

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

TRANSCRIPT OF PROCEEDINGS BEFORE
THE HONORABLE GLENN P. RICHARDSON, HEARING EXAMINER

February 8, 2018
VOLUME III
10:00 a.m. - 10:19 a.m.
Richmond, Virginia

REPORTED BY: SCOTT D. GREGG, RPR

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A P P E A R A N C E S :

Honorable Glenn P. Richardson, Hearing Examiner

William H. Chambliss, Esquire,
Andrea Macgill, Esquire,
and
Alisson Klaiber, Esquire,
Counsel to the Commission

Vishwa B. Link, Esquire,
and
Sarah R. Bennett, Esquire,
Counsel to the Applicant

P R O C E E D I N G S

THE CLERK: Today's case is
PUE-2015-00107, application of 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
public witness hearing.
The Honorable Judge Glenn P. Richardson,
hearing examiner, presiding.
THE HEARING EXAMINER: Good morning,
Counsel, ladies and gentlemen.
As you know, we are here today as a
result of the Commission's order remanding for further
proceedings issued on December 6th of 2017. The
Commission's remand order, among other things,
directed the Hearing Examiner to conduct additional
proceeding to receive evidence on two issues; number
one, whether or not there is a need for this project;
and number two, to take evidence on Dominion's
additional variations to the routes proposed in the
application.
In response to the Commission's orders, I
entered a ruling on December 13th of 2017, which
established a procedural schedule for the case and
schedule today's hearing for the purpose of receiving

1 evidence on the issues identified by the Commission.
2 In response to that order, Virginia Power
3 filed its direct testimony and exhibits on January
4 the 5th of 2018.

5 On January 19th of 2018, Dominion Energy
6 filed a motion for extension and expedited
7 consideration requesting, among other things, that the
8 February 8th hearing, today, and that the dates
9 established for the remaining testimony and exhibits
10 be extended. I entered a ruling on January 23rd of
11 2018 which granted that motion, and reserved today's
12 hearing on the docket for the sole purpose of hearing
13 from public witnesses.

14 I also continued the evidentiary hearing
15 until April 30th of 2018 and established dates for the
16 filing of testimony by the Staff, respondents, and
17 rebuttal testimony by the Company.

18 With that being said, I would ask, does
19 counsel have anything we need to address on a
20 preliminary basis?

21 MS. LINK: No, Your Honor.

22 THE HEARING EXAMINER: Let the record
23 show there is nothing to be addressed.

24 And I have two public witness forms. And
25 I would ask if there's anyone else who hasn't

1 Carver Road.

2 THE HEARING EXAMINER: Would you mind
3 repeating that. The Alliance for what?

4 THE WITNESS: Alliance to Save Carver
5 Road.

6 THE HEARING EXAMINER: Okay. And do you
7 have a statement you'd like to make?

8 THE WITNESS: I do, thank you.

9 THE HEARING EXAMINER: All right. Please
10 proceed.

11 THE WITNESS: I'd like to thank you for
12 this opportunity to contribute to the record. This
13 has actually the first time that the Carver Road
14 community has been able to actually speak at a public
15 hearing.

16 So, again, I am chair of the Alliance to
17 Save Carver Road; and we represent the residents of
18 the Carver Road community and Gainesville. And I'd
19 like to start by telling you just a little bit about
20 our community.

21 We're a community of proud
22 African-Americans. And many of the families along
23 Carver Road have lived there for many generations,
24 many generations. And this is a very unique situation
25 in Northern Virginia.

1 completed one of these public witness forms, to,
2 please, obtain a copy of the form from the bailiff and
3 fill it out and we will receive your testimony at the
4 appropriate time.

5 The first public witness is Karen
6 Sheehan.

7 Ms. Sheehan.

8 THE CLERK: Call the next one.

9 THE HEARING EXAMINER: Joyce Hudson.
10 Are you Joyce?

11 MS. HUDSON: Yes, I am.

12 THE HEARING EXAMINER: Come up, please,
13 and be sworn in.

14 I believe I mispronounced your name.
15 It's Hudson; is that right?

16 MS. HUDSON: It is, yes.

17 THE HEARING EXAMINER: All right. Ms.
18 Hudson, please give you us your full name and address
19 for the record.

20 JOYCE HUDSON, called as a witness, having
21 been first duly sworn, testified as follows:

22 THE WITNESS: My name and Joyce Hudson.
23 My address is 15727 Edgewood Drive, Dumfries,
24 Virginia.

25 And I represent the Alliance to Save

1 Many of our residents are elderly, they
2 are very vulnerable citizens, and this entire process
3 has been very stressful for them. They don't trust
4 outsiders as much. They believe their property will
5 be taken away. And many just don't understand how
6 this process works and the impact that it would have
7 on them.

8 And my neighbors -- because I do own
9 property in -- right along at the end of Carver Road
10 on Old Carolina. Many of our -- my neighbors have
11 known each other for many years; they are hardworking.
12 And we -- actually we cherish the memories that we've
13 had as a little girl. I was -- you know, we'd run
14 around the streets and roads; and we just have -- and
15 continue to have a lot of people who really cherish
16 our neighborhood.

17 We know the value of land, and our
18 ancestors showed us this by purchasing land and
19 providing -- which actually provides economic security
20 for us. I'm retired, and the property that I have
21 provides income for me.

22 We also happen to include descendents of
23 freed slaves who actually purchased property along
24 Carver Road and the Gainesville area, and they wanted
25 to ensure that their descendents had something to pass

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1 down to their children and their grandchildren as
2 they -- as actually has happened.

3 Evidence shows that in the late 19th
4 Century a woman named Lavinia Blackburn Johnson, who
5 was a freed slave, purchased property on what is now
6 Carver Road, and began the long, long struggle towards
7 middle class for her heirs -- and not many communities
8 can say that either, so -- and actually some of the
9 ancestors of our neighbors are actually buried along
10 Carver Road. There's one -- there's at least one
11 cemetery which we've actually been able to recently
12 document; it's named the Watson Cemetery. And we're
13 in the process of that being recorded at the Virginia
14 Department of Historical Resources.

15 So this is our history. We are historic
16 Carver Road, we're part of what's called "The
17 Settlement." It's a historic area in Prince William
18 County where freed slaves settled and were allowed to
19 buy land there because it was viewed as having very
20 low value. So we've kept our -- and we want to
21 continue to enjoy our land.

22 The Settlement was actually detailed in a
23 2005 "Washington Post" article which described our
24 community as one of Northern Virginia's most
25 significant and most stable black communities at the

1 situation that I'm in; my property is in that actual
2 situation.

3 So this whole experience has been so
4 devastating to our community that I would not wish
5 this on anyone else, any other community. I don't
6 want to see another community impacted this way, so
7 I'm here to support the other communities that are
8 being impacted.

9 I hope that the SCC will see through the
10 weeds and see that the evidence proves that the
11 transmission lines are not needed. If that does not
12 happen, our organization and our community and the
13 Alliance to Save Carver Road supports the option with
14 the least impact to residents of the county and our
15 neighbors because we're -- we're together on this,
16 which is the ICC hybrid route, with partially buried
17 lines, and that Amazon should pay for these lines, not
18 the citizens of Virginia.

19 So the hybrid route is the only viable
20 route remaining, considering the detrimental impact
21 that this has had on citizens. Again, we are
22 supporting the hybrid route.

23 So as the Carver Road community has
24 experienced, the physical and psychological impacts of
25 this project on anyone's property would be just

1 time, where families were raised for generations, many
2 of whom reside there today. And, again, not many
3 communities can say that either.

4 So -- and our community is also featured
5 in the route that the SCC chose for the Haymarket
6 transmission lines in its June 23rd, 2017, final
7 order, so this put our little community in the
8 crosshairs of the struggle between the residents in
9 western Prince William County and Dominion Energy,
10 Amazon, and the SCC, intending to provide power for
11 Amazon's metadata center campus in Haymarket.

12 Now, imagine the feeling when with very
13 little warning the SCC orders high-voltage
14 transmission lines throughout your neighborhood, a
15 neighborhood that's been part of your family for
16 generations, transmission lines that are being
17 promoted by a powerful monopoly and serving a
18 corporate giant such as Amazon. We knew that Carver
19 was an option, but, however, very little attention was
20 given to the Carver Road route when -- up until the
21 actual final order ordering Carver Road, so it was a
22 huge surprise to us.

23 Imagine high-voltage transmission lines
24 going across your property as well as a 10-story tower
25 being placed on your property. And that's the

1 devastating as we've experienced.

2 And I will end with just suggesting or
3 asking that the SCC follow its own mission statement
4 which calls for it to balance the interests of
5 citizens, businesses, and customers in regulating
6 Virginia's business and economic concerns.

7 Thank you.

8 THE HEARING EXAMINER: Company have any
9 questions?

10 MS. LINK: Just briefly, Your Honor.

11 CROSS-EXAMINATION

12 BY MS. LINK:

13 Q. Good morning --

14 A. Good morning.

15 Q. -- Ms. Hudson. My name is Vishwa Link.
16 I'm counsel for Dominion.

17 A. Yes.

18 Q. You had mentioned that the Watson
19 Cemetery is in the process of being recorded --

20 A. Yes.

21 Q. -- at DHR?

22 Do you know when you expect that might
23 occur?

24 A. I would expect -- I asked that same
25 question, so I don't know, but I would expect within a

1 couple of weeks.

2 Q. Okay.

3 A. We've submitted documentation directly.

4 Q. Thank you.

5 And also on the "Washington Post" article
6 you mentioned from 2005 --

7 A. Yes.

8 Q. -- do you happen to have a date of that
9 article?

10 A. I do.

11 Q. Thank you.

12 A. It's Sunday, May 15th, 2005. And I have
13 a copy for the record if you'd like that.

14 Q. Thank you, Ms. Hudson.

15 A. Sure.

16 MS. LINK: Thank you for your testimony
17 today.

18 THE WITNESS: Sure.

19 THE HEARING EXAMINER: Mr. Chambliss?

20 THE WITNESS: And also my testimony.

21 MR. CHAMBLISS: No questions, Your Honor.

22 THE HEARING EXAMINER: All right.

23 Ms. Hudson, thank you very much for coming down and
24 testifying this morning, for taking the time and
25 making the effort. I know it's not easy traveling

1 thousands of statements from the community -- all of
2 the communities throughout Haymarket and Gainesville
3 which are very concerned and interested in this case.

4 As you know, the Coalition is advocating
5 for all communities' interests. And as well as
6 challenging the need for this project, we're also
7 opposing the overhead lines. And to mirror the
8 statement that Joyce made from the Carver Road
9 Alliance, we very much see all of the neighborhoods in
10 that area, as you're well aware, very much see the
11 undergrounding project to be the best resolution if
12 the need is determined.

13 We're very aware that there is
14 legislation before the General Assembly, which is why
15 Dominion recommended the change in dates. And bottom
16 line, I and all of the communities that are involved
17 are just looking to have the best interests of our
18 communities served.

19 And that's really all I have to say. And
20 thank you very much for holding this hearing today.

21 THE HEARING EXAMINER: Thank you.

22 Ms. Link, any questions?

23 MS. LINK: No questions, Your Honor.

24 THE HEARING EXAMINER: Mr. Chambliss?

25 MR. CHAMBLISS: Yes, I think I do have a

1 that I-95 corridor.

2 THE WITNESS: Yes, you're right about
3 that. Thank you so much.

4 THE HEARING EXAMINER: Karen Sheehan.

5 Good morning, Ms. Sheehan. Good to see
6 you again.

7 MS. SHEEHAN: Yes, good to see you again.

8 THE HEARING EXAMINER: Can I have your
9 name and address, please.

10 KAREN SHEEHAN, called as a witness,
11 having been first duly sworn, was examined and
12 testified as follows:

13 THE WITNESS: Yes. My name is Karen
14 Sheehan. My address is 15025 Doe Ridge Road,
15 Haymarket, Virginia.

16 THE HEARING EXAMINER: All right.

17 THE WITNESS: And I'm here as a resident
18 of Haymarket. I'm also part of the leadership team
19 for the Coalition to Protect Prince William County.

20 And my statement will be brief. I've
21 already given testimony, and I don't intend to
22 reiterate all of that.

23 First of all, I want to thank you for
24 holding this public hearing which enabled Joyce to put
25 her statement on the record. And I know that you have

1 question or two.

2 CROSS-EXAMINATION

3 BY MR. CHAMBLISS:

4 Q. Ms. Sheehan, I'm Bill Chambliss. I'm
5 counsel for the Commission.

6 A. Yes.

7 Q. Are you aware of where these facilities
8 are being built that are going to be run by Amazon?

9 A. I have seen the maps, yes, sir.

10 Q. Okay. You haven't been out by there
11 lately though to know what's going on?

12 A. Yes, I have.

13 Q. Have you? What's going on out there?

14 A. Well, the aerial photos, Google views
15 show that the building -- there are four buildings.
16 One was already in existence. The first building is
17 built and in use. The land on the site has
18 experienced quite a bit of clearing, and there are a
19 significant number of trailers and construction
20 vehicles parked on the site. There was a very tall
21 chain-link fence which was then lined with heavy tarps
22 so that you could not see into the property.

23 Q. Okay.

24 A. That's about all I've seen the last time
25 I was out there.

1 Q. Does this fence ring the whole property?
 2 A. Yes.
 3 Q. So it's hard to tell what's going on
 4 inside it?

5 A. Unless you get a drone or you look at
 6 Google Maps, yes.

7 Q. Okay.

8 A. There are a lot of trucks coming and
 9 going.

10 MR. CHAMBLISS: All right. Well, that's
 11 all I had to ask you about. Thank you.

12 THE WITNESS: Thank you.

13 THE HEARING EXAMINER: Ms. Sheehan, thank
 14 you very much for your testimony. I know you've been
 15 doing a lot of heavy lifting in this case. And thank
 16 you for taking the time to come down and testify once
 17 again. I appreciate it.

18 THE WITNESS: Thank you very much.

19 THE HEARING EXAMINER: Thank you.

20 I'll ask one final time, is there anyone
 21 else in the courtroom that desires to make a statement
 22 as a public witness?

23 Let the record show there is no response.

24 And the Commission will stand in recess
 25 until 10 a.m., on April 30th of 2018.

COURT REPORTER'S CERTIFICATE

1
 2
 3
 4 I, Scott D. Gregg, Registered Professional
 5 Reporter, certify that I recorded verbatim by
 6 stenotype the proceedings in the captioned cause
 7 before the Honorable Glenn P. Richardson, Hearing
 8 Examiner, of the State Corporation Commission,
 9 Richmond, Virginia, on the 8th day of February, 2018.

10 I further certify that to the best of my
 11 knowledge and belief, the foregoing transcript
 12 constitutes a true and correct transcript of the said
 13 proceedings.

14 Given under my hand this day of
 15 , 2018, at Norfolk, Virginia.

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Scott D. Gregg, RPR

Notary Public

Notary Registration No. 215323

1 Thank you, thank you, Counsel.
 2 (The proceedings adjourned at 10:19 a.m.,
 3 to be reconvened at 10:00 a.m., on April 30, 2018.)
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