe you stated that the

12 2014 and 2015 numbers are actual; and we see an actual

13 load growth in 2015 of .5 MVA.

14 Why do you have .5 MVA for 2016, 2017,

15 and 2018? In other words, what was your basis for

16 that?

17 A. The one percent load growth. So, you

18 know, 50 -- or one percent of 53 is around .5 MVA.

19 Q. So your projections were based on the

20 actual from 2015?

21 A. The actual from 2014.

22 Q. Okay. And that's reflected in this total

23 load number we have here?

24 A. Yes. So the numbers in the total load

25 number is the total load that we should see at

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1 Gainesville Substation prior to Haymarket being

2 energized.

3 Q. And I believe you noted that the .5 could

4 be a little low.

5 What could cause that to change?

6 A. Any new block load additions, any of

7 the -- I believe 1.3 million square feet of

8 development that we've heard about in just this case

9 alone could add to those numbers. Typically the one

10 percent will -- you know, normal load growth,

11 excluding block load additions would cover, you know,

12 say potentially the Home Depot that was discussed;

13 that would be added into that one percent. But if

14 anything big gets built, it might increase that one

15 percent load growth.

16 Q. And you mentioned that there's the

17 potential for additional block load.

18 How much notice does the Company

19 typically have of that type of an addition to its

20 system?

21 A. It all depends if there's a building

22 ready and a tenant wants to take over a building, they

23 could want service in six months, maybe less. If they

24 are building, it could be a year to two years.

25 Q. Now, we see this is the load that will be

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1 on the Gainesville Substation prior to the Haymarket

2 Substation coming online.

3 What is the -- what is your distribution

4 capacity at that Gainesville Substation?

5 A. Right now, we have two 84s. And it's my

6 understanding that is all the transmission we can put

7 in Gainesville, so that would be 168 MVA of capacity.

8 Q. And that's total capacity at that

9 station?

10 A. Correct. And that's simply substation

11 transformer capacity; that's not speaking for the

12 distribution circuits coming out of the station.

13 Q. You said you have 168 MVA of capacity at

14 that station; and we can see here in 2018, your total

15 is only 114.

16 Does that mean you could serve the

17 additional load going forward out of Gainesville?

18 A. No, I don't have the distribution circuit

19 capacity in order to serve additional load.

20 Q. What does that mean?

21 A. We have three distribution circuits that

22 feed the Haymarket load area; distribution circuit

23 379, 695, and 378. Currently, the 379 and 695 have

24 contract values for basically all of the extra

25 capacity that I have available, and they are --

1 currently it feeds the existing data center and it's  
2 currently ramping.

3 Circuit 378 will be encumbered by the  
4 first building on the customer site; and I'll have no  
5 more capacity for any additional load growth on that  
6 circuit.

7 MS. CRABTREE: Your Honor, I'd move the  
8 admission of Exhibit 40.

9 THE HEARING EXAMINER: It will be  
10 admitted, subject to cross-examination.

11 (Exhibit No. 40 was admitted into  
12 evidence.)

13 BY MS. CRABTREE:

14 Q. Now, Mr. Potter, in opening statements,  
15 counsel for The Coalition to Protect Prince William  
16 County stated that in this case we have a customer  
17 that chose a location that's not near existing  
18 transmission or distribution infrastructure.

19 You just mentioned three distribution  
20 circuits.

21 Is Mr. Reisinger's statement correct?

22 A. No. We have distribution infrastructure  
23 in the area.

24 Q. And did you sponsor a discovery response  
25 that outlined the distribution circuits in the area?

1 ones you just mentioned?

2 A. Yes.

3 Q. And I'm putting on the screen -- it's  
4 oversized -- to the extent I can, what is attachment  
5 Staff set 1-2(1) to this response.

6 That's as far as the machine goes, but  
7 can you explain to us the existing distribution  
8 circuits in this area and where they are located?

9 A. Yes. The Gainesville Substation that's  
10 just off the page is where both -- or all three  
11 circuits begin. Two circuits follow -- or go south  
12 along the transmission line and then follow Wellington  
13 Road.

14 THE HEARING EXAMINER: Mr. Potter, could  
15 you go on the overhead display there and point it out?

16 THE WITNESS: Yeah. So Gainesville  
17 Substation. Two distribution circuits, follow the  
18 transmission right-of-way and then follow Wellington  
19 Road. At that point, they split; the 379 circuit  
20 follows Heathcote Boulevard roughly. This is all  
21 underground circuitry, and then continues on past the  
22 hospital -- can you slide it over -- and goes down to  
23 Route 50, and that serves one half of the existing  
24 data center.

25 The 695 circuit follows the same path

1 A. I did.

2 MS. CRABTREE: Your Honor, I'm going to  
3 pass out the Company's response to Staff -- first set  
4 of Staff interrogatory question number two.

5 As Your Honor can see, there's a response  
6 which references attachment 1-2(1) and 1-2(2), which  
7 I've included with what I'm marking.

8 THE HEARING EXAMINER: All right. You'd  
9 like the whole package marked?

10 MS. CRABTREE: Yes.

11 THE HEARING EXAMINER: All right. The  
12 Company's response to question number two of the  
13 Staff's first set of interrogatories will be marked  
14 Exhibit 41; and that also includes the two  
15 attachments.

16 (Exhibit No. 41 was marked for  
17 identification.)

18 BY MS. CRABTREE:

19 Q. Without getting into the full response  
20 here, what was the Company asked in this interrogatory  
21 that's been marked as Exhibit 41?

22 A. Bears to produce a map that shows the  
23 three distribution circuits and then explain, I guess,  
24 when those circuits were built.

25 Q. Okay. And are those three circuits the

1 along Wellington, and then is on 55 all the way down  
2 to the -- the 378 was a new circuit we built in order  
3 to free up capacity; one on the 379 and 695 to be able  
4 to serve the first building. Prior to that, all the  
5 load down 29 was on the 379 and 695. And we're  
6 running out of capacity to be able to serve that  
7 building, so we built the 378 circuit which is a 54  
8 MVA circuit.

9 Slide it back.

10 It comes out of the substation, goes  
11 north, parallels 29, and then works its way down to 55  
12 and overbuilds through the town. That will feed the  
13 first building on the project campus.

14 So the conductor along 55 is our standard  
15 477, good for 36 MVA, so that's all the capacity I  
16 have on that circuit to serve load out in the  
17 Haymarket area.

18 BY MS. CRABTREE:

19 Q. Earlier when Mr. Gill was on the stand,  
20 he was asked some questions about the process of how a  
21 project like this comes about; and he, I believe,  
22 pointed to you and said you were the one that has to  
23 make the initial request based on the capacity you  
24 have available and the distribution circuits.

25 Can you explain a little more about that?

<p style="text-align: right;">Page 483</p> <p>1 A. Yes. We receive the request from the</p> <p>2 customer usually through the key accounts group or</p> <p>3 some other way that gets it into our hands, and then</p> <p>4 we start looking at the area around the customer's</p> <p>5 property.</p> <p>6 In this case, you know, the first</p> <p>7 building we worked to figure out a way to temporarily</p> <p>8 serve the customer from distribution --</p> <p>9 Q. Sorry. I don't mean to interrupt, but</p> <p>10 when you say "the first building," are you talking</p> <p>11 about the existing building or one of the new</p> <p>12 buildings?</p> <p>13 A. The existing building -- we'll say</p> <p>14 existing building, and then it will be the first one,</p> <p>15 two, and three on the customer's campus. I'll try to</p> <p>16 keep it that way.</p> <p>17 Q. Thank you.</p> <p>18 A. And then so we work to start serving</p> <p>19 that. And then the second request came in for the</p> <p>20 customer's campus.</p> <p>21 Looking at the distribution in the area,</p> <p>22 we tried to meet the customer's need by building the</p> <p>23 378 circuit and upgrading some of the facilities at</p> <p>24 Gainesville. Pretty much, we did everything possible</p> <p>25 to serve from distribution, but this -- it's not a</p>	<p style="text-align: right;">Page 485</p> <p>1 these three or whatever the impacted line is?</p> <p>2 A. Correct. Say the 379 went down, all the</p> <p>3 customers along Heathcote could potentially be out</p> <p>4 until we could restore or fix the issue.</p> <p>5 MS. CRABTREE: Your Honor, I'd move the</p> <p>6 admission of Exhibit 41.</p> <p>7 THE HEARING EXAMINER: Exhibit 41 will be</p> <p>8 received into the record, subject to</p> <p>9 cross-examination.</p> <p>10 (Exhibit No. 41 was admitted into</p> <p>11 evidence.)</p> <p>12 BY MS. CRABTREE:</p> <p>13 Q. Mr. Potter, in Staff counsel's opening</p> <p>14 statement, you noted that this is a customer that's</p> <p>15 already in the service area, already receiving</p> <p>16 adequate service, now it wants a new service, a new</p> <p>17 service that will require new facilities to be built.</p> <p>18 How does the Company view the load from</p> <p>19 the Haymarket Campus?</p> <p>20 A. I believe the Company believes we have</p> <p>21 120 MVA of customer load to serve.</p> <p>22 Q. Do you believe they would be receiving</p> <p>23 adequate service without the project?</p> <p>24 A. Well, one, we can't serve the customer's</p> <p>25 load; and two, even if -- I can't even think of a way</p>
<p style="text-align: right;">Page 484</p> <p>1 permanent solution; we're going to end up with</p> <p>2 circuits that are rated near their thermal operating</p> <p>3 limit; gives me no room for capacity to do any</p> <p>4 switching. It's just not a good scenario from a</p> <p>5 distribution model. Typically you want substations at</p> <p>6 the load center. In this case, the load center is six</p> <p>7 miles away from Gainesville Substation.</p> <p>8 Q. When you say capacity to do switching,</p> <p>9 what does that mean?</p> <p>10 A. Typically, how Dominion likes to operate</p> <p>11 its system, if we lose one circuit, typically we try</p> <p>12 to switch as many customers back on. And in order to</p> <p>13 do that, you have to have capacity on the circuit that</p> <p>14 you're switching to. Prior to -- and then we go fix</p> <p>15 whatever was broken and then switch and get everything</p> <p>16 back to normal.</p> <p>17 In this case, if all of these circuits</p> <p>18 are loaded near the nameplate, or their NOL, if one of</p> <p>19 these circuits goes down, the customers are out until</p> <p>20 we can get crews out to restore. We can't do any</p> <p>21 automated switching or manual switching. We have to</p> <p>22 roll bucket and fix whatever the issue was to get</p> <p>23 lights back on.</p> <p>24 Q. When you say the customers are out, would</p> <p>25 that be all retail customers that are served off of</p>	<p style="text-align: right;">Page 486</p> <p>1 we could from a distribution perspective, and I think</p> <p>2 Staff agrees. I don't think it would be good for the</p> <p>3 long term of the area.</p> <p>4 Q. Mr. Potter, during the cross of the</p> <p>5 Company's cross-examination of Mr. Joshipura, Ms. Link</p> <p>6 was asking him about what he called in his report</p> <p>7 ancillary benefits, but that during cross-examination</p> <p>8 he agreed would be benefits that would enure on day</p> <p>9 one of the Haymarket Substation being energized.</p> <p>10 Do you remember that exchange?</p> <p>11 A. Yes.</p> <p>12 Q. And I believe your rebuttal testimony</p> <p>13 covers some of those benefits?</p> <p>14 A. Yes.</p> <p>15 Q. And I think one of the benefits that</p> <p>16 Mr. Joshipura agreed would occur on day one of the</p> <p>17 Haymarket Substation coming online was to the,</p> <p>18 roughly, 500 customers, in addition to the customer</p> <p>19 that will be now served out of the Haymarket</p> <p>20 Substation; do you remember that?</p> <p>21 A. Yes.</p> <p>22 Q. Could you indicate on the map behind you,</p> <p>23 which is an oversized version of Mr. Berkin's rebuttal</p> <p>24 schedule six, where those approximately 500 customers</p> <p>25 are located that will now be served -- or would be</p>

1 served off the new Haymarket Substation?

2 A. So it would be basically every customer  
3 that we have west of Route 15; so all the townhouses,  
4 the hospital, Wal-Mart, FST, the proposed Home Depot  
5 location would all be served out of Haymarket.

6 Q. And what properties would you anticipate  
7 moving to the Haymarket Substation in the future if  
8 load continues to grow?

9 A. I mean, I guess a lot depends on the load  
10 growth closer to Gainesville, but it's a very real  
11 possibility all of Haymarket could be served out of  
12 Haymarket Substation at one point or another; it just  
13 depends on how the area builds out.

14 Q. And I believe there was some testimony  
15 that as far as the day-one capacity at the Haymarket  
16 Substation, this customer would be taking up a large  
17 percentage of that.

18 How would you then be able to add these  
19 customers in the future?

20 A. We have space for a third, 84 MVA  
21 transformer, so it gives us 84 MVA more of capacity to  
22 serve out of that station.

23 One thing I'd also like to mention, day  
24 one we're planning to put an LS, or automated loop  
25 schemes. The two -- can you put the map -- the

1 not intend to ask you about any confidential  
2 information, so --

3 THE HEARING EXAMINER: Be careful with  
4 that on the overhead; I can see the yellow underneath  
5 it.

6 MS. CRABTREE: Yes, sir.

7 BY MS. CRABTREE:

8 Q. Earlier when Exhibit 23C was admitted,  
9 Mr. Chambliss was asking about the projects at Waxpool  
10 and Cloverhill.

11 And without getting into the confidential  
12 customer load information, could you provide more  
13 detail on the development of those sites since  
14 November of 2015 when this interrogatory that was  
15 entered as Exhibit 23C was responded to?

16 A. Yes. It's my understanding at Waxpool  
17 that load is continuing to grow on data center  
18 campuses that are currently served off of Waxpool.  
19 The customer that was part of the need in the, I  
20 guess, application is coming out of the ground with  
21 its new campus. So while it didn't come in the time  
22 they said they would initially, it is building. And I  
23 believe I understand that it's going to be larger than  
24 what they initially wanted. That Waxpool is not in my  
25 planning area, but that's the information that I have,

1 distribution map --

2 Q. The distribution map?

3 A. Yeah, back up.

4 MS. CRABTREE: For the record, this is  
5 Exhibit 41.

6 THE WITNESS: So the plan that we have,  
7 there's a reclosure existing right along John Marshall  
8 Highway on the 695 circuit and there's a reclosure off  
9 of Dave's Store Lane, I believe is the name of the  
10 road, on the 379 circuit. So for the loss of any of  
11 the three miles prior to getting to our first  
12 customer, all of these customers -- I think it's 2,800  
13 or so -- would be restored in two minutes or so. So  
14 it's kind of an added benefit to the area.

15 THE HEARING EXAMINER: Now, by reclosure,  
16 you mean reclosure when the circuit trips?

17 THE WITNESS: So if this circuit locks  
18 out or the substation locks out and it's -- say under  
19 two minutes, they would open -- end up putting  
20 reclosures down here that would close to pick up all  
21 of the customers.

22 THE HEARING EXAMINER: All right.

23 BY MS. CRABTREE:

24 Q. Mr. Potter, I'll ask you some questions  
25 about what has been admitted as Exhibit 23C. And I do

1 you know, heard through our group.

2 Cloverhill, there is a new data center  
3 customer slated, I believe, middle of '17 to begin  
4 operation, so that's the beginning of the buildout of  
5 that campus. And while we didn't -- you know, it's a  
6 little later than we originally anticipated; these  
7 sites are building out.

8 Q. And Ms. Harden was asking some questions  
9 of Mr. Gill regarding, you know, what kind of  
10 verification happens, you know, when you get -- when  
11 you get an anticipated load such as a data center  
12 campus.

13 And it sounds like the data center at  
14 Waxpool and Cloverhill had, at least, a delay in  
15 realizing load; is that fair?

16 A. Yes.

17 Q. Is there any reason for you to expect a  
18 delay in this instance with the customer driving the  
19 need for the Haymarket project?

20 A. No. This customer is different than the  
21 other customers in the cases. They do what they say.  
22 You know, even in the existing facility, they are  
23 ramping and they have been ramping quickly. They are  
24 coming out of the ground with the first building on  
25 the new campus. It seems to me that there's no reason

<p style="text-align: right;">Page 491</p> <p>1 why they are going to slow down on this campus, so I</p> <p>2 don't see any reason why they wouldn't meet the target</p> <p>3 load ramps they have given us.</p> <p>4 Q. And that existing building, you said that</p> <p>5 is ramping and continues to ramp.</p> <p>6 Is it ramping on the schedule as they</p> <p>7 projected originally?</p> <p>8 A. It appears to me through the load letters</p> <p>9 that they submitted to us.</p> <p>10 MS. CRABTREE: Thank you. Mr. Potter is</p> <p>11 available for cross-examination.</p> <p>12 THE HEARING EXAMINER: Mr. Coughlin?</p> <p>13 MR. COUGHLIN: Yes.</p> <p>14 CROSS-EXAMINATION (Reb.)</p> <p>15 BY MR. COUGHLIN:</p> <p>16 Q. Mr. Potter, good afternoon.</p> <p>17 A. Good afternoon.</p> <p>18 Q. Are you familiar with where the</p> <p>19 Southview 66 property is located?</p> <p>20 A. I am.</p> <p>21 Q. Is there a distribution line on that</p> <p>22 property presently?</p> <p>23 A. I believe if not on, it's very close.</p> <p>24 Q. And -- go ahead.</p> <p>25 A. I would assume the triangle piece or the</p>	<p style="text-align: right;">Page 493</p> <p>1 Q. So long as they stayed 80 or below --</p> <p>2 A. And no one else developed, you know,</p> <p>3 there was no other load growth in the area, which I</p> <p>4 don't think any of us in here think that's the case.</p> <p>5 MR. COUGHLIN: Okay. No further</p> <p>6 questions.</p> <p>7 THE HEARING EXAMINER: All right. Thank</p> <p>8 you.</p> <p>9 Ms. Alexander?</p> <p>10 MS. ALEXANDER: I just have a couple of</p> <p>11 brief questions about Exhibit 40.</p> <p>12 CROSS-EXAMINATION (Reb.)</p> <p>13 BY MS. ALEXANDER:</p> <p>14 Q. And you created this document yourself,</p> <p>15 correct?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. The annual incremental data center</p> <p>18 load near your source column where it's referencing</p> <p>19 annual incremental data center load, how many data</p> <p>20 centers are your figures incorporating there?</p> <p>21 A. The 2015 and '16 is one. The 2017 and</p> <p>22 '18 is two.</p> <p>23 Q. And can you identify the 2015 and 2016</p> <p>24 you said are going to be one; and that's the single</p> <p>25 data --</p>
<p style="text-align: right;">Page 492</p> <p>1 corner, it goes right between the two.</p> <p>2 Q. Yes.</p> <p>3 A. That's the site where the transition</p> <p>4 station would be?</p> <p>5 Q. Yes.</p> <p>6 A. So, yes, there's distribution on the</p> <p>7 site.</p> <p>8 Q. And but for the data center project,</p> <p>9 would they be able to utilize those distribution lines</p> <p>10 for service provided their load was not above a</p> <p>11 hundred megawatts?</p> <p>12 A. So can you kind of repeat that?</p> <p>13 Q. Sure. Let me just ask it this way: If</p> <p>14 their load was not above a hundred megawatts, would</p> <p>15 they be able to utilize today those distribution</p> <p>16 circuits that are on or very near their property?</p> <p>17 A. We don't have capacity to serve the</p> <p>18 hundred megawatts or 90 megawatts. We're kind of</p> <p>19 capped at 80 for the time being. That 80 will</p> <p>20 diminish over time as load continues to grow in the</p> <p>21 area. So, I mean, if this situation -- we wouldn't be</p> <p>22 able to serve 100 megawatts of customer load.</p> <p>23 Q. But you would be able to serve</p> <p>24 80 megawatts of customer load?</p> <p>25 A. Yes, temporarily.</p>	<p style="text-align: right;">Page 494</p> <p>1 A. The existing facility.</p> <p>2 Q. And can you identify what the two are for</p> <p>3 your 2017 and 2018?</p> <p>4 A. The existing facility and the first</p> <p>5 building on the new campus.</p> <p>6 Q. Okay. And then is there -- can you just</p> <p>7 tell me the reason the annual load growth percentage</p> <p>8 is going down in 2018 overall? 27.6 percent in 2017,</p> <p>9 down to 16.9 percent.</p> <p>10 A. Yeah. As you noticed between 2015 and</p> <p>11 '16, the percentage went down. You know, buildings</p> <p>12 ramp and then they steady off as they are getting to</p> <p>13 their final build-out. Same thing happened in that</p> <p>14 case, the first building finished ramping and the</p> <p>15 second building is still kind of doing the same thing</p> <p>16 that happened between 2015 and '16.</p> <p>17 Q. When we talk about ramping, why is there</p> <p>18 a need for more load as a ramp-up and then why the</p> <p>19 decline?</p> <p>20 A. It doesn't decline. It flattens out.</p> <p>21 You know, as they bring in their servers, you know, it</p> <p>22 potentially fills out.</p> <p>23 MS. ALEXANDER: Those are all the</p> <p>24 questions I have. Thank you.</p> <p>25 THE HEARING EXAMINER: All right.</p>

1 Ms. Harden?

2 MS. HARDEN: Yes, sir.

3 CROSS-EXAMINATION (Reb.)

4 BY MS. HARDEN:

5 Q. I will try to be quick. Mr. Gill talked  
6 about -- his rebuttal testimony talked about a  
7 by-right ability to build a campus such as the  
8 customer's campus. And then when I asked him about  
9 what his understanding was of by-right, he said that  
10 he wasn't a land guy, but that perhaps you might be  
11 and kind of punted.

12 Are you -- is that start of your  
13 responsibility to evaluate a request from a customer  
14 and look at whether or not they can build the campus  
15 that they have asked to build based on how they are  
16 zoned?

17 A. No. I don't look at how zoning -- when  
18 the customer requests power, I assume they have done  
19 that due diligence.

20 Q. I see. So now in this particular case,  
21 there's a need for a substation as well as the actual  
22 power lines to be constructed, and that is on a -- the  
23 proposed location of the substation is on a piece of  
24 property owned by the customer; is that correct?

25 A. The piece of property is currently owned

1 by the customer, but Dominion will own it prior to the  
2 substation being built.

3 Q. How was that property identified as the  
4 proper location for the substation?

5 A. I'm not sure I know the history of how we  
6 chose that location. I do remember initially when the  
7 first 40 MVA was discussed of the existing building,  
8 that we started talking maybe a substation would be  
9 needed in the area along with the collocated facility  
10 with NOVEC potentially, so we started looking for land  
11 in the area. The customer, you know, went for the  
12 campus style for the next parcel, and that happened to  
13 be in the same area that we were looking for land for  
14 the substation, so I believe we started working with  
15 the customer at that point, but I was not a part of  
16 all of those interactions.

17 Q. Okay. So do you know whether the parcel  
18 was purchased by the customer for the purpose of  
19 putting the substation?

20 A. I think it was purchased for the purpose  
21 of building a data center campus.

22 Q. Okay. But you weren't privy to any of  
23 those negotiations in particular?

24 A. I wouldn't be privy to any negotiations  
25 of any land deal of any customer.

1 Q. Okay. Do you know if the substation is a  
2 by-right use?

3 A. That I don't know.

4 Q. Okay. And so you don't know what kind of  
5 local machinations need to be accomplished for them to  
6 be able to build it?

7 A. No, I don't.

8 Q. Do you have any idea of the timeline of  
9 this project being built out?

10 A. Can you explain a little further?

11 Q. Sure.

12 A. I might, might not.

13 Q. No, no. Bad question. I'll rephrase the  
14 question.

15 What needs to be built first, the  
16 substation or the lines?

17 A. Without the substation, there's no point  
18 in the lines. Without the lines, there's no point in  
19 a substation, so they need to be built together.

20 Q. Got you. Understood.

21 So if the substation didn't obtain  
22 approval from Prince William County to be built, then  
23 the project can't get built; is that correct?

24 A. I assume that's correct. But we have no  
25 indication the county will not agree or permit the

1 site. They are talking with our project team.

2 Q. Okay. And is the project team in talks  
3 with the county?

4 A. I believe so.

5 Q. When a request comes in -- actually, let  
6 me preface this. You were talking about the  
7 Exhibit 23C -- and I'm not going to talk about  
8 confidential information.

9 A. All right.

10 Q. And the particular examples that were  
11 used in that exhibit were -- I believe that were  
12 discussed were the Waxpool and the Cloverhill  
13 projects?

14 A. Uh-huh.

15 Q. And your testimony was that the -- those  
16 data center campuses -- or data centers were a bit  
17 delayed in actually being able to ramp up?

18 A. Correct.

19 Q. Okay. And the -- when is it anticipated  
20 that they will meet the load that they had requested?

21 A. I can't answer that. I'm not sure,  
22 especially with Waxpool. Cloverhill, we're working  
23 with customers to start building that out. I'm not  
24 sure when they will get to the load levels that they  
25 had initially discussed.

1 Q. Okay. And in the meantime, they are  
2 paying for that space?  
3 A. No. They haven't signed contracts  
4 because they don't have buildings.  
5 Q. Okay. So the space is being used for  
6 other customers?  
7 A. The capacity out of the station can be  
8 used for other customers, certainly.  
9 Q. Okay. Now, the document actually has a  
10 couple of other data points; I'm not discussing the  
11 specific data points other than to note that the two  
12 other projects that are on page two of the document  
13 had a certain load letter amount, and in the summer of  
14 2015 had reached an amount that was not anywhere near  
15 as close?  
16 A. Correct.  
17 Q. Why is that?  
18 A. Those customers hadn't built their  
19 facilities at that time.  
20 Q. They had not built their facilities?  
21 A. Correct.  
22 Q. Oh, okay. So do you know when the load  
23 letters were requested?  
24 A. The load letters that we have received,  
25 the customer had not met -- has not met those

1 expectations.  
2 Q. I'm sorry. Can you speak --  
3 A. They have not -- they haven't built their  
4 buildings in order to meet those load letters.  
5 Q. Okay. Understood.  
6 So then are these the only requests  
7 for -- the particular projects here, have these been  
8 the only requests in the last ten years for data  
9 centers? I think the answer is yes, based on the  
10 interrogatory question.  
11 A. No. These aren't all the data centers;  
12 these are just the ones that required a transmission  
13 project in order to serve.  
14 Q. I see. So out of the five projects that  
15 have been transmission projects that have been  
16 built -- let me take that question back.  
17 How does Dominion Power evaluate whether  
18 or not the potential customer is going to use the  
19 amount of load that they are requesting in the load  
20 letter?  
21 A. I think with any customer, you would say  
22 you are building a Wal-Mart, you would give me your  
23 load letter, that's what I have to go on. I don't  
24 have anything other than that to go from. I can't get  
25 inside your building, I don't look at how many lights

1 you're going to have. I have to go by what I'm given.  
2 Q. Okay. And so that's the only information  
3 that you have, is just the information in your load  
4 letter?  
5 A. Correct. The most up-to-date information  
6 we have is the load letter given to us by a customer.  
7 MS. HARDEN: Okay. That's all the  
8 questions that I have.  
9 THE HEARING EXAMINER: All right.  
10 Mr. Reisinger?  
11 MR. REISINGER: No questions.  
12 THE HEARING EXAMINER: Mr. Chambliss?  
13 MR. CHAMBLISS: Thank you, Your Honor.  
14 CROSS-EXAMINATION (Reb.)  
15 BY MR. CHAMBLISS:  
16 Q. I do have a couple. Good afternoon,  
17 Mr. Potter. Would you stand up there at your map  
18 again. And you had indicated that once the Haymarket  
19 Substation is built, certain additional customers  
20 beside the big customer will be served; and I think  
21 you indicated the area sort of in the northwest corner  
22 of that map?  
23 A. Correct.  
24 Q. All right. Now, I want to ask you, is  
25 that going to include Mr. Fuccillo's property that

1 he's been trying to develop for 27 years?  
2 A. Which one is Mr. Fuccillo's?  
3 Q. He's with south --  
4 MS. CRABTREE: I think it's Mr. Fuccillo.  
5 THE WITNESS: Southview 66, no, it will  
6 not.  
7 BY MR. CHAMBLISS:  
8 Q. Yeah, he was Southview 66.  
9 A. No, it will not serve down to  
10 Southview 66.  
11 Q. So he won't be part of the growth in the  
12 Haymarket area then, right?  
13 A. Well, yes, that's still our consideration  
14 part of the Haymarket load area.  
15 Q. But he'll still be considered -- he'll  
16 still be served out of Gainesville if he ever develops  
17 that property?  
18 A. Correct. And he'll be part of the loop  
19 schemes that we're putting in to restore his power  
20 quicker.  
21 Q. All right. That's the end of you  
22 standing up by the map, I hope.  
23 I want to ask if you can add a couple  
24 more figures to this chart of yours.  
25 This is growth at the Gainesville

1 Substation, not the prospective Haymarket Substation,  
2 right?

3 A. Correct.

4 Q. Okay. You have total growth or total  
5 load in that substation as of 2013 -- 2014 of  
6 53.6 megawatts, or MVA.

7 How much of that is data center and how  
8 much of that is non data center load?

9 A. That is two point -- I think it's 2.3 MVA  
10 of actual data center load. The rest is normal  
11 residential and commercial.

12 Q. 2.3 here?

13 A. Yes.

14 Q. And so 51 here?

15 A. Yes, or thereabouts.

16 Q. All right. And is all of those data --  
17 incremental data center loads load from the customer  
18 that you're preparing the Haymarket project to serve?

19 A. Correct.

20 Q. There's no other data center being served  
21 out of Gainesville at this point --

22 A. Correct.

23 Q. -- is that right?

24 A. Yes.

25 Q. Okay. So over the next four years,

1 everything that's not a data center is expected to add  
2 roughly two megawatts of load to the Gainesville  
3 Substation?

4 A. Yes, assuming there's no large block load  
5 additions in the area.

6 Q. All right. Now, do you have the  
7 confidential Exhibit 23C?

8 A. Yes.

9 Q. You got asked some questions by  
10 Ms. Crabtree about to update us from what happened  
11 when you answered this question in 2015 to today?  
12 Remember those questions?

13 A. Yes.

14 Q. And you had indicated that the Cloverhill  
15 project was now underway.

16 Is that the same developer that  
17 originally gave you the load letter or is that a  
18 different developer?

19 A. It's a different developer.

20 Q. It's a different developer.

21 Were you part of the certificate of  
22 application to construct the Cloverhill line and the  
23 Waxpool line?

24 A. Not the Waxpool. I think I was a  
25 contributor on Cloverhill, but I don't know that I had

1 any --

2 Q. Was the Company confident in the  
3 customer's ability to come through in those cases?

4 A. It's my understanding we were.

5 Q. Okay. Let's go to your testimony here.

6 You changed the terminology "fix before  
7 restore" on page three to "fix before switch," right?

8 A. Correct.

9 Q. All right. And I wanted to ask you --  
10 your testimony here is you would have to -- first of  
11 all, do you have to change anything else in that  
12 paragraph?

13 A. No. I mean, the "fix before switch"  
14 means the same thing essentially. You're switching to  
15 restore the lights. It's just not the common  
16 terminology I should have used in writing this.

17 Q. And the reason you can't switch before  
18 you fix is because all three of those circuits have  
19 big load at the end of them?

20 A. Yeah; there would be no capacity to be  
21 able to switch.

22 Q. Okay. And the big load at the end of  
23 them is the current data center and the expected data  
24 center that's ramping along?

25 A. Correct.

1 Q. Okay. Does the customer out there have  
2 back-up power?

3 A. I would assume they do.

4 Q. So if you had somebody driving along John  
5 Marshall Highway there and ran into one of your poles,  
6 took out that circuit, you can't call the customer up  
7 and say, energize your back-up power so I can switch  
8 the rest of my thousand customers or whatever that's  
9 served off that circuit?

10 A. Correct. But I think the reason for the  
11 proposed project is so we don't have to ask the  
12 customer to do that.

13 Q. Right. But can you do that now?

14 A. Today we can. Well, no -- hold on.  
15 We're not at a point today where we would need to be  
16 in a fix-before-switch scenario. Once all of this  
17 customer load has reached a point, then we'll be in  
18 that scenario. I'm not an operations guy. I don't  
19 know if they would call the customer and say, can you  
20 go on generation? I'm not fair sure about that.

21 Q. Fair enough. You've been here for the  
22 whole proceeding, right?

23 A. Correct.

24 Q. You were here when the public witnesses  
25 came and testified that there's a lot of competition



<p style="text-align: right;">Page 507</p> <p>1 for data center business?</p> <p>2 A. Yes.</p> <p>3 Q. All right. Now, sometimes plan data</p> <p>4 centers don't get built, right?</p> <p>5 A. Correct.</p> <p>6 Q. Or the schedule for building them slips</p> <p>7 because of whatever reason, correct?</p> <p>8 A. Correct.</p> <p>9 Q. Would you agree?</p> <p>10 A. I agree.</p> <p>11 Q. Okay. Suppose the customer in this</p> <p>12 instance has an existing building that's shown up</p> <p>13 there on your map and the second building coming up</p> <p>14 out of the ground; suppose that customer decides, hey,</p> <p>15 Ohio is giving me a great tax break to come to Ohio,</p> <p>16 and I'm not going to build the other two buildings.</p> <p>17 Still need the project?</p> <p>18 A. The timing may slip, but, yes, we'd still</p> <p>19 need the project.</p> <p>20 Q. Because?</p> <p>21 A. The reasons that we outlined, the</p> <p>22 capacity on those circuits would be eaten up. And say</p> <p>23 load continues to grow, I would have no way to serve</p> <p>24 those new customers. The reliability will suffer in</p> <p>25 the area because I will not be able to switch prior to</p>	<p style="text-align: right;">Page 509</p> <p>1 A. Of my rebuttal?</p> <p>2 Q. Yeah, page four of your testimony.</p> <p>3 A. Yes.</p> <p>4 Q. What exactly on here -- we've talked</p> <p>5 a lot about, it seems to me, total load and when it</p> <p>6 comes along. I just wonder what exactly remains</p> <p>7 confidential here?</p> <p>8 MS. CRABTREE: Your Honor, I think that's</p> <p>9 more a legal question; and if I can be permitted to</p> <p>10 answer it?</p> <p>11 THE HEARING EXAMINER: Sure.</p> <p>12 MR. CHAMBLISS: That would be fine. I</p> <p>13 just wondered what still after --</p> <p>14 MS. CRABTREE: It's my understanding that</p> <p>15 the total load number is fine, that's been in our</p> <p>16 application. However, the information presented on</p> <p>17 Mr. Potter's page four is -- provides a by-buildings</p> <p>18 ramp schedule, and it's the load and the dates that</p> <p>19 exactly we expect certain load to come online that the</p> <p>20 Company protects as confidential for all customers,</p> <p>21 including the customer in this case.</p> <p>22 MR. CHAMBLISS: All right.</p> <p>23 BY MR. CHAMBLISS:</p> <p>24 Q. There's a certain amount of load expected</p> <p>25 after a certain date; is that right?</p>
<p style="text-align: right;">Page 508</p> <p>1 restoring.</p> <p>2 Q. So if the load growth stops here, you</p> <p>3 can't serve -- you can't serve all those customers</p> <p>4 from Gainesville; you would have to build the line</p> <p>5 anyway; is that your testimony?</p> <p>6 A. I'm saying that maybe not at the same --</p> <p>7 with the same need date, but, yes, eventually we would</p> <p>8 have to build that line.</p> <p>9 Q. Okay. So there could be additional</p> <p>10 growth that would drive the Company into a planning</p> <p>11 criteria violation that would not be there right at</p> <p>12 this moment, right?</p> <p>13 A. Correct. And that's surely a what-if</p> <p>14 scenario. Customer hasn't given us any indication</p> <p>15 they are not building the second and third building.</p> <p>16 Q. Suppose Prince William County makes the</p> <p>17 company an offer to relocate those additional two</p> <p>18 buildings somewhere else in Prince William County.</p> <p>19 Does the same answer apply?</p> <p>20 A. Correct.</p> <p>21 Q. Project may be needed at some point in</p> <p>22 the future?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Do you have the confidential page</p> <p>25 four that's Exhibit 39C?</p>	<p style="text-align: right;">Page 510</p> <p>1 A. Yes.</p> <p>2 Q. Do you know how far after that date, or</p> <p>3 is that confidential? If you can't answer that --</p> <p>4 A. I'm kind of confused what you're asking</p> <p>5 me.</p> <p>6 Q. It just says after a particular date,</p> <p>7 there will be a particular amount of load added.</p> <p>8 A. Oh, I see, yes.</p> <p>9 Q. And if it's confidential, how far after</p> <p>10 that date? Is it a year? Five years? Ten years?</p> <p>11 Three months? Do you know, or would that be</p> <p>12 confidential?</p> <p>13 A. I think once the building has been</p> <p>14 constructed, there will be a ramp that goes along with</p> <p>15 that building that the customer will give us.</p> <p>16 Whenever that building is put into service, we'll sign</p> <p>17 a contract that gives us -- you know, it has all that</p> <p>18 information laid out.</p> <p>19 Q. Well, you know, I'm just asking you these</p> <p>20 questions. If the customer has its existing building,</p> <p>21 finishes a second building, you said -- and the</p> <p>22 customer stops there, you might not need this project</p> <p>23 right now, but you might need it at some point in the</p> <p>24 future?</p> <p>25 A. And part of what's gone on in this case</p>

1 is we've worked with the customer to slow down their  
2 need dates. They had a much more aggressive date for  
3 energization of their three buildings on their new  
4 site, and we worked with them and said we just don't  
5 have the capacity from a distribution perspective to  
6 meet your needs and push back to the reasonable target  
7 date, you know, that we can actually have the  
8 substation built on their property.

9 MR. CHAMBLISS: Okay. Mr. Potter, thank  
10 you very much.

11 That's all I have, Your Honor.

12 THE HEARING EXAMINER: Any redirect of  
13 Mr. Potter?

14 MS. CRABTREE: No redirect.

15 THE HEARING EXAMINER: Mr. Potter, you  
16 may stand down.

17 Exhibit numbers 39 through 41 will be  
18 received into the record.

19 And we're going to take about a  
20 ten-minute break and reconvene at 4:30.

21 (A recess was taken.)

22 MR. BUSHMAN: Your Honor, next on the  
23 order of appearance are two witnesses that have been  
24 stipulated to.

25 THE HEARING EXAMINER: Yes.

1 version only in this proceeding on June 9th, 2016, be  
2 marked for identification and admitted into the  
3 record.

4 THE HEARING EXAMINER: All right.  
5 Mr. Velazquez' testimony will be marked and received  
6 as Exhibit 43.

7 (Exhibit No. 43 was marked and admitted  
8 into evidence.)

9 MR. BUSHMAN: And, Your Honor, like I  
10 said there are two more witnesses that are next in  
11 order, but if we can jump to Mr. David C. Lenhoff, it  
12 was also stipulated. And I have the document  
13 entitled, rebuttal testimony of David C. Lenhoff,  
14 consisting of a one-page company witness rebuttal  
15 testimony summary, nine typed pages of questions and  
16 answers, and Appendix A, and an accompanying exhibit  
17 consisting of four rebuttal schedules which was filed  
18 in public version only in this proceeding on June 9th,  
19 2016. And I do have a couple of corrections to that  
20 document in light of Heritage withdrawing.

21 THE HEARING EXAMINER: All right. That  
22 will be fine, if you can give me those.

23 MR. BUSHMAN: Yes, sir. For the benefit  
24 of the parties, I have with me copies of page eight  
25 where I've handwritten my corrections, but I'll read

1 MR. BUSHMAN: At this time, I'd like to  
2 move for admission of their testimonies, but I'd also  
3 like to move for admission -- there are two more  
4 company witnesses who are stipulated to.

5 THE HEARING EXAMINER: All right.

6 MR. BUSHMAN: That way we can knock all  
7 the stipulated witnesses out in one fell swoop, if  
8 that's okay.

9 The first on the list is Mr. Robert J.  
10 Shevencock, II. And I ask that the document entitled,  
11 rebuttal testimony of Robert J. Shevencock II,  
12 consisting of a one-page company witness rebuttal  
13 testimony summary, two typed pages of questions and  
14 answers which was filed in public version only in this  
15 proceeding on June 9th, 2016, be marked for  
16 identification and admitted into the record.

17 THE HEARING EXAMINER: It will be  
18 admitted as Exhibit 42.

19 (Exhibit No. 42 was marked and admitted  
20 into evidence.)

21 MR. BUSHMAN: Next, Your Honor, I ask  
22 that the document entitled, rebuttal testimony of  
23 Wilson O. Velazquez, consisting of a one-page company  
24 witness rebuttal testimony summary, three typed pages  
25 of questions and answers which was filed in public

1 them aloud into the record.

2 THE HEARING EXAMINER: Is this Lenhoff?

3 MR. BUSHMAN: Lenhoff, yes, sir.

4 On page eight --

5 THE HEARING EXAMINER: Hold on for a  
6 minute.

7 MR. BUSHMAN: Excuse me, I'm sorry. Page  
8 eight, please strike the question starting on line ten  
9 and ending on line 15, and, please, insert the  
10 following: "Question: Some public witnesses express  
11 concern that real property within sight of towers and  
12 transmission lines will experience significant loss in  
13 value, period, open paren, C, comma, EG, comma,  
14 May 2nd, 2016, public hearing transcript at 67-68,  
15 period, closed paren."

16 What is your response, question mark.

17 Further down on page eight, lines 16  
18 through 17, please strike the words starting with, "I  
19 believe" on line 16 and ending with "specifically,  
20 comma," on line 17.

21 On page eight, line 17, strike the lower  
22 case "t" in the word "there" and insert a capital "T."

23 And then on page eight, line 17, please  
24 strike the word "commercial."

25 Subject to those corrections, I ask that

<p style="text-align: right;">Page 515</p> <p>1 Mr. Lenhoff's testimony be admitted.  2 THE HEARING EXAMINER: Lenhoff's rebuttal  3 testimony as corrected will be marked and received as  4 Exhibit 44.  5 (Exhibit No. 44 was marked and admitted  6 into evidence.)  7 MR. BUSHMAN: Your Honor, next I have a  8 document entitled, rebuttal testimony of Diana T.  9 Faison consisting of a one-page company witness  10 rebuttal testimony summary, ten typed pages of  11 questions and answers, and an accompanying exhibit  12 consisting of six rebuttal schedules which was filed  13 in public version only in this proceeding on June 9,  14 2016.  15 I also have some additional corrections  16 of that document in light of Heritage withdrawing.  17 And I have hand copies of an excerpt from that which  18 I'll pass out to the parties for their convenience.  19 The excerpt I'm passing out is on page  20 seven and eight, which is where the most substantial  21 revisions were, but there are a few minor ones in  22 addition to that that I would like to point out.  23 Page one, line 14, please strike the  24 words "Heritage Hunt HD, LLC, comma, et al., open  25 paren "Heritage, closed paren, comma."</p>	<p style="text-align: right;">Page 517</p> <p>1 Ms. Faison's rebuttal testimony as corrected by  2 Mr. Bushman will be received -- marked and received as  3 Exhibit 45.  4 (Exhibit No. 45 was marked and admitted  5 into evidence.)  6 MR. BUSHMAN: Thank you, Your Honor.  7 Your Honor, the Company calls Mr. Donald E. Koonce to  8 the stand.  9 DONALD E. KOONCE, called as a rebuttal  10 witness, having been first duly sworn, was examined  11 and testified as follows:  12 DIRECT EXAMINATION (Reb.)  13 BY MR. BUSHMAN:  14 Q. Good afternoon, Mr. Koonce.  15 A. Good afternoon.  16 Q. What is your name, position of  17 employment, and business address?  18 A. My name is Donald E. Koonce. I'm a  19 principal consultant associated with Power Delivery  20 Consultants, Incorporated. My business address is  21 2241 Parkers Hill Drive, Maidens, Virginia.  22 Q. Thank you. Do you have with you a  23 document entitled, rebuttal testimony of  24 Donald E. Koonce, consisting of a one-page witness  25 rebuttal testimony summary and 14 typed pages of</p>
<p style="text-align: right;">Page 516</p> <p>1 On page two, line 21 before the word  2 "recommendations," please insert the word "general."  3 On page four, line 14, before the word  4 "Somerset," please insert the word "and."  5 THE HEARING EXAMINER: What word?  6 MR. BUSHMAN: "And," a-n-d.  7 On page four, lines 14 through 15, please  8 strike the words, "comma, and Heritage."  9 Moving to page seven, please delete the  10 question starting at line 11 and ending at line 13 and  11 insert the following: "Mr. Napoli's testimony refers  12 to an open-space easement given to Prince William  13 County that impacts the viability of the railroad  14 alternative, period. Open paren, amended Napoli at  15 ten, period, closed paren. Are you familiar with this  16 easement, question mark."  17 On page eight, delete the question that  18 starts at line one, on page eight and ends on line  19 four and insert the following: "Question: Do you  20 believe that the railroad alternative is a viable  21 route for the project, question mark."  22 Your Honor, subject to those corrections,  23 I'd ask that Ms. Faison's rebuttal testimony be marked  24 for identification and admitted into the record.  25 THE HEARING EXAMINER: All right.</p>	<p style="text-align: right;">Page 518</p> <p>1 questions and answers and an accompanying exhibit,  2 consisting of two rebuttal schedules which was filed  3 in public version only in this proceeding on June 9,  4 2016?  5 A. Yes, I do.  6 Q. Was that document prepared by you or  7 under your supervision?  8 A. Yes, it was.  9 Q. Do you have any corrections or additions  10 to that document?  11 A. Yes, on page two, line four, please  12 strike the semicolon and the words "Gestl" at eight --  13 I guess this is with the Heritage withdraw.  14 And then if I can proceed?  15 Q. Yes.  16 A. Then on page 12, line 19, after the word  17 "the" and before the word "capacitance," please insert  18 the words "effect of."  19 So now the sentence should read, "As the  20 effect of the capacitance increases during periods of  21 light electrical load, the area voltage rises."  22 I also have one other addition. The  23 Appendix A to my -- which is in my statement of  24 background and qualifications was inadvertently  25 omitted from my prefiled bound testimony, so...</p>

1 MR. BUSHMAN: Your Honor, we have copies  
2 of that and distributing it right now.

3 THE HEARING EXAMINER: All right.  
4 BY MR. BUSHMAN:

5 Q. Mr. Koonce, if you were asked the  
6 questions appearing in that document, would you  
7 provide the same or substantially the same answers  
8 here today?

9 A. Yes, I would.

10 Q. With those revisions, do you wish to  
11 sponsor that document as your rebuttal testimony in  
12 this proceeding?

13 A. Yes, I do.

14 MR. BUSHMAN: Your Honor, I'd ask that  
15 this document be marked for identification.

16 THE HEARING EXAMINER: All right.  
17 Mr. Koonce's rebuttal testimony as corrected on the  
18 witness stand, in addition to his Appendix A, will be  
19 marked and received into the record, subject to  
20 cross-examination, as Exhibit Number 46.

21 (Exhibit No. 46 was marked and admitted  
22 into evidence.)

23 MR. BUSHMAN: Thank you, Your Honor.

24 BY MR. BUSHMAN:

25 Q. Mr. Koonce, were you in the courtroom

1 underground, but a problem in the underground is going  
2 to take the whole line out, so you can almost stick  
3 with the 2-to-1 ratio in reliability. So the  
4 underground is not as reliable in the Dominion system  
5 as overhead lines are.

6 Q. Okay. Also yesterday during  
7 Mr. Joshipura's testimony, the issue of the schedule  
8 came up, although he said that he was not clear on  
9 whether the hybrid alternative could be built by the  
10 need date.

11 Do you have any comments about the  
12 construction schedule for the hybrid route?

13 A. In my rebuttal schedule two, page two of  
14 two, there's a Gantt chart that I worked --

15 Q. Hold on one second here.  
16 Is this the chart you're referring to  
17 here?

18 A. Yes, that is page two of two. And if you  
19 can slide it a little bit more to the right.

20 Q. How about I zoom out?

21 A. Zoom out works good. It's titled, the  
22 Haymarket 230 kV line and substation, I-66 hybrid  
23 overhead, slash, underground preliminary schedule.

24 And in a nutshell, we show from the  
25 initial starting point zero, its total project

1 yesterday when Mr. Joshipura testified?

2 A. Yes, I was.

3 Q. Now, he indicated that the Commission  
4 Staff typically evaluates reliability of a solution,  
5 although he said that he did not analyze the  
6 reliability of the I-66 hybrid versus the I-66  
7 overhead route.

8 As you've heard, this case appears to be  
9 focused on who pays for the project. But from a  
10 reliability perspective, do you have any comments  
11 about the I-66 hybrid route versus the I-66 overhead  
12 route?

13 A. Yes, I do. All transmission lines are  
14 not created equal in the reliability perspective.  
15 Underground lines have an inherent less degree of  
16 reliability than overhead lines; i.e., overhead lines  
17 are more reliable than underground lines.

18 And in my rebuttal testimony, I included  
19 some information provided to me by the Company on the  
20 forced outages per hundred miles per year of overhead  
21 lines and underground lines, and it's almost exactly a  
22 2-to-1 ratio that the overhead lines have twice the  
23 reliability of underground lines.

24 So the hybrid line would be somewhere in  
25 between those two, since it's a mix of overhead and

1 duration to permit and build and put in service is  
2 about 32 months as indicated in the chart.

3 Q. So based on that analysis, in your view,  
4 can the hybrid route be built in time to meet the need  
5 date?

6 A. My understanding, the customer's need  
7 date is June of 2018 and we're less than 24 months  
8 from that now, so we can't crunch 32 months of work  
9 into 24 months and meet the customer's need date.

10 Q. Can the overhead route be built?

11 A. If we pull up page one of two, it's a  
12 similar Gantt chart for the overhead. And, again,  
13 I'll note here that the schedule that I refer to as  
14 zero starting point is noted by SCC ruling, meaning, I  
15 guess, giving us approval to get that zero starting  
16 point kicked off. And here we have about 20 months to  
17 actually permit and construct an overhead option, so  
18 there is ample time to meet a June 2018 target date if  
19 the Company were to get a fairly prompt Commission  
20 ruling on the project.

21 Q. Thank you. Switching gears a little bit  
22 to Mr. McCoy's testimony, were you in the courtroom  
23 yesterday when he was on the stand?

24 A. Mr. McCoy, yes.

25 Q. Do you recall his discussion about the

1 Wal-Mart variation and the reference to both its use  
2 in the hybrid option and in the overhead option?

3 A. Yes. There's been a bit of discussion  
4 about that Wal-Mart variation being used for both the  
5 overhead option and the hybrid option.

6 Q. And he noted -- if I recall correctly,  
7 that he noted your preference for the Wal-Mart  
8 option -- Wal-Mart variation for the underground  
9 route?

10 A. Yes.

11 Q. Do you have any caveats to that?

12 A. Yes, I have a very important caveat to  
13 that. I said my recommendation for that alternative  
14 was based solely on my site view back several weeks  
15 ago. And I have not had the luxury of having any  
16 subsurface obstruction investigation information about  
17 that variation. There could be some subsurface  
18 infrastructure that I don't know about that could make  
19 that a more difficult route than the present  
20 underground hybrid option, but my experience tells me  
21 that going behind Wal-Mart is probably going to be an  
22 easier than digging in front where all the utilities  
23 that are probably going to be in the area are going to  
24 be located.

25 But I just wanted to put that caveat on

1 Q. Okay. And he expected that he would need  
2 to be compensated in the range, I believe, of around  
3 17- to \$20 million for that parcel.

4 Can you provide what the Company's  
5 estimate was for the value of that parcel if the  
6 transition station were sited on parcel two?

7 A. Yeah. My review of the Company's cost  
8 estimates included a cost estimate for the Heathcote  
9 Switching Station which would be where it would  
10 transition from overhead to underground, and that  
11 estimate had a figure of approximately \$3.2 million,  
12 which included all the overheads and acquisition  
13 costs, not just to land value. It's somewhere under  
14 \$3.2 million for the actual land value.

15 Q. Understood.

16 Okay. And there was some testimony  
17 yesterday as well -- I believe it was with  
18 Mr. McCoy -- about manhole covers on the hybrid route  
19 on the north side of 66.

20 And he seemed to be somewhat dismissive  
21 of the fact that there would be manholes located every  
22 2,000 meters along the underground portion of the  
23 hybrid route.

24 Can you explain what the impact of those  
25 manhole covers would mean both from a construction

1 there that without that subsurface investigation,  
2 there could be some tweaks that have to be done to  
3 that. And for that matter, that could go anywhere  
4 along the underground portion of the hybrid  
5 alternative because at the time the Company did the  
6 estimate and we looked at things, there's not been any  
7 significant subsurface investigations done --

8 Q. Okay.

9 A. -- which is normal in the course of a  
10 project.

11 Q. Understood.

12 Now, moving to Mr. Fuccillo's testimony  
13 in regard to Southview 66, and he testified about the  
14 impact that the hybrid route would have or potentially  
15 have on his parcels, the property both parcel one and  
16 parcel two.

17 Do you recall that testimony?

18 A. Yes, I do.

19 Q. Okay. And with respect to parcel two, he  
20 indicated that the siting of the transition station on  
21 that parcel would, in effect, take that entire parcel.

22 Do you recall that as well?

23 A. I think he said something to that effect,  
24 the majority of it, which essentially would mean they  
25 would have to buy the whole thing.

1 perspective and then long term as it pertains to the  
2 Company having to maintain and operate the underground  
3 transmission line?

4 A. Yes. Just to be clear, manholes would be  
5 about every 2,000 feet, not meters.

6 Q. I'm sorry.

7 A. Once an underground facility is put in  
8 and the cables are energized, the investment that's  
9 made in underground facilities is a very large  
10 investment. And it's not out of sight out of mind.  
11 There's a lot of maintenance required with underground  
12 facilities. The Company's current patrol policy is to  
13 actually send personnel from terminal to terminal once  
14 each week patrolling these underground facilities.

15 When I first started with the Company  
16 when we had just a couple of underground transmission  
17 lines back when I was employed by Dominion, that was a  
18 twice-daily patrol. We were able to stop a lot of  
19 activity of people digging and damaging the facility.  
20 So you have to have a presence out there or the  
21 facilities will get hit. I know that from my  
22 experience of 34 years at Dominion.

23 So getting access to these manholes,  
24 especially on the north side of 66 if an underground  
25 hybrid alternative were to be deemed appropriate in

1 this case, there would have to be some type of access  
2 roads put in that provide a way for people to get  
3 there, not only when the facility would be built, but  
4 to perform these maintenance activities, do these  
5 patrols.

6 So there's going to be, you know, not a  
7 large presence, but there would be a continual  
8 presence throughout the life of the facility.

9 Q. Okay. And Mr. McCoy also mentioned about  
10 with underground transmission lines, the potential for  
11 fluid loss and the impact that that could have on the  
12 environment, do you have any comment about that?

13 A. I believe he was speaking with respect to  
14 the Skiffes case. And there, I believe, one of the  
15 options looked at would have been a high-pressure,  
16 fluid-filled type underground circuit, which is not  
17 part of the underground hybrid alternative put forth  
18 in this case. That would -- alternative would utilize  
19 cross-link polyethylene or XLPE cables which have no  
20 fluid associated with them. So a fluid loss in this  
21 case -- instance would not be there.

22 Q. And, Mr. Koonce, we've heard a lot of  
23 discussion both yesterday and today about terms  
24 "approach lines" and "branch feeders" and with respect  
25 to their application, the distribution, or the

1 transmission context.

2 You just mentioned you worked with  
3 Dominion for 34 years in the transmission line area.

4 Were the terms "approach line" or "branch  
5 feeder" ever applied in the transmission context?

6 A. I started with the Company in  
7 December '81 and retired in December of 2015, so right  
8 at 34 years on the nose, and never in my entire span  
9 or career were those terms employed in the context of  
10 transmission facilities. They were distribution  
11 terms.

12 Q. All right. And then the last thing I  
13 have here is really just kind of a housekeeping item,  
14 but, Mr. Koonce, are you familiar with this document  
15 here? It was marked yesterday as Exhibit 18 by  
16 Ms. Crabtree when she was conducting her  
17 cross-examination of Mr. McCoy.

18 Are you familiar with this document?

19 A. Yes. I prepared those plan view and also  
20 the street view photographs or screen captures from my  
21 examination of Company -- existing Company facilities  
22 paralleling fairly major highways throughout the  
23 service territory. I fashioned that red line on there  
24 to assemble one or more -- or to resemble one or more  
25 transmission lines.

1 Q. Okay. Thank you.

2 MR. BUSHMAN: Your Honor, I'd ask that  
3 Exhibit 18 be moved into admission into the record.

4 THE HEARING EXAMINER: I'll admit it into  
5 the record, subject to cross.

6 (Exhibit No. 46 was admitted into  
7 evidence.)

8 MR. BUSHMAN: Your Honor, Mr. Koonce is  
9 available for cross-examination.

10 THE HEARING EXAMINER: Before I turn him  
11 over, I just have a few questions.

12 Talk about the manholes for the  
13 underground line. How long is the underground portion  
14 of the line under the I-66 hybrid proposal?

15 THE WITNESS: Right about 3.1 miles.

16 THE HEARING EXAMINER: About 3.1 miles.  
17 And how many manholes would you need, assuming that  
18 you've got manholes spaced at 2,000 feet?

19 THE WITNESS: May I have a moment to do a  
20 calculation?

21 THE HEARING EXAMINER: Certainly.

22 THE WITNESS: That would require nine  
23 cable sections, so eight manholes.

24 THE HEARING EXAMINER: Eight manholes,  
25 okay.

1 THE WITNESS: On average now. The turns  
2 and angles and the degree of bends that the route  
3 takes would have an impact on that because as you  
4 start trying to pull cable around corners and bends,  
5 it shortens the distance, so that could go up one or  
6 two manholes depending on final engineering.

7 THE HEARING EXAMINER: All right. You  
8 also speak of access roads to get to those manholes;  
9 is that correct?

10 THE WITNESS: Yes. Most underground  
11 facilities that the Company operates are in public  
12 rights-of-way such as streets. There's a few  
13 exceptions to that under some rivers and things. But  
14 the Garrisonville project, for example, was an  
15 extensive cross-country type route about five, five  
16 and a half miles and it had only three road crossings,  
17 so there's quite a bit of roadways that had to be  
18 built to gain access to the manhole sites for the  
19 installation of the duct bank and later cable pulling  
20 and now maintenance activities.

21 THE HEARING EXAMINER: Well, this is in a  
22 highly developed area, and it may be different from  
23 Gainesville, but it looks like there are areas close  
24 to the proposed route.

25 How long do these access roads have to

<p style="text-align: right;">Page 531</p> <p>1 be? It doesn't look like a major project to me.</p> <p>2 THE WITNESS: Let me try to get to a map</p> <p>3 so I can point.</p> <p>4 THE HEARING EXAMINER: Okay.</p> <p>5 MR. BUSHMAN: For the record, I just want</p> <p>6 to note he's pointing to rebuttal schedule six for</p> <p>7 Mr. Berkin's testimony.</p> <p>8 THE HEARING EXAMINER: Thank you for</p> <p>9 that, Mr. Bushman.</p> <p>10 THE WITNESS: I'll try to speak loudly so</p> <p>11 I can be heard, but at the transition station, at</p> <p>12 parcel two up near 29, there is no access road</p> <p>13 anywhere on this property that presently exists.</p> <p>14 So as the Company were to install -- if</p> <p>15 an underground line were to be installed here, we</p> <p>16 would probably look at leaving some type of access</p> <p>17 coming from the terminal station down through here.</p> <p>18 It looks like at some point there is plan development</p> <p>19 which may future facilitate access to the manholes,</p> <p>20 but there's nothing there now.</p> <p>21 If you cross over to the north side of</p> <p>22 I-66 at Catharpin Road, there was an old roadbed</p> <p>23 there; I believe it had a name of Jordan Lane at one</p> <p>24 time, but that is overgrown, very restricted right</p> <p>25 now, but you might be able to come in and make</p>	<p style="text-align: right;">Page 533</p> <p>1 goes back a ways in there, but you'd probably have to</p> <p>2 extend that and improve the access.</p> <p>3 One of the key things that we must not</p> <p>4 forget is underground cable systems fail. And when</p> <p>5 underground transmission systems fail, the impacts can</p> <p>6 be fairly large; that's why they are generally built</p> <p>7 redundant to provide back-up service in the event of a</p> <p>8 failure, so you're going to want to make prompt</p> <p>9 failure repairs. And if you don't have access roads</p> <p>10 to get equipment in there to remove cables that are</p> <p>11 damaged or failed and pull new cables, that process</p> <p>12 could be lengthened tremendously, so access is vital</p> <p>13 to these manhole areas.</p> <p>14 THE HEARING EXAMINER: All right.</p> <p>15 Mr. Coughlin?</p> <p>16 MR. COUGHLIN: Yes. And I'll do it from</p> <p>17 here; it's brief.</p> <p>18 CROSS-EXAMINATION (Reb.)</p> <p>19 BY MR. COUGHLIN:</p> <p>20 Q. You referenced the Company's estimate of</p> <p>21 \$3.2 million for the cost of the switching station; is</p> <p>22 that correct?</p> <p>23 A. There was a value of \$3.2 million put in</p> <p>24 for real estate requirements for the Heathcote</p> <p>25 Switching Station.</p>
<p style="text-align: right;">Page 532</p> <p>1 improvements there to allow access to where you'd get</p> <p>2 to behind the sound wall.</p> <p>3 But in my rebuttal schedule one, I showed</p> <p>4 a series of photographs that showed some very steep</p> <p>5 ditches and drainage improvements that have been</p> <p>6 installed by VDOT's contractor doing their sound wall</p> <p>7 and storm water. And you get into some areas that I</p> <p>8 don't know that there would be room to put an access</p> <p>9 road there, so you may actually have to look at coming</p> <p>10 off of some of the public roads in the subdivisions</p> <p>11 around -- when I made my site visit, I parked at the</p> <p>12 corner by the tennis courts off of Cantwell Road, I</p> <p>13 believe, and walked down a pretty steep slope to get</p> <p>14 down to the limited access fence of the edge of the</p> <p>15 VDOT right-of-way and tried to get some access roads</p> <p>16 in there. To go do a patrol might be possible, but</p> <p>17 getting in there to get a manhole back in there or</p> <p>18 pull cable, I don't think that's going to be possible</p> <p>19 without major regrading and tearing out all the</p> <p>20 drainage facilities that were just put in and having</p> <p>21 to rebuild all that stuff afterwards. It would be a</p> <p>22 major construction effort to get in there and get the</p> <p>23 manholes in.</p> <p>24 Then when you get further up to the west</p> <p>25 on the north side of I-66, there is Jordan Lane that</p>	<p style="text-align: right;">Page 534</p> <p>1 Q. And did you prepare that estimate?</p> <p>2 A. No, I did not. That was provided to me</p> <p>3 by the Company.</p> <p>4 Q. And do you know if a licensed appraiser</p> <p>5 prepared that estimate?</p> <p>6 A. I have no knowledge who prepared the</p> <p>7 estimate for the value that went in there.</p> <p>8 Q. Okay. So you're just reciting what</p> <p>9 information you were provided?</p> <p>10 A. That's correct.</p> <p>11 Q. And then you took some photographs that</p> <p>12 appear in your rebuttal testimony, and they show</p> <p>13 potential obstructions as it relates to the</p> <p>14 underground line in a pond specifically, but are any</p> <p>15 of these photographs taken on the Southview property?</p> <p>16 A. The first three photographs were taken</p> <p>17 along the north edge of I-66 between Catharpin Road</p> <p>18 and Old Carolina, which is not on the Southview</p> <p>19 property.</p> <p>20 The fourth photograph was taken on the</p> <p>21 entrance ramp from US-15 north to I-66 east, which is</p> <p>22 not on the Southview property.</p> <p>23 And then the page five is also up at the</p> <p>24 Route 15 end of the hybrid alternative, which is not</p> <p>25 on the Southview property. I visited the Southview</p>

1 property when I did my review, but I did not take any  
2 photographs in that area.

3 Q. And did you observe currently constructed  
4 storm water management pond on the Southview property?

5 A. No, I did not. It was kind of hard to  
6 see though because it was fairly densely treed in the  
7 area along I-66 right up close to it where the  
8 entrance would be for an underground route. But, no,  
9 I did not see anything that showed anything as far as  
10 existing.

11 MR. COUGHLIN: Okay. Thank you. No  
12 further questions.

13 THE HEARING EXAMINER: All right.  
14 Ms. Alexander?

15 MS. ALEXANDER: Yes.

16 CROSS-EXAMINATION

17 BY MS. ALEXANDER:

18 Q. Hi, Wendy Alexander. I represent FST  
19 Properties.

20 You in your rebuttal testimony  
21 recommended an adjustment to the hybrid route should  
22 it be selected as the approved route with a changeover  
23 to the Wal-Mart variation, correct?

24 A. Correct. And if I could, I'd like to  
25 expand on my recommendation a little bit just to show.

1 I think I did a little bit in my testimony, but maybe  
2 a little visual might help.

3 Q. Right. You were saying based on your  
4 field review, with caveats?

5 A. When we did our field review, the Jordan  
6 Lane area that crosses Old Carolina Road, there's a  
7 large, sweeping curve and then it turns 90 degrees to  
8 the south to do a straight bore across I-66 and then a  
9 hard 90-degree turn to head to the west.

10 From a cable installation standpoint,  
11 this is not good practice having these hard turns; it  
12 shortens the pulls and is tougher on the cable. We  
13 talked about possibly changing this route to come  
14 across in a more diagonal direction and eliminate the  
15 hard bends, and that would require horizontal  
16 directional drilling versus just normal jack-and-bore  
17 tunneling.

18 And horizontal directional drilling, once  
19 you set up and start drilling, you can drill a pretty  
20 good ways. The incremental cost is smaller once you  
21 get there. Jack and bores are limited to several  
22 hundred feet. So if I do horizontal directional  
23 drilling and get some length here, I need an area to  
24 assemble pipe to pull back.

25 And sweeping across the proposed

1 underground hybrid route, you would have to get pipe  
2 assembled and pull it across US Route 15 which is not  
3 real practical. So we looked at could we put a jack  
4 and bore under 15 here and string up long sections of  
5 the conduit that would be pulled into the HTV back  
6 behind the Wal-Mart. So that was kind of the basis  
7 for doing it. It made sense to get these sections  
8 made up here and then pull them back through here  
9 under the road. That's kind of what was driving it.

10 Q. I think you also testified just now that  
11 presumably the utilities or whatnot for that shopping  
12 center would be in front and you don't assume that  
13 you'll be running into problems running behind that  
14 shopping center?

15 A. My experience would tell me that most of  
16 the utilities in the area will be in 15 or down James  
17 Madison Highway. There's probably going to be some  
18 drainage infrastructure back here that was not  
19 investigated during my field visit. There may be some  
20 electrical facilities back there because generally the  
21 transformers for electrical service are located at the  
22 rear of the building, so we'd probably have  
23 underground existing distribution facilities there. I  
24 don't know where they are at this point, is my caveat.

25 Q. Thank you for expanding on that.

1 Are you aware that Dominion supports the  
2 Wal-Mart variation whether it goes underground with  
3 respect to the hybrid or the overhead?

4 A. Yes.

5 Q. Okay. You are. But that did not make  
6 your report because you were asked specifically to  
7 focus on underground; is that correct?

8 A. It did not what?

9 Q. It did not make part of your report -- I  
10 said "report"; I should say rebuttal testimony because  
11 you were asked specifically about the underground  
12 method of construction; is that correct?

13 A. I believe the Company's support of it  
14 came from my recommendation.

15 Q. Okay. Did you discuss the support of the  
16 overheading as well as --

17 A. I was not involved with anything with the  
18 Wal-Mart variation for an overhead route. I had no  
19 involvement in that.

20 Q. And that's what -- my question was, were  
21 you aware that the Company also supported the Wal-Mart  
22 variation with respect to an overhead alignment?

23 A. Yes.

24 Q. Okay. And your caveats with respect to  
25 not knowing what you're going to find in an



1 underground route scenario would apply across the  
2 board to any underground route that might ultimately  
3 be selected?

4 A. I think I said other areas would require  
5 subsurface investigation also and maybe tweak the  
6 route a little bit.

7 Q. Including the initial layout or any other  
8 variation that we might be coming up with in this  
9 proceeding?

10 A. Correct. And sometimes in overhead  
11 construction, subsurface investigations may require  
12 you to move a structure a little bit. Not realign the  
13 route, but maybe move it ten or 15 feet one way or the  
14 other.

15 Q. Did you review the alternative route  
16 proposed by my client which was identified in the  
17 proceedings as the FST route variation?

18 A. There's been so many little tweaks and  
19 different acronyms, I'm not sure I know exactly which  
20 one you're talking about.

21 Could you point to it on a map?

22 Q. Well, it's actually not part of the maps,  
23 but I'll approach the -- this was made part of the  
24 record of the proceedings in my client's testimony.  
25 It was -- it's labeled here Denar Antelo Exhibit 3.

1 knowledge, as you look at this as to feasibility of  
2 construction for underground?

3 A. Well, the two very hard bends would be  
4 undesirable; it would be better to straighten those  
5 bends out somehow. But if they are not, it just means  
6 you're going to have probably another manhole involved  
7 and another splice which compromises reliability  
8 somewhat and adds to the cost.

9 Q. And then were you also asked -- or not  
10 perhaps asked -- to look at the feasibility of what  
11 Dominion created in response to the FST route  
12 variation, which I just showed you on the previous  
13 map -- or outline rather? This was Dominion's FST  
14 optimization route.

15 Were you ever asked to look at this?

16 A. I believe this optimization route  
17 straightens those curves I was just objecting to out a  
18 little bit and comes from the corner of the  
19 intersection of 15 and James Madison Highway in a much  
20 straighter fashion to the terminal point, and that  
21 would be an improvement --

22 Q. Correct.

23 A. -- for an underground.

24 Q. But you were not asked specifically --

25 A. Not specifically on that, no.

1 And I can't recall exactly what exhibit it is, but  
2 this is my client's property here. And we had sought  
3 essentially permission to consider an adjustment of  
4 the route, and it was, in fact, granted by this  
5 Commission that this route would be considered as a  
6 possible alternative.

7 Do you recognize this route as a possible  
8 alternative route that you were asked to look at?

9 A. I don't know that I was asked to look at  
10 it down to this granularity.

11 Q. I'll be perfectly blunt. There was no  
12 other map that featured this particular variation.

13 Do you know where we are? Essentially I  
14 just want -- for orientation purposes, this is the end  
15 point, if you will, of the line. And so 55 is here,  
16 Town of Haymarket is off to the east, you know, over  
17 here.

18 A. If it was on a map I had seen before, I  
19 don't recall it being on a map I had seen before. I  
20 just don't remember.

21 Q. Okay. Well, if I may, you know, are you  
22 familiar with this general location?

23 A. I have not been on that property, but  
24 I've been across the street, yeah.

25 Q. Okay. Any impediments, to your

1 Q. Okay. I have one more question. Let me  
2 just check my notes.

3 For any underground route, if an  
4 underground route is selected, would the transmission  
5 lines stay underground until they reach the  
6 substation, which, you know, currently I understand is  
7 located on the customer's property but ultimately will  
8 be on Dominion's property?

9 A. The line would start overhead where it  
10 cuts into the existing 124 Line and then proceed to  
11 the southwest (sic) 66 parcel two where there would be  
12 the Heathcote Terminal Station or switching station,  
13 as has been referred to. At that point it would have  
14 cable terminations that would hook to the overhead  
15 line and it would go underground there and it would  
16 proceed underground all the way to inside the  
17 Haymarket Substation and then come out of the ground  
18 at that point to a cable terminal and hook directly  
19 into the substation bus.

20 Q. Thank you for correcting me. The  
21 transition station is where the lines would go  
22 underground.

23 So from the transition station, all the  
24 way up to the substation, the lines would remain  
25 underground if an underground route were approved?

1 A. I did have one experience in my years  
2 with the Company where we had an underground line that  
3 actually came up out of the ground and we built behind  
4 a sidewalk a concrete box over it because there was a  
5 very large box culvert that it couldn't go under, so  
6 we kind of sneaked it up over it behind a sidewalk.  
7 And it looks like a park bench now, but it was a  
8 creative way to get through there. So that kind of  
9 came above ground, but you can't see anything as far  
10 as cables or anything; there's no overhead line there.  
11 I don't anticipate anything like that with what I've  
12 seen so far.

13 MS. ALEXANDER: Thank you. No further  
14 questions.

15 THE HEARING EXAMINER: Ms. Harden?

16 MS. HARDEN: No questions, Your Honor.

17 THE HEARING EXAMINER: Mr. Reisinger?

18 MR. REISINGER: No questions.

19 THE HEARING EXAMINER: Staff?

20 MR. CHAMBLISS: Yes, I have a few.

21 CROSS-EXAMINATION (Reb.)

22 BY MR. CHAMBLISS:

23 Q. Good afternoon, Mr. Koonce. I'm Bill  
24 Chambliss, from the Commission Staff.

25 A. Good afternoon.

1 photographs that you've put at the end of your  
2 testimony.

3 A. Which page?

4 Q. Rebuttal schedule one, page one.

5 A. Okay.

6 Q. Let's see. What's the question here?

7 This shows a sound barrier.

8 Is that what this structure is right here

9 I'm pointing to?

10 A. I believe that's the sound wall that VDOT  
11 is currently installing.

12 Q. And do you know how tall that is?

13 A. I can only guesstimate it's somewhere in  
14 the 12 to 15 range.

15 Q. Okay. You see --

16 A. Purely a guess though.

17 Q. See these trees right here?

18 A. Yes.

19 Q. In your opinion, if the overhead route is  
20 built right there, would those trees have to be  
21 removed?

22 A. I don't want to venture a guess on it  
23 because I don't know where the centerline of the poles  
24 would be located in this view down the right-of-way.  
25 It may be that they could be trimmed, it may be that

1 Q. Were you still employed by the Company at  
2 the time the letter request for service to this  
3 customer was received?

4 A. I don't know what date that letter was  
5 received.

6 Q. All right. Do you know when this case  
7 was filed?

8 A. I believe it was in the fall of last  
9 year, September, November time frame.

10 Q. Okay.

11 A. I was in the wind-down mode then.

12 Q. All right. So my question was, did you  
13 have anything to do with the planning of the service  
14 delivery -- the facilities that would deliver service  
15 to this customer?

16 A. First time I heard about this project was  
17 in mid May of this year after I retired.

18 Q. All right. In preparation for your  
19 rebuttal testimony, were you given access to any  
20 confidential materials?

21 A. No, I was not -- well, an envelope that  
22 was handed to me had "confidential" on it, and I  
23 signed the front of it and said, I didn't need it and  
24 handed it back.

25 Q. Okay. Let me ask you to turn to the

1 some of them have to be taken. I just don't know.

2 Q. All right. Well, maybe Mr. Berkin can  
3 answer those questions.

4 A. I know there's a proposed storm water  
5 pond shown on the Berkin map here at that location, so  
6 the storm water pond may take the trees out.

7 Q. Right-of-way for overhead route is  
8 100 feet wide, correct?

9 A. I wasn't involved in anything as far as  
10 analyzing requirements for the overhead line.

11 Q. You don't know what the overhead line --  
12 the right-of-way for overhead --

13 A. In this location, I don't believe there's  
14 hundred feet available there, so there would be  
15 typically some type of overhang agreement with the  
16 highway, so the width would probably be less than a  
17 hundred feet, but that's purely -- I don't know in  
18 this case; I wasn't involved in designing any overhead  
19 facilities.

20 Q. Okay. So how about for the underground  
21 facilities, what's the right-of-way for that? You've  
22 offered a lot of testimony about construction of the  
23 underground alternative.

24 A. Typically to provide permanent  
25 restrictions from future underground facilities around

<p style="text-align: right;">Page 547</p> <p>1 the lines, you generally like to have about a ten-foot 2 buffer on either side of the proposed underground 3 line. And I believe in this case there would be about 4 a 30-foot wide permanent right-of-way. And in some 5 areas, temporary easements of various width would be 6 required, whatever is needed to get the facilities in. 7 But because of the mutual heating effects between the 8 two circuits, you need about a ten-foot minimum 9 separation between the two eight-way duct banks that 10 would be required for each circuit. 11 Q. All right. Let me ask you to turn to 12 page two of your rebuttal testimony. 13 A. The actual testimony? 14 Q. Yeah, the text. 15 A. I'm with you. 16 Q. The answer that starts at line 15 and 17 runs through line 21, you talk about various 18 components of the Company's total transmission system, 19 underground and overhead, correct? 20 A. Correct. 21 Q. All right. You say that you have 23 and 22 a half miles of 69 kV underground transmission line? 23 A. Yeah, the Company operates 23 and a half 24 miles of 69 kV underground. 25 Q. Okay. Former you -- you formerly worked</p>	<p style="text-align: right;">Page 549</p> <p>1 be unreliable in your opinion? 2 A. Well, I'll back up a little bit and say 3 because we have the double circuit capability in this 4 case, a higher outage rate on an underground line may 5 not have packed the customers as much as it could be 6 if it was just a radial line. The problem comes into 7 when you have a failure, what happens next. And if 8 you have a failure of one of these circuits and it 9 takes a minimum of two weeks to repair it, you've got 10 to have a back-up. You can't expect people to wait a 11 minimum of two weeks to get their lights back on when 12 we haven't even had a storm. 13 Q. That's why you have network service, 14 isn't it? 15 A. That's why we look at redundancy in 16 underground facilities because of these inherently 17 long repair times. And if you happen to have 18 something like a manufacturing issue with cables that 19 you're going to have multiple failures, then you don't 20 know when the next one is coming, so you have to get 21 out there and get it fixed quickly. So redundancy is 22 key. Hopefully through providing redundant 23 facilities, you can minimize any long-term -- long 24 duration outages for customers. 25 Q. All right. You've testified here and</p>
<p style="text-align: right;">Page 548</p> <p>1 for the Company? 2 A. Right. 3 Q. The Company has 59 and a half miles of 4 underground 230 kV transmission line, correct? 5 A. Yes. I will point out these are actual 6 circuit miles. Some of these circuits have two cables 7 per phase, so if you start counting actually how many 8 three-phase cable miles are out there, it's a good bit 9 more -- 10 Q. Okay. 11 A. -- but we don't count it that way. We 12 count circuit miles. 13 Q. Let me ask you, are the customers that 14 are being served by these installations being served 15 unreliably? 16 A. They are not being served as reliably as 17 customers by overhead lines. 18 Q. That's not my question. 19 Are they being served unreliably? 20 A. They don't share the same level of 21 reliability that all customers share. 22 Q. All right. If the Company receives 23 authorization from this Commission to build its 24 proposed I-66 hybrid alternative, is the service that 25 the customers out there in Haymarket receive going to</p>	<p style="text-align: right;">Page 550</p> <p>1 supplied some schedules to your rebuttal to indicate 2 that the underground hybrid alternative cannot be 3 built by June of 2018; is that right? 4 A. Yeah, the page two of rebuttal schedule 5 two Gantt chart shows that under optimal conditions, 6 it would take 32 months from the time the SCC order 7 was given. 8 Q. What did you base that on? 9 A. As I said in my testimony, the Company 10 consulted with contractors and companies that install 11 underground facilities, and durations were provided on 12 work activities. And based on the normal flow of an 13 underground construction, I took those work activity 14 durations and made some assumptions on work periods. 15 Most of our contractors work four, ten-hour days and 16 did the math and came up with the months' duration it 17 would take to complete these activities. 18 Q. All right. Let me ask you to turn to 19 page 12. And I think this is where you added some 20 words here at the bottom of lines 18 and 19, talking 21 about capacitance there? 22 A. Yeah, the capacitance of the cable is 23 fixed for the distance of a cable, but the effect that 24 capacitance has on the system changes with the degree 25 of loading on the system, so I needed to make that a</p>

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1 little clearer.

2 Q. All right. Now, you say that at the  
3 bottom of page 12 and over on to 13, when voltage  
4 rises to an unacceptable level, a line may need to be  
5 switched out of service; is that right?

6 A. That's correct.

7 Q. Isn't it true that almost all the power  
8 that would be flowing through an underground hybrid  
9 line here be consumed by the data centers?

10 A. That would have no bearing on the voltage  
11 rise issue because that value is so low compared to  
12 the capacity -- the load -- the amount of cable that's  
13 out there in the VARS of reactive power that it's  
14 creating making the voltage rise, that load is much  
15 smaller than the VAR value of the capacitance, so  
16 you're looking more at the system loads and flows on  
17 the lines rather than just that load on the -- at the  
18 Haymarket Substation.

19 Q. So you're looking at flows on other lines  
20 around that, that particular line?

21 A. Looking at system load in that load area.  
22 When I say "that load area," I'm not talking the  
23 Haymarket load area; I'm talking from Loudoun down to  
24 Bristers and beyond.

25 If I may give an illustrative example,

1 A. Shunt reactors are often utilized to help  
2 compensate for the voltage rise. Other locations, the  
3 Company has installed these; they haven't had quite  
4 the effect needed, so I think in one location there  
5 may be even additional reactors being added.

6 Q. All right. My question is, isn't it part  
7 of the Company's proposal to install that equipment on  
8 these -- on this hybrid line?

9 A. Yes, I believe I recall seeing shunt  
10 reactors in the estimates.

11 Q. All right. Now, let's go back to page  
12 three through nine --

13 A. And those things cost a lot of money.

14 Q. You talk about the -- some of the  
15 difficulties that you believe were not adequately  
16 addressed in the Company's application --

17 A. What page are you on?

18 Q. Starting at page three --

19 A. Okay.

20 Q. -- running through page nine, you talk  
21 about difficulties with regard to the underground  
22 portion of the construction that you don't think were  
23 adequately addressed by the Company's application,  
24 therefore you supplemented it?

25 A. I think that's miss -- kind of

1 the Company has quite a bit of underground -- I say  
2 "quite a bit," it's not quite a bit -- short miles,  
3 but there's cable in the area of our -- of the  
4 Company's Glebe Substation near National Airport, and  
5 in the light load periods, the voltages in that area  
6 get up to points where equipment can be damaged by the  
7 high voltages. It's not rated for that. So there is  
8 one of the two transmission lines that come up through  
9 the Potomac yards area that are about three and a half  
10 miles underground that the Company typically has to  
11 switch out in the shorter months of the year to  
12 eliminate that capacitance being connected to the  
13 system, and that will, in turn, lower the voltage back  
14 down beyond acceptable levels.

15 One of the things that can be damaging to  
16 cables is switching surges. Transients are created  
17 when you energize and deenergize a facility. So when  
18 we need to switch out a cable for voltage reasons,  
19 it's best to switch it out and leave it out until such  
20 time the load picks back up, you can switch it back  
21 in, and get the redundancy and reliability back into  
22 your system.

23 Q. Part of the Company's proposal with  
24 regard to this hybrid alternative is to install shunt  
25 capacitors or shunt reactors?

1 mischaracterizing it, not adequately addressed.

2 I don't think they were there at the time  
3 the Company prepared the estimates and the  
4 application, so they had no way of knowing the impact  
5 of these drainage ditches and the storm water ponds,  
6 so not adequately addressed I think is kind of  
7 mischaracterizing it.

8 Q. All right. Well, you're supplementing  
9 the Company's application here; is that right?

10 A. I have the benefit of the time since the  
11 estimates were prepared to see the actual facilities  
12 there now, so I'm supplementing what they had at that  
13 time.

14 Q. All right. And you talk at page nine, at  
15 line eight --

16 A. I'm sorry?

17 Q. Page nine, line eight, you say -- you  
18 talk about a significant disturbance the Company did  
19 not anticipate on its recent Garrisonville underground  
20 project.

21 Do you see that testimony?

22 A. Yes.

23 Q. All right. How recent was that  
24 Garrisonville project?

25 A. I don't recall the exact date, but in the

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1 2010-2012 time frame.  
 2 Q. If you look at the screen here, I'm  
 3 showing a Commission order dated April 8th, 2008,  
 4 final order of the Company's application for a  
 5 Certificate of Public Convenience and Necessity for  
 6 facilities in Stafford County, Garrisonville 230 kV  
 7 transmission line and 230 kV 34.5 kV Garrisonville  
 8 Switching Station; do you see that?  
 9 A. Yes, I do.  
 10 Q. Is that the time -- is that the project  
 11 you're referring to?  
 12 A. Yeah, I believe that's the time that the  
 13 final order was issued. But the actual construction  
 14 was underway for over three years on that job.  
 15 Q. Okay. Fair enough. Just want to make  
 16 sure we were talking about the same project there.  
 17 Were you involved with that project?  
 18 A. Tangentially, I had moved out of the  
 19 transmission line engineering group and operations  
 20 group and moved to the reliability group, but I was  
 21 involved as a consultant to the engineering group  
 22 because of my experience in cable jobs, and, you know,  
 23 brought in to help resolve issues that came up during  
 24 construction, and actually participated in the final  
 25 inspections of the work prior to energization.

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1 Q. Did the Company originally propose that  
 2 as an overhead transmission line?  
 3 A. Again, that's been a while, but I think  
 4 we did propose to build a double circuit 230 kV  
 5 overhead line down that right-of-way. I say "we"; the  
 6 Company.  
 7 Q. Yes.  
 8 A. You'll have to excuse my "we" and "they."  
 9 Q. Sure. And at some subsequent point, the  
 10 Company it would try to build this line -- or propose  
 11 to build this line underground; is that right?  
 12 A. I don't remember the exact circumstances  
 13 which created that change, but it was ultimately built  
 14 underground.  
 15 Q. If the Commission's final order says on  
 16 August 30th of 2006 the Company proposed to construct  
 17 and operate a 230 kV line between Garrisonville and a  
 18 point on its existing Possum Point Fredericksburg  
 19 line, you don't have any reason to doubt that date,  
 20 right? That's when it's first proposed?  
 21 A. I would assume. I don't recall.  
 22 Q. All right. And if we go down a couple of  
 23 paragraphs, we see on February 27th, 2007, Dominion  
 24 filed a motion for leave to file an underground  
 25 alternative supplement; do you see that?

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1 A. I see what you're pointing to, yes.  
 2 Q. Okay. So some several months after  
 3 initially applying to build the line overhead, the  
 4 Company came back and proposed the alternative  
 5 underground construction; would you agree?  
 6 A. That's what this represents.  
 7 Q. All right.  
 8 MR. CHAMBLISS: Your Honor, I ask you to  
 9 take judicial notice of the Commission's final order  
 10 in Case Number PUE-2006-00091 that we've just been  
 11 referencing here, dated April 8, 2008.  
 12 THE HEARING EXAMINER: I'll take notice  
 13 of that order.  
 14 BY MR. CHAMBLISS:  
 15 Q. Mr. Koonce, do you know how much that  
 16 project would have cost if it was built overhead?  
 17 A. I don't recall.  
 18 Q. If the Commission's order says  
 19 14.16 million, would that sound about right?  
 20 A. Let me have a moment to do a little math.  
 21 Would seem reasonable. But, again, it's  
 22 been a number of years since I was an engineering  
 23 group and being involved in doing those estimates.  
 24 Q. I don't know if you can read this or not;  
 25 if you can't, I'll read it.

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1 You see that \$14.16 million overhead  
 2 alternative cost?  
 3 A. Yes, I do.  
 4 Q. And what's the underground option cost?  
 5 A. I can't read that first number.  
 6 Q. All right. Would you accept that it says  
 7 82.3 million?  
 8 A. Yeah, I believe it could say that.  
 9 Q. All right. \$68 million difference,  
 10 right?  
 11 A. Correct.  
 12 Q. Do you know or do you recall whether that  
 13 line, the Garrisonville line, cost more or less to  
 14 construct than the Company initially estimated?  
 15 A. I don't know the final numbers, but I  
 16 believe there were fairly significant cost overruns on  
 17 that job because there were a lot of unexpected things  
 18 that occurred during the construction, and especially  
 19 with the directional drilling in that area. It was  
 20 just a long, difficult job.  
 21 Q. You had to put up these gigantic hay bale  
 22 walls to muffle the sound, right?  
 23 A. The directional drills in that project  
 24 were fairly long. Some manhole-to-manhole sections,  
 25 over 2,000 feet; and some of the locations the drills

1 ran continuously 24/7, you know -- well, I won't say  
2 365; it wasn't that long, but 30 to 60 days at some  
3 locations. And fairly large equipment; the diesel  
4 motors powering the hydraulic pumps got to people.  
5 And we did have to do some mitigation efforts with  
6 significant sound walls.

7 Q. Okay. And that, again, was the XLPE  
8 construction, similar to --

9 A. Garrisonville is a cross-link  
10 polyethylene installation, yes.

11 Q. That's similar to what would be involved  
12 if the Company's proposed hybrid was built here?

13 A. Correct.

14 Q. All right. Are the customers who receive  
15 service from that line being served reliably?

16 A. The customers in that area are receiving  
17 reliable service. I will make a further clarification  
18 that that's another instance where we -- the Company  
19 has had some voltage issues that have required one of  
20 the circuits to be taken out during periods of light  
21 load. So if that were to happen and there were  
22 failures, they would see outages that they wouldn't  
23 have seen if it was an overhead system.

24 Q. Okay. Are you aware of whether any --  
25 there are any data centers being receiving service --

1 A. I don't.

2 Q. -- in that area?

3 A. I don't know.

4 Q. You don't know, all right.

5 Do you recall whether that line was  
6 constructed because of a block load request?

7 A. I don't know. I wouldn't have been  
8 involved in that.

9 MR. CHAMBLISS: All right. Okay. That's  
10 all I have, Mr. Koonce. Thank you.

11 THE HEARING EXAMINER: All right.  
12 Redirect?

13 MR. BUSHMAN: Yes, Your Honor, just a  
14 couple of items here.

15 REDIRECT EXAMINATION (Reb.)

16 BY MR. BUSHMAN:

17 Q. Mr. Koonce, just a couple of questions.

18 First of all, I think that you mentioned  
19 something about a 30-foot permanent right-of-way  
20 associated with the underground portion.

21 Subject to check, would you accept that  
22 it's a 40-foot permanent right-of-way?

23 A. I knew it was in the 30- to 40-foot  
24 range, and I was trying to add up widths in my mind,  
25 but 40 would probably be closer. I was trying to get

1 that ten feet between the duct banks and the  
2 additional and the buffers.

3 But ten feet on either side and ten feet  
4 in the middle and ten feet in the width of the duct  
5 bank, it will take 40 feet. Thirty is incorrect.

6 Q. And then also with respect to the  
7 construction schedule that you prepared for the hybrid  
8 alternative, would you characterize that as a  
9 worst-case or best-case scenario?

10 A. Absolutely best-case scenario based on  
11 the very preliminary durations provided by contractors  
12 that do the work. Based on my view out in the field  
13 where on the north side of 66 it's very, very  
14 constricted, I gave an estimate that that portion, the  
15 work, the trenching work is slowed down by as much as  
16 50 percent due to the congestion. And that would add  
17 a number of weeks, if not six months, I believe, to  
18 the schedule because of that being about 30 percent of  
19 the project. So it could slow things down  
20 significantly. And that 32-week schedule gets  
21 closer -- 32-month schedule gets closer to 40 months.

22 Q. Okay. And then the last thing I wanted  
23 to show is the final order in regard to the  
24 Garrisonville project, if you can see it.

25 Are you able to see that?

1 A. Yes.

2 Q. Okay. And there was a line that  
3 Mr. Chambliss had you read. Just to complete the  
4 record, the sentence starting here, could you read  
5 that for me, please?

6 A. The Company -- the Company attached to  
7 its motion as an underground alternative supplement  
8 which presented the underground alternative as part of  
9 the Company's direct case to be considered, along with  
10 its other proposals.

11 Q. Okay. Thank you. So as far as the other  
12 proposals go -- and I believe Mr. Payne is going to  
13 appear on the stand after you and will speak to  
14 whether the underground proposal was submitted by the  
15 Company.

16 MR. BUSHMAN: Your Honor, I have no  
17 further questions.

18 THE HEARING EXAMINER: All right.  
19 Anything else of Mr. Koonce?

20 Mr. Koonce, thank you very much. You may  
21 stand down. Exhibit Number 46 is received into the  
22 record.

23 MS. LINK: Your Honor, the Company calls  
24 Harold Payne.

25 HAROLD WILSON PAYNE, JR., called as a

<p style="text-align: right;">Page 563</p> <p>1 rebuttal witness, having been first duly sworn, was  2 examined and testified as follows:  3 DIRECT EXAMINATION (Reb.)  4 BY MS. LINK:  5 Q. Can you, please, state your name, place  6 of employment, and business address.  7 A. My name is Harold Wilson Payne, Jr. I'm  8 manager of regulation for Dominion Virginia Power. My  9 address is 701 East Cary Street, Richmond, Virginia.  10 Q. Do you have with you a document entitled,  11 rebuttal testimony of Harold Payne, consisting of a  12 one-page witness rebuttal testimony summary, and six  13 typed pages of questions and answers, and an  14 Appendix A filed in public version only in this  15 proceeding on June 9th, 2016?  16 A. I do.  17 Q. Was that document prepared by you or  18 under your supervision?  19 A. Yes.  20 Q. Do you have any corrections or additions  21 to that document?  22 A. No.  23 Q. If I were to ask you the questions  24 appearing there, would you provide the same or  25 substantially the same answers here today?</p>	<p style="text-align: right;">Page 565</p> <p>1 there as a Company proposal or was it presented as an  2 option?  3 A. If you look carefully at the record of  4 that case, what you will find is that the Company  5 submitted it as an alternative to be considered by the  6 Commission. Company Witness John Smatlak in that case  7 made it very clear in his testimony that the Company  8 continued to support the overhead proposal that the  9 Company submitted earlier.  10 And if you look in FERC Docket EL10-49,  11 which recently litigated that very case, you will see  12 substantial testimony by Witness Kevin Curtis  13 explaining that very thing.  14 THE HEARING EXAMINER: The docket number  15 again?  16 THE WITNESS: FERC Docket Number EL10-49.  17 THE HEARING EXAMINER: EL10-49?  18 THE WITNESS: Yes, sir.  19 THE HEARING EXAMINER: Thank you.  20 BY MS. LINK:  21 Q. So there was some question of Mr. Koonce  22 of the cost for constructing the actual underground  23 line; the estimate was 82.3 million, correct?  24 A. That's what I saw in what Mr. Chambliss  25 referenced.</p>
<p style="text-align: right;">Page 564</p> <p>1 A. Yes.  2 Q. Do you wish to sponsor that document as  3 your rebuttal testimony in this proceeding?  4 A. Yes.  5 MS. LINK: Your Honor, may we have  6 Mr. Payne's rebuttal testimony marked for  7 identification.  8 THE HEARING EXAMINER: Mark it as  9 Exhibit 47.  10 (Exhibit No. 47 was marked for  11 identification.)  12 MS. LINK: Thank you, Your Honor. We'd  13 move the admission of Exhibit 47, subject to cross and  14 some brief surrebuttal for Mr. Payne.  15 THE HEARING EXAMINER: All right. It  16 will be received, subject to cross.  17 (Exhibit No. 47 was admitted into  18 evidence.)  19 BY MS. LINK:  20 Q. Mr. Payne, were you in the courtroom just  21 now when there was some discussion of the  22 Garrisonville case?  23 A. Yes, I was.  24 Q. And first, could you help flush out the  25 record on whether the underground option was presented</p>	<p style="text-align: right;">Page 566</p> <p>1 Q. All right. Do you have the final cost of  2 the building of that line?  3 A. That is also discussed in FERC Docket  4 EL10-49, and there's testimony to that effect in there  5 and schedules showing the cost. I cannot recall the  6 number exactly. I would say that it was substantially  7 above the 89 million, I believe; more in the range of  8 135-, but that would be subject to check. But I can  9 say it was substantially more.  10 Q. Okay. Thank you, sir.  11 Just to move to a different area, just as  12 a point of clarification, there was some discussion  13 with Mr. Joshipura about where the hybrid line or  14 really any transmission line would terminate -- I  15 guess these transmission lines would terminate in the  16 substation.  17 Would you like to make a clarification?  18 A. Discussion included the high side  19 protection device. And it was unclear to me in the  20 way the statements were said whether the folks would  21 interpret the high side protection device is part of  22 the transmission system; and it is included in the  23 transmission system. It's included in the recovery in  24 the transmission rate.  25 So I would -- to make the statement</p>

70 (Pages 563 to 566)

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1 clear, I would say it is to and including the high  
2 side protection device of the transformer.

3 MS. LINK: Thank you, sir.

4 Your Honor, Mr. Payne has concluded his  
5 surrebuttal, and he's available for cross.

6 THE HEARING EXAMINER: All right.  
7 Mr. Coughlin?

8 MR. COUGHLIN: No.

9 THE HEARING EXAMINER: Ms. Alexander?

10 MS. ALEXANDER: No questions.

11 THE HEARING EXAMINER: Ms. Harden?

12 MS. HARDEN: No questions.

13 THE HEARING EXAMINER: Mr. Reisinger?

14 MR. REISINGER: No questions.

15 MR. CHAMBLISS: I have a couple.

16 CROSS-EXAMINATION (Reb.)

17 BY MR. CHAMBLISS:

18 Q. Hello, Mr. Payne.

19 A. Good afternoon, Mr. Chambliss.

20 Q. Commission Staff has been involved in  
21 that FERC docket as well?

22 A. That's correct.

23 Q. All right. On page one of your  
24 testimony, you note that Dominion joined PJM on May 1,  
25 2005, and has been a customer of Dominion -- or PJM

1 A. Dominion Virginia Power does.

2 Q. All right. And who files it with FERC?

3 A. Dominion Virginia Power.

4 Q. All right. I'm sorry. Did I interrupt  
5 you with anything else with that answer?

6 A. Well, I was just going to finish, I  
7 believe, with it's filed on -- by January 15th of the  
8 year which the rate is billed, and so it's billed  
9 throughout that calendar year.

10 Q. All right. When you say the form is  
11 populated, it's populated with cost figures; is that  
12 right?

13 A. Yes.

14 Q. Okay.

15 A. And plant figures. I guess you can say  
16 that's cost.

17 Q. All right. And those are calculated and  
18 prepared by the Company?

19 A. That's right. And they are numbers from  
20 FERC Form 1; or to the extent projections are used,  
21 there are numbers projected with respect to  
22 FERC Form 1.

23 Q. Okay. Now, let's go down on that page to  
24 line 12 where you say that because the Haymarket  
25 transmission facilities have been designated as a

1 since that time; is that right?

2 A. Yes, sir.

3 Q. And you say on page two the Company -- a  
4 particular interest -- line four, in this proceeding  
5 is the Company's recovery of the Haymarket project's  
6 transmission facilities under attachment H16, annual  
7 transmission charges, Virginia Electric and Power  
8 Company, do you see those words?

9 A. Yes.

10 Q. All right. What's attachment H16  
11 attached to?

12 A. It's an attachment to the PJM open-access  
13 transmission tariff.

14 Q. And does it contain the Dominion Virginia  
15 Power formula rate?

16 A. It does.

17 Q. All right. And is the formula rate  
18 prepared annually by Dominion Virginia Power for  
19 submission to PJM?

20 A. No. The formula rate is a formula that  
21 is accepted by FERC; it is populated annually; and it  
22 goes through a stakeholder process; and it is filed at  
23 FERC once a year as an informational filing in  
24 populated form.

25 Q. Who populates the form?

1 supplemental project by PJM, the associated project  
2 cost is not eligible for regional cost allocation  
3 under the PJM OATT.

4 If these facilities were not a  
5 supplemental facility but they were some other type of  
6 facility, what is the difference in the cost  
7 allocation that --

8 A. Well, there is a portion of the PJM OATT,  
9 as I'll call it, the open-access transmission tariff,  
10 that provides for cost allocation of certain projects;  
11 supplemental projects are specifically excluded from  
12 allocation under that portion of the PJM OATT.

13 Other projects, typically baseline  
14 reliability projects, are allocated according to  
15 either a component that is allocated on load ratio  
16 share or --

17 Q. Would you get closer to the mike, sir.

18 A. I'm sorry. Allocated either on a  
19 component based on load ratio share or distribution  
20 factors, power distribution factors.

21 Q. Is that all non supplemental facilities  
22 or only non supplemental facilities of a certain size?

23 A. By "non supplemental," you're referring  
24 to the baseline category I just mentioned?

25 Q. Yes.



<p style="text-align: right;">Page 571</p> <p>1 A. Baseline facilities of 500 kV or more or 2 double circuit 345 kV are allocated 50 percent on load 3 ratio share, and the balance of their cost is 4 allocated on a distribution factor calculation. 5 Q. Okay. And this Haymarket project doesn't 6 rise to that level of size; that's a double circuit 7 230; is that right? 8 A. Well, I would say that it's not even 9 brought into consideration for that because the 10 portion of the tariff that mentions those items 11 specifically says that supplemental projects are not 12 eligible for regional cost allocation. 13 Q. All right. But if it were not a 14 supplemental project, if it was a baseline project 15 because it was meeting a reliability requirement, it 16 still wouldn't be eligible for socializing the costs 17 because it's just not large enough; is that right? 18 A. I'm not sure what you mean by 19 "socializing the costs." 20 Q. The 50-percent spread load ratio share. 21 A. Okay. The project discussed here is a 22 230 kV. That would not be eligible for any load ratio 23 share allocation; however, there would be a 24 distribution factor calculated for that. And under 25 distribution, the distribution factor calculation,</p>	<p style="text-align: right;">Page 573</p> <p>1 A. Well, for example, I guess I can say 2 there is Old Dominion Electric Cooperative, Northern 3 Virginia Electric Cooperative, Central Virginia 4 Electric Cooperative, I believe there is -- 5 Southeastern Power Administration is a NITS customer 6 for some load, and I believe there are two others that 7 are load-serving entities to competitive -- for 8 competitive supply. That's what I'm aware of at this 9 time. 10 Q. How about North Carolina Power? 11 A. I'm sorry. Yes, I was thinking in terms 12 of Virginia, but NCEMC, North Carolina Electric 13 Membership Corporation, I believe is what that refers 14 to. 15 Q. And the Company's affiliate itself, North 16 Carolina Power is a NITS customer, isn't it? 17 A. Well, it's not separate from Dominion 18 LSE, or DOM LSE, as it's currently referred to, is the 19 network service customer for all of Dominion's retail 20 loads. 21 Q. So when you say there on line 17 that the 22 Company has a load ratio share of about 85 percent 23 applicable to billing during 2016, does that include 24 retail customers of the Company in Virginia and in 25 North Carolina?</p>
<p style="text-align: right;">Page 572</p> <p>1 some of its costs may or may not be allocated to other 2 zones. That calculation, I don't know what that would 3 produce. 4 Q. All right. So if other zones other than 5 the DOM Zone were receiving some reliability benefits 6 from this project, customers in those zones might have 7 to pay a portion of the costs, correct? 8 A. If power of the facility under the power 9 distribution calculation were to sink in other zones, 10 then those other zones would be responsible for a 11 portion of the cost. 12 Q. That's not the case with this facility, 13 is it? 14 A. Like I said, I don't know what the power 15 distribution calculation on this would be, nor do I 16 believe it's relevant. It's the supplemental project, 17 and it's specifically excluded from that cost 18 allocation mechanism. 19 Q. You say on line 16 that the Company is 20 the largest NITS customer in the DOM Zone. 21 "The Company" being Virginia Electric and 22 Power Company? 23 A. That's correct. 24 Q. What other customers are there in the 25 DOM Zone, NITS customers?</p>	<p style="text-align: right;">Page 574</p> <p>1 A. Yes, it does. 2 Q. All right. In the FERC docket that you 3 have mentioned, FERC Docket EL10-49, I believe? 4 A. That's what I said, yes. 5 Q. Has the FERC entered an order relieving 6 any of the retail customers in the DOM Zone from 7 paying costs associated with the Garrisonville line? 8 A. On March 10th, 2014, FERC issued the 9 order on reserved issue in that docket. In 10 paragraph 51 of that order, the FERC found that we 11 find it is not just and reasonable to allocate costs 12 to the undergrounding to wholesale transmission 13 customers beyond those NITS customers with Virginia 14 loads in the Dominion Zone. 15 They say this is a -- in paragraph 52, we 16 emphasize that our findings here represent a limited 17 exception due to our general policy that utilities do 18 not directly assign individual cost items that are 19 included in projects that have system-wide benefits. 20 However, for the reasons discussed above, we find that 21 this approach is warranted by the facts of this case. 22 Q. So, in effect, the NCEMC customers in 23 North Carolina don't pay any of the costs of the 24 undergrounding of the Garrisonville facility, do they? 25 A. That is the effect of this order as well</p>

1 as Virginia's -- excuse me -- DOM LSE's retail  
2 customers in North Carolina would be excluded from  
3 that calculation.

4 Q. All right. And the Garrisonville line is  
5 a network facility?

6 A. It is.

7 MR. CHAMBLISS: All right. That's all  
8 the questions I have.

9 THE HEARING EXAMINER: All right. Thank  
10 you, Mr. Chambliss.

11 Any redirect by the Company?

12 MS. LINK: No redirect.

13 THE HEARING EXAMINER: All right.

14 Mr. Payne, you may stand down. Thank you  
15 very much for your testimony.

16 Ask Exhibit 47 will be received into the  
17 record.

18 MS. LINK: Thank you, Your Honor.

19 THE HEARING EXAMINER: Call your next  
20 witness.

21 MS. CRABTREE: The Company recalls John  
22 Berkin.

23 Your Honor, Mr. Berkin's rebuttal  
24 schedules four, five, and six were late-filed to the  
25 docket. We e-mailed them and mailed them to all the

1 parties. We do also have copies to pass out in case  
2 folks don't have theirs.

3 THE HEARING EXAMINER: All right.

4 JON M. BERKIN, recalled as a rebuttal  
5 witness, having been previously duly sworn, was  
6 examined and testified as follows:

7 DIRECT EXAMINATION (Reb.)

8 BY MS. CRABTREE:

9 Q. Good evening. Are you the same  
10 Jon M. Berkin that testified in direct?

11 A. Yes, I am.

12 Q. And do you have with you a document  
13 entitled, the rebuttal testimony of Jon M. Berkin,  
14 consisting of one witness rebuttal testimony summary,  
15 23 typed pages of questions and answers, and three  
16 rebuttal schedules which was filed in public version  
17 only in this proceeding on June 9th, 2016?

18 A. Yes, I do.

19 Q. And do you also have with you rebuttal  
20 schedules four, five, and six that were filed in this  
21 proceeding in public version only on June 12th, 2016,  
22 I believe?

23 A. Yes, I do.

24 Q. Were those documents prepared by you or  
25 under your supervision?

1 A. Yes, they were.

2 Q. Do you have any corrections or additions?

3 A. Yes, I do have a few, please.

4 So I'm referring to my rebuttal testimony  
5 on page eight, lines 21 through 22. I need you to,  
6 please, strike the words starting with "and" --  
7 starting -- it must be a duplication in wording. Let  
8 me open that up -- and ending -- so it starts with  
9 "and" on line 21 and ends with the words "Gestl" at  
10 7-8 on line 22. So it starts with "and" and ends with  
11 "Gestl," 7-8 on line 22.

12 Q. And that's just making reference to  
13 testimony filed by Heritage?

14 A. Correct. And then I have another  
15 correction as well, please.

16 So on page three, line two -- this is my  
17 rebuttal testimony -- you would strike the number  
18 "three," please, and change to the number "six."

19 Q. And that's to reflect the three rebuttal  
20 schedules that were filed three days later,  
21 Mr. Berkin?

22 A. Correct. And those are rebuttal  
23 schedules four, five, and six which you mentioned. So  
24 that's the -- four is entitled, historic aerials map;  
25 five is the overview map; and six is the map that

1 shows the switching station to the Haymarket  
2 Substation.

3 Q. And of those rebuttal schedules five and  
4 six, I believe, are the demonstratives we've been  
5 referring to during this proceeding?

6 A. Correct. They are behind me.

7 Q. With those corrections, if you were asked  
8 the questions appearing in your rebuttal testimony,  
9 would you provide the same or substantially the same  
10 answers?

11 A. Yes, I would.

12 Q. And do you wish to sponsor that document  
13 as your rebuttal testimony?

14 A. Yes.

15 MS. CRABTREE: Your Honor, I'd ask that  
16 Mr. Berkin's rebuttal testimony and schedules be  
17 marked for identification.

18 THE HEARING EXAMINER: Mr. Berkin's  
19 testimony will be marked as Exhibit 48.

20 (Exhibit No. 48 was marked for  
21 identification.)

22 MS. CRABTREE: And I move the admission  
23 of Exhibit 48, subject to cross-examination.

24 THE HEARING EXAMINER: It will be  
25 received, subject to cross-examination.

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1 (Exhibit No. 48 was admitted into  
2 evidence.)  
3 BY MS. CRABTREE:  
4 Q. Mr. Berkin, were you in the courtroom  
5 when Southview's witness, Mr. Fuccillo, was  
6 testifying?  
7 A. Yes, I was.  
8 THE HEARING EXAMINER: Before you do  
9 that, I want to make sure I have these aerial  
10 photographs correct.  
11 I have one packet of schedule one through  
12 six that goes along with this testimony, correct?  
13 MS. CRABTREE: That is just rebuttal  
14 schedule four. You should also have rebuttal schedule  
15 five and six, are one page each.  
16 THE HEARING EXAMINER: All right. I  
17 understand now. Thank you.  
18 MS. CRABTREE: You have all three, sir?  
19 THE HEARING EXAMINER: Yes, I do.  
20 MS. CRABTREE: Thank you.  
21 BY MS. CRABTREE:  
22 Q. Mr. Fuccillo, when he was testifying, was  
23 talking about a storm water pond that is depicted as  
24 being on his property in your rebuttal schedule six?  
25 A. Yes.

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1 Q. And he questioned why that was located  
2 where.  
3 Where did the information regarding the  
4 storm water ponds come from?  
5 A. Sure. If I can point to the exhibit for  
6 a minute, if that would be okay?  
7 Q. And just for the record, again, this is  
8 Mr. Berkin's rebuttal schedule six that is on the  
9 easel, correct?  
10 A. So we have represented here in yellow a  
11 number of storm water ponds, and is this was  
12 information that was given to Dominion based on the  
13 conceptual plans that VDOT had prepared at the time of  
14 the filing.  
15 So in this case this is where VDOT had  
16 proposed to put their storm water ponds, but the  
17 understanding was the design of the -- or the  
18 construction of the sound walls and the other  
19 modifications that were made were going to be a fluid  
20 process, so this was the best available information at  
21 the time when the application was prepared.  
22 Q. Just to clarify, you said "the best  
23 available information."  
24 And that information came from VDOT?  
25 A. That's correct.

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1 Q. Mr. Fuccillo during his testimony, they  
2 entered what was marked as Exhibit 12 -- marked and  
3 admitted as Exhibit 12 showing a conceptual site plan  
4 of what I believe is both parcel one and parcel two of  
5 the Southview property; and the red polygon depicted  
6 on this Exhibit 12 represents the switching station, I  
7 believe; is that your understanding?  
8 A. Yes, that's my understanding.  
9 Q. And the Southview witness testified that  
10 he believed when it was actually constructed, the  
11 switching station would -- the space required for the  
12 switching station would be required to -- I think he  
13 used the term "bleed over" into the triangle property  
14 depicted on Exhibit 12 which does not belong to  
15 Southview.  
16 Do you remember that testimony?  
17 A. Yes, I do.  
18 Q. Is that your understanding of the space  
19 required for the switching station?  
20 A. No, that is not my understanding. The  
21 switching station, itself, would be between five and  
22 seven acres, and the station would be wholly located  
23 on parcel number two; it would not extend over to the  
24 triangular parcel adjacent to it.  
25 Q. And is there a reason the Company did not

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1 propose placing the switching station on this  
2 triangular piece of property?  
3 A. Yes. When it was sited, the objective  
4 was to try to put it on a single parcel so that it  
5 would only be located on the property of a single  
6 landowner in that case and that potentially was  
7 available for purchase. So we purposefully did not  
8 want to site it on land owned by multiple landowners  
9 or multiple property owners.  
10 Q. So in other words, Mr. Berkin, are you  
11 saying that the triangular piece of property would not  
12 alone be sufficient for the space required for the  
13 switching station?  
14 A. Yes. I believe that the parcel number  
15 two -- I had -- I believe it was approximately  
16 11 acres, and that would be sufficient size to site  
17 the facility. I don't have the dimensions of the  
18 triangular parcel in front of me, but we did calculate  
19 that it would not be of sufficient space, you know,  
20 should it have been available to use.  
21 The other issue is that we purposefully  
22 sited it in that location to have access to the line,  
23 so you'll note that the line runs directly adjacent to  
24 the highway, so that was the other reason for putting  
25 it there. And so -- but as I mentioned, there was

1 another constraint where we wanted to keep it on one  
2 parcel.

3 Q. Moving on, Mr. Berkin, were you in the  
4 courtroom when Mr. Cooper testified as a public  
5 witness regarding what he referred to as the Clavelli  
6 property?

7 A. Yes, I was here.

8 MS. CRABTREE: Your Honor, I'm putting on  
9 the screen what is the last page of the routing study,  
10 so your volume two, the very last page of that. It's  
11 not numbered, but if you flipped to the back, that is  
12 the page.

13 BY MS. CRABTREE:

14 Q. Depicted on the bottom half of this page  
15 from the routing study, is it your understanding that  
16 this is the Wal-Mart variation?

17 A. Correct.

18 Q. And I believe Mr. Cooper testified that  
19 the property he was speaking about was the property  
20 adjacent to the Wal-Mart and Kohl's development; is  
21 that your understanding?

22 A. Right, that's correct.

23 Q. And Mr. Cooper discussed -- we can call  
24 it a variation on the Wal-Mart variation --

25 A. Right, the --

1 Q. -- seeking to avoid this angle structure  
2 that I'm pointing to, basically the last structure  
3 before you enter the substation?

4 A. Correct, yes.

5 Q. And Mr. Cooper indicated that he had  
6 discussions with Chris Behrens, the project manager,  
7 about a potential work-around.

8 Have you also been in discussions with  
9 Mr. Behrens?

10 A. Yes, I have.

11 MS. CRABTREE: And I'm putting on the  
12 screen a marked-up version of this page, which I will  
13 ask to have marked as an exhibit.

14 THE HEARING EXAMINER: You'd like this  
15 marked as an exhibit?

16 MS. CRABTREE: Yes.

17 THE HEARING EXAMINER: We'll mark what  
18 has been handed out as figure 19, I-66 overhead  
19 alternate variations, Gainesville to Haymarket, an  
20 aerial view with a revision to the Wal-Mart variation,  
21 marked Exhibit 49.

22 (Exhibit No. 49 was marked for  
23 identification.)

24 BY MS. CRABTREE:

25 Q. Mr. Berkin, can you explain what is shown

1 on Exhibit 49 with the blue line as indicated there?

2 A. Yes. So the idea would be that in the  
3 original design, there was an angle structure on the  
4 property which we would -- which we would remove. So  
5 what we would do is we would span the highway and  
6 put -- and move the structure across the highway, as  
7 you're showing there, and then the line would extend  
8 to its termination point from there.

9 Q. Is it accurate to say that the angle  
10 structure that was previously proposed to be located  
11 on the north side of John Marshall Highway would  
12 simply just be moved to the south side of that  
13 highway?

14 A. Right. So we would -- by crossing the  
15 highway at the angle shown on the figure, it would  
16 render that unnecessary.

17 Q. Is there a reason the Company didn't  
18 originally propose to cross the highway at an angle?

19 A. Well, in terms of just standard routing  
20 practice, we tend to avoid crossing roads at angles,  
21 but it's certainly possible to do it. So that way it  
22 minimizes the aerial crossing of the road when you  
23 just have a straight crossing. But it is possible to  
24 cross it at a diagonal. I think that the Company  
25 would have to have discussions with VDOT to just

1 confirm the design of the crossing, but, I mean, I've  
2 seen it before, and I think it's certainly doable.

3 MS. CRABTREE: Your Honor, I move the  
4 admission of Exhibit 49.

5 THE HEARING EXAMINER: It will be  
6 admitted into the record, subject to cross.

7 (Exhibit No. 49 was admitted into  
8 evidence.)

9 BY MS. CRABTREE:

10 Q. Turning to the testimony of Staff Witness  
11 McCoy, were you here when he was testifying?

12 A. Yes, I was.

13 Q. And in noting the Company's support for  
14 the Wal-Mart variation for both an overhead and  
15 underground variation, Mr. McCoy noted that a  
16 potential concern to the approach to the hospital  
17 helipad that would be alleviated by the Wal-Mart  
18 variation underground, what is your understanding of  
19 the overhead Wal-Mart variation and the effect on the  
20 helipad?

21 A. So Dominion had conversations with the  
22 hospital, which are presented in Ms. Faison's rebuttal  
23 testimony, where it was clear that neither the  
24 overhead or underground route would represent an  
25 impediment to the use of the helipad.

<p style="text-align: right;">Page 587</p> <p>1 Q. And during my cross-examination of 2 Mr. McCoy, we were talking about visual impacts from 3 the overhead line and specifically potential impacts 4 to the homes to the north side of I-66. 5 Do you remember that -- 6 A. Yes, I do. 7 Q. -- discussion? 8 And we talked about how you couldn't 9 potentially judge the view from each and every home; 10 and that is something he said you would previously 11 stated in discovery? 12 A. Correct. 13 Q. What is your response to that discussion 14 we had? 15 A. So the challenge in trying to figure that 16 out is that the line -- number one, the line hasn't 17 been completely engineered yet, so we don't know the 18 exact tower placement. I think the towers would be 19 spaced somewhere between 600 and 700 feet apart at 20 that point; and those decisions aren't made, as I 21 said, until the design stage because once the 22 contractor is out there and sees what other possible 23 challenges there are to construction and what other 24 environmental resources and things that might be there 25 that they might seek to avoid, we try not to come up</p>	<p style="text-align: right;">Page 589</p> <p>1 And the issue is that the counts that we 2 gave to Mr. McCoy, which I believe are in one of the 3 discovery responses, about the homes that would 4 directly face the line, that doesn't mean that there 5 would be a clear view of the structures or the 6 conductors from every one of those homes. Some of 7 them, yes, and some no, but we can't say that at this 8 point. 9 Q. So to be clear, Mr. Berkin, you're not 10 denying and the Company doesn't deny that the homes to 11 the north side of I-66 could have a view of an 12 overhead route if it is built? 13 A. No. I mean, certainly some of the homes 14 would have a view of the route. 15 THE HEARING EXAMINER: During the public 16 witness testimony, a lot of people complained that the 17 line will not be totally located inside the sound 18 wall, but also outside the sound wall in their 19 backyard essentially. 20 That's true, isn't it? 21 THE WITNESS: Well, it wouldn't be so 22 much in their backyard. I think we saw this before in 23 the photograph that went along with Mr. Koonce's 24 testimony that there's, you know, a buffer distance 25 between where the sound wall is located and where the</p>
<p style="text-align: right;">Page 588</p> <p>1 with a definite location for the structures. 2 Second of all, you know, the conductors 3 associated with the structures and the wire as well, 4 we couldn't say exactly from which vantage points that 5 would all be visible. So the challenge would be to 6 try to figure out vantage points from all those 7 locations, not knowing the final design, right, and 8 also taking into account the elevation and the fact 9 that there's slight changes in the topography that 10 would make it challenging to determine from any given 11 residence what the view would be. 12 In addition to that, as I mentioned 13 before, the sound wall is approximately ten to 12 feet 14 high and the topography changes, so that also has some 15 effect on the view, at least from the lower stories of 16 the structure -- I'm sorry -- of the dwellings. So 17 there's a number of factors. 18 But essentially what you would have to do 19 is we would have to have the final design and you 20 would have to use something like LIDAR data which 21 you'd have to fly the route and figure out the 22 elevation levels of all the residences alongside of 23 the highway; you would have to have the final design 24 and come up with vantage points where a potential 25 viewer could actually look at the line.</p>	<p style="text-align: right;">Page 590</p> <p>1 homes are; and in some cases, there's a fence as well. 2 But, you know, the issue that I think you 3 might be referring to is that it really -- it really 4 is impossible to site the line -- well, it's 5 theoretically possible, but the challenges of siting 6 the line within the sound wall is that Dominion would 7 have to be there by permit with VDOT. So anytime that 8 VDOT decided if they wanted to expand the road or road 9 improvement, Dominion would have to move the 10 transmission line at its own cost to another location, 11 plus the fact that if the line were inside the sound 12 wall, if there was any maintenance required, you would 13 have to shut down potentially for different periods of 14 duration some of the highway lanes. 15 THE HEARING EXAMINER: Well, I guess the 16 short answer to the question is there will be -- if 17 the Commission approves an overhead route along I-66, 18 the transmission line could be located potentially in 19 the area between the sound wall and those structures? 20 THE WITNESS: Yes, sir, that's correct. 21 THE HEARING EXAMINER: But you don't know 22 how many towers at this point would be located in that 23 area? You have to do your engineering first? 24 THE WITNESS: Right. Well, what I said 25 was we don't -- I mean, we can do a calculation based</p>

1 on an average span length of, say, approximately  
2 700 feet knowing that, I believe -- you know, knowing  
3 the length the line. But in terms of the actual  
4 placement, there's some flexibility in the placement  
5 during construction, so we couldn't tell you that for  
6 sure right now until the engineering was done.

7 MS. CRABTREE: And for reference, Your  
8 Honor, I've put on the screen -- this is Mr. Koonce's  
9 rebuttal schedule one, page five. I'm not sure which  
10 photo Mr. Berkin wanted to refer to, but this one  
11 seemed to have the sound wall in the backyard.

12 THE WITNESS: Well, there was another one  
13 where he showed some of those drainage areas -- there.  
14 So in this case, you know, the line would be located  
15 outside the sound wall in that area. And depending on  
16 the offset -- you know, depending on the limits of the  
17 VDOT's easement, which would have to be civil  
18 surveyed, and depending on the buffer in between that  
19 area in terms of precise location, there would be some  
20 flexibility, but in general that's where the line  
21 would be sited.

22 BY MS. CRABTREE:

23 Q. Just to be clear on the terminology  
24 you're using, when you say inside the sound wall or  
25 outside of the sound wall, it means what?

1 A. Outside would be away from the sound  
2 wall, towards where the homes are located, so the  
3 highway would be inside the sound wall.

4 Q. There was some discussion earlier today  
5 about whether the right-of-way for the overhead  
6 route -- I think it was asked of Mr. Koonce, and he  
7 said he didn't know because he wasn't involved in that  
8 aspect of the project -- whether the right-of-way for  
9 the overhead route would essentially overhang the VDOT  
10 wall.

11 Is that your understanding?

12 A. So what my current understanding is, is  
13 that the way that Dominion would try to construct the  
14 line is that for the overhead route, there would have  
15 to be a minimum of ten feet between the structure and  
16 the sound wall, so a minimum of ten feet in that area.  
17 And they would work with VDOT to -- so that the  
18 conductor and wire on that side of the structure would  
19 overhang the highway.

20 Q. So it's not necessarily the case that the  
21 100-foot right-of-way would start at the sound wall  
22 and go back?

23 A. No, no. And the challenge here, again,  
24 is that Dominion -- for the same reason they can't put  
25 the structure inside the sound wall, which is it's

1 VDOT's easement, they have to do a civil survey to  
2 determine the limits of VDOT's easement outside the  
3 sound wall.

4 So until that's done -- so the  
5 right-of-way would start in close proximity, but I  
6 couldn't give you an exact distance, but the key thing  
7 is in general conception, the idea would be that the  
8 overhead structures would be a minimum of ten feet  
9 from the sound wall.

10 Q. Also during cross-examination of  
11 Mr. McCoy, we were talking about scenic asset, as that  
12 term is used in the Virginia Code, and Mr. McCoy said  
13 he thinks scenic assets would include historic assets  
14 in some cases and maybe a lake, could be a river, so  
15 it would really be case by case.

16 Do you agree with his definition of a  
17 scenic asset?

18 A. So what I found -- because I did do some  
19 research on this when we were preparing our  
20 documents -- is that scenic asset -- the term "scenic  
21 asset" is not actually described in the Code, so it's  
22 open to interpretation. So I wouldn't -- I wouldn't  
23 argue with what Mr. McCoy had said because I think you  
24 can interpret broadly to encompass the things he said.

25 When I think about a scenic asset, I'm

1 thinking about some kind of scenic viewshed like a  
2 landscape or a pristine landscape or some landscape  
3 feature of that kind foremost in my mind is what I  
4 would think of.

5 Q. And we've had some discussion during this  
6 proceeding about how the area, the Haymarket area, has  
7 been changing over time and how that -- do you believe  
8 that that change could impact what is considered a  
9 scenic asset?

10 A. Yes, I do. So as a part of our routing  
11 efforts, there's been some discussion of several  
12 documents that we take into account. One of the  
13 things we look at, and as we discussed previously in  
14 the proceedings, is the comprehensive plan, but we  
15 also do some research using historical photographs to  
16 look back in time and then look at the plan to look  
17 forward in time.

18 So one of the exhibits that I put  
19 together are this group of aerial photographs. So  
20 what we were able to do in this case is we found  
21 aerial photography of the general project area and  
22 we -- going back in time, so the first photo is a  
23 black-and-white image that was all available that  
24 starts in 1994.

25 And what I noted, and as you'll note when

<p style="text-align: right;">Page 595</p> <p>1 you look at this image, is that the interstate is  2 there, but there's very little development; most of  3 these residential complexes, for example, if not all  4 of them, have not been built yet. And this is just  5 going back to 1994, so not too long.  6 So then as we kind of page through  7 this -- and the aerial photography is available at  8 different intervals, so it's not always an even  9 interval between -- you can see starting in 2002 that  10 even in that small amount of time that the landscape  11 is significantly changing, and you can see the  12 appearance of a lot more of the residential  13 development in the area, you can also see some  14 commercial development as well. So what we're seeing  15 is that we're going from what was largely a rural  16 landscape to a much more densely populated landscape.  17 Q. And, Mr. Berkin, if I can ask you to slow  18 down just a little bit as we walk through these  19 historic aerials.  20 A. That's fine. So then if we go to page  21 three, just to show the degree of change, you'll see  22 that in the interval even between 2002 and 2006,  23 there's been an enormous amount of development  24 especially centered around the I-66 corridor but also  25 in the adjacent area as well.</p>	<p style="text-align: right;">Page 597</p> <p>1 five on the easel, the larger overview map.  2 A. Yes.  3 Q. When I was speaking with Mr. McCoy, he  4 acknowledged that you often have trade-off of impacts  5 when setting transmission lines, especially in areas  6 that are challenging, such as the one we see depicted  7 in your rebuttal schedule five.  8 Do you agree that there were trade-offs  9 in the routing alternatives that occurred in this  10 proceeding?  11 A. Yes, very much so. And what I would  12 qualify that -- and I agree with that statement -- is  13 that every project is different because the areas that  14 a given project is constructed can be of a radically  15 different character.  16 So as a result, to give you an example,  17 if we were talking about a rural or agricultural area,  18 for example, what you might be more concerned about is  19 cutting down trees, maybe impacting wetlands, there  20 might be more things like threatening an endangered  21 species, habitats, there could be other kinds of  22 concerns depending on the environment that you're  23 working on.  24 And so in this case, you know, we're  25 dealing with a much more developed environment where</p>
<p style="text-align: right;">Page 596</p> <p>1 And then, again, if we were to look in  2 2009, same thing, we see the expansion of a lot of  3 those residential developments and much more  4 commercial development, which brings us to a few more  5 images just to kind of show this growth and expansion  6 here. What you see if you were to go back to the  7 original one and then kind of page forward, you can  8 see that the whole landscape has completely changed  9 since that time.  10 And then finally, the final image -- and  11 the reason why there's a split is because the aerial  12 photography is taken in tiles, and the tiles are  13 sometimes taken at different dates, so we had to blend  14 two tiles here, but you see 2014 and 2013, which  15 brings us to the present state of development, so, you  16 know, what we've seen, as I said, is you have this  17 radical transformation from much more of a rural  18 landscape, which I would suggest had a lot more scenic  19 character to a heavily developed landscape where we  20 have a preponderance -- and I'm speaking specifically  21 within the project area, but it also extends outside  22 that as well -- of residential and commercial  23 development in the area.  24 Q. And, Mr. Berkin, if I can ask you to  25 assist me and place what is your rebuttal schedule</p>	<p style="text-align: right;">Page 598</p> <p>1 there's different types of resources, so the idea is  2 that for every project there will be a trade-off when  3 you look through the various constraints that we  4 analyze to kind of figure out, you know, given the  5 precise project area you're working in, you know, how  6 do things compare and what things might be more  7 significant than others.  8 And so at some point you have to make a  9 judgment call and decide that, but that is going to  10 depend on the character of the area. And one way to  11 look at it is, for example, if you look at the various  12 routes we developed for this project, you know, we  13 originally started with eight and then went down to  14 five, and look at the matrix that's in the comparison  15 table, you'll note that there's even very different  16 types of impacts among the different routes that we  17 studied here, so the question was when we were trying  18 to narrow down the various routes as to which one we  19 thought best met the statute, there's many different  20 categories, and so it becomes a trade-off to look at  21 the various options.  22 Q. Was -- Mr. McCoy seemed largely concerned  23 with visual impacts to homeowners.  24 Was there a route in your opinion that  25 would have minimized visual impacts to homeowners?</p>

1 A. So the route initially that we had  
2 initially favored was the railroad route because we  
3 were sensitive to the fact that this was a heavily  
4 developed residential area. And the advantage that  
5 that route afforded was within that wooded area  
6 between Somerset and the adjacent development, there  
7 was a railroad corridor, you know, that offered us a  
8 collocation opportunity, plus there was an area that  
9 we could have routed it where we could have had a  
10 screen of trees on either side of the line so it would  
11 be less visual.

12 Now, there were other impacts, as you  
13 said, in terms of a trade-off associated with that  
14 route, such as wetland impacts and the clearing of  
15 trees, but in terms of minimizing the visual effect on  
16 homeowners or residences, you know, in immediate  
17 proximity, that route was very favorable.

18 Q. And is it your understanding that that is  
19 no longer a viable routing alternative?

20 A. Correct. So the HOA -- I might not be  
21 using the correct language, but there was an easement  
22 there already, and they deeded the easement to the  
23 county, and now that the easement is under county  
24 control, the county would have to authorize Dominion  
25 to be able to construct through that area. And as is

1 shown, I believe, in Witness Faison's rebuttal  
2 testimony, Dominion did directly contact the county,  
3 and they indicated that they would not be willing to  
4 grant Dominion permission to cross that area, that  
5 easement.

6 Q. Finally, Mr. Berkin, when I was speaking  
7 with Mr. McCoy, I showed him a series of photos that  
8 have now been entered as Exhibit 18.

9 Are you familiar with this exhibit?

10 A. Yes, I am; I had seen them before.

11 Q. And Mr. McCoy acknowledged that  
12 collocating a transmission line next to a major  
13 transportation highway is good routing practice.

14 Do you agree with that?

15 A. Yes. And, again, I think as was  
16 discussed previously with Mr. McCoy, we always try to  
17 collocate facilities with existing corridors. By  
18 preference, if there's an existing utility corridor  
19 where we can site it within or directly adjacent to an  
20 easement, that's usually first preference, but in the  
21 event those types of corridors aren't available, we  
22 also look at railroad corridors, highway corridors.  
23 And the idea is to not create a new corridor, but to  
24 try to share or expand an existing one.

25 Q. I'm not going to take you through every

1 photo within this exhibit, as it is in evidence.

2 THE HEARING EXAMINER: Let me ask  
3 Mr. Berkin just a couple of questions about this  
4 railroad road.

5 You said that was initially the route  
6 that Virginia Power would prefer, thought it was maybe  
7 the best fit given the development along I-66?

8 THE WITNESS: Yeah, well, it was -- it  
9 was -- we did think that that was going to be a  
10 preferred route because it would minimize that visual  
11 impact on homeowners that were immediately adjacent to  
12 the route.

13 THE HEARING EXAMINER: Now, if Prince  
14 William County decided later to grant you an easement  
15 through this area or if the easement didn't exist --

16 THE WITNESS: Right.

17 THE HEARING EXAMINER: -- do you still  
18 believe the railroad route would be the best route? I  
19 mean, I know the impact on the wetlands is going to be  
20 more on that route.

21 THE WITNESS: Right. Well, I would say  
22 that in that case, you know, given the community's  
23 strong preference or aversion to the visual impacts,  
24 that that probably -- that I would propose that route.

25 THE HEARING EXAMINER: Do you have any

1 knowledge about whether or not the Somerset  
2 subdivision granted that easement simply in an attempt  
3 to try to prevent the transmission line from running  
4 along the railroad route? Do you know the reason why  
5 they granted this easement?

6 THE WITNESS: I would assume that that  
7 was the case.

8 THE HEARING EXAMINER: But you don't  
9 know? You're just speculating here?

10 THE WITNESS: Well, what I'll say is that  
11 the timing of it, you know, would lead me to believe  
12 that that was specifically the case.

13 THE HEARING EXAMINER: All right. Okay.  
14 BY MS. CRABTREE:

15 Q. I'm putting on the screen page six of  
16 Exhibit 18; and I showed this photograph to Mr. McCoy  
17 and asked him whether this photograph, which shows a  
18 230 kV line paralleling I-66 in Arlington had some of  
19 the same features as the project being proposed in  
20 this proceeding, and he said that the two projects  
21 were different.

22 What is your review of this depiction?

23 A. Well, what I think that Mr. McCoy was  
24 probably alluding to the fact was the -- you know, the  
25 trees, the screen of trees between the line and the



<p style="text-align: right;">Page 603</p> <p>1 homes that are behind it. But I would say in all  2 other ways, that this was similar. I mean, what we  3 see is we see a major highway, with a sound wall, we  4 see the lines sited outside the sound wall, and  5 there's a residential area directly adjacent to it.  6 Q. And turning further within Exhibit 18,  7 photo 4A shows an overhead view of a 230 kV line  8 parallel to I-95 in Alexandria?  9 A. Yes.  10 Q. And the street view of that line shows us  11 some apartments?  12 A. Right, directly adjacent to the line.  13 Q. Do you know which came first, the line or  14 the apartments?  15 A. So it's my understanding -- now, I was  16 not involved in the development of this project, but  17 it was my understanding talking to some of the  18 colleagues at Dominion that the line was actually  19 constructed first.  20 Q. So the line was in place next to I-95 and  21 developers chose to build -- at least what we can see  22 in this photograph are at least three fairly large  23 sized housing developments?  24 A. Yes, that's my understanding.  25 Q. And the final photograph in Exhibit 18</p>	<p style="text-align: right;">Page 605</p> <p>1 said about the railroad option.  2 If somehow that were revived, you would  3 acknowledge that it would have a physical impact on  4 the Southview 66 property as well, correct?  5 A. Correct.  6 Q. And in looking at this exhibit, would  7 you -- is it fair to say that one of the monopole  8 structures would actually have to be sited on the  9 Southview property or at least one of them in that  10 area where also the switching station is proposed?  11 A. Yes.  12 Q. And you heard testimony from Mr. Fuccillo  13 that by right, the property can be developed for  14 commercial purposes, correct?  15 A. Yes, I did.  16 Q. And do you agree with his perspective  17 that anyone driving on Route 29 looking into the  18 commercial development for the railroad option would  19 have to be looking through power lines?  20 A. Well, I agree with it in concept. What I  21 would say would it would depend on the spacing of the  22 line, but they would be driving under them depending  23 on where you had your areas of ingress, but I agree  24 with what you're saying, you know, in principle.  25 Q. Well, there is no area of ingress and</p>
<p style="text-align: right;">Page 604</p> <p>1 shows a 230 kV line parallel to Rosemont Road in  2 Virginia Beach.  3 And in this case we don't see a sound  4 wall but still see homes in fairly close proximity to  5 the overhead right-of-way.  6 Is this still good routing practice?  7 A. Yes. I mean, I'd say it was. I mean,  8 the attempt was made to collocate within an existing  9 right-of-way rather than create a new one. So in this  10 case -- and they used the monopole structures, right,  11 so the idea was to try to, you know, visually make the  12 line more harmonious with the existing landscape.  13 Q. And you mentioned the monopole  14 structures.  15 Is that what's proposed in this case?  16 A. Yes.  17 MS. CRABTREE: Thank you. I have no  18 further questions at this time.  19 THE HEARING EXAMINER: Thank you.  20 Mr. Coughlin.  21 CROSS-EXAMINATION (Reb.)  22 BY MR. COUGHLIN:  23 Q. Good evening.  24 A. Yes.  25 Q. I'll go over a couple things that you</p>	<p style="text-align: right;">Page 606</p> <p>1 egress directly off of Route 29 into the Southview  2 property; isn't that true?  3 A. Yeah, you're right. I'm sorry.  4 Q. In fact, the road is actually elevated  5 there above the Southview property, correct?  6 A. Yes.  7 Q. And so, therefore, you would be  8 viewing --  9 A. Right, you'd be viewing the structures,  10 so I take that back. I was looking at it incorrectly.  11 So you'd see the structures, and they would be -- what  12 I said before, it would be at approximately six- to  13 700-foot interval, the overhead structures.  14 Q. So there would be a visual impact to the  15 by right commercial development caused by the  16 railroad --  17 A. Yes, there would.  18 Q. And that same impact would be true for  19 the Carver and Madison routes as well, correct?  20 A. Correct. They are both shown there on  21 the map.  22 Q. And if there were a modification that  23 allowed for residential development, as you saw from  24 one of the illustrative exhibits, there would be a  25 visual impact to those residences as well?</p>

1 A. Correct.

2 Q. You used the term as it related to the  
3 Southview 66 property and specifically the switching  
4 station "available for purchase."

5 However, you haven't been privy to any  
6 conversations between Southview 66 and the Company  
7 where they have indicated that the property is  
8 available for purchase, have you?

9 A. No, not personally.

10 Q. And you wouldn't be surprised to hear  
11 that the property is not available for purchase by the  
12 Company?

13 A. No. I mean, I'll qualify what I said in  
14 case I misspoke, but I -- what I thought I was told at  
15 the time when we were looking at locations was that  
16 property was available. But in the sense of -- but I  
17 was not privy to any discussions, and I wouldn't be  
18 surprised if you're telling me that it's currently  
19 not.

20 Q. Just for the record, it's not available  
21 for purchase.

22 A. Yeah, that's fine.

23 Q. And then lastly, I want to turn to the  
24 infamous pond, if you will.

25 So you indicated that you received the

1 best data that was available to us when we were  
2 putting together our routing analysis. But, you know,  
3 my information -- and I believe Mr. Koonce may have  
4 mentioned this during his testimony, is that in the  
5 interval between the time we were given these plans  
6 that things have changed, and that it's a fluid  
7 process because until the contractor got out there,  
8 there was constructability issues that they had to  
9 deal with.

10 Q. Are you aware of VDOT's plans to install  
11 hot lanes in 66 in this area?

12 A. No, I am not.

13 Q. Okay. And if it turns out that these  
14 ponds or the pond on the Southview property is  
15 actually not needed by VDOT, do you believe that the  
16 Company has the discretion to adjust the route without  
17 having to come back to the Commission to align the  
18 underground route closer to 66?

19 A. So I would have to defer in part to  
20 engineering on that, but I can tell you that one  
21 consideration would be, as I mentioned before, with  
22 the siting of the overhead line and the underground  
23 line was a determination of where the boundary or the  
24 VDOT easement exactly would be, so that would have to  
25 be determined.

1 location of these ponds from the Virginia Department  
2 of Transportation; is that correct?

3 A. That is correct.

4 Q. And were you involved in direct  
5 discussions with the department, and did the  
6 information come directly to you?

7 A. No, it was given to me by Dominion.

8 Q. Okay. And do you know which particular  
9 VDOT project those ponds are proposed to be a part of?

10 A. I would have to go back and look at the  
11 plans, which I don't have with me. I mean, I assumed  
12 it was just part of the plans to construct the  
13 drainage -- I'm sorry -- the sound wall, and there  
14 were modifications to the drainage system there, but I  
15 don't have a copy of the plans with me so I couldn't  
16 tell you exactly. That information would be on the  
17 plans themselves.

18 Q. And were you looking at conceptual-level  
19 plans from VDOT --

20 A. That's correct.

21 Q. -- or were you looking at fully  
22 engineered plans?

23 A. No. They were conceptual. That's why,  
24 if I may, I said before it was a design plan,  
25 conceptual design plan. So at the time, this was the

1 But I would have to -- I would say it's  
2 possible, but I would have to defer that question to  
3 Mr. Koonce, most likely.

4 Q. But I mean in theory, if there's no  
5 easement that you have to work around, then you could  
6 just shift the alignment of the underground easement  
7 closer to 66, correct?

8 A. Yes.

9 Q. And so then my question is, if that turns  
10 out to be the case, whether it's you or Mr. Koonce, do  
11 you believe the Company has to come back before the  
12 Commission or that that is something that can be just  
13 worked out with the property owner should the  
14 underground route be approved?

15 MS. CRABTREE: Your Honor, if I can just  
16 interject. I think this, in part, is a legal question  
17 as far as what amount of discretion the Company has.

18 THE HEARING EXAMINER: I agree a hundred  
19 percent.

20 MR. COUGHLIN: Well, just for the record,  
21 for everyone in the room, if it turns out that that  
22 pond isn't there and the underground route gets  
23 approved, we'd like to have the opportunity and not  
24 have to come back before the Commission to have it go  
25 closer to 66?

<p style="text-align: right;">Page 611</p> <p>1 THE HEARING EXAMINER: Understood.  2 MR. COUGHLIN: So I'd like the final  3 order to reflect that if possible if that's where you  4 end up.  5 I have no further questions. Thank you.  6 THE HEARING EXAMINER: Thank you,  7 Mr. Coughlin.  8 Ms. Alexander?  9 CROSS-EXAMINATION (Reb.)  10 BY MS. ALEXANDER:  11 Q. Good evening, Mr. Berkin. I'm Wendy  12 Alexander; I represent FST Properties, LLC.  13 Referring to the rebuttal testimony that  14 you filed on page six -- and I've -- do you have your  15 rebuttal testimony in front of you?  16 A. Yes; let me open it.  17 Q. Sure.  18 A. Yes, I have it open.  19 Q. Okay. You had briefly discussed that you  20 had, in fact, reviewed -- or that Dominion had given  21 you to review what FST had proposed initially as an  22 alternative route potentially or an adjustment to a  23 route known as the FST route variation, correct?  24 A. That's correct.  25 Q. Okay. Is it possible in your</p>	<p style="text-align: right;">Page 613</p> <p>1 Is that answer the same for both an  2 overhead alignment or in an underground configuration?  3 A. So in terms of the construction aspect of  4 it, I would defer to what Mr. Koonce had said earlier  5 about the difficulty with the angles, you know, for  6 installing the underground, and that, you know,  7 preferably you wouldn't want to have those right  8 angles. So it could be done, but it would not be  9 optimal.  10 Q. Okay. Thank you. And then I'll show  11 you -- as you were mentioning the Dominion  12 optimization route or the FST optimization route, is  13 this what you were referring to in your recalling  14 having helped design --  15 A. Yes.  16 Q. Did you, in fact, help --  17 A. Yes. Well, this was shown to me, that's  18 correct.  19 Q. Okay. And so is this route -- I'll ask,  20 you know, it again. Is this optimization route  21 feasible for construction purposes?  22 A. Yes, that's what I proposed it. If  23 you'll notice in this case, we straightened the route  24 out so there wouldn't be that angle structure which  25 was in your original proposal, so it would be -- make</p>
<p style="text-align: right;">Page 612</p> <p>1 estimation -- because I don't think you really have  2 given an opinion on the feasibility of that route --  3 is it your opinion that that route would be possible  4 to build?  5 A. Well, I think that what we had done --  6 and unfortunately -- would you happen to have that map  7 there? Because it would help me remember a little bit  8 better because there were a number of variations that  9 we had to look at.  10 Q. And this is part of the record, but this  11 was the portion of the route -- at the time, we were  12 trying to modify the proposed route --  13 A. Right.  14 Q. -- and so --  15 A. So what we did was we looked at that  16 route and then we came up with what we called an  17 optimization route because I think we were trying to  18 minimize some of the clearing. So I think  19 theoretically this would be possible to construct, but  20 the optimization route that we gave you, we felt would  21 be more suitable as an alternative.  22 Q. Then we'll go real quickly over all of  23 the potential options.  24 This route, I believe you said yes, it is  25 feasible.</p>	<p style="text-align: right;">Page 614</p> <p>1 it easier to construct. And what we did was we offset  2 it from the road so we would not be clear-cutting all  3 those trees in that case along the road. And then the  4 other issue was the potential widening of the road.  5 Q. Okay. And the feasibility of  6 construction is both in an overhead alignment and in  7 an underground configuration, correct?  8 A. Yes.  9 THE HEARING EXAMINER: Mr. Chambliss.  10 MR. CHAMBLISS: Ms. Alexander, is this  11 map in evidence?  12 MS. ALEXANDER: It is.  13 MR. CHAMBLISS: Okay.  14 MS. ALEXANDER: It's an exhibit as part  15 of FST's witnesses, yes, sir.  16 BY MS. ALEXANDER:  17 Q. Did you make an evaluation of the costs  18 associated with each of the two variations that we --  19 A. So I personally am not involved in cost  20 estimating; that would be the purview of another  21 witness.  22 Q. Do you know which witness -- too late  23 now, but --  24 A. Well, it's never too late. So I'm not  25 sure who would be best to talk about cost to the</p>

overhead. I know that Mr. Shevencock, who was stipulated, had worked on the cost. But typically I just deal with routing and siting, but not cost.

Q. Fair enough. We'll move on then to talk about -- again, we have these two variations.

And then you in your rebuttal today mentioned -- this is Exhibit 49?

A. Correct.

Q. And we'll focus on the lower half of that because that's what I am interested in.

Is the glare okay on that?

A. I can see it fine, thank you.

Q. So this was the original Wal-Mart variation but with a new blue line drawn across to potentially eliminate a concern of one of the public witnesses that spoke earlier yesterday, correct?

A. Correct.

Q. Okay. And with respect to Exhibit 49, is this now the recommended route for Dominion's both overhead and underground routes in this case?

A. Yes, that's correct.

Q. Okay. Is there any reason that you are aware of that the Company would need at this point to cross into FST, LLC's property, which is this white building here?

A. No, I don't believe so. I think as we said -- and I believe Mr. Koonce mentioned this as well -- that that Wal-Mart route would be our preference.

Q. Even if there were a tweak needed, I think when I tried to ask Mr. Koonce about, you know, is this -- is this constructible, he said with caveats that we never really know what we're going to encounter until we encounter it on the ground or underground, whatever the case may be.

A. Right.

Q. With all the various alternatives that appear to be available -- again, I'll ask the same question -- would there be any need to cross FST, LLC's property?

A. No, there would not.

Q. Okay. Thank you.

I think you also mentioned that part of the reason you were moving back from the frontage along Route 55 in the FST optimization route when you were looking at that, you did not want to be along 55 due to its expansion; is that correct?

A. So we found out -- so we found out at a late stage -- that's why this was suggested as sort of an appendage at the end of the routing study, that

there were plans to expand Highway 55, and so we were already sensitive to the fact that we would have to do tree clearing along the road, which we were trying to minimize, but there was also some distribution lines in that area, so that was our impetus to develop the Wal-Mart variation.

MS. ALEXANDER: Okay. I don't think I have any further questions; give me one moment.

Those are all the questions I have.

Thank you.

THE HEARING EXAMINER: Thank you very much.

Ms. Harden?

MS. HARDEN: I have a few questions.

CROSS-EXAMINATION (Reb.)

BY MS. HARDEN:

Q. I have a few questions. And my voice is now almost completely gone, so I am sorry.

A. That's fine.

Q. You testified about the easement that Somerset had granted in Prince William County?

A. Yes.

Q. Are you aware of any of the conditions or circumstances around the granting of that easement from the perspective of how long the negotiations went

on between Somerset and the county prior to the actual granting of the easement?

A. No. I've only seen the, you know, actual easement document, but I'm not aware of how long they were in discussion over that.

Q. Okay. And were you aware that either Staff or the Company actually asked interrogatory questions about the conditions around -- excuse me -- about the negotiations for the easement?

A. So do you mind if I rephrase your question?

Q. No. Please do.

A. So what you're asking me is whether I'm aware of any interrogatory question that specifically was posed to Somerset that asked for some kind of time frame?

Q. No. That asked the details.

A. When the easement was developed or when they started their negotiations?

Q. Any or all of the above.

Have you read any responses from Somerset detailing the negotiations for the easement?

A. If you just give me a minute to think.

Q. Sure.

A. Let me just check one of the documents I

<p style="text-align: right;">Page 619</p> <p>1 wanted to look at.</p> <p>2 No, I'm not personally aware of a</p> <p>3 question to that effect.</p> <p>4 Q. Okay. So the only document that you have</p> <p>5 seen is the easement itself, and no other information</p> <p>6 about the easement that you've actually seen written</p> <p>7 down, just that you've heard about it; is that</p> <p>8 correct?</p> <p>9 A. That's correct.</p> <p>10 Q. Okay. So when the Hearing Examiner said</p> <p>11 to you that he asked you the question of whether it</p> <p>12 would be your preferred route if the easement was not</p> <p>13 an issue --</p> <p>14 A. Correct.</p> <p>15 Q. -- you answered yes, it would be your</p> <p>16 preferred route?</p> <p>17 A. Correct.</p> <p>18 Q. Okay. And that's -- I want to understand</p> <p>19 the basis of your decision. I think you were speaking</p> <p>20 about needing to balance the different issues of the</p> <p>21 visual issues with the environmental issues,</p> <p>22 et cetera, et cetera?</p> <p>23 A. Correct.</p> <p>24 Q. And your recommendation is based on the</p> <p>25 fact that this -- the railroad route would have a less</p>	<p style="text-align: right;">Page 621</p> <p>1 important to deal with the visual aspects than to</p> <p>2 impact a 53-acre area of wetlands?</p> <p>3 A. So the issue was, I mentioned before in</p> <p>4 my testimony, that every project, you know -- the</p> <p>5 environmental project is different; and the way you</p> <p>6 assess impacts, you have to take into account what's</p> <p>7 present in a given project area.</p> <p>8 In this case, the fact that that route</p> <p>9 afforded us an opportunity to have minimum visibility</p> <p>10 to homes, right, we felt that it offset the other</p> <p>11 impacts. Now, let me qualify as well that the</p> <p>12 overhead route would entail clearing of trees through</p> <p>13 that area, but we would have been able to collocate it</p> <p>14 with an existing right-of-way, which is the railroad</p> <p>15 right-of-way, and we would have to clear through that</p> <p>16 area, and so there were forested wetlands that would</p> <p>17 be affected, but we also could site the structures in</p> <p>18 such a way that we would avoid direct impact to</p> <p>19 wetlands.</p> <p>20 So the question was in that case, there</p> <p>21 were some opportunities that were afforded by that</p> <p>22 route which were not afforded by the I-66 route. And</p> <p>23 that's what led us to, you know, seriously consider it</p> <p>24 as the proposed route.</p> <p>25 Q. Understood. So when we're looking at</p>
<p style="text-align: right;">Page 620</p> <p>1 visual impact on more houses than the other routes?</p> <p>2 A. Correct. So what we were talking about</p> <p>3 was the trade-off and impacts, and so the issue was --</p> <p>4 and I stated this in my rebuttal testimony, and I</p> <p>5 would have to go back and look at the exact distance,</p> <p>6 but I know that there were -- the opportunity that</p> <p>7 that route afforded was that there were no homes</p> <p>8 within either -- let me go back and look, but it was</p> <p>9 either 200 or 500 feet of the line, which was a</p> <p>10 distinct advantage over the I-66 overhead route. But</p> <p>11 let me go back and just check that, if you don't mind.</p> <p>12 So there were -- if I may, I'm looking at</p> <p>13 page nine of my rebuttal testimony; it starts at line</p> <p>14 one. It says, the route has significantly less impact</p> <p>15 on residences, zero residences, dwellings within</p> <p>16 200 feet of the edge of the proposed right-of-way than</p> <p>17 other roads -- excuse me -- other routes including the</p> <p>18 proposed route.</p> <p>19 Q. Okay. Now, when you stated to the</p> <p>20 Hearing Examiner that that was your preferred route,</p> <p>21 were you trading off the environmental impacts --</p> <p>22 A. Correct.</p> <p>23 Q. -- with the visual?</p> <p>24 A. Correct.</p> <p>25 Q. Okay. So in your opinion, it's more</p>	<p style="text-align: right;">Page 622</p> <p>1 trade-offs --</p> <p>2 A. Correct.</p> <p>3 Q. -- while there were -- I believe you're</p> <p>4 saying now that there was a way you could site</p> <p>5 locate --</p> <p>6 A. The structures.</p> <p>7 Q. -- the structures to minimize the impact</p> <p>8 to the wetlands, but what about the -- I believe</p> <p>9 there's five endangered species in the area, I believe</p> <p>10 that there's a tremendous amount of pristine forest in</p> <p>11 the area.</p> <p>12 What about the impacts to the rest of the</p> <p>13 53 acres?</p> <p>14 A. So, I mean, I'm not saying that there</p> <p>15 would not be impacts, you know. And the trade-off</p> <p>16 would be, as I said before -- acknowledging what you</p> <p>17 said -- that we could site the line through that area;</p> <p>18 we could leave a screen of trees on either side of the</p> <p>19 right-of-way so it wouldn't be directly visible to the</p> <p>20 surrounding homes, plus it afforded the opportunity of</p> <p>21 collocating it with an existing right-of-way, so</p> <p>22 that's the balance. So, you know, the trade-offs for</p> <p>23 that route are basically what I've just enumerated.</p> <p>24 Q. And when you say there would be no visual</p> <p>25 impacts for the surrounding homes, is that accurate,</p>

1 there would have been no visual impact to Somerset?

2 A. Well, there would not -- well, so the  
3 idea would be that we would be able to leave a screen  
4 of trees through that area. And I don't know right  
5 now what the average tree height is, but the point is  
6 that you could have left a fairly significant buffer  
7 of trees in that area; and also, you know, having  
8 visited that area, that is a lower-lying area. You  
9 know, the community -- my recollection was from  
10 walking down the path there and everything, it's  
11 higher up, so it's a bottomland.

12 So I think that in some cases you might  
13 have been able to see the tops of the structures, but  
14 I don't think that the structures would have been  
15 completely visible through the screen of the trees.

16 Q. Okay. And you mentioned that it's a  
17 lower-lying area.

18 Was there -- in evaluating the route, was  
19 there consideration given to the fact that it's storm  
20 water management facility for all of Somerset and many  
21 of the surrounding areas?

22 A. Yes. And, you know, Dominion has erosion  
23 and sediment control plans, plus they have to adhere  
24 to other regulations, too, when constructing their  
25 facilities, which I am not sure if they are cited in

1 my rebuttal testimony; it might have been in one of  
2 the interrogatory responses where the Company has a  
3 responsibility to make sure that when their projects  
4 are constructed that it wouldn't adversely affect new  
5 environments like that you're speaking.

6 Q. Okay. Are you aware -- you said you've  
7 read the easement document?

8 A. I did. I did. I couldn't cite the whole  
9 thing to you, but I have seen it.

10 Q. And does it sound familiar that this is  
11 an open-space and trail easement?

12 A. Yes.

13 Q. Okay. And are you also aware that the  
14 open space and trail easement actually is in  
15 compliance with some of the Virginia environmental  
16 laws?

17 A. Yes.

18 Q. Okay. And are you aware that within  
19 the -- let me rephrase that.

20 Were you aware that Prince William County  
21 actually asked for a much larger area than had  
22 originally been discussed with Somerset in order to  
23 meet the county's goals to provide more open space for  
24 Prince William County residents?

25 A. No.

1 Q. Were you aware that they asked for the  
2 area that contained the pond in order to make sure  
3 they were comporting with some of their other county  
4 and Virginia laws?

5 A. No. I've only seen the final easement  
6 agreement, so I'm not aware of the negotiations or  
7 discussions between the county and the HOA.

8 MS. HARDEN: That's all the questions I  
9 have.

10 THE HEARING EXAMINER: Mr. Reisinger?

11 MR. REISINGER: Yes, Your Honor, I have  
12 just a couple questions.

13 CROSS-EXAMINATION (Reb.)

14 BY MR. REISINGER:

15 Q. Mr. Berkin, I want to ask you about the  
16 aerial photographs you referenced earlier.

17 A. Sure.

18 Q. Is it looks like the photographs start in  
19 1994 and over 20 or so years?

20 A. Yes, sir.

21 Q. It shows gradually more development in  
22 Prince William County; is that right?

23 A. Correct.

24 Q. And are you referencing these photos to  
25 suggest that an area that is more developed cannot be

1 a scenic area or cannot have a scenic character that  
2 is valuable?

3 A. No, I didn't say that. So the scenic  
4 value of a given area is very subjective, you know,  
5 depending on how residents feel about their  
6 surroundings, their attachments to their community,  
7 and their homes.

8 What I was saying was from a development  
9 point of view in terms of offering scenic vistas or an  
10 open natural setting; that was the context that I was  
11 referring to.

12 Q. And would a view of the Blue Ridge  
13 Mountains not be a scenic asset worth protecting?

14 A. It could be, you know, depending on from  
15 what vantage points along that area you could actually  
16 see it.

17 Q. So you would agree that for the people  
18 who live in this area, power lines and towers that  
19 obstruct the view of mountains could have a  
20 significant adverse impact to them?

21 A. Yeah, it could.

22 MR. REISINGER: Okay. No further  
23 questions.

24 THE HEARING EXAMINER: Mr. Chambliss?

25 MR. CHAMBLISS: No, not my time.

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1 THE HEARING EXAMINER: Ms. Macgill?  
2 CROSS-EXAMINATION (Reb.)  
3 BY MS. MACGILL:  
4 Q. Good evening, Mr. Berkin.  
5 A. Good evening.  
6 Q. Nice to see you again.  
7 A. Yes.  
8 MS. MACGILL: Ms. Alexander, can I borrow  
9 your exhibit you were using to show the FST  
10 variations?  
11 MS. ALEXANDER: Sure.  
12 BY MS. MACGILL:  
13 Q. Now, Mr. Berkin, I believe this is the  
14 original FST variation; is that correct?  
15 A. Yes, that's correct.  
16 Q. And can you point or explain who the  
17 property owner would be whose land would be crossed by  
18 this variation? And if you have to refer to the  
19 customer as the customer, I understand.  
20 A. So, I mean, the customer's land is  
21 adjacent.  
22 Q. Does the --  
23 A. Yes, it would be crossed.  
24 Q. Does the red dash line cross the -- is  
25 the property that that line crosses --

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1 A. That's my understanding, yes.  
2 Q. Okay. And then for the FST optimization  
3 route, does that also cross property that's all owned  
4 by the customer?  
5 A. I'm not sure of that. I'm not sure about  
6 the ownership of the -- of that corner parcel --  
7 Q. Okay.  
8 A. -- where it says Haymarket 1555, LLC.  
9 Q. So you don't know if that parcel is owned  
10 by the customer?  
11 A. I don't believe it is, but I can't say  
12 with certainty.  
13 Q. But the parcel to the left of it is owned  
14 by the customer?  
15 A. That's correct.  
16 Q. And you were asked some questions about  
17 Exhibit 18, I believe, pages six, eight, and ten?  
18 A. You mean the photos of the roads with the  
19 collocated lines?  
20 Q. Yes.  
21 A. Yes.  
22 Q. Okay. This is page six that I just put  
23 on the overhead. Do you know if -- well, go back to  
24 page six.  
25 Do you know if this photo shows the

Page 629

1 viewshed that existed before the line was built?  
2 A. Well, hopefully I'm not giving you a  
3 smart answer, but the line is there, so presumably  
4 not.  
5 Q. But you don't know if the trees were that  
6 high or if the homes that are seen through the trees  
7 if they were there before the line was built?  
8 A. No, I do not. I did not personally work  
9 on this project.  
10 Q. Because these photos are not dated; is  
11 that correct?  
12 A. No. The exhibit is not dated, I don't  
13 believe.  
14 Q. And page eight of this exhibit, are those  
15 apartments or condominiums we see to the right of the  
16 power structures, the towers?  
17 A. So my understanding is that they are  
18 apartments.  
19 Q. And did you work on the project that's  
20 shown on page ten?  
21 A. No, I did not.  
22 Q. So you don't know if those homes were  
23 there before the lines were built?  
24 A. No, I do not.  
25 Q. I'm showing you the first photo that was

Page 630

1 attached to Mr. Koonce's rebuttal testimony. Do you  
2 know if those trees shown in the right half of the  
3 photo would need to be removed for the overhead  
4 proposed route?  
5 A. I would say that I don't know the scale  
6 of the photo because it doesn't have a scale on it.  
7 What I would say is that it's possible that some of  
8 these trees would have to be removed, but I couldn't  
9 tell you the full extent.  
10 Q. Okay. Mr. Berkin, the majority of the  
11 wetland areas in this project are palustrine and  
12 forested areas, correct?  
13 A. The majority? Do you mind if I check  
14 that?  
15 Q. Sure, go ahead.  
16 A. When you say "this project," can you be  
17 more specific? Do you mean all of the routes or  
18 just...  
19 Q. All of the routes, but if you want to  
20 look specifically at the proposed route and the hybrid  
21 route.  
22 A. So what I'm looking at is the  
23 environmental routing study. There's a table where we  
24 calculated the impacts.  
25 Q. Which table is it?

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1 A. This is table 4-1. And I'm looking at  
2 page 62.

3 If you don't mind, could you, please,  
4 repeat your question for me, please?

5 Q. Sure. I just asked if the majority of  
6 the wetland areas or potential wetland areas impacted  
7 in this are palustrine and forested areas?

8 A. So if we look at -- so I'm going to look  
9 at the hybrid route first, if you don't mind, which is  
10 the hybrid alternative. I'm just trying to get my  
11 bearings. So it was .3 -- that's correct for the --  
12 appears to be correct for the hybrid route.

13 For the overhead, or the proposed route,  
14 that's correct for the overhead as well.

15 Q. Thank you.

16 Is it Dominion's policy to clear the area  
17 within the right-of-way for an overhead line to remove  
18 all the trees?

19 A. That's correct.

20 Q. And then ongoing maintenance of the  
21 right-of-way would be required to keep the areas  
22 within that right-of-way clear of trees; is that  
23 correct?

24 A. Correct.

25 Q. And as a result, the wetland areas and

1 produces that data. Might be the fish & wildlife  
2 service, but basically there's wetland data that is  
3 generally available that you can get digitally that's  
4 based upon a review of aerial photography and some  
5 other sources, and it's available for most, but not  
6 all, states. So that's just a general layer, but it  
7 doesn't represent a delineated wetland.

8 Q. So it represents potential wetland?

9 A. Right, correct.

10 Q. Okay. In fact, NRG did not delineate  
11 wetlands within this project area; is that correct?

12 A. That's correct, it's not required for the  
13 application.

14 Q. Okay. Is there any portion of this  
15 opaque area that shows a high or medium-to-high  
16 probability of wetlands?

17 A. So the area -- so let me explain, if I  
18 may, in more detail what you're looking at here.

19 What you can see along the corridor is  
20 that we completed a desktop wetlands study, which is  
21 also an appendix to the application, for the width of  
22 the corridor. And what you're seeing there is that  
23 based upon that desktop wetland, we defined the  
24 wetland area there, which is shown as that  
25 high-probability area within the NWI wetland.

1 the right-of-way for the proposed route, which are  
2 mostly forested as you've said, would be converted to  
3 an emergent or scrub-shrub habitat; is that correct?

4 A. Correct. So there would be no wetland  
5 loss, but the character of the wetland would change.

6 Q. Okay. And if you can turn to the wetland  
7 probability map set, and it's in volume two of the  
8 application.

9 A. Right, with the routing study, that's  
10 correct.

11 Q. Specifically page four.

12 A. Right, yeah, I'm looking at it.

13 Q. And do you see -- it's not marked on  
14 here, but do you see the proposed location for the  
15 switching station?

16 A. Yes.

17 Q. And would that be in this little area  
18 right here?

19 A. Yes, that's correct.

20 Q. What does this whitish-opaque area  
21 represent?

22 A. That's an NWI wetland.

23 Q. Okay. And tell me what that means, just  
24 briefly, when you say an NWI wetland.

25 A. So that's -- I'm forgetting what agency

1 Q. Okay. Are you referring to this area  
2 right here?

3 A. Yeah, the hatched area, that's correct.

4 Q. Okay. You said that was within the  
5 corridor.

6 Are you referring to this corridor right  
7 here that shows the right-of-way?

8 A. Yes, that's correct.

9 Q. Does that mean there could also be a high  
10 probability of wetlands outside of that corridor but  
11 is just not marked on the map?

12 A. Right, that's not marked on this map.

13 Q. Okay. Has anyone provided NRG with a  
14 jurisdictional determination or delineation of  
15 wetlands in the area of the switching station?

16 A. No, they have not.

17 Q. In your rebuttal testimony, you discuss  
18 the .08 acres of -- or estimated impact to wetlands  
19 from the switching station, the amount of 0.8 acres;  
20 is that correct?

21 A. Correct.

22 Q. Why wasn't that included in NRG's  
23 original wetland interpretation study?

24 A. So it should have been. But basically  
25 the desktop study, as you showed me on that map,



<p style="text-align: right;">Page 635</p> <p>1 focused on the right-of-way for those routes there,  2 and we didn't plot the boundaries of that switching  3 station there, so it should have been included. And  4 after we went back and we looked at it a second time,  5 we realized that there was an omission there.  6 Q. Okay. And this is your rebuttal schedule  7 six; and if you can focus on the area of the switching  8 station --  9 A. Yes.  10 Q. -- right here, what does this green area  11 represent?  12 A. So that's -- I mean, that's a wetland  13 area from our desktop study.  14 Q. Can you explain why that's a different  15 shape from the other map we were looking at?  16 A. Just a different convention used on this  17 map. I mean, just because on this background it  18 showed up more clearly and represented in green than  19 with that red hatching because especially we were  20 overlaying the polygon for the switching station, and  21 that's hatched as well.  22 Q. But, again, this is not -- this does not  23 show a field-delineated wetland area?  24 A. Correct, that's correct.  25 Q. Now, on page 18 of your rebuttal</p>	<p style="text-align: right;">Page 637</p> <p>1 associated with the underground portion of the I-66  2 hybrid alternative would be reduced to zero within the  3 most populated areas is not technically correct.  4 And then you state that the construction  5 of the underground portion would require permanent  6 clearing of shrub and forestlands, the placement of  7 manholes every 2,000 feet, the development of  8 permanent access roads to access the manholes, and the  9 construction of a switching station that would  10 encompass five to seven acres of the intersection of  11 Route 29 and I-66.  12 Are you saying that those are the visual  13 impacts of the underground portion of the hybrid  14 alternative?  15 A. Can you repeat your question? I'm sorry.  16 I was focusing on the sentence.  17 Q. I'm sorry.  18 A. It's no problem.  19 Q. So I'm referring to the sentence that  20 starts at the end of line ten and continues to the end  21 of line 14, if you want to just take a moment --  22 A. I'm good; I read it.  23 Q. Does that sentence refer to the visual  24 impacts of the underground portion of the hybrid  25 route?</p>
<p style="text-align: right;">Page 636</p> <p>1 testimony --  2 A. Okay.  3 Q. -- starting on line 15, on page 18 you  4 address Mr. McCoy's testimony that table 4-1 in the  5 environmental routing study was, quote, misleading; do  6 you see that?  7 A. Correct.  8 Q. Wouldn't you agree there's a difference  9 between temporary and long-term visual impacts to  10 residential property from construction of a power  11 line?  12 A. Yes, there would be.  13 Q. And it's the case that table 4-1 does not  14 offer a distinction between temporary impacts due to  15 construction versus long-term visual impacts of towers  16 and their associated lines; is that correct?  17 A. No. And what I would qualify that to say  18 is that the house counts given in the table were meant  19 to convey proximity, not to convey impacts --  20 Q. So --  21 A. -- but I agree with your statement that  22 they do not.  23 Q. Right. Okay. And then on page 19 of  24 your testimony, starting on line eight, you state that  25 Mr. McCoy's statement that the visual impacts</p>	<p style="text-align: right;">Page 638</p> <p>1 A. Yes.  2 Q. How close would someone have to be in  3 order to see the manholes?  4 A. How close? I mean, I did not analyze  5 approximately the manholes. It was just a fact, you  6 know, to say there was going to be a corridor there  7 that would have those manholes located in it.  8 Q. So you basically have to be standing  9 almost on top of them to see them?  10 A. Or directly adjacent to the corridor.  11 Q. Right.  12 A. What I would qualify is that it might be  13 a question for Witness Koonce as to whether the  14 manholes would be elevated. I don't know the answer  15 to that.  16 Q. And then on page 17 you state that  17 wetland that is present within the location of the  18 proposed switching station would be permanently  19 impacted.  20 What mitigation would be required in that  21 case?  22 A. So we would have to work with the Corps  23 of Engineers, and most likely we would have to do some  24 mitigation banking, so we would have to -- Dominion  25 would have to acquire, according to the formula that</p>

1 the Corps would use, a -- commensurate according to  
2 the formula area to what was impacted if that wetland  
3 had to be filled for the construction of the switching  
4 station.

5 Q. So either have to purchase or establish  
6 wetlands somewhere else?

7 A. Correct.

8 MS. MACGILL: All right. That's all I  
9 have. Thank you.

10 THE WITNESS: You're welcome.

11 THE HEARING EXAMINER: Company redirect?

12 MS. CRABTREE: One clarification, Your  
13 Honor.

14 REDIRECT EXAMINATION (Reb.)

15 BY MS. CRABTREE:

16 Q. Mr. Berkin, you were asked during  
17 cross-examination whether the variation that's shown  
18 on Exhibit 49 that's the -- I think I called it the  
19 variation or the Wal-Mart variation --

20 A. Do you mean the optimization?

21 Q. Let me show it on the screen to clear it  
22 up.

23 A. I'm sorry.

24 Q. You mean you can't keep all of them  
25 straight?

1 THE HEARING EXAMINER: All right.  
2 Anything further of Mr. Berkin?

3 Mr. Berkin, thank you very much. You may  
4 stand down.

5 Exhibit numbers 48 and 49 are received  
6 into the record.

7 Let's go off the record for a moment and  
8 discuss a briefing schedule.

9 (There was a discussion off the record.)

10 THE HEARING EXAMINER: Let's go back on  
11 the record. Pursuant to a discussion with counsel,  
12 post hearing briefs will be filed in this case on or  
13 before August 5th of 2016.

14 And I would like to thank counsel for  
15 their participation and developing a very good record  
16 upon which the Commission can make its decision.

17 Thank you. We'll stand adjourned.

18 (The proceedings adjourned at 7:38 p.m.)  
19  
20  
21  
22  
23  
24  
25

1 MS. LINK: Double secret variation.

2 THE WITNESS: I matched my socks this  
3 morning; that was an accomplishment.

4 BY MS. CRABTREE:

5 Q. Exhibit 49 just shows this blue line  
6 changed to the end of the Wal-Mart variation.

7 A. Okay. Go ahead.

8 Q. You were asked whether that would now be  
9 the Company's proposed route; do you remember that?

10 A. I said that -- I said the Wal-Mart  
11 variation would be the proposed route. I don't recall  
12 if I said it was the blue line.

13 Q. And for clarification, would it be fair  
14 to say that before this variation shown on Exhibit 49  
15 could become the proposed or preferred route, the  
16 Company would need drawings from the developer of that  
17 site to confirm what is being planned on this corner  
18 of the site?

19 A. Yeah, I mean, it's fair to say that.

20 Q. And so it could not be the proposed route  
21 at this time?

22 A. Pending clarification, right, of the  
23 information you mentioned.

24 MS. CRABTREE: Thank you. Nothing  
25 further.

# COURT REPORTER'S CERTIFICATE

1 I, Scott D. Gregg, Registered Professional  
2 Reporter, certify that I recorded verbatim by  
3 stenotype the proceedings in the captioned cause  
4 before the Honorable Glenn P. Richardson, Hearing  
5 Examiner, of the State Corporation Commission,  
6 Richmond, Virginia, on the 22nd day of June, 2016.

7 I further certify that to the best of my  
8 knowledge and belief, the foregoing transcript  
9 constitutes a true and correct transcript of the said  
10 proceedings.

11 Given under my hand this        day of  
12        , 2016, at Norfolk, Virginia.

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Scott D. Gregg, RPR  
Notary Public  
Notary Registration No. 215323

