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1 process. It's about a six to nine-month process
 2 for that to occur.
 3 And I think what you're referring to is
 4 also in our pilot program. We talked about a
 5 process to identify high-voltage transmission
 6 corridors as a feature shown of our comprehensive
 7 plan. And in my testimony there's some
 8 information about that. We're actually preparing
 9 an item to bring to our transportation land use
 10 committee, which is our board of -- committee of
 11 our board of supervisors to discuss that process.
 12 And the means of that would be to help
 13 electric providers better identify places where
 14 the county would support transmission corridors,
 15 and it fits into kind of our larger land use
 16 picture in terms of trying to locate them in areas
 17 where they would be with similar uses and/or
 18 finding means to mitigate impacts should they have
 19 to pass through residential areas or areas where
 20 they are not in keeping with that design
 21 characteristic.
 22 THE HEARING EXAMINER: All right. So
 23 you're doing -- from what I am hearing, I think
 24 you're modifying your comprehensive plan to
 25 identify these corridors where you would like

1 lines vis-à-vis the SCC; that's more of a legal
 2 issue that I hope we'll get a chance to learn more
 3 about.
 4 But let me just ask you, going back to the
 5 2232 comp plan compliance, you mentioned that if
 6 you have this comprehensive plan amendment
 7 adopted, future corridors and projects from the
 8 Company could be shown, and then they would be a,
 9 quote, feature shown on the plan.
 10 Can you describe to me why that would be
 11 important if that were to happen?
 12 MS. LINK: Your Honor, can I -- I'm going
 13 to pose an objection. This is not surrebutting
 14 anything that the Company has raised or any other
 15 party has raised. This is actually just
 16 supplementing what we are learning about Loudoun
 17 County's proposal for whatever process they are
 18 wanting to impose here. But this is just really
 19 just adding more detail to something they have
 20 raised in the case; it's not surrebutting anything
 21 raised by the parties.
 22 MR. McROBERTS: And it's something that
 23 was viciously attacked on day one of trial,
 24 Your Honor, and it was subject to some very big
 25 questions from the Hearing Examiner, which I'm a

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1 high-voltage transmission lines to go.
 2 Is that a separate process than the pilot
 3 you talk about in your testimony?
 4 THE WITNESS: It's one and the same. It
 5 is that concept that we're talking about in the
 6 pilot in terms of, you know, moving forward with a
 7 program to identify where we would have these
 8 routes.
 9 THE HEARING EXAMINER: But, I mean, if you
 10 wanted, you could just do that, modify your
 11 comprehensive plan and not have a pilot?
 12 THE WITNESS: Right.
 13 THE HEARING EXAMINER: So the pilot is
 14 identifying corridors plus? Is that -- plus more?
 15 THE WITNESS: I think that's probably a
 16 fair statement.
 17 THE HEARING EXAMINER: Okay. All right.
 18 I'm just trying to get it straight what's going
 19 on. All right. Thanks.
 20 MR. McROBERTS: I have got a few questions
 21 that I think will clarify that whole area.
 22 BY MR. McROBERTS:
 23 Q Right now, I'm really just asking about
 24 the 2232 and the comp and compliance locally. I'm
 25 not asking about sort of what that does to power

1 lawyer, I think I know a lot about the planning
 2 process, but I'm certainly not the expert on how
 3 Loudoun County does the 2232 and how it would work
 4 in this pilot program that has been suggested.
 5 THE HEARING EXAMINER: Well, I think that
 6 should have been flushed out more in the direct --
 7 prefiled direct because that's a fact of the
 8 pilot. That's not a legal thing. So we need to
 9 move along.
 10 MR. McROBERTS: Okay. Yes, ma'am.
 11 BY MR. McROBERTS:
 12 Q Let me ask a factual question. If there
 13 is a feature shown on the comprehensive plan, what
 14 does that mean for the approval of that project?
 15 A So as a feature shown, it would not have
 16 to go through the legislative process for review.
 17 So if we're speaking specifically about land use
 18 cases or schools or something like that, then
 19 instead of going through a legislative process, so
 20 to get approval of a zoning or special exception,
 21 they would not have to do that. All they would
 22 have to do is go through the normal site plan
 23 process to go ahead and identify the design they
 24 are proposing and, because it's a feature shown,
 25 it's already approved at that level, so...

County
to set
corridors
No authority
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Transcript of Hearing - Day 4
Conducted on September 19, 2024

70 (846 to 849)

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1 Q So that's an administrative process?
2 A It is an administrative process, correct.
3 Q Yesterday there was some testimony about
4 substations, and there was some debate over
5 substations needing approval or not needing
6 approval in both the Dominion's proposal and the
7 County's underground hybrid proposal.
8 Could you describe whether or not those
9 substations and those two competing projects would
10 need County zoning approval?
11 A They both will. Both -- on either end,
12 the Aspen and then the Golden Substations would
13 require approval.
14 Q Is there any difference from your office
15 whether one project comes forward for approval or
16 not as far as the process for zoning approval?
17 A No. It will be the same process.
18 Q What about a transition yard, is that
19 something that would require local zoning
20 approval?
21 A So transition yards are something that's
22 actually silent in our zoning ordinance, and so
23 under that category would -- probably would not
24 require review through a Commission permit
25 process.

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1 Q And by Commission permit, you mean
2 planning Commission?
3 A Correct, correct.
4 Q I'm just clarifying for the record.
5 A I'm sorry.
6 THE HEARING EXAMINER: Thank you.
7 BY MR. McROBERTS:
8 Q We have two competing Commissions here.
9 And then really, last question is really
10 regarding some of the comments in testimony
11 about -- can I get my overhead up here?
12 THE HEARING EXAMINER: It likes to go to
13 sleep on us.
14 MR. McROBERTS: I'm sorry?
15 THE HEARING EXAMINER: The overhead sort
16 of sleeps periodically. You have to wake it back
17 up.
18 BY MR. McROBERTS:
19 Q The question about this area, there's been
20 a number of people testifying and arguing and
21 objecting about this whole area down here.
22 What is that area?
23 A So this is Belmont.
24 Q I'm sorry. I'm pointing to Belmont
25 Innovation.

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1 A Yeah. You got it.
2 So this -- yeah, this Belmont Innovation,
3 it was referred to as Sentinel is the owner of the
4 property. What you're seeing right there, those
5 four buildings are those that were approved as
6 part of the legislative process. So this also has
7 an active site plan.
8 And so they -- and I don't know if they've
9 filed it yet, but since -- through the legislative
10 process, we've approved the concept development
11 plan for these. So these locations have been
12 approved.
13 And then the next step before you can get
14 to construction in the administrative part is
15 going through that site plan process with our
16 building and development department.
17 Q Can they be moved in some way?
18 A It goes back to our question before about
19 substantial and minor revisions. But, yes, there
20 is that potential. I mean, consideration is --
21 you know, a size of a building can be smaller and,
22 again, would be recognized as being a minor change
23 at that point because you're not increasing the
24 degree of conformity there.
25 THE HEARING EXAMINER: Okay. So these

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1 four buildings have been approved through the
2 local process and generally in the spaces where
3 they are shown on this map?
4 THE WITNESS: That is correct.
5 THE HEARING EXAMINER: Okay. And for the
6 record, can you tell us the map page?
7 MR. McROBERTS: I am looking at page 1 of
8 2 of the ERM Dominion Energy map.
9 THE HEARING EXAMINER: Okay. Does it have
10 like an A or B or C?
11 MR. McROBERTS: C. I'm sorry.
12 THE HEARING EXAMINER: Thank you.
13 Perfect. Thanks a lot.
14 MR. McROBERTS: Thank you.
15 BY MR. McROBERTS:
16 Q And just to be clear, we're talking about
17 the Belmont Innovation Center which is next to the
18 Sycolin and Starlight possible stations or
19 transition yards?
20 A Correct.
21 MR. McROBERTS: Those are all my questions
22 on direct.
23 THE HEARING EXAMINER: Okay.
24 MR. McROBERTS: Subject to cross.
25 THE HEARING EXAMINER: Sure, absolutely.

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1 All right. JKLH?
2 MR. MURPHEY: No questions, Your Honor.
3 THE HEARING EXAMINER: Lansdowne?
4 MR. GREENE: One question.
5 THE HEARING EXAMINER: Sure.
6 CROSS-EXAMINATION
7 BY MR. GREENE:
8 Q Good afternoon. I'm Brian Greene. I'm
9 with Lansdowne Conservancy.
10 You mentioned about the transmission
11 corridors or transmission -- the high-voltage
12 transmission corridors.
13 And I was wondering, has Loudoun done
14 anything to work on those, hiring experts to try
15 to route those where the high-transmission voltage
16 lines might be sited in the future?
17 A We haven't looked at new routes. What we
18 have done is identify all of our existing 500 and
19 230 kV volts, or all of our high voltage, and we
20 are in the process of updating our base layers to
21 show all those.
22 Currently in our -- our plan policies call
23 for and support co-location of new transmission
24 corridors along those areas. So the first thing
25 to do would be identify it. It goes back to what

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1 I was talking about in terms of developing a map
2 as a feature shown, then that would encourage
3 working cooperatively with electric providers to
4 try and use those existing corridors first in
5 order to minimize impacts on their surrounding
6 community as well as concentrate any visual impact
7 for aboveground facilities in those same
8 corridors.
9 Q And how do you move that forward? Do you
10 do that internally with your own resources, or do
11 you have to procure an engineering firm?
12 A We've used an engineering firm to get the
13 base layers. We will -- the next process is that
14 planning phase where it will be -- we'll work with
15 the consultant. I'm actually the project manager
16 for that one as well. We're calling it the
17 electrical infrastructure CPAM, and that's what
18 we're looking at as part of that. But it's just
19 getting kicked off now, so the initial
20 conversation with our board, like I said, will
21 happen in October, and from there, we'll get
22 further direction in how to progress with that
23 project and that idea.
24 Q And will there be multiple stakeholders
25 involved, or is that just something that the

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1 County does --
2 A There will be -- like all of our
3 comprehensive plan amendment process, there will
4 be an online presence, there will be public
5 meetings, engagement with electric providers in
6 order to do that. So it will be the full spectrum
7 in order to get input on that.
8 MR. GREENE: Okay. Thank you, Your Honor.
9 THE HEARING EXAMINER: All right.
10 Church?
11 MS. GARDNER: No questions, Your Honor.
12 THE HEARING EXAMINER: All right.
13 Visa?
14 MR. KHAIRA: No questions, Your Honor.
15 THE HEARING EXAMINER: Laborer's Council
16 left.
17 Ms. Ghiorzi, are you with us?
18 MS. GHIORZI: Yes. Can you hear me?
19 THE HEARING EXAMINER: Yes.
20 MS. GHIORZI: Hello.
21 THE HEARING EXAMINER: Do you have any
22 questions for Mr. Giglio?
23 MS. GHIORZI: Yes. I have quite a number,
24 actually.
25 THE HEARING EXAMINER: All right. So give

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1 me just a minute.
2 So, Mr. Giglio --
3 MS. GHIORZI: So --
4 THE HEARING EXAMINER: Hold on one second.
5 Mr. Giglio, we have someone participating
6 remotely, and so on your screen you'll see her, I
7 think, in a little box off to the side.
8 THE WITNESS: Oh, there we go. Yep.
9 THE HEARING EXAMINER: So that's the
10 person who's talking with you.
11 Okay. Ms. Ghiorzi, please continue.
12 CROSS-EXAMINATION
13 BY MS. GHIORZI:
14 Q Okay. From your direct testimony on
15 page 7, you state that the 2019 general plan has
16 specific policies related to the location and
17 design of electrical generation facilities,
18 transmission corridors, and substations.
19 So the question is, does the County
20 believe that it has the authority to define and
21 site the transmission corridor?
22 A No. I mean, we're aware that that is, you
23 know, the SCC process for that. Again, we have
24 tried to work collaboratively with the electric
25 providers to help locate those in places where

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1 they will minimize impacts to the environment and
2 the community. But, again, the intent is that we
3 work collaboratively to do that.
4 But, no, we do not have approval processes
5 outlined in the state Code.
6 Q And you don't actually have the authority
7 to create those routes, correct?
8 MR. McROBERTS: Objection. That's asking
9 a legal question of a comprehensive plan and
10 above, frankly, what we asked to brief.
11 THE HEARING EXAMINER: Yes. Ms. Ghiorzi,
12 he's a fact witness.
13 BY MS. GHIORZI:
14 Q Okay. So factually, how do you define --
15 how would you define a transmission corridor?
16 A We define them as, again, the transmission
17 corridor would be that right-of-way where we have
18 a high-voltage electric transmission, is the way
19 we would define that. I mean, it's a major --
20 Q Okay.
21 A So I don't know what other clarity I can
22 provide on that. Those are the 500 --
23 Q Any -- right. Any location that currently
24 has a 500 kV or 230 line is what you consider a
25 transmission corridor?

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1 A Correct.
2 Q Okay. And that's where you would want to
3 expand to add an additional transmission line or
4 work within the transmission, the existing
5 right-of-way, correct?
6 A It could be. It could be --
7 Q How are you --
8 A It could be either of those answers.
9 Q Okay. So with the existing -- let's see.
10 I'll go to lines 50 --
11 MR. McROBERTS: What page are you on?
12 MS. GHIORZI: Page 7, line 150 to 151.
13 BY MS. GHIORZI:
14 Q And you state that as the general -- the
15 plan supports expanded electrical capacity through
16 generation facilities that use clean burning and
17 environmentally sound fuel (indiscernible)
18 energy-efficient design.
19 So are you currently looking at building
20 new energy within Loudoun County on any of the
21 industrial -- open industrial locations?
22 A I'm not aware of any applications.
23 Q Okay. So without any in-county additional
24 generation, you've already basically decided that
25 you would be using transmission in order to get

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1 the additional capacity; is that true?
2 A That is true --
3 Q Or is that just --
4 A That is true, and that is actually the
5 current proposal and practice we have seen over,
6 you know, the past ten years. The only actual
7 electric generation facility we have is a natural
8 gas power plant.
9 Q Right, yeah. Okay. So with this
10 definition of transition corridors, once you put
11 the corridors into your GIS, your LOGIS, you can
12 then direct the energy companies to use those
13 corridors, correct? You will just say this is
14 where we would like you to put the transmission
15 line, right?
16 A I think you're referring back to the
17 discussion I had about the development of a
18 comprehensive plan. They have -- just because
19 they are on our mapping system, they are not a
20 component of our comprehensive plan. So that's
21 part of it, I think.
22 Q Right?
23 A Also some of the evaluation and state
24 Code, and I've looked at it as part of this
25 project, it talks about, you know, if the County

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1 adopts a map showing the transmission corridors as
2 a feature shown, it is, you know, beneficial in
3 terms of directing people to go to those areas.
4 And I think I included that in -- it is,
5 it's a part of the transportation land use
6 committee item I provided for you with a reference
7 to that --
8 Q Yes, I did, I saw --
9 A -- section of the state Code. So that --
10 that's the idea behind the comprehensive plan
11 amendment.
12 Q Right. So basically, if that's where you
13 were going to direct them to -- let me give you an
14 example of a transmission corridor from my
15 personal experience. So this was maybe 10 or
16 15 years ago. The past transmission line
17 requested a 2,000-foot corridor in order to site
18 their transmission line, and that was in order
19 to -- they wanted to pick a 200-foot easement
20 within a 2,000-foot corridor. So as a point of
21 reference, an acre is 209 feet. A 3-acre parcel
22 is 361 feet. So that corridor, that path as
23 requested, was essentially the entire frontage
24 from my family's property, and that is --
25 THE HEARING EXAMINER: I'm sorry. Excuse

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73 (858 to 861)

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1 me, Ms. Ghorzi, we're not -- we're not discussing
2 the path corridor.

3 BY MS. GHIORZI:

4 Q Yes. But if you are going to define a
5 transmission corridor, you're basically reserving
6 that area for use by a transmission company at
7 some point in time, are you not?

8 MR. McROBERTS: Objection. It's asking
9 for a legal conclusion.

10 THE HEARING EXAMINER: Can you restate the
11 question and leave out the history about --

12 MS. GHIORZI: I'll leave out the history.

13 THE HEARING EXAMINER: All right.

14 BY MS. GHIORZI:

15 Q When you define a corridor, are you
16 putting a specific amount of space on it so
17 they -- so -- can the corridor be expanded by
18 200 feet, by 400 feet, by 600 feet over time? Is
19 that right?

20 A We're in the initial phase of developing
21 this at this point, so I could not tell you what
22 that is. I will say, in the work that we've done
23 with the Company in Loudoun County, oftentimes we
24 are seeing that we are paralleling existing
25 corridors, and in most situations, it adds maybe a

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1 hundred-foot right-of-way to that.

2 The majority of the applications we've
3 looked at and we've commented on have been those
4 where they are paralleling existing transmission
5 corridors, 230 kVs that we have already in the
6 county, so...

7 Q So when you say "paralleling," you are
8 talking about expanding the easement by another
9 hundred feet on whatever property has that
10 easement, correct?

11 A That is common practice.

12 Q That would be an -- yes. Okay.

13 And then if you are expanding the easement
14 by a hundred feet, in some cases, you can't expand
15 it; that's greenfield, you're taking an additional
16 piece of property; sometimes you have to, like,
17 dogleg around structures, so that would be a
18 completely greenfield not even adjacent to the
19 additional row; is that true? I mean, that's
20 generally what happens, right?

21 A Yeah, I think you're getting into more of
22 the real design aspects of these, the engineering
23 standpoint.

24 Q In recent experience -- okay. So recent
25 experience with the other transmission line that

1 has been -- let's see. Actually, it's in

2 Mr. Rizer's discussion, I think. I don't know

3 that you made that statement. It might be in

4 Mr. Rizer's. Page 7 -- page 11.

5 THE HEARING EXAMINER: Okay. Are you
6 saying you'd like us to go to --

7 BY MS. GHIORZI:

8 Q Let me see. I'm just trying to make
9 sure -- 4, 5, and 6. Okay. So page -- yes, I

10 believe we are on 11. So there's a utility --

11 utility area in that gateway corridor buffer. I

12 think there was a question earlier about that.

13 So that gateway corridor buffer runs the
14 entire length of Route 7 or just Route 28?

15 A Just the segment I spoke -- referred to,
16 from Goose Creek to Route 28.

17 Q All right. That is page 11. So page

18 17 -- so page 17 you talk about pilot programs,

19 planning components, and the long-term goals of

20 rolling out the local approval of underground
21 transmission lines at a later date.

22 So in the recent controversies surrounding

23 the existing corridor and the new 500 kV line, one

24 of the stated goals was to use the existing

25 corridor -- in fact, all of your documentation,

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1 including your draft -- [the draft plan of your
2 Loudoun County power transmission support due
3 diligence report of Volume III states that, it
4 will be -- the alternative route will be within
5 the existing transmission line rights-of-way to
6 Dobbs Station.]

7 So that's the goal that was stated in the
8 board of supervisors resolution, correct?

9 THE HEARING EXAMINER: Where are you
10 reading from, Ms. Ghorzi?

11 MS. GHIORZI: This is their -- this is

12 the -- this is the due diligence report from

13 Loudoun County power transmission.

14 THE HEARING EXAMINER: Okay. So is that
15 an exhibit?

16 THE WITNESS: It is an exhibit -- it is an

17 exhibit. It is part of -- it was prepared by

18 Kimley-Horn, and that was what I was referring to,

19 the contractor that we had do mapping as well as

20 evaluation of our existing electrical

21 infrastructure, our high-voltage transmission

22 corridor as well as taking a look at load growth

23 in our areas. That's what she's referring to.

24 Essentially, I believe the reference is

25 about we had a proposal moving forward for another

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1 transmission line in the western part of our
2 county. Part of that, in the agreement, was --
3 with PJM, that they would co-locate with that
4 existing corridor, and I think that's what this
5 conversation is about.
6 THE HEARING EXAMINER: Okay.
7 BY MS. GHIORZI:
8 Q Yeah, so about that goal, when you said
9 within the existing easement --
10 MR. McROBERTS: Objection. She's asking a
11 question about a different corridor, Madam Hearing
12 Examiner.
13 THE HEARING EXAMINER: Ms. Ghiorzi, I'm
14 going to remind you again, this is not about the
15 Marl Line. This is just about Aspen-Golden and
16 Apollo-Twin Creeks, so if you can ask about --
17 BY MS. GHIORZI:
18 Q Okay. So the goal that you see here that
19 says you will -- the goal is to keep it
20 underground, and that's the only thing that you
21 want as part of this --
22 THE HEARING EXAMINER: Okay. I'm sorry.
23 Where are you getting that from? Can you tell me
24 a page number.
25 MS. GHIORZI: Page 17, page 17.

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1 THE HEARING EXAMINER: We're back on page
2 17.
3 MS. GHIORZI: Yes. Lines 376 to 379,
4 long-term comprehensive planning regarding the
5 placement of high-voltage transmission lines with
6 the goal of rolling out local approval of
7 underground transmission lines at a later date in
8 the not to distant future.
9 THE HEARING EXAMINER: Thank you. That's
10 really helpful.
11 BY MS. GHIORZI:
12 Q If the goal is approval of underground
13 transmission lines, what happens if you cannot
14 meet the goal of having it underground? Then it
15 just becomes an overhead line along the transition
16 corridor? What happens with the goal?
17 A I don't think -- moving forward with the
18 comprehensive plan amendment, it is not defining
19 whether they are above-ground or below-ground
20 routes. Again, based on my earlier conversation
21 about the contextual importance of whether an
22 above-ground route or a below-ground route would
23 be more in keeping with the design characteristics
24 of the area would have to be evaluated on a
25 case-by-case basis.

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1 Q So you are essentially attempting to
2 reserve space along a -- an existing transmission
3 line for this corridor regardless of whether it's
4 underground in this pilot? Is that what you're
5 saying?
6 A Again, the terms of the pilot have not
7 been fully defined as far as this goes. Again,
8 they are all concepts as we're moving forward.
9 Q And do you -- and as part of that concept,
10 do you believe that a zoning change would be
11 required to form a transition corridor?
12 A I don't think zoning --
13 Q Is that a zoning change in your mind?
14 A No, it is not.
15 Q Okay. So if you were routing something
16 into a corridor, why would anybody build anything
17 near that corridor?
18 MR. McROBERTS: Objection; speculation.
19 BY MS. GHIORZI:
20 Q Loudoun County could decide --
21 THE HEARING EXAMINER: Can you reword the
22 question?
23 MS. GHIORZI: Yeah.
24 BY MS. GHIORZI:
25 Q The idea --

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1 THE HEARING EXAMINER: I'm sorry, you're
2 breaking up. There's electronic interference --
3 BY MS. GHIORZI:
4 Q -- and hold it for future use --
5 THE HEARING EXAMINER: All right.
6 Ms. Ghiorzi, we're having some technical
7 difficulties.
8 Is there anything we can do?
9 All right. Ms. Ghiorzi, I think we're
10 losing you. All right. Maybe she will come back.
11 We're going to go by that for a minute and
12 maybe she'll come back.
13 I'm sorry, I lost my wonderful, wonderful
14 proposed order of proceeding.
15 Okay. Here it is.
16 Commission Staff, we'll continue -- she's
17 back.
18 Ms. Ghiorzi, we're having a lot of trouble
19 with the connection -- can you text her and ask
20 her to disconnect and reconnect, and we're going
21 to get back with her.
22 MS. LINK: Your Honor, just a small
23 suggestion, maybe if she doesn't use her camera
24 and just goes audio on the connection, maybe it's
25 less bandwidth and maybe that helps.

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75 (866 to 869)

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<p>1 THE HEARING EXAMINER: Okay. That's a 2 good thought. 3 All right. We'll go ahead with Staff. 4 MR. CHAMBLISS: Thank you. 5 THE HEARING EXAMINER: We'll have the 6 bailiff that's going to work on getting 7 Ms. Ghiorzi reconnected. Sorry for all that. 8 Okay. Wonders of technology. 9 THE WITNESS: Yes. 10 THE HEARING EXAMINER: Poor Ms. Ghiorzi, 11 she has sat there all day so that... 12 I hope we get her back. I do. 13 Is she coming back? 14 Good. All right. Well, tell her that we 15 are going to go ahead with Staff. We're going to 16 go ahead with Staff, and we are going to get to 17 her shortly. And maybe she should try not using 18 her camera -- 19 We're going to come back with you, 20 Ms. Ghiorzi. We're going to go ahead to Staff. 21 MS. GHIORZI: (Indiscernible). 22 THE HEARING EXAMINER: All right. We'll 23 come back with you. We'll be back in just a few 24 moments. 25 All right, Staff. Go ahead.</p>	<p>866</p>	<p>1 A That's true. 2 Q All right. Similarly, you say on page 17, 3 this approval pathway for underground transmission 4 lines is already permitted under state law. 5 That's your testimony? 6 A That's true. 7 Q All right. I'm going to ask you some 8 questions about your testimony. 9 Is it based on this section of the Code? 10 MR. McROBERTS: Your Honor, I would 11 object. It's a legal question and -- 12 MS. MACGILL: Then I move to strike the 13 testimony. He's not going to answer questions 14 about his own testimony he's got from the advice 15 of counsel. He's made these statements there's 16 something in law. I asked the Company for it -- 17 or asked the County for it; I didn't get any 18 response. 19 Mr. McRoberts has indicated this is the 20 basis for it. I want to ask him questions about 21 what this says, not what it means, but what it 22 says. 23 MR. McROBERTS: Your Honor, we've been 24 told to address this in closing, and we will, 25 first of all. Then second of all, as</p>	<p>868</p>
<p>1 CROSS-EXAMINATION 2 BY MR. CHAMBLISS: 3 Q All right. I wasn't in here when you took 4 the stand. Would you tell me your name? 5 A It's Pat Giglio, but you can just call me 6 Pat. 7 Q Giglio? 8 A Yeah. 9 Q All right. I'm Bill Chambliss, Commission 10 Staff. And I have some questions about your 11 testimony and what now appears to be the basis of 12 statements made on page 17 and 18 of your 13 testimony. 14 You see the highlighted section I've -- 15 A Yep. 16 Q -- put on the screen? 17 A Yep. 18 Q And that says an existing legal framework 19 already exists for underground transmission line 20 projects to be approved through local planning 21 review. 22 That's your testimony? 23 A That is. 24 Q All right. And, Mr. Giglio, you're not an 25 attorney, right?</p>	<p>867</p>	<p>1 Mr. Chambliss has suggested, these statements are 2 based upon legal advice that he's received, and as 3 he said, he's not a lawyer. 4 I don't think this is going to be a 5 helpful progress. We can certainly argue over 6 what the legal meaning of this is according to the 7 Supreme Court and the text of the statute, and 8 it's not going to be helpful. 9 Now, if he wants to ask how 2232 has 10 worked in the past in Loudoun County, have at it. 11 I'm fine with that because he certainly is 12 knowledgeable about that. 13 MS. LINK: Your Honor, I'll also add that 14 Mr. Giglio did speak about the Code Section. He's 15 talked about state Codes. I believe he's quite 16 familiar with reading the Codes. I believe that 17 even his opinion as a layman who is very familiar 18 with the state Codes and local codes is important 19 to the record. 20 Since this is his testimony, if he's not 21 allowed to answer, I'd also join in the motion to 22 strike. 23 MR. McROBERTS: And if I can respond to 24 that. His testimony was based upon what's going 25 on right now as a local planning effort to go to</p>	<p>869</p>

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1 the Transportation of Land Use Committee of the
2 board of supervisors in Loudoun to try to place
3 routes on the comp plan in order to assist their
4 approval. And that's really what he testified.
5 He didn't testify about the wording of 2232,
6 Your Honor.
7 THE WITNESS: And I can't say that I'm
8 completely familiar with all the language in 2232,
9 however, its intent in terms of regulating public
10 facilities, and it's something we use in the
11 County for our legislative review process.
12 THE HEARING EXAMINER: All right. So
13 here's what we're going to do. Mr. Giglio, what
14 is your position with Loudoun County?
15 THE WITNESS: I'm a senior planner.
16 THE HEARING EXAMINER: Okay. In what
17 area?
18 THE WITNESS: Oh, planning and zoning.
19 I'm not a lawyer.
20 THE HEARING EXAMINER: Exactly. All
21 right. But you work with this Code provision, I
22 assume, in some aspect in your work?
23 THE WITNESS: We do.
24 THE HEARING EXAMINER: Okay. So I'm going
25 to allow Mr. Chambliss to ask you the questions he

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1 has for you, and you can answer them from your
2 experience as an employee in the Department of
3 Planning and Zoning and as the sponsor of the
4 pilot.
5 And if you feel like, you know, this is --
6 what you can't answer, say you can't answer it.
7 But answer what you feel you can as to your
8 experience with this.
9 Does that make sense?
10 THE WITNESS: I'll do my best.
11 THE HEARING EXAMINER: All right.
12 BY MR. CHAMBLISS:
13 Q Mr. Giglio, this is page 17 of your
14 testimony.
15 Would you read the first line of your
16 answer there?
17 A The County is proposing the Commission
18 adopt a pilot program under -- for undergrounding
19 500 kV power lines.
20 Q So is this pilot program going to be
21 applicable to the project that's in front of the
22 Commission right now?
23 A Again, this is conceptual at this stage.
24 Again, the request would be to consider this as a
25 pilot program. And I think some of it we spoke

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1 about about the technical benefits of learning
2 more about 500 kV for the engineering standpoint.
3 The other part of that would be the aspect
4 about planning for these particular routes, and
5 that's the part that I can speak of in terms of
6 trying to identify those routes that we would
7 anticipate and/or support undergrounding within
8 the County.
9 Q Do you intend -- does the County intend
10 for this pilot program to encompass undergrounding
11 power lines of different voltages?
12 A Again, it's conceptual at this point, and
13 I would assume we already have 230 kV buried in
14 the county. So, again, I think it would be
15 applicable to all high-voltage transmission.
16 Q All right. Now, here is Code Section
17 52 -- or 15.2-2232.
18 And would you agree that Title 52 applies
19 to counties, cities, and towns?
20 A I agree.
21 Q And that Chapter 22 is Planning,
22 Subdivision of Land and Zoning, correct?
23 MR. WINSTON: Objection, Your Honor. Even
24 the name of the title does not indicate who the
25 particular title applies to. And these are pretty

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1 technical legal questions that I can get for --
2 MR. CHAMBLISS: I'm just asking him if
3 that's what the title is.
4 MR. WINSTON: That's not what he asked,
5 Your Honor.
6 THE HEARING EXAMINER: He can -- he's
7 allowed to answer some questions within his
8 expertise. He was asked what the title is. He
9 read the title.
10 THE WITNESS: I can affirm that is the
11 correct -- that is the title.
12 THE HEARING EXAMINER: He wasn't asked for
13 the legal definitions of those terms is what I'm
14 saying.
15 MR. WINSTON: I just -- Your Honor, the
16 record will reflect that the question was, do you
17 agree that this statute applies to counties,
18 cities and towns, which is a technical legal
19 question. That's all I was pointing out,
20 Your Honor.
21 THE HEARING EXAMINER: All right.
22 Continue.
23 MR. CHAMBLISS: Okay.
24 BY MR. CHAMBLISS:
25 Q You see that Code section referenced right

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77 (874 to 877)

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1 there?
2 A Yes.
3 Q Have you looked at that Code section?
4 A Yeah. This is what -- yes, so this is the
5 section -- I can speak to this. And this is the
6 section we use predominantly, and it is when we
7 evaluate applications through our Commission
8 permit process, what I spoke of about the general
9 character, location, and extent of proposals and
10 conformance with our comprehensive plan. That's
11 what we use for evaluation. And that is the
12 primary section that we end up using.
13 Q Is Code Section 265.1(b) a definition of
14 public utility?
15 A That is correct.
16 Q All right. Are you familiar with that
17 Code Section 15.2-2204?
18 A It's not one that we customarily use.
19 Q Have you read Section -- the entire
20 Section A of 15.2-2232?
21 A I predominantly use the other section we
22 just referred to with my daily work.
23 Q All right. What does that phrase say?
24 A Underground electric distribution
25 facility.

875

1 Q Do we have an underground electric
2 distribution facility as subject of this
3 proceeding?
4 A We have an underground corridor.
5 Q Subject to this proceeding is an electric
6 utility transmission facility, is it not?
7 A That's correct.
8 Q Here is Code Section 15.2-2404. And that
9 is not the section that was referenced in that --
10 in 2232, but are you familiar with this section?
11 A I'm not.
12 Q All right.
13 THE HEARING EXAMINER: Are you generally
14 familiar with the fact that there is a process
15 where a county can have a special rate district to
16 pay for undergrounding projects?
17 THE WITNESS: Right. And that is one of
18 the concepts, I think, that was developed with the
19 project -- with the proposed project, but I don't
20 think, again, it's conceptual at this point.
21 THE HEARING EXAMINER: Okay. And with
22 this project, with Aspen-Golden?
23 THE WITNESS: No, no, with the County's
24 pilot. I'm sorry, the pilot program that the
25 County was -- that we're referencing.

876

1 THE HEARING EXAMINER: Okay.
2 BY MR. CHAMBLISS:
3 Q Do you know if any effort was made by
4 anyone in the County to take advantage of this
5 provision of the Code?
6 A I can't speak to that. I'm unaware.
7 Q You're not aware of it?
8 A No, sir.
9 Q Okay. What is the approximate population
10 of Loudoun County?
11 A I couldn't tell you. Well above 500,000.
12 Q All right. Is the county primarily served
13 by Virginia Electric and Power Company?
14 A That's correct.
15 Q Do any electric cooperatives have
16 customers --
17 A Part of our service area is also with --
18 who are they? We have Dominion is the main
19 server, and then we've also -- we have another --
20 another server there. I can't remember off the
21 top of my head right now.
22 Q Would that be NOVEC?
23 A That is NOVEC. Thank you.
24 Q Okay. Thank you.
25 THE HEARING EXAMINER: Let the record --

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1 Northern Virginia Electric Cooperative.
2 THE WITNESS: Yes.
3 THE HEARING EXAMINER: That we all call
4 NOVEC.
5 THE WITNESS: Correct.
6 MR. CHAMBLISS: Yes.
7 THE HEARING EXAMINER: Is it like
8 50 percent NOVEC and 50 percent Dominion or...
9 THE WITNESS: There's certain pockets
10 within the county, so it's hard to say.
11 THE HEARING EXAMINER: I see. Okay. It's
12 not a contiguous --
13 THE WITNESS: It is not. Most of our
14 eastern portion of our county, though, is served
15 by Dominion. And then some of the southwestern
16 and southern portion of the county and even up
17 into the rural area is served by NOVEC.
18 THE HEARING EXAMINER: Okay. Thank you.
19 BY MR. CHAMBLISS:
20 Q And, Mr. Giglio, I want to show you one
21 more provision of the Code and ask you if you have
22 ever read or have any general familiarity with
23 this, 56-46.1?
24 A I am familiar with that.
25 Q And would you read subsection F of this

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1 statute into the record?
2 MR. McROBERTS: It speaks for itself, Your
3 Honor, and it's the Code, and we're going to be
4 talking about this at closing.
5 THE HEARING EXAMINER: Okay. You can talk
6 about that at closing.
7 MR. CHAMBLISS: All right. I'll do that.
8 BY MR. CHAMBLISS:
9 Q This is page 1 of 5A of the Exhibit 10, I
10 believe. And I wanted to ask you, Mr. Giglio,
11 about the Apollo-Twin Creeks Line.
12 The County is not proposing to underground
13 any of it; is that right?
14 A That's correct.
15 Q All right.
16 A It is located in those areas that we
17 already identified as industrial and mineral
18 extractive, and that is one of the reasons for
19 supporting the overhead route there.
20 Additionally, it is in a location where
21 there is significant environmental features there,
22 so an underground route may have additional
23 impacts there.
24 Q Well, there was testimony earlier today,
25 maybe it was this morning, from Mr. Rosenberg

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1 about the nature of the areas designated by purple
2 boxes and rectangles on this map.
3 Do you see those?
4 MR. McROBERTS: Objection. He's asking
5 about, not his own testimony, but a Dominion
6 witness's testimony. I don't believe that's
7 appropriate on cross. It's limited to the scope
8 of the direct.
9 MR. CHAMBLISS: He's planning and zoning.
10 I wanted to know about the planning and zoning,
11 the by-right, the legislative process. If he
12 can't answer those questions, I'll be happy to go
13 to whoever can.
14 THE HEARING EXAMINER: No. He did talk
15 about the legislative process, and you even talked
16 about the Belmont Innovation area on direct, so
17 this is allowed.
18 MR. CHAMBLISS: Thank you, Your Honor.
19 BY MR. CHAMBLISS:
20 Q Were you among the planners that
21 considered these -- construction of these
22 facilities that are shown on this map as purple
23 boxes?
24 A Yeah, so the difference on these, the
25 Belmont Innovation is the only project that I

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1 worked on, and that was through the legislative
2 process, so I evaluated it in my position in
3 community planning with the policies of our
4 comprehensive plan.
5 The other ones you referred to, which we
6 referred to the one that you've got that adjoins
7 Route 7 as the vantage site, is a by-right
8 application, so they went through that site plan
9 process we were talking about through our building
10 and development department.
11 So based on their underlying zoning, it
12 was permissible for them to construct data centers
13 on that property.
14 Q All right. And you don't have anything to
15 do with zoning decisions?
16 A No, sir.
17 Q Okay. My bad.
18 MR. CHAMBLISS: Thank you very much.
19 THE HEARING EXAMINER: All right. We are
20 going to try again for Ms. Ghiorzi.
21 Ms. Ghiorzi, are you with us?
22 MS. GHIORZI: Can you hear me?
23 THE HEARING EXAMINER: Yes, I can. You
24 faded out really badly. It stuttered quite a bit
25 and we couldn't hear you. And so thank you.

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1 Honestly, if I could give a patience award today,
2 it would be for you. You have waited all day to
3 talk to this witness, so we're going to try to
4 pick it up again. Thank you again for your
5 patience.
6 MS. GHIORZI: Thank you for letting me ask
7 some questions.
8 CROSS-EXAMINATION
9 BY MS. GHIORZI:
10 Q I'm on page 19, and the lines are 410 to
11 413 where you talk about, The approval process
12 will get underground lines in service faster and
13 with less time spent waiting for regulatory
14 review. And in the process, more lines are placed
15 underground in corridors designated for such,
16 which will be popular with citizens, et cetera.
17 Okay. So how much community opposition
18 have you had to do underground transmission lines?
19 A I'm not sure how to answer that question.
20 The last one we had was actually the one I
21 referred to back in the mid-2000s, which was the
22 portion of the W&OD Trail that was underground, so
23 we had not had any aside from the proposal coming
24 forward by the County to consider undergrounding
25 routes within the county.

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79 (882 to 885)

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1 MR. McROBERTS: I think she might be
2 asking you about -- I'm sorry. I am sorry,
3 Ms. Ghiorzi. I'm just trying to clarify.
4 I think she may be asking you about the
5 County's proposed underground segment of the
6 hybrid project and what the public response has
7 been.
8 BY MS. GHIORZI:
9 Q Yeah. In general, any -- the public
10 supports any underground transmission project,
11 nobody is opposed to them, so if Dominion were to
12 say, tomorrow we want to underground our line, the
13 regulatory process is going to be very quick
14 because no one is going to oppose it, correct?
15 A Yes, that's a fair statement.
16 Q Okay. So how would -- how would living in
17 the county approve it instead of the SCC make it
18 any more popular and any faster if no one is
19 opposed to an underground line?
20 MR. McROBERTS: Objection. Again, we're
21 talking about a legal issue we're going to talk
22 about on closing about how it would be faster and
23 better and more beneficial.
24 THE HEARING EXAMINER: You're proposing
25 the pilot, you can answer if you can. You may not

883

1 know.
2 THE WITNESS: Again, we're conceptual,
3 it's -- again, it's a conceptual phase right now.
4 THE HEARING EXAMINER: All right. To her
5 point, in proposing this, did you have any -- was
6 the intent to make the process faster and more
7 popular?
8 THE WITNESS: The idea was to try and
9 identify routes in advance so that we could more
10 proactively plan where some of these transmission
11 corridors may go, working with the electric
12 providers in our area. And so some of the
13 discussions we've had internally would be in
14 regards to existing roadway corridors that may be
15 beneficial for that.
16 Again, we are in the early phases of
17 looking at that and trying to move it forward with
18 that project.
19 THE HEARING EXAMINER: All right.
20 Ms. Ghiorzi, does that help out, or did I not?
21 I'm sorry.
22 MS. GHIORZI: Yeah, the overlap between
23 what he's saying, planning a corridor and an
24 underground corridor are two different things
25 because, for example, if you have a 15-mile

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1 stretch, you are not going to be able to
2 underground a 500 kV line along 15 miles, right?
3 MR. McROBERTS: Objection. She's
4 testifying.
5 THE HEARING EXAMINER: Okay. Please ask
6 the witness questions. Even if you say, right,
7 you need to stop and make sure either he's going
8 to agree with you or not. You can't testify for
9 him.
10 BY MS. GHIORZI:
11 Q Okay. So what is your -- so let's see.
12 The approval process will get underground lines in
13 service faster.
14 How do you -- how would that be any faster
15 than having the SCC approve an underground line
16 that nobody is opposed to? Nobody is opposed to
17 an underground line, how would it be faster?
18 THE HEARING EXAMINER: I think she's
19 referring to page 19.
20 MS. GHIORZI: Page 19, line 412.
21 THE WITNESS: The process will be faster
22 because, again, identifying a route that's already
23 there, there could be, again, outreach for some of
24 those that are featured on a county map to try and
25 identify those areas. So it is really directing

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1 where those corridors would go based on best land
2 use planning in terms of getting them into areas
3 where they would be less impactful and/or areas
4 where you could mitigate some of the impacts.
5 So I don't know if that answers your
6 question. It's just trying to -- instead of --
7 what we end up doing is having a lot -- in our
8 review process we often are given new routes and
9 then are asked to evaluate them. This is getting
10 ahead of that curve and trying to identify some
11 routes, working with the electrical providers,
12 talking to them, finding out where their load is
13 going to be, where they are anticipating growth in
14 the future, and trying to get ahead of it so that
15 we do not have these projects that are, you know,
16 already behind schedule and we're trying to move
17 them forward; that we would take a more broad --
18 and I'll say comprehensive view of the county in
19 terms of figuring out where that needs to be and
20 what our long-range plan is.
21 And so that's really this item I'm
22 bringing forward to our transportation and land
23 use committee is trying to do that and trying to
24 identify what our load is, where it's located, and
25 do we have adequate transmission routes currently



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1 to serve that or will others be needed.
2 And that's really what we're looking at.
3 Aspen-Golden is an example of that because it's
4 trying to address load growth in the eastern part
5 of our county. Is that going to be enough to take
6 care of us for the next five or ten years? I
7 don't know that question. But, again, it's trying
8 to be proactive in trying to layout what we, as
9 the County, would be best in terms of trying to
10 develop that plan.
11 BY MS. GHIORZI:
12 Q So you're specifically talking about an
13 underground segment, because in this particular
14 case it's a 3-mile segment.
15 So when you say the approval process will
16 get underground lines in service faster, you want
17 to identify which segments you want to put
18 underground; is that correct?
19 A That could potentially be part of
20 conversation, particularly if we look at a
21 transmission route, working with our electrical
22 providers where we know where they want to go to
23 start having those conversations of where is the
24 best place to put that. So you are correct.
25 Q So in this particular case, you have an

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1 option for a 3.2-mile underground line, and you
2 have a potential for an 8-ish underground line,
3 correct?
4 A The proposal right now is -- the hybrid
5 version that we're looking at right now is that
6 2.9-mile that we're looking at that is along
7 Route 7 is the one we were speaking about earlier
8 today.
9 Q Okay. So in looking at the entire line,
10 if you had looked at this ahead of time, you would
11 have said we want this particular segment of the
12 line underground, correct? Is that what you're
13 trying to do with this -- you want to get an
14 underground line. You want to say, this is where
15 we'd like you to route it, and this is the segment
16 we want you to put underground, right? Is that --
17 is that what you're getting at with that
18 statement?
19 THE HEARING EXAMINER: Go ahead.
20 Ms. Ghiorzi, I think what he's talking about is an
21 overall process for undergrounding lines. I don't
22 think...
23 Mr. Giglio, correct me if I'm wrong -- the
24 way I understand it is the process wouldn't
25 dictate which particular segments go underground.

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1 Is that correct?
2 THE WITNESS: Correct. It's similar to
3 this approach where we've got areas where
4 aboveground routes are appropriate because of the
5 context they are in in relationship to data
6 centers and/or other industrial uses.
7 And then in those circumstances where it's
8 proximate to residential and there's significant
9 impact on the community, both from a visual
10 impact, that we would consider those areas would
11 be more beneficial for an underground route in
12 those situations based on the design
13 characteristics outlined in our comprehensive
14 plan.
15 THE HEARING EXAMINER: Okay.
16 BY MS. GHIORZI:
17 Q So you want to identify where it's going
18 to be overhead and where it's going to be
19 underground as part of your plan? Is that what
20 that means?
21 A Again, we're in the process of looking at
22 that, so...
23 Q So now that you're mapping these
24 corridors, I'm sure that the energy companies
25 knows which easements they already own, right?

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1 So when you map that corridor, it says,
2 Undergrounding corridors designated for such,
3 right? So you put the corridor --
4 THE HEARING EXAMINER: Where are you?
5 MS. GHIORZI: Same page, line 413 and 414.
6 THE HEARING EXAMINER: Okay. So the
7 sentence is --
8 MR. GHIORZI: Underground --
9 THE HEARING EXAMINER: -- And in the
10 process, comma, more lines are placed underground
11 in corridors designed for such.
12 That's the part you're talking about?
13 MS. GHIORZI: It is, right.
14 THE HEARING EXAMINER: Okay.
15 MS. GHIORZI: Yeah.
16 BY MS. GHIORZI:
17 Q So you want to designate a corridor, you
18 want to designate a corridor and identify a
19 location where it will be underground, which, to
20 me, implies that other pieces of these corridors
21 will be overhead, right?
22 A Potentially. I think I referred to it
23 earlier, it will depend on the context and the
24 place type that's there in terms of determining
25 what would be appropriate and/or to be considered.

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81 (890 to 893)

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1 Q And sometimes it will be within the
2 existing easement, and sometimes you -- at some
3 point you believe you will be expanding those
4 existing easements as part of this corridor that
5 you want to define, right?
6 A It will be part of the process. Again,
7 you know, like I said, we -- the mapping we've
8 done thus far identifies all the existing 235 and
9 500 kV routes. In those areas, we would
10 encourage, you know, again, co-locating in those
11 areas since we already have an impact in those
12 areas.
13 And again, our policies are -- our
14 policies also support the co-location of
15 transmission lines and electric infrastructure,
16 including substations with -- you know, proximate
17 to those corridors.
18 Q But you have no agreement from any energy
19 company that they will stay within the existing
20 easements, including in the recent one that you
21 negotiated moving the route, right?
22 So -- so --
23 THE HEARING EXAMINER: Wait a minute,
24 Ms. Ghiorzi. Wait a minute. This is the Hearing
25 Examiner. Back up.

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1 MS. GHIORZI: Okay.
2 THE HEARING EXAMINER: Let's back up.
3 MS. GHIORZI: I'm sorry. I'll --
4 THE HEARING EXAMINER: You're fine. No,
5 no. You're okay. You're fine.
6 I think where it's getting a little
7 confusing is I believe that the witness,
8 Mr. Giglio, is talking about a process that the
9 County has not finished developing these
10 transmission corridors.
11 Is that true, or did I miss that?
12 THE WITNESS: We're bringing the concept
13 to our board right now in terms of identifying
14 those transmission corridors as part of our
15 comprehensive plan. And so that's where we are,
16 the planning process.
17 THE HEARING EXAMINER: So whether an
18 electric company would stay within the corridor or
19 not is really pretty far down the road because the
20 corridors haven't even been established yet; is
21 that accurate?
22 THE WITNESS: That's correct.
23 THE HEARING EXAMINER: Okay.
24 MS. GHIORZI: I would beg to differ
25 because the recent Marl transmission line, they

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1 have moved it into the existing corridor and
2 published that it will stay within the existing
3 rights-of-way, but they have not actually received
4 any confirmation from any legally binding
5 contracts from the energy companies that they will
6 actually build it within the existing corridors.
7 So it appears to me --
8 THE HEARING EXAMINER: All right.
9 Ms. Ghiorzi --
10 MS. GHIORZI: -- that the County has
11 already acted on that.
12 THE HEARING EXAMINER: Okay. I think
13 there's a little confusion here. This is the
14 Hearing Examiner. I'm going to try to clear it
15 up, and I'm inviting Mr. Giglio to, please,
16 correct me where I'm wrong.
17 I think we're talking about two kinds of
18 transmission corridors. There's the transmission
19 corridors that exist today where transmission
20 facilities already are.
21 And then there's a concept that Mr. Giglio
22 is in the beginning stages of where the County
23 would designate special areas that they are
24 calling transmission corridors, that these would
25 be the preferred areas where future lines would

893

1 go.
2 Am I getting that right or not?
3 THE WITNESS: That is correct.
4 THE HEARING EXAMINER: Okay. So there's
5 two kinds of transmission corridors, and I think
6 that's what's confusing you, and all of us a
7 little bit. It's just working through it
8 together. You're doing fine.
9 So I think like what you were concerned
10 with the Marl line, those were not corridors that
11 the County has designated yet. The County hasn't
12 designated any corridors as preferred yet.
13 Is that true?
14 THE WITNESS: That's true.
15 THE HEARING EXAMINER: Okay. So let's --
16 MS. GHIORZI: However, however, they
17 intervened and had the routes changed to move it
18 to the existing corridor, so they have already
19 designated the Mt. Storm-Dobbs line as an existing
20 corridor.
21 THE WITNESS: She's referring to the Marl
22 line, not the concept of the comprehensive plan.
23 MR. McROBERTS: And the legal objection is
24 that she's testifying.
25 THE WITNESS: That's not even part of my

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1 testimony, so I'm sorry.
2 BY MS. GHIORZI:
3 Q So lines 425 to 428, you make the
4 statement, The CPAM will also amend the electrical
5 policies in Chapter 6 of the 2019 general plan who
6 identify these existing high-voltage transmission
7 corridors as the County's preferred location for
8 the co-location and development of any future
9 high-voltage transmission corridor.
10 So is it your understanding that the
11 current 2019 general plan does not identify a
12 transmission corridor?
13 A No. The policies actually talk about
14 encourage the safe grouping and bearing of utility
15 lines and facilities is what's in there.
16 So basically, we have policies --
17 Q Right.
18 A -- already in our plan. We just do not
19 have a map depicting where they are supporting
20 co-location of transmission corridors everywhere
21 in the county.
22 Q That's true, but you do have easements.
23 Now, we do know the length of those easements and
24 the width of those easements. And the energy
25 companies know exactly where they are, and I can

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1 see them on Zillow, so --
2 THE HEARING EXAMINER: Okay. So do you
3 have a question? Do you have a question for the
4 witness?
5 BY MS. GHIORZI:
6 Q The question for the witness is, it does
7 not -- you do not have a corridor defined by the
8 County yet, and yet you did -- you did change the
9 route by going to PJM and requesting that they --
10 THE HEARING EXAMINER: Ms. Ghiorzi,
11 Ms. Ghiorzi, that's really outside the scope of
12 this whole case. This case is not about that
13 line. It's about the Aspen-Golden Line and the
14 Apollo-Twin Creeks Line.
15 MS. GHIORZI: Okay. So the fact that they
16 appear to be implementing this before they have
17 actually changed the comprehensive plan is a
18 different subject. Okay.
19 BY MS. GHIORZI:
20 Q On line 472, the County, through the
21 adoption of a comprehensive plan amendment, will
22 have already identified existing high-voltage
23 transmission corridors as the preferred location
24 for high-voltage transmission corridors. Okay.
25 So that would be part of your future

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1 planning. You want to identify a location where
2 an easement can be expanded or a new easement can
3 be placed along the existing transmission lines;
4 is that what that's saying?
5 A That is correct. And it's in keeping with
6 our current plan policies that support
7 co-location.
8 Q Again, you just pushed for one, and it is
9 not being co-located. That could very well take
10 additional property.
11 THE HEARING EXAMINER: You need to ask a
12 question.
13 BY MS. GHIORZI:
14 Q Are you -- it sounds to me like you are
15 reserving space along the existing lines to build
16 an additional transmission line; is that what your
17 intention here is?
18 MR. McROBERTS: Objection. I think "you"
19 may mean Dominion, and the County doesn't
20 construct power lines.
21 THE HEARING EXAMINER: All right.
22 Ms. Ghiorzi --
23 BY MS. GHIORZI:
24 Q Yes, but you are identifying a preferred
25 corridor, a preferred location, you're working

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1 with the transmission company ahead of time to
2 locate the transmission line on this preferred
3 corridor. So that's, to me, sounds like you are
4 reserving space --
5 THE HEARING EXAMINER: Okay. You need --
6 BY MS. GHIORZI:
7 Q -- along the existing line for future use
8 by the transmission company.
9 THE HEARING EXAMINER: All right. So back
10 up. By "you," do you mean Loudoun County?
11 MS. GHIORZI: Loudoun County through the
12 adoption of the comprehensive plan amendment.
13 THE HEARING EXAMINER: Okay. So ask a
14 question. Ask a question.
15 BY MS. GHIORZI:
16 Q Loudoun County says to a transmission
17 company, we prefer that you put this high-voltage
18 transmission line in this corridor; is that what
19 you were saying by this statement here?
20 A I think the statement was about -- is
21 about co-location with existing transmission
22 corridors. That's what we were just talking
23 about?
24 Q Co-location, does that imply an expansion
25 of the existing easement?

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1 A It could. Or it could be, you know,
2 inside the existing easement. We don't know the
3 design of those or what the constraints are with
4 any of those particular locations.
5 Q You go online -- so essentially you are
6 reserving property for the potential to build a
7 transmission line.
8 THE HEARING COMMISSIONER: It needs to be
9 a question, Ms. Ghorzi.
10 BY MS. GHIORZI:
11 Q Are you reserving property alongside the
12 existing transmission lines to build another
13 transmission line?
14 A I don't think we can -- you know, again,
15 the idea would be co-location with those existing
16 transmission lines. To say that the County is
17 saying reserve a location there, again, that is
18 not the intent. It's in line with our current
19 plan policy that supports locating these
20 structures together in order to minimize some of
21 the impacts related to them.
22 THE HEARING EXAMINER: Ms. Ghorzi, I
23 think you're getting into the specifics of how the
24 comprehensive plan amendment process would work,
25 and the witness has testified that the County's in

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1 the beginning process of that.
2 And, Mr. Giglio, in the future will
3 members of the public like Ms. Ghorzi be able to
4 participate in that process?
5 THE WITNESS: They will. They will get it
6 through our whole public hearing process. As I
7 said, we'll have public outreach. We will have
8 information on our website about the comprehensive
9 plan if it's initiated by the board.
10 But, again, like I said, we're in that
11 initial phase talking to our board of supervisors
12 about the idea and then seeking their endorsement
13 to move forward.
14 THE HEARING EXAMINER: All right.
15 BY MS. GHIORZI:
16 Q So it is not currently in the 2019 plan
17 that you can identify a high-voltage transmission
18 corridor and say that that is the preferred route,
19 yeah?
20 THE HEARING EXAMINER: Ms. Ghorzi, I
21 think that's what he's saying. That's the purpose
22 of the amendment because it's not in the plan now.
23 Is that accurate?
24 THE WITNESS: That's correct. As I
25 mentioned earlier, we do not have a map, an

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1 adopted map in our comprehensive plan of all of
2 our high-voltage corridors. What we do have is
3 language, which I referred to earlier that
4 supports co-location, and that's what the County
5 has used in their evaluation of applications
6 and/or taking positions on particular routes.
7 BY MS. GHIORZI:
8 Q So with this amendment, is there the
9 possibility that a piece of property adjacent to
10 an existing easement, or maybe across the street,
11 could be whittled away 100 feet by 100 feet at
12 successive transmission lines or routed into that
13 preferred corridor that you've identified?
14 THE HEARING EXAMINER: Ms. Ghorzi, I
15 understand your concern, and that's a concern that
16 will come up through the comprehensive plan
17 amendment process. That is way outside the scope
18 of this case, which is to address the Aspen-Golden
19 and Apollo-Twin Creeks Lines, so I need to cut off
20 this line of questioning.
21 Other than the comprehensive plan
22 amendment, do you have another questions for the
23 witness?
24 BY MS. GHIORZI:
25 Q The designation of a corridor in this

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1 comprehensive plan amendment, do you consider
2 that --
3 THE HEARING EXAMINER: We've moved on from
4 that, Ms. Ghorzi. We've moved on.
5 Do you have other questions? Not about
6 the comprehensive plan amendment.
7 BY MS. GHIORZI:
8 Q Okay.
9 All right. So on page 18, backing up one
10 page, on page 389, you state that 388 to 390, The
11 County's hope that this form of strategic planning
12 will create the administrative framework for
13 preplanned underground projects to be approved
14 directly by localities. This will save time,
15 money, and discord in the form of repeated public
16 opposition to increasingly frequent transmission
17 line applications.
18 So the preplanned underground projects
19 that you are discussing, how -- how big do you
20 expect those projects to be in terms of miles
21 or --
22 A We couldn't speak --
23 Q -- dollar amount?
24 A I can't speak to that. That's really on
25 the hands of the electric providers when they

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84 (902 to 905)

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1 design those. And so, again --
2 Q In general --
3 A -- what the intent for this, again, was to
4 identify areas where we would anticipate these
5 routes would go. And I think I already spoke to
6 that in earlier testimony to the same question.
7 Q 389, it will save time and money and
8 discord. So again, nobody is objecting to an
9 underground project. The underground projects are
10 a lot more expensive than the overhead lines.
11 And how is it going to save money?
12 A We hope it would cut down on the planning
13 period for the electrical providers and directing
14 them in locations where, you know, again, there is
15 support for those.
16 So that's the idea is to try and cut down
17 on the timelines for these, and that, again, with
18 the County and providers all in agreement to
19 appropriate locations.
20 Q So you want Dominion to agree to a
21 preplanned set of locations where you will put an
22 underground line so that the County and the
23 citizens of the county don't have to argue about
24 that 3.2 segment being put underground.
25 Is that what that is essentially saying?

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1 A Again, this is conceptual at this point.
2 We really have not gotten into it. I don't think
3 I can provide that you kind of clarity.
4 Q Okay. So in terms of discord, how are you
5 going to alleviate the discord in the form of
6 repeated public opposition to an underground line
7 because nobody is opposed to it? I mean --
8 THE HEARING EXAMINER: Let him answer.
9 THE WITNESS: This is all going to be
10 part -- this can be part of the discussion if the
11 board moves forward with this comprehensive plan
12 amendment. And I don't believe, again, this is
13 directly related to the current application.
14 BY MS. GHIORZI:
15 Q Okay. On line 400 to 402: This will
16 create a basis for Planning Staff and the Planning
17 Commission to review applications for substantial
18 accord with the comprehensive plan and applicable
19 zoning.
20 Do you believe that a zoning change is
21 needed to appropriate a piece of property for a
22 transmission corridor?
23 THE HEARING EXAMINER: Ms. Ghorzi, I'm
24 going to rephrase you. I believe earlier he said
25 he's not the zoning person.

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1 THE WITNESS: Right, that's correct.
2 THE HEARING EXAMINER: Okay.
3 BY MS. GHIORZI:
4 Q Okay. So if we continue on 402, you want
5 this application to stand in the place of a
6 Certificate of Public Convenience and Necessity
7 review in the SCC?
8 A Correct. And this --
9 Q So this --
10 THE HEARING EXAMINER: Let him answer.
11 BY MS. GHIORZI:
12 Q Go ahead. Go ahead.
13 A So basically this is the concept of, you
14 know, again, predesignating certain areas where we
15 would anticipate transmission corridors, and then,
16 again, we do not have the State enabling
17 legislation to do that. But again, it would be
18 one of those to look to where the County has
19 already identified where we would support them.
20 Q A Certificate of Public Convenience and
21 Necessity review includes with it the attachment
22 of an eminent domain taking of property.
23 Do you believe that the County would have
24 the same authority as the SCC in that regard?
25 MR. McROBERTS: Objection.

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1 THE WITNESS: I can't comment on that.
2 BY MS. GHIORZI:
3 Q Are you saying that it's going to stand in
4 place of the Certificate of Public Convenience and
5 Necessity?
6 MR. McROBERTS: I object to the question
7 because she was asking about eminent domain
8 authority which is similar to the legal authority
9 of the County to approve and what that means
10 vis-a-vis the SCC process. All of those are legal
11 issues that the hearing examiners asked us to
12 address in our closing, and we will be prepared to
13 do that. This witness is not prepared to discuss
14 the niceties of legal authority for either a
15 certificate or not a certificate. He's not
16 prepared to speak to eminent domain authority of a
17 local government in any circumstance.
18 THE HEARING EXAMINER: Ms. Ghorzi, the
19 witness has said that he can't answer the
20 questions related to eminent domain. That is
21 outside, you know -- he can't answer it, it's a
22 legal question otherwise, so we need to leave it
23 there.
24 MS. GHIORZI: Okay. So 402 to 403 should
25 be addressed in the legal brief. Is that what

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1 we're saying?
2 THE HEARING EXAMINER: Well, we're not
3 having legal briefs. We're having closing
4 arguments, and you are welcome to address it
5 there, yes.
6 MS. GHIORZI: Okay. I see 404...
7 BY MS. GHIORZI:
8 Q On line 19 of...
9 **A Which page?**
10 Q Hang on a second. Mine is out of order
11 and I'm a little confused.
12 A lot of your testimony has to do with the
13 effects that the transmission lines have on the
14 Viewshed and the historic character of various
15 locations.
16 The page 2, line 44 to 46, The proposed
17 introduction of an overhead high-voltage
18 transmission line corridor will significantly
19 impact the visual characteristics and place of
20 those existing communities, et cetera.
21 So this is -- this is largely having to do
22 with the Viewshed in the communities where these
23 transmission lines are being located.
24 Do you have any sense of what defining a
25 transmission corridor would do to the value of a

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1 property that is adjacent to it?
2 **A I -- I cannot answer --**
3 Q In terms of its use?
4 **A I can't answer that question.**
5 Q So is only along Route 7?
6 **A It's out of my purview to make any**
7 **interpretation of that, specifically, you know, I**
8 **will -- happy to answer any questions about land**
9 **use and as it relates to our comprehensive plan.**
10 Q Which currently doesn't specify
11 transmission corridors, right?
12 **A That's correct. I think we've clarified**
13 **that, that it supports co-location.**
14 Q Okay. On page 3, The pilot program as
15 proposed has several components, including
16 selection criteria for three to five underground
17 pilot projects, a cost-shifting mechanism, and a
18 planning component.
19 Are you the one to discuss anything about
20 the cost-shifting mechanism?
21 MR. McROBERTS: He is not, no.
22 MS. GHIORZI: Okay.
23 THE HEARING EXAMINER: Is that Witness
24 Rizer?
25 MR. McROBERTS: Yes.

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1 THE HEARING EXAMINER: That's a different
2 witness. Still to come.
3 MS. GHIORZI: Okay. So that is --
4 THE HEARING EXAMINER: That's Mr. Rizer.
5 BY MS. GHIORZI:
6 Q So in terms of the planning component of
7 the proposed pilot program, is that actually
8 defined anywhere or that is still in discussion in
9 this amendment that you are discussing, amendment
10 to the plan?
11 **A I think I've made it clear that it is part**
12 **of the proposed comprehensive plan amendment as**
13 **well as a concept that the County is working on.**
14 Q Okay. At line -- I think you may have
15 answered that one already. I think the rest of
16 this is -- will need to be addressed in the
17 closing arguments.
18 MS. GHIORZI: Okay.
19 THE WITNESS: Okay.
20 MS. GHIORZI: I believe that's all for
21 that, then.
22 THE HEARING EXAMINER: All right. Thank
23 you so much, Ms. Ghorzi.
24 All right. We're going to give Dominion
25 their chance to cross.

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1 CROSS-EXAMINATION
2 BY MS. LINK:
3 Q Good evening, Mr. Giglio. I'm Vishwa Link
4 on behalf of the Company. Nice to see you again.
5 So let's begin with your testimony about
6 the pilot program. On page 3 of your testimony,
7 you state, The pilot program as proposed has
8 several components, including selection criteria
9 for three to five underground pilot projects, a
10 **cost-shifting mechanism, and a planning component.**
11 And you say, I will speak more
12 specifically about the planning component of the
13 proposed pilot program.
14 Correct?
15 **A (No audible response.)**
16 Q Okay. Who -- and I understand Mr. Rizer
17 will speak to the cost-shifting mechanism.
18 Who speaks to the selection criteria for
19 three to five underground pilot projects?
20 MR. McROBERTS: Again -- go ahead.
21 THE WITNESS: Go ahead.
22 MR. McROBERTS: Your Honor, I have an
23 objection. I think there's some confusion. The
24 pilot project is intended to be for the Commission
25 to order and supervise, and there's three

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86 (910 to 913)

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<p>1 components to that. One of them is a local 2 planning component, which is the pilot program at 3 Loudoun County that they are working on through a 4 comprehensive plan amendment. So there's just two 5 different pilot programs, and I think that's the 6 confusion. Hopefully that will help counsel. 7 MS. LINK: It really doesn't, Your Honor. 8 I'm reading the language on the page, and I think 9 you just testified for the witness, and maybe the 10 witness will repeat what he said, but it says 11 several components. 12 BY MS. LINK: 13 Q Selection criteria for three to five -- 14 A The routes -- again, I don't think there's 15 any selection of routes at the moment. 16 Q Okay. This is how I view the language. 17 If I'm wrong, please correct me. I see selection 18 criteria for three to five underground pilots, I 19 see cost-shifting, that's Mr. Rizer; I see 20 planning, that's you, correct? 21 A Correct. 22 Q Okay. Who is -- I understand it's a 23 proposal from Loudoun County, correct? 24 A Correct. 25 Q To do a pilot.</p>	<p>1 to criteria and that kind of a thing, yes, ma'am. 2 THE HEARING EXAMINER: Okay. So we're 3 going to mark him as the three to five underground 4 pilot projects, you know, witness to give us 5 information about that. If that's not him and 6 that's not Mr. Giglio, there's a real gap here, 7 because I have no idea what I'm supposed to be -- 8 what you want me to recommend the Commission to 9 ultimately approve. 10 MR. McROBERTS: We understand. 11 THE HEARING EXAMINER: I'm just putting 12 that out there. 13 MR. McROBERTS: We understand. 14 THE HEARING EXAMINER: And that's not 15 legal. Those are facts that we need. 16 MR. McROBERTS: Yes, ma'am. 17 THE HEARING EXAMINER: Okay. 18 MS. LINK: Your Honor, we don't believe 19 Mr. Rizer has the selection criteria in his 20 prefiled direct. We believe it's absolutely 21 inappropriate for him to add it, his surrebuttal, 22 so at the appropriate time, if it doesn't exist, 23 we'll move to strike all the testimony about the 24 pilot program. We'll wait for Mr. Rizer, though. 25 BY MS. LINK:</p>
911	913
<p>1 And is the proposal for the Commission to 2 oversee a pilot or for the Commission to order a 3 pilot? What is the proposal? 4 A The -- I can't comment on that. 5 Q Who can on behalf of the Company -- I mean 6 the County? 7 MR. McROBERTS: I object. I mean, this is 8 something the County has proposed that the 9 Commission adopt and order, and he's talking about 10 one component, which is one of the three 11 components. 12 THE HEARING EXAMINER: Okay. Well, who 13 gives an overview of what the pilot program is? I 14 think that's what we're all struggling with. If 15 the Commission is supposed to order this, what are 16 they ordering and who tells us that, because it 17 can't just be legal. There has to be facts around 18 what this is. So who gives them? 19 MR. McROBERTS: I think you're going to 20 hear some more about data centers and high wattage 21 users and things like that from Mr. Rizer. 22 THE HEARING EXAMINER: Okay. So is he 23 going to speak to where these three to five 24 underground pilot projects are going to come from? 25 MR. McROBERTS: I think he's going to talk</p>	<p>1 Q So, Mr. Giglio, you're the planning 2 component of the pilot, correct? 3 A That's correct. 4 Q Okay. Thank you. Okay. So I'm on page 5 17 now. It states there, beginning at line -- 6 A 368. 7 Q I'm sorry. 365, again, about the three to 8 five pilot projects that Mr. Rizer will discuss, 9 correct? 10 A Correct. 11 Q Okay. But nevertheless, your testimony 12 says the County believes the hybrid underground 13 proposal in this case is a perfect first project 14 selection in that cohort, correct? 15 A That's correct. 16 Q Okay. But you don't actually -- you're 17 not testifying that it's the perfect first project 18 because you're not sponsoring what makes a good 19 project in the pilot, correct? That shouldn't be 20 in your testimony, correct? 21 A You're referring to Aspen-Golden as part 22 of that pilot program to -- I mean, that's part of 23 that -- as an opportunity to do that, yes, that's 24 one of the things. You know, in terms of the one 25 to three project selection, again, Aspen-Golden</p>

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1 has -- could, you know, is -- could be part of
2 that process. Again, we don't -- I'm not familiar
3 with where we would propose underground routes at
4 the moment.
5 Q Okay. Let's go back a second.
6 The testimony that is in your testimony --
7 A Yep.
8 Q -- says, The County believes that its
9 hybrid underground proposal in this case will make
10 a perfect first project selection in that cohort.
11 Do you see that?
12 A Yes.
13 Q Is that your testimony here today?
14 A That is.
15 Q And -- but you're not testifying about
16 what makes a perfect project in the pilot, right?
17 That's Mr. Rizer?
18 A I can't comment on that.
19 Q Should we strike this from your testimony
20 and put it in Mr. Rizer's?
21 A It would probably -- yes.
22 Q Okay. Should I strike from the beginning
23 here?
24 MR. McROBERTS: Your Honor, we've not
25 agreed to strike --

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1 MS. LINK: He just agreed.
2 MR. McROBERTS: -- his testimony.
3 MS. LINK: He just agreed.
4 MR. McROBERTS: I'd object.
5 THE HEARING EXAMINER: He said he couldn't
6 answer a question that's directly in his prefiled
7 testimony, so do you want to clarify if he can
8 answer this or not?
9 MR. McROBERTS: Your Honor, he is here to
10 speak to the hybrid undergrounding project as
11 being in conformance with the comp plan and to
12 be -- a project that should be considered by the
13 Commission as part of the overall three-part pilot
14 program.
15 While he's not talking about the three to
16 five other projects, he's talking about this
17 project being something the County supports as
18 well do thousands of Loudoun residents.
19 So that's what he's here to talk about,
20 and he's already testified it complies with the
21 comp plan, it complies with the co-location, it
22 protects the resources. I mean, that's what he's
23 here to testify to. So, yes, he supports and has
24 testified this is a project that should go forward
25 with the Commission's guidance.

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1 THE WITNESS: We have had other pilot
2 programs, the one with the undergrounding route I
3 referred to on the W&OD Trail was a pilot program
4 when that was done. So that's the same
5 terminology we're using here in terms of
6 referencing the Aspen-Golden being a potential
7 pilot program to do that. And I don't know the
8 details of that particular W&OD project.
9 THE HEARING EXAMINER: Okay. Hold on:
10 MR. CHAMBLISS: Can I ask a point of
11 clarification? Is the County here seeking a CPCN
12 for its proposed project or the dismissal of this
13 case and turning it over to this yet-to-be-created
14 pilot program? Because if it's here -- if it's
15 here seeking a CPCN, none of this stuff about the
16 pilot program has any -- has any place in this
17 proceeding. If it's not seeking a CPCN for its
18 program -- I mean for this project, then why are
19 they in this case?
20 MR. McROBERTS: Your Honor, this goes
21 directly to the issue we wish to brief so we can
22 fully explain it to everyone.
23 THE HEARING EXAMINER: You should have
24 explained it in your direct. This is the heart of
25 your case, is you want a pilot. You can't just

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1 put it all in a post-hearing brief. This has to
2 be up front so it can be addressed by every party
3 who joined the case.
4 MR. McROBERTS: Your Honor, this is
5 something that we are asking that the Commission
6 take an action on to create and then work with the
7 providers, the County, and the Commission using
8 their legislative authority to create a new way
9 forward.
10 It's not fully flushed out. And frankly,
11 we don't have Dominion's cooperation. We don't
12 know the Commission even supports the idea.
13 That's what we're asking.
14 THE HEARING EXAMINER: Okay. But if you
15 want the Commission to order the local process and
16 you want the Aspen-Golden Line to be the first in
17 the process, how can that be when Aspen-Golden
18 Line is here to get a CPCN? Are you asking the
19 Commission to deny the CPCN so we can go through
20 the process?
21 MR. McROBERTS: Yes, ma'am.
22 THE HEARING EXAMINER: You want --
23 MR. McROBERTS: Or at least -- or at least
24 to defer it until this process can be carried out,
25 yes.

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1 THE HEARING EXAMINER: Okay. Thank you
2 for the clarification.
3 MR. McROBERTS: Yes, thank you.
4 MR. CHAMBLISS: Thank you.
5 BY MS. LINK:
6 Q Okay. Let me just understand. The County
7 is asking for denial or deferral of the CPCN until
8 the process can be figured out? Okay. Let's
9 focus on that, then.
10 When you talk about the process that will
11 be figured out, is that the identification of the
12 transmission corridors that you've been
13 discussing?
14 A That is, from my planning.
15 Q So the first step you said you got a
16 consultant, they've identified where the
17 high-voltage transmission lines are, you're
18 looking at load, where load is. That's been done?
19 A That's part of that -- yeah, part of that
20 report we got that is, you know, entered into
21 testimony.
22 Q Okay. And then your board hasn't even
23 voted on this, correct?
24 A No. This is all, again, early phases.
25 Q Okay. Early phases. When are you going

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1 to present before your board?
2 A We're going to our Transportation Land Use
3 Committee in October, October 17th.
4 Q Okay. October 17th. And then what
5 happens after that?
6 A So essentially, the board will provide
7 comment on it, and if they support moving forward
8 with a comprehensive plan amendment, they will
9 then send that to a business meeting.
10 Q To where?
11 A A business meeting.
12 Q Business meeting?
13 A So then they will have the full board at
14 that moment to provide comment on that.
15 Q And how long will that take?
16 A It could take -- well, we're going into
17 October. They could send it in probably a month
18 or two to the board.
19 Q The full board?
20 A To the full board --
21 Q December?
22 A -- and then we would submit a project plan
23 for the comprehensive plan to do that.
24 Q A project plan for the comp plan?
25 A Yep. And then, again, develop a process

920

1 for public outreach, soliciting comment on it,
2 part of our normal comprehensive plan amendment
3 process to do that. So, you know, if you're
4 looking for a duration of time for that -- I know
5 that's where you're going.
6 Q I am.
7 A Probably -- in getting the approvals,
8 we're probably looking at maybe a year to do that.
9 Q A year?
10 A What -- I mean, again, depending on what
11 scope they've put on that. So I know some of the
12 conversations would be merely identifying our
13 existing transmission corridors, which is very
14 easy.
15 However, when we start to try and identify
16 new routes, if they chose to go that path, could
17 potentially take more time. So you could say --
18 really say between seven months to a year.
19 Q Okay. So we're in September of '24.
20 So say we're October of 2024, and it's,
21 quote, approved, what's approved, the
22 transportation corridors?
23 A The transmission corridors would be a
24 future --
25 Q The transmission. Excuse me. At this

921

1 point I was wishing I was a transportation lawyer.
2 All right.
3 We're a year from now; the transmission
4 corridors are approved. And then is the thought
5 we can now pick up on this important reliability
6 project and move Aspen-Golden to the new
7 transmission corridor? What's the thought process
8 here?
9 A I'm not sure I understand the question.
10 Q What I heard from your lawyer is that we
11 are -- the County is asking a denial or deferral
12 of this Aspen-Golden project until the process can
13 be figured out, the process of identifying
14 transmission corridors where the County believes
15 it's a good place to put transmission lines, maybe
16 overhead transmission lines.
17 MR. ROGERS: Madam Hearing Examiner, if I
18 may --
19 THE COURT REPORTER: I'm sorry, your name?
20 MR. ROGERS: Leo Rogers. I'm the County
21 attorney for Loudoun County.
22 Buddy Rizer has been waiting very
23 patiently to testify. He can talk about the cost
24 sharing, he can talk about the Commission's role
25 in a pilot program, he can talk about this route

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89 (922 to 925)

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922

1 being the pilot program. This witness just isn't
2 ready.
3 I'd ask that you don't have this witness
4 testify. We'll bring Buddy Rizer in, hopefully
5 today, to testify.
6 THE HEARING EXAMINER: He can testify
7 about the process. He has testified that there's
8 going to be a comprehensive plan amendment
9 process, and he's being asked how long that's
10 going to take. Because apparently, if I
11 understand any of this right, that has to happen
12 before any of the projects can be considered.
13 MR. ROGERS: Absolutely correct, yes.
14 THE HEARING EXAMINER: Okay. So we need
15 to know how long that process is going to take,
16 and that's what he's being asked about.
17 And I'm sorry Mr. Rizer's been waiting a
18 long time, but everybody has to wait their turn
19 according to the Order of Presentation that
20 everyone worked out.
21 Please continue.
22 MS. LINK: Thank you.
23 BY MS. LINK:
24 Q So my question, Mr. Giglio, is say we're
25 in October of 2024 and the transmission corridors

923

1 have been approved.
2 MR. CHAMBLISS: 2025.
3 MS. LINK: Sorry, 2025. Thank you. It's
4 getting late.
5 BY MS. LINK:
6 Q October of 2025 and the transmission
7 corridors have been approved by the board of
8 supervisors of Loudoun County. And now we have a
9 place to go put the Aspen-Golden Line.
10 What happens next? What is -- what is the
11 plan for the Aspen-Golden reliability project in
12 the County's opinion?
13 THE HEARING EXAMINER: Okay. I think --
14 is that the part that Mr. Rizer is going to
15 answer, Mr. Rogers?
16 MR. ROGERS: Yes, yes, that's correct.
17 THE HEARING EXAMINER: Okay. So that's a
18 Mr. Rizer question apparently.
19 MS. LINK: About what to do when the
20 transmission corridors are approved? Mr. Rizer
21 will answer what we do with the Aspen-Golden
22 project?
23 MR. ROGERS: Mr. Rizer will address the
24 questions of who decides the pilot program and
25 what we're talking about when we say pilot program

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1 with regard to this particular case.
2 MS. LINK: Okay.
3 THE HEARING EXAMINER: Is he going to
4 answer the question about what happens after the
5 comprehensive plan amendment process is done?
6 MR. ROGERS: No, he will not. That's not
7 within his scope of expertise.
8 THE HEARING EXAMINER: Okay. So who
9 answers that? I mean, that's the heart of the
10 pilot is what happens when a project goes to the
11 County. That's the local approval process that
12 you're asking the Commission to condone.
13 MR. McROBERTS: And that's not a factual
14 question. It's a legal question, which we plan to
15 address at our closing.
16 THE HEARING EXAMINER: The process is a
17 legal question.
18 MR. McROBERTS: Yes, it is. And it's
19 specifically set forth in the statute, and we
20 intend to describe that to you.
21 Again, we would have preferred to have
22 briefed it, but, Your Honor --
23 THE HEARING EXAMINER: No, we're not
24 briefing. I don't want to hear the word "brief"
25 again.

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1 MR. McROBERTS: Yes, ma'am.
2 THE HEARING EXAMINER: Please be clear.
3 MR. McROBERTS: What I'm saying is we will
4 address it at closing exactly what happens once
5 there is a feature shown in the plan that is a
6 high-voltage transmission, wattage transmission
7 line. And that is proposed by the Company, and
8 it's included in the County's plan, and it's
9 already shown there. That's a legal question, and
10 we can address it.
11 MR. HARRISON: Your Honor, is -- what I'm
12 hearing, is the County going to issue its closing
13 first, and then we'll have a chance to read it so
14 we know what we're closing arguments about?
15 If he's not going to lay out the process
16 until his closing, how can anyone here respond to
17 it? I don't understand how this is -- how the
18 facts he's trying to put in his closing arguments
19 give anyone a chance to weigh in on.
20 THE HEARING EXAMINER: Do you have an
21 answer?
22 MR. McROBERTS: Your Honor, I'm briefing
23 statutes and case law. And I'm responding to the
24 PUE that the Hearing Examiner provided earlier.
25 THE HEARING EXAMINER: Yes.

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90 (926 to 929)

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1 MR. CHAMBLISS: Your Honor, in his motion
2 it's now clear that the County does not want the
3 hybrid proposal approved and issued a CPCN. I
4 move that we strike all the evidence that has been
5 or will be entered with regard to the factual
6 components of its -- the proposal that it
7 supported in its testimony that apparently wants
8 the Commission to deny issuing a certificate to.
9 There's no purpose in the record for all
10 of this factual information about how wide things
11 are or where -- what's been going on one end,
12 what's going to go on the other end, where it's
13 going to go underground.
14 The County doesn't want the Commission to
15 issue a certificate for that project. There's no
16 purpose served by having that evidence in the
17 record. I move to strike it all.
18 MR. McROBERTS: As I said, Your Honor,
19 it's an alternative to the current certificate
20 process, and it is a proposal from the County to
21 work with the Company and the Commission in a
22 pilot program to provide an alternative means to
23 approve.
24 THE HEARING EXAMINER: And this --
25 MR. McROBERTS: And we're not talking

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1 about denying. And if we brief -- excuse me. I'm
2 not going to say that word. If we argue this in
3 the final argument, report and recommendation,
4 we'll get a chance to then brief it or give
5 comments to the Commission on it as well.
6 And then if the Commission rules against
7 us and says, well, that's not the way we need to
8 go or it's not legally permissible, as SCC Staff
9 counsel suggested, then, yes, we would absolutely
10 under those circumstances support the County's
11 underground hybrid proposal with a certificate.
12 We're not doing away with the certificate
13 process. It's always going to exist. It lives in
14 the statute. We're just saying there's another
15 way to go, and we're asking that the Commission
16 consider it.
17 MS. GARDNER: Your Honor, if I may.
18 THE HEARING EXAMINER: Ms. Gardner.
19 MS. GARDNER: The Community Church would
20 not ask that the Commission deny the Company's
21 CPCN. Rather, we would ask that the Commission
22 approve the Company's CPCN conditioned on the
23 segment of the Aspen-Golden Line that is
24 identified in the County's proposal be placed
25 underground. Specifically, we would ask that it

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1 be -- the portion in front of the Community Church
2 be placed underground.
3 THE HEARING EXAMINER: All right. Any
4 other parties?
5 MR. GREENE: I guess there is a motion to
6 strike on the table.
7 THE HEARING EXAMINER: Yes.
8 MR. GREENE: So I feel compelled to
9 respond to it. The Conservancy's position in the
10 case as defined in this witness's testimony is
11 that we favor the undergrounding plan put forward
12 by the County, and we believe, as Mr. Turner said
13 in his opening statement, that it can be done by
14 the Commission as part of a pilot program to be
15 similar to the one that was approved in
16 approximately 2007, 2009, somewhere in there, I
17 don't remember, in the Garrisonville case, that
18 later led to legislative pilot programs.
19 But the Commission did that on its own and
20 we're asking that the Commission do something
21 similar to that here. It's a Commission-approved,
22 Commission-supervised, Commission-monitored pilot
23 program. Dominion would be required to produce
24 data so we can learn from the pilot program for
25 future lines. It's all spelled out, that part of

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1 it, in Mr. Jeavons' testimony.
2 So that's our position. We take no
3 position on the comprehensive plan and the legal
4 issues and everything that Loudoun has brought
5 forward.
6 But we feel we would not want that
7 underground proposal to be stricken from this
8 case, nor would the tens and tens of thousands of
9 residents and businesses in Loudoun that have
10 affirmatively come out and spoken in favor of
11 undergrounding.
12 THE HEARING EXAMINER: All right. Is the
13 Conservancy's position that the Commission should
14 deny the application?
15 MR. GREENE: No. The Conservancy's
16 position is that the CPCN should be awarded for
17 the hybrid underground line as has been presented
18 by the County's witness.
19 THE HEARING EXAMINER: Okay. Is it
20 anybody's position other than the County's that
21 this line should be denied by the Commission and
22 await this --
23 MR. McROBERTS: Let me --
24 THE HEARING EXAMINER: -- to be determined
25 local process?

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91 (930 to 933)

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930	932
<p>1 MR. McROBERTS: Let me be clear, we do not 2 want to have this line not built or not approved. 3 We're proposing a test program that involves 4 everything that has just been said here. 5 THE HEARING EXAMINER: Who do you want to 6 approve the line? 7 MR. McROBERTS: In this case, it's going 8 to have to be the Commission because it's an 9 application before the Commission. 10 THE HEARING EXAMINER: So you don't want 11 the application denied? 12 MR. McROBERTS: We want it approved with 13 the underground pilot proposal. 14 THE HEARING EXAMINER: All right. 15 MS. LINK: Your Honor -- 16 MS. GHIORZI: I would like to make a -- 17 comments on that motion. 18 THE HEARING EXAMINER: Ms. Ghiorzi. 19 MS. GHIORZI: The motion to strike, based 20 on my reading of this, Loudoun County appears to 21 want to be the regional transmission authority. 22 They set up their corridors and decide where the 23 routes go and where they are underground. I don't 24 think that's appropriate. 25 This is an entirely different matter and</p>	<p>1 different ways has serious concerns of viability, 2 feasibility, constructibility, permitability. 3 The Company did not create this proposal. 4 The Company cannot create a proposal that works 5 for the Aspen-Golden Line with a hybrid component. 6 We have tried and turned every stone on that. So 7 Garrisonville is distinguishable. 8 And we do agree that this line is squarely 9 in front of the Commission under existing law and 10 not future laws that don't exist that are not on 11 the books, and we have put forward our case, and 12 we would be supportive of the Commission's CPCN in 13 this case of the proposed overhead route, which is 14 the only viable proposal on the record. 15 THE HEARING EXAMINER: Mr. Chambliss, it 16 was your motion -- I'm sorry. 17 MR. ROGERS: May I be heard on the point 18 that Ms. Link just brought up? I'm the County 19 attorney for Loudoun County. I speak for Loudoun 20 County's position. 21 Loudoun County is stating here that the 22 Certificate of Public Need and Necessity, we are 23 looking to have that approved with the underground 24 route. We have presented our evidence on it, and 25 if it was stated in any way, shape, or form that</p>
931	933
<p>1 it really should not have been entered into this 2 case in the first place. I would support a motion 3 to strike. 4 THE HEARING EXAMINER: All right. 5 MS. LINK: Your Honor, may I just put the 6 Company's position on the record. 7 I did hear the County's legal 8 representative say that they urge the Commission 9 to deny the CPCN or defer the ruling until -- in 10 favor of working together with this new process of 11 coming up with transmission corridors and a pilot. 12 We, obviously, do not support that, and we 13 join Staff in their motion to strike all of the 14 updated hybrid proposal information in the record 15 because the County is no longer supporting it. 16 As to what Mr. Greene talked about with 17 Garrisonville, that was a case where the Company 18 put forward an underground proposal. The Company 19 conceptually engineered it, it was viable, it was 20 feasible, it was buildable, it was constructible, 21 it is constructed. It is in service. 22 What we have here is something we've never 23 seen before, which is a situation where we've got 24 an intervener putting forward an underground 25 proposal that the Company has said in ten</p>	<p>1 we're looking not to do that and to follow a 2 different program, that was a mistake, and that 3 should not be the position, that is not the 4 position of Loudoun County. We wish to go forward 5 in this proceeding. 6 THE HEARING EXAMINER: So can you clarify 7 what about these two lines, the Aspen-Golden Line 8 and the Apollo-Twin Creeks Line, if those cases 9 are certificated by the Commission, how do those 10 two lines intersect with the pilot? 11 MR. ROGERS: May I speak from the podium? 12 MR. McROBERTS: Yeah, please. 13 MR. ROGERS: You've heard about the pilot 14 program on the Garrisonville line. There was also 15 a pilot program in Loudoun County on the 16 W&OD Trail for a 230 kV program. 17 What we're suggesting here is the 18 Commission is the one with the authority to 19 identify pilot programs. We're saying this is one 20 that should be done. Loudoun County has worked 21 extensively with Dominion. We support the routing 22 because Dominion has made many accommodations to 23 Loudoun County over a period of months on this 24 route. 25 So the route is something we support.</p>

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92 (934 to 937)



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1 What we are also supporting is that it be
2 undergrounded. And what we're saying is we
3 understand there's a cost of undergrounding, so
4 the planning issue has been resolved. We support
5 the planning of the route.
6 The second part is we're asking the
7 Commission to identify -- and it's the Commission,
8 it's not the County that's going to identify where
9 a pilot program should be, and Loudoun County is
10 going to say, here's the way the cost sharing
11 should be done if the Commission has a concern
12 with the cost of undergrounding the line.
13 THE HEARING EXAMINER: Okay. I still
14 don't understand it. If the Commission is
15 approving the line, what about it is a pilot?
16 MR. ROGERS: The pilot program would be --
17 we're asking the Commission to pass the cost along
18 to high-wattage users so that it's not shared by
19 all of the ratepayers, but it's shared by the
20 customers of the data centers who are generating
21 the need for the line. Mr. Rizer will speak to
22 that.
23 THE HEARING EXAMINER: Okay. You want the
24 Aspen-Golden Line to be -- the cost for that to be
25 recovered by -- you want data centers to pay for

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1 it, basically?
2 MR. ROGERS: Yes, that's exactly the
3 comment that all the citizens brought up. It's
4 exactly what we've been talking about from the
5 very beginning.
6 THE HEARING EXAMINER: Okay. But you
7 understand that nothing about data centers paying
8 more or their rate changing because of this line
9 has been noticed to the public.
10 MR. ROGERS: No, I understand. What would
11 have to happen is as part of the approval of this,
12 you would have to notice that. This line will
13 take many years, even according to Dominion's
14 schedule, to build. That high-wattage users, not
15 data centers, I understand we are probably talking
16 only about data centers, but high-wattage users
17 would pay more for the high-wattage consumption
18 because they are the ones that are generating the
19 need for this line, which Mr. Rizer will talk
20 about that as well.
21 THE HEARING EXAMINER: But the Commission
22 cannot -- okay.
23 MR. ROGERS: It's something we're asking
24 the Commission to do going forward.
25 THE HEARING EXAMINER: The Commission

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1 cannot approve the line with a guarantee that high
2 wattage users will pay. You do understand that?
3 MR. ROGERS: That's correct. It could go
4 forward with that recommendation, but no, it could
5 not be done at this time.
6 THE HEARING EXAMINER: So what are you
7 wanting the Commission to say in a final order
8 about who pays?
9 MR. ROGERS: What we want to do is
10 mitigate the impacts to the unfortunate residents
11 who will be along the line who we want the line to
12 be underground.
13 Dominion is going to oppose that in part
14 based on its cost. We're asking the Commission to
15 then put forward a ratemaking case where
16 high-wattage users would pay more for their
17 wattage when they are needing high-voltage
18 transmission lines like is the case in data
19 centers, and that those high-wattage users would
20 then pay into a pool that would pay for the cost
21 of undergrounding when these lines are going
22 through residential communities like they are
23 here.
24 THE HEARING EXAMINER: Okay. So why does
25 that have to be connected to approval of this one?

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1 MR. ROGERS: What we're asking --
2 THE HEARING EXAMINER: Couldn't you just
3 do, say, a petition for declaratory judgment to
4 start that?
5 MR. ROGERS: We could. What we could do
6 is have the Commission approve it with the
7 undergrounding component. But I think the
8 undergrounding component should also come with
9 some ratemaking initiative that comes out of this
10 as well.
11 THE HEARING EXAMINER: Okay. Are you
12 familiar -- I'm sure you are -- with 15.2-2404?
13 MR. ROGERS: Yes, I am.
14 THE HEARING EXAMINER: Can you please
15 answer for all of us why the County did not pursue
16 that process where the county people, including
17 data centers, would pay the cost difference from
18 overhead to underground?
19 MR. ROGERS: Are you talking about 2404?
20 THE HEARING EXAMINER: Yes, I'm sorry.
21 MR. ROGERS: Oh, I'm sorry. 2404. I
22 thought you were talking about advertising
23 requirements.
24 2404 is if you have a tax district. The
25 tax district, you have to have a special benefit

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1 that is inured to the people in the district. The
2 people in the district would be those residents
3 along the line who are benefiting from an
4 underground line. Those are the ones that we can
5 tax under a taxing district. We're not saying
6 that we should do that. The need is being
7 generated by the high wattage users elsewhere, and
8 those high wattage users should be paying for
9 this. It should not be done by a tax district.
10 We cannot tax high wattage users to underground a
11 transmission line in this area. It does not fit
12 under 2404.
13 THE HEARING EXAMINER: Okay. So the
14 position is -- I'm sorry. What is that beeping?
15 THE BAILIFF: It's a virtual connection.
16 I need to restart that, Your Honor.
17 THE HEARING EXAMINER: I'm sorry. Thank
18 you so much.
19 MR. ROGERS: You have to -- in order --
20 there's a couple of other components of 2404. You
21 have to get a majority of the property owners who
22 are going to agree to a petition. There has to be
23 notice that's provided. People in the tax
24 district have to receive a specific benefit that
25 inures to them, and I just think we'd be taxing

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1 issuance of its certificate.
2 THE HEARING EXAMINER: Mr. McRoberts, do
3 you have a response?
4 MR. McROBERTS: Yes, I do. Again, there's
5 several components of this, and I misspoke earlier
6 when I said a denial. That certainly was not what
7 the County intends.
8 What we intend is for this underground
9 line to be approved, for the planning component to
10 work with the Commission, and the Company to
11 identify additional future projects for -- as --
12 Mr. Giglio said, that can be proactively planned
13 in advance as opposed to being reactive after the
14 Company comes to the SCC and makes an application.
15 So, you know, perhaps I misspoke, and if
16 so, I apologize. Certainly, the County's position
17 is the undergrounding hybrid proposal is what it
18 would propose. I think Mr. Chambliss is
19 absolutely correct that once that certificate is
20 approved, that that would comply with the
21 requirements of 2232. What we want to discuss is
22 the closing is what does 56-265.2 allow and how
23 can local governments work more proactively with
24 the Company to shorten the process and make it
25 less adversarial and shorter for everybody

The County has no authority to do this

939

1 the wrong people in this case. That's why we're
2 saying it should be a rate decision rather than a
3 taxing decision.
4 THE HEARING EXAMINER: All right. This is
5 what -- does anybody else want to speak to this?
6 Sorry.
7 Mr. Chambliss, it was your motion. Do you
8 have anything?
9 MR. CHAMBLISS: Yeah, I'm still confused.
10 I heard Mr. McRoberts say they didn't want a CPCN.
11 I hear Mr. Rogers say, you do want a CPCN but only
12 if the project is underground.
13 Now, if that is the case, then the
14 Commission issues a CPCN, you know, as the County
15 prefers and the other respondents prefer, not as
16 Dominion wants, with the undergrounding, the law
17 still says, approval of a transmission line --
18 pursuant to this section, that is 56-46.1 -- shall
19 be deemed to satisfy the requirements of 15.2-2232
20 and local zoning ordinances with respect to such
21 transmission line.
22 My question is, what happens at the County
23 with regard to this pilot program and this line?
24 Nothing. Everything that the County does under
25 2232 has been satisfied by the Commission's

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1 involved to get this thing approved while being
2 proactive. That's what we're talking about.
3 So there's several different components.
4 Earlier I said -- we're talking about different
5 pilot projects when -- he's talking about, he's
6 talking about a new way of planning in the comp
7 plan an amendment. What the County attorney was
8 talking about a much bigger picture that involves
9 this project, future projects, as well as a more
10 cooperative way and a cost-shifting mechanism in
11 order to try to address the Company's concern on
12 cost.
13 MS. LINK: Your Honor, what I hear now
14 after this valid discussion is that this pilot
15 program idea is for future projects. It is not
16 for the Aspen-Golden Line. That's what I hear.
17 Because what I also hear is that part of -- a big
18 component of that pilot project is going to be the
19 identification of transmission corridors, which
20 will happen in comprehensive plan land and could
21 take a year, and this is an important liability
22 project to keep the lights on, so it cannot be a
23 part of the pilot, and I think we can -- if the
24 County can agree to excise testimony regarding
25 this Aspen-Golden project being part of a future

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94 (942 to 945)

24094004

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<p>1 pilot, we might be able to move forward with the 2 case. 3 THE HEARING EXAMINER: There's been a lot 4 of internet connectivity issue, and our bailiff is 5 working very hard to get Ms. Ghiorzi back. So if 6 we're hearing beeping or hearing odd, like, hellos 7 and things like that, that's what that's about. 8 All right. I'm sorry. Ms. Link, do you 9 have more? 10 MS. LINK: No. I was just saying, I think 11 there's the application we brought forward. It 12 seems like it's been narrowed down to whether the 13 overhead proposal should be adopted or the updated 14 hybrid proposal should be adopted as the grant for 15 the CPCN, and then there's the side issues about 16 future pilot programs. We're happy to talk about 17 it in our closing statements, but I don't think, 18 after all this, that the County actually wants the 19 Aspen-Golden line to be part of a pilot, but if 20 they can confirm that, I think we can move 21 forward. 22 MR. McROBERTS: I think a fairer statement 23 might be that it's an exemplar of the kind of 24 thing that we hope to accomplish together with the 25 Company.</p>	<p>1 does. I think we were the only two maybe in this 2 room that were in that case. 3 MR. CHAMBLISS: Nope. 4 MR. GREENE: The Stafford County came 5 forward with a witness -- I believe his name was 6 Lanzalotta, Professor Lanzalotta -- who came 7 forward with a proposal for -- not as detailed as 8 this one, what we see in this case, but with, you 9 know, a high-level concept. And maybe Dominion 10 got on board after that, but Stafford County 11 pushed it forward. 12 And I understand there's a difference -- 13 there may be a difference in Dominion's view here 14 than back then, but that's the Commission's 15 discretion as to whether to go forward with it or 16 not. 17 THE HEARING EXAMINER: So what's the 18 Conservancy's pilot? 19 MR. GREENE: The pilot would be simply to 20 build the underground hybrid and then require 21 Dominion to produce the data and -- reliability 22 data, cost data, whatever else that may be deemed 23 necessary and prudent so that to guide -- to 24 see -- as Mr. Turner said in his opening 25 statement, this is a time for Dominion to be a</p>
943	945
<p>1 We already have planning Commission -- 2 excuse me -- comprehensive plan components to talk 3 about co-location and encourage undergrounding. 4 They are talking about a comprehensive plan 5 amendment that's going to identify specific routes 6 for future lines, but for this one, you know, it 7 needs to move forward with the current hybrid 8 proposal as it is. 9 But as part of that, we're proposing the 10 Commission take action to address the Dominion's 11 concern on cost using that part -- that component 12 of the test pilot program, but also to make sure 13 that the Commission is considering using this 14 process through what we'll discuss in the closing 15 for future projects. And hopefully that clarifies 16 it. 17 MS. LINK: Sounded like he agreed. 18 MR. GREENE: I feel like I'm a little 19 pimple on the back of an elephant with this, but I 20 feel compelled to say that the Conservancy's 21 proposal, it's apparently a different pilot 22 structure and program than what maybe the County 23 is envisioning. 24 Again, in the Garrisonville case -- and I 25 don't recall the facts the same way as Ms. Link</p>	<p>1 national leader in transmission. 2 So do we want to have 500 kV underground 3 proposals in the future that are workable and that 4 are a national and an international leader in how 5 we service these data centers, which don't just 6 benefit the people of Loudoun. They benefit 7 people in the entire world, 70, 80 percent of the 8 traffic going through. 9 THE HEARING EXAMINER: All right. So your 10 pilot is an information-gathering pilot? 11 MR. GREENE: Yes. That will be used to 12 guide future projects. But there's not future 13 projects in the pilot. There's not -- it's simply 14 let's see how this works, just as Garrisonville 15 was intended, and see if we can use that to propel 16 things forward for future lines. 17 THE HEARING EXAMINER: All right. 18 Mr. Chambliss. 19 MR. CHAMBLISS: I'm perfectly happy 20 with -- 21 THE HEARING EXAMINER: I'm sorry. Excuse 22 me just one moment. 23 Mr. Bailiff, did you have something -- 24 stay there, Mr. Chambliss. 25 THE BAILIFF: Yes. Ms. Ghiorzi said she</p>

Transcript of Hearing - Day 4
Conducted on September 19, 2024

95 (946 to 949)

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946
1 wants a chance to respond to Mr. Rogers.
2 THE HEARING EXAMINER: All right. Well,
3 we're hearing from Mr. Chambliss. We'll get to
4 her in a moment.
5 THE BAILIFF: Excuse me. The sorry.
6 THE HEARING EXAMINER: We're fine.
7 MR. CHAMBLISS: If the County is now
8 agreeing that it wants a CPCN issued for this
9 project by the Commission, let's go forward with
10 that. I'm happy.
11 THE HEARING EXAMINER: All right.
12 Ms. Ghiorzi, did you have --
13 MS. GHIORZI: Yeah, I had -- I missed a
14 little bit of what Mr. Rogers had stated there.
15 My question is, has he already spoken with any of
16 these transmission companies about preferring
17 particular corridors to route transmission lines
18 in advance of changing the plan?
19 THE HEARING EXAMINER: We're not on the
20 comprehensive plan amendment.
21 MS. GHIORZI: Okay.
22 THE HEARING EXAMINER: That's -- that's --
23 sorry. We've moved -- we're just not talking
24 about that right now.
25 MS. GHIORZI: All right. On the pilot --

947
1 I believe he was also talking about the pilot.
2 THE HEARING EXAMINER: I'm sorry?
3 MS. GHIORZI: Has this project -- this
4 project for the Aspen-Golden Line has been removed
5 from the concept of putting it as a pilot program.
6 Is that what we're talking about now?
7 THE HEARING EXAMINER: Yes, that's what
8 we're talking about.
9 MS. GHIORZI: Okay.
10 THE HEARING EXAMINER: Okay. All right.
11 It is late. We're going to start -- we're going
12 to start at 9:30 tomorrow. And here's what I
13 would like: I would like the parties to get
14 together and discuss.
15 In my -- my feeling is that this pilot
16 that Loudoun County wants to do with the projects
17 and a new cost mechanism and a new planning
18 process and all that, you know, however great an
19 idea it may be or may not be or whatever, people
20 can discuss that eight ways from Sunday.
21 But we have now established that the
22 Aspen-Golden and Apollo-Twin Creeks Lines are not
23 going to be a pilot item. This makes this whole
24 pilot, in my mind, very beyond the scope of the
25 applications.

948
1 It may be absolutely perfect for some
2 future filing at the Commission. It may be a
3 great thing for everyone to get together and
4 propose, but it has gone way far afield of the
5 Commission approval of these two lines, in my
6 opinion.
7 My inclination is to strike the testimony
8 and the pilot without prejudice for the County and
9 whoever else who wants to, to get together and
10 repropose it to the Commission in some form that
11 is not related to a specific case that will not be
12 part of the pilot.
13 I need you-all to think about that.
14 That's where I'm going. I would love for you to
15 come back tomorrow and tell me you've agreed on
16 that. We'll see if you can or not.
17 MS. GHIORZI: That will be a separate
18 docket? Is that what you're saying?
19 THE HEARING EXAMINER: Yes, ma'am. It
20 would not be part of these two lines.
21 MS. GHIORZI: Will I be included in that
22 conference? Do I need a Zoom meeting or a -- how
23 does that work?
24 MS. LINK: She can give us a phone number,
25 if we can -- we'll patch her in on her cell.

949
1 THE HEARING EXAMINER: All right.
2 Ms. Ghiorzi --
3 MS. GHIORZI: Okay. Yeah, I can give you
4 a cell number.
5 THE HEARING EXAMINER: Okay.
6 MS. LINK: Thank you. We're ready.
7 MS. GHIORZI: I can't remember it. Let me
8 just look it up because --
9 MS. LINK: Ms. Ghiorzi, Ms. Ghiorzi, when
10 we adjourn, you can call my cell phone. This is
11 Vishwa Link. I'll give it to you right now.
12 (There was a pause in the proceedings.)
13 MS. LINK: If somehow it's a problem,
14 please e-mail one of us, and we'll make sure we
15 patch you in.
16 MS. GHIORZI: Okay. My phone number is...
17 (There was a pause in the proceedings.)
18 MS. LINK: Thank you.
19 MS. GHIORZI: Thank you.
20 THE HEARING EXAMINER: All right. So
21 consider that. Because I know you-all need to
22 chat, it's probably not much, but we'll meet at
23 9:30 instead of 9:00 tomorrow. And we're going to
24 recess for the evening.
25 MS. LINK: Thank you, Your Honor.