

PUBLIC SERVICE COMMISSION

OF WEST VIRGINIA

CHARLESTON

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PATH WEST VIRGINIA TRANSMISSION \* 09-0770-E-CN  
COMPANY, LLC; PATH ALLEGHENY \*  
TRANSMISSION COMPANY, LLC; \*  
PATH-WV LAND ACQUISITION \*  
COMPANY; and PATH-ALLEGHENY \*  
LAND ACQUISITION COMPANY \*

\* \* \* \* \*

HEARING TRANSCRIPT

BEFORE: MICHAEL A. ALBERT, Chairman  
JON MCKINNEY, Commissioner  
EDWARD H. STAATS, Commissioner

HEARING: September 28, 2009  
12:30 p.m.

LOCATION: Days Hotel & Conference Center in Flatwoods  
2000 Sutton Lane  
I-79, Exit 67  
Sutton WV 26601

Reporter: Michael Mundy

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CHAIRMAN ALBERT:

Good afternoon. My name is Mike Albert, and I'm Chairman of the Public Service Commission. With me on my left is Ed Staats, one of the Commissioners of the Public Service Commission. And on my right is Jon McKinney, the other Commissioner of the Public Service Commission. We are here for a public comment hearing in Case Number 09-0770-E-CN, which is captioned PATH West Virginia Transmission Company, LLC; PATH Allegheny Transmission company, LLC; PATH West Virginia Land Acquisition Company; and PATH Allegheny Land Acquisition Company.

The purpose of this hearing is to take public comment and to hear from individuals who are not parties of the case. The Applicant's filed this case on May 15th of 2009. And the Applicants filed a joint application, seeking what is called a Certificate of Public Convenience and Necessity for Commission approval and certification to construct approximately 225 miles of 760 kV electric transmission line and related facilities, starting in the Putnam and Kanawha County areas of West Virginia and running basically northeast up through the eastern part of West Virginia.

1           There is a lot of discovery going on in  
2 that case. There's a lot of evidence being prepared to  
3 be filed. And there will be extensive evidentiary  
4 hearings in that case, currently scheduled for about two  
5 full weeks down in Charleston.

6           As I indicated, the purpose of the  
7 hearing today is to hear from you, as protestants. The  
8 parties to the case are the Applicants, the Commission  
9 Staff, the Consumer Advocate Division, and all those  
10 other persons who may have been granted intervenor status  
11 by our earlier orders.

12           The intervenors and the other parties  
13 to the case have certain rights and duties that they are  
14 afforded by our rules and by state statute and by our  
15 prior Commission precedent that allow them to participate  
16 in the case. They have the opportunity to present their  
17 positions to the Commission through Direct and rebuttal  
18 testimony, through opening statements and briefs. That's  
19 why they're not --- because of that opportunity, they are  
20 not being invited to speak today. This is not for  
21 parties in the case. This is for the protestants and  
22 public. We want to hear from the public generally about  
23 their reactions to the project and their concerns.  
24 Obviously, the intervenors are free to attend this  
25 meeting. It's a public meeting. They're free to attend,

1 hear what's going on, hear comments and concerns  
2 expressed by the citizenry, but as I said, they're not  
3 entitled to speak today. We don't do that because they  
4 don't have an opportunity to do it. As I said, they'll  
5 get an opportunity before other hearings. The  
6 restriction we put in place is so that we can spend our  
7 time listening to you, to your comments.

8           This is --- doesn't look like a  
9 courtroom, doesn't sound like a courtroom, but when we're  
10 in session, for our intents and purposes, this is our  
11 courtroom. When we're in hearings, we're acting in  
12 governmental quasi judicial capacity, and we like to have  
13 the hearings conducted in accordance with that --- the  
14 tenor of that function. We expect --- and we have had no  
15 problems, and we don't think this is going to be any  
16 different. We've had three hearings so far. We started  
17 out at the eastern Panhandle. We had hearings at  
18 Shepherd University on Monday of last week. That lasted  
19 for a day-and-a-half. We had three different hearings.  
20 We're having two here, one today and one this --- one  
21 this afternoon and one this evening.

22           Some procedural matters. As you can  
23 see, we have a recording being made of this hearing. The  
24 young man with the steno mask over his face, has a very  
25 difficult job. He is --- his job is to take down

1 everything that's said. He basically listens to what is  
2 said and repeats it into that steno mask, and then it's  
3 transcribed and recorded, and then a transcript is made  
4 of it. Obviously, he is required to repeat what is said,  
5 and he also tries to identify the person that's saying  
6 it. So in that regard, he can only do one person at a  
7 time. So you'll understand that it doesn't lend itself  
8 to audience participation. It's difficult enough for him  
9 to follow everything that's going on, but we do ask that  
10 only one person speak and only one at a time.

11           As I indicated, this is not a  
12 proceeding in which we expect applause, cheering, booing  
13 or other comments. We are here to hear you and we're  
14 here to make a record, and we expect cooperation in that  
15 regard. And we've not had any problems at all, and I  
16 don't expect any here. But again, if more than one  
17 person is speaking or if there's sustained applause or  
18 sustained cheering or jeering, either one, then we don't  
19 get a very good record.

20           Because of the fairly significant  
21 number of attendees at the hearing relative to the time  
22 available, we're going to ask that you limit your  
23 presentation to about four or five minutes. Now, that  
24 seems relatively short, and I know that the interest that  
25 you have of this, but that's enough time to allow you to

1 express your concerns and to allow us to get the  
2 opportunity to hear from as many people as possible.  
3 We're not going to have a sign-up sheet. We'll simply do  
4 it by people raising their hands and being recognized,  
5 who you are, and come up to the podium and state your ---  
6 please start by stating your name, and spell your last  
7 name for us. It helps us keep the record straight. It  
8 certainly helps the court reporter to do that. If you  
9 want to speak, you will be permitted to do so. We will  
10 stay and we will hear as many of you as care to speak.  
11 We do ask that there not be, gee, I meant to say this as  
12 well. We're going to ask you to come up, say your piece  
13 and then not come back again. Otherwise, it just tends  
14 to go on and on and on. And we're not trying to cut  
15 anybody off, but we are trying to get a reasonable fix of  
16 time for everybody here.

17                   Before we start taking public comment,  
18 I will ask that our Staff and the Consumer Advocate  
19 Division and the Counsel for the Applicants to note the  
20 appearance of their parties. We might ask the Staff to  
21 give us a brief description of what it is they do.  
22 Likewise, I'll ask the Consumer Advocate Division or  
23 Counsel for the Consumer Advocate Division to do the same  
24 thing. And we'll have Counsel for the Applicants to  
25 identify himself, and then we'll begin with our public

1 comments. So Staff, do you want to identify yourself?

2 ATTORNEY HOWARD:

3 I do.

4 CHAIRMAN ALBERT:

5 Please.

6 ATTORNEY HOWARD:

7 Christopher L. Howard. I am the Staff  
8 attorney for the Public Service Commission Staff of West  
9 Virginia. I've previously given my contact information  
10 to the court reporter.

11 Staff's purpose of the hearing from the  
12 Commission is we give --- we do our own investigation,  
13 get our own experts. Wayne Perdue, Engineering Division,  
14 is here with me. He's conducting his own investigation  
15 of the Applicant's process. We do our own discovery,  
16 conduct our own information, have our own witnesses. We  
17 will proceed in the hearing just like any other party  
18 will in terms of the part of the Applicant, and we will  
19 make a nonbinding recommendation to the Commission.  
20 We'll present witnesses at the hearing that's coming up  
21 in February, we'll present evidence at the hearing, and  
22 we will provide that to the Commission for their review  
23 as well, to give them another position on the matter.

24 CHAIRMAN ALBERT:

25 Thank you, Mr. Howard. Mr. Sade?

1                   ATTORNEY SADE:

2                   Thank you, Mr. Chairman. If you don't  
3 mind, you know who I am and what I do.

4                   CHAIRMAN ALBERT:

5                   I do, indeed.

6                   ATTORNEY SADE:

7                   My name is David A. Sade. I am the  
8 attorney for the Consumer Advocate Division of the Public  
9 Service Commission. We were created by the legislature  
10 as an independent, separate division of the Public  
11 Service Commission to represent the interests as a whole  
12 of residential ratepayers. And we are participating in  
13 this process, as is the Staff, and will continue to  
14 participate in it up --- through its completion.

15                   Our main purpose for being here today,  
16 as far as you all might be concerned, is that we will  
17 stay afterwards and answer any questions that you might  
18 have about the routing of the lines, the proposed lines,  
19 and how the process works, if you have any questions  
20 about how the actual process of presenting the evidence  
21 and the testimony at the hearing and all of that. So if  
22 you have any questions and want to approach one of us  
23 afterwards, we'll be around to answer questions.

24                   With me today is the Director of the  
25 Consumer Advocate Division, Byron Harris, who will really

1 be the guy answering all the questions when we're done.  
2 But we'll hang around as long as you like us to. Thank  
3 you.

4 CHAIRMAN ALBERT:

5 Thank you, sir. Mr. Callas?

6 ATTORNEY CALLAS:

7 Thank you, Your Honor. My name is  
8 Chris Callas. I'm from the law firm of Jackson Kelly in  
9 Charleston. With me today is Randall Palmer of Allegheny  
10 Energy's Legal Department. The two of us appear today on  
11 behalf of the Applicants, and we have assisted in the  
12 filing and prosecution of the Certificate Application  
13 that you mentioned earlier.

14 CHAIRMAN ALBERT:

15 Thank you, sir. All right. Let me ask  
16 you one favor before we start and that is if you have a  
17 pager or a cell phone, please either put it on vibrate or  
18 turn it off. And if you need to take a message or you  
19 need to make a phone call, please excuse yourself and go  
20 outside. I know we'll probably have some --- it's  
21 difficult to do without them, but please don't do it in  
22 the hearing.

23 All right. And with that, we will be  
24 asking for anybody that wants to speak to step forward.  
25 Yes, sir.

1                   AUDIENCE MEMBER:

2                   I have two questions, Mr. Albert. One  
3 is, is it possible for any of us here to also be able to  
4 access on the internet a transcript of the recordings  
5 that have taken place here today?

6                   CHAIRMAN ALBERT:

7                   Yes. In answer to your question, the  
8 transcripts of our proceedings are posted on our website,  
9 and you can access them.

10                  AUDIENCE MEMBER:

11                  Okay. Thank you. And other than that,  
12 with the number of people here, are you going to give us  
13 a break somewhere during this before you go on to the  
14 second part?

15                  CHAIRMAN ALBERT:

16                  Well, in the olden days I would have  
17 said, let's just plow on. But with advancing age, I need  
18 breaks, too. So yes, we'll take a break. All right.

19                  Does anybody want to start the process?  
20 Right here. This is informal. I'll point. And I know  
21 it's not nice to point, but it works out fairly well, as  
22 you'll see as we go forward. State your name.

23                  MS. BINDER:

24                  My name is Jude Binder. I'm an artist.

25                  CHAIRMAN ALBERT:

1 Spell your last name, please.

2 MS. BINDER:

3 Excuse me. B-I-N-D-E-R, Binder. I'm a  
4 teacher and artist and cofounder of Heartwood in the  
5 Hills, a school for the arts in rural Calhoun County,  
6 West Virginia. Our school is currently in its 28th year.  
7 As a resident of Calhoun County, as a citizen of West  
8 Virginia, the United States of America and of the world,  
9 I am opposed to the PATH. My opposition emerges from my  
10 hopes for the future, the world that we will leave for  
11 our children, our grandchildren and all of the world's  
12 children.

13 At a time when people all over the  
14 world are beginning to recognize the dangers of fossil  
15 fueled energy consumption, it goes beyond all reason to  
16 be contemplating cementing our future further into the  
17 same old ways of procuring energy. It's time for new  
18 thinking and new ways of doing things. The PATH line is  
19 a matter of greed versus the common good. This is an old  
20 battle, a story centuries old, that should cause all  
21 caring and thinking people, including our public  
22 servants, to pause and consider purposefully the  
23 repercussions of public utilities projects. Where is the  
24 necessity for this project? On July 31st, 2008 George C.  
25 Loehr said in a statement to the Senate Energy and

1 Natural Resources Committee, quote, more transmission can  
2 actually degrade reliability if it is used to accommodate  
3 higher power transfers over long distances, end quote.

4 Mr. Loehr is an engineer with more than 45 years of  
5 experience in the electric power industry.

6           The PATH would create serious problems  
7 for all of the people whose misfortune it will be to own  
8 land on or near the line. Can any one truly ignore the  
9 personal tragedy and sorrow of landowners who are forced  
10 through the powers of eminent domain to relinquish their  
11 land, their home place? Can anyone honestly deny that  
12 there are profound risks to the health and security of  
13 those who live near high voltage power lines? Who will  
14 speak out for and protect the lives of these people? The  
15 citizens of West Virginia have paid and paid for  
16 generations for the wealth and comfort of others, and now  
17 we're being told that we must pay financially, personally  
18 and socially for a project that will not benefit us but  
19 which will provide coal-fired electricity to the east  
20 coast. This is planned despite the fact that on May 4th,  
21 2009, the governors of Massachusetts, Rhode Island,  
22 Delaware, Maine, Maryland, New Hampshire, New Jersey, New  
23 York, Vermont and Virginia wrote in a letter to Senate  
24 Majority Leader Harry Reid, Minority Leader Mitch  
25 McConnel, U.S. House of Representatives Speaker Nancy

1 Pelosi and Minority Leader of the House John Boehner,  
2 quote, we must express our concern about the significant  
3 risks posed by recent proposals regarding transmission  
4 that we believe would jeopardize our states' efforts to  
5 develop wind resources and inject federal jurisdiction  
6 into an area traditionally handled by states and regions.  
7 Will plans for this ill advised, potentially dangerous  
8 and socially unjustified project proceed? Not without a  
9 fight. And I have a copy of my statement.

10 CHAIRMAN ALBERT:

11 That would be fine. Any of you that  
12 have copies can give them to our clerk, Joe Walker. And  
13 thank you for your comments, Ms. Binder. All right.  
14 Yes, ma'am.

15 MS. WEBB:

16 My name is Paris Webb, W-E-B-B. I am  
17 representing myself and my brother, David Webb, who own  
18 property in Braxton County. Having reviewed the  
19 documents and researched the project, all the details, my  
20 brother and I would like to enter our opposition to these  
21 lines crossing our property for the following reasons.  
22 One, it is possible that a portion of our farm will be  
23 ceased by eminent domain, not only for the towers and  
24 clearance but also for access roads to the towers, thus  
25 decreasing our usable acreage.

1           Two, we have a natural gas line that runs across  
2 most of our bottom land, which already curtail building  
3 any structures such as homes. We also have one that runs  
4 across the north upper corner. The addition of this line  
5 requiring 200 feet of clearance is set to take up the  
6 remaining flat areas at the top of our property such as  
7 under consideration as future building sites.

8           Three, the proposed lines pose a health hazard  
9 to us and future generations of our family for several  
10 reasons. A, we currently have a residence on the valley  
11 floor of our property with two excellent and regularly  
12 used sources of clean drinking water, a spring and well,  
13 which would be threatened by the runoff of defoliants the  
14 company plans to spray at the top of our property to keep  
15 the line path clear.

16           B, in addition, this runoff could get into the  
17 streams that we use to water future consumable livestock.

18           C, the EMF emissions from these lines pose a  
19 danger to nearby human inhabitants. For more information  
20 please see The Multitude and Diversity of Environmental  
21 Carcinogens by D. Belpomme, et al., Environmental  
22 Research, Volume 105, Issue 3, November 2007, pages 414  
23 to 429.

24           D, according to the PATH Project website and  
25 folder we received, it is acknowledged that the lines pop

1 and hiss and can cause interference to electrical  
2 equipment in one's home and can interfere with radio and  
3 TV transmissions, even pacemakers. This is not  
4 acceptable. First, this would lower the quality of the  
5 transmissions we choose to receive, but more importantly,  
6 can pose a health hazard to two of our family members who  
7 wear pacemakers.

8           E, one of the reasons we value our property so  
9 highly is the pollution-free environment it affords us.  
10 We have clean air, clean water, no toxic chemical or air  
11 pollution to contend with. Noise pollution and  
12 high-powered electrical transmissions to which I'm  
13 personally sensitive are currently not existent here.  
14 PATH will destroy this. The proposed lines damage our  
15 families financially.

16           A, in addition to a replacement dwelling, our  
17 future plans include possible sales of products produced  
18 on our land as part of our retirement income. We cannot  
19 produce these products if our land and water are polluted  
20 by the defoliants used to keep the line path clear.

21           B, the proposed line path will also necessitate  
22 the clearance of timber on our property which will divest  
23 us of the profit from current planned growth, future  
24 replanting and sales or use for future building projects.

25           And C, in the end, PATH, if we cannot live on

1 our property or use it for production, it would even  
2 devalue our property by lowering its salability and also  
3 the possible asking price.

4 Five, there is not a desired benefit to us or  
5 our property. Our property, even as that of our  
6 neighbors, will not be improved, nor will we benefit by  
7 the energy being carried by these lines. Our future  
8 replacement dwelling was being planned for natural gas  
9 for heating and cooking purposes and possibly solar  
10 energy as our method of electrical power. Further, if  
11 the current administration's proposal of Cap & Trade is  
12 passed, we would likely not be able to afford the  
13 electrical services to which we already subscribe.

14 Six, we believe also that PATH is detrimental to  
15 the future of West Virginia and its citizens. A, first,  
16 according to page 14 of the companies' Joint Application  
17 for Certificate of Convenience entered by the PSCWV on  
18 May 15th, 2009, quote, the electrical rates for all West  
19 Virginia electric customers are likely to be affected by  
20 the PATH Project. The timing and amount of these impacts  
21 will vary depending on the percentage of the revenue  
22 requirements associated with the construction and  
23 operation of the facilities.

24 B, completion of this project actually stands to  
25 make energy less affordable to West Virginians who will

1 pay the additional price in the loss of things West  
2 Virginian, the things we are noted for, the things people  
3 come here and stay here for, clean air, water and land,  
4 beautiful vistas, quiet rural life, peaceful retirement  
5 to properties full of generations of memories. West  
6 Virginians are being asked to give up all of that and pay  
7 higher prices for energy produced by their own coals so  
8 that companies can buy electricity in other states who  
9 did not bother to prepare for their own energy needs or  
10 didn't want the industry they needed to sustain them in  
11 their backyards.

12 C, historically, businesses and industries came  
13 to West Virginia for the energy that our water, coal and  
14 natural gas provided. Adding PATH to the grid allows  
15 that energy to be shipped out of state. In the long run,  
16 not allowing PATH is better for the future of West  
17 Virginia in attracting new businesses and industries and  
18 jobs than permitting it.

19 Seven, further, while we believe it is crucial  
20 for the United States to have a stable and reliable  
21 electrical supply system, we do not believe that PATH  
22 will contribute positively to that. We believe, to quote  
23 electrical engineer George C. Loehr, who has more than 45  
24 years of experience in the electrical power industry,  
25 that this project will, quote, subsidize remote

1 generators, discriminate against local and distributed  
2 generation and demand side resources, force many  
3 customers to pay for someone else's benefits, increase  
4 the likelihood of blackouts, and make our grids more  
5 vulnerable to terrorist attack. This is his testimony at  
6 the Hearings of the Senate Energy and Natural Resources  
7 Committee, July 31st, 2008.

8           Eight, we are completely patriotic, and if we  
9 believed this line would in some way safeguard the  
10 defense and preservation of the United States, we would  
11 be supportive. But it does neither. This project is  
12 based mostly on profit, not need, at least not locally,  
13 and there are alternatives for those areas out of state  
14 that have additional power needs.

15           Nine, although it is not so popular among some  
16 of these days, we still believe in the Bill of Rights,  
17 which states that any citizen of the United States should  
18 not be deprived of life, liberty or property without due  
19 process of law, nor shall his private property be taken  
20 for public use without just compensation. We pay our  
21 taxes. We have committed no crimes. And as there is not  
22 a national defense need, there could be no compensation  
23 we would deem just under these circumstances.

24           Property owners in the United States should be  
25 able to count on the security of their private property,

1 for, as stated by John Adams in 1776, quote, the moment  
2 the idea is admitted into society that property is not as  
3 sacred as the laws of God and that there is not a force  
4 of law and public justice to protect it, anarchy and  
5 tyranny commence. This is from The Works of John Adams,  
6 The Founders Constitution.

7           The property being affected has been in our  
8 family for over 100 years. It was acquired a parcel at a  
9 time by our great grandfathers during the latter 19th and  
10 early 20th centuries and has been valued and cared for to  
11 the present 21st Century. We do not take the loss of a  
12 single acre of this property lightly. My brother and I,  
13 as recently as 2005, invested a substantial amount of our  
14 time and money to secure its retention for our family,  
15 our current needs and future retirements. Based on this  
16 and the numbered items listed above, we are respectfully  
17 requesting the Commission please deny the application for  
18 a Certificate of Convenience and Necessity filed by PATH  
19 West Virginia Transmission Company; PATH Allegheny  
20 Transmission Company; PATH-WV Land Acquisition Company  
21 and PATH-Allegheny Land Acquisition Company. Thank you  
22 very much.

23                           CHAIRMAN ALBERT:

24                           Thank you, Ms. Webb. I know that  
25 people feel strongly about this. As I said, we want to

1 give you as much time as we can, but if you have prepared  
2 remarks and they run on for a bit, we would ask that you  
3 try to summarize them and then just give us copies of the  
4 remarks. We're not going to try to cut anybody off.  
5 Your comments, Ms. Webb, if you have a written version of  
6 it, it might be helpful to give it to the court reporter  
7 because you have a soft voice and you weren't very close  
8 to the microphone.

9 MS. WEBB:

10 I will send a hard copy to the  
11 Commission.

12 CHAIRMAN ALBERT:

13 All right. Thank you. Who's next?  
14 The gentleman back here.

15 MR. HUTCHESON:

16 My name is Larry Hutcheson,  
17 H-U-T-C-H-E-S-O-N. I'm not a person who normally keeps  
18 up with issues involved in electrical power generation.

19 CHAIRMAN ALBERT:

20 Mr. Hutcheson, I see people going like  
21 that. Can you pull the microphone a little closer to  
22 you?

23 MR. HUTCHESON:

24 Sure.

25 CHAIRMAN ALBERT:

1                   That's better.

2                   MR. HUTCHESON:

3                   Is that all right?

4                   CHAIRMAN ALBERT:

5                   That's much better.

6                   MR. HUTCHESON:

7                   So just a couple weeks ago, when the  
8 schedule about this meeting appeared in the paper, I  
9 decided to bone up. I had a few, you know, heartfelt  
10 comments, I thought I should at least try to familiarize  
11 myself with some of the issues. And I admit to a certain  
12 bias against a project that's going to displace so many  
13 people and reduce the property values of so many more,  
14 all to send electricity to other states and finding some  
15 way to make us pay for it. But what I found out is this.  
16 PJM has based its justification I think primarily on the  
17 question of reliability of the northeast grid. And  
18 perhaps the best example of its use for this reliability  
19 was the blackout that occurred in 2003. I'm going to  
20 read a quote that I got off the web from the  
21 Congressional Research Service Report. And my apologies  
22 if I'm boring people. You guys have probably heard all  
23 this stuff before. The 2003 blackout was not caused by  
24 utilities having built too few transmission lines or  
25 because power line towers and substations were falling

1 apart. The blackout was apparently due to such factors  
2 as malfunction, if not obsolete computer monitoring  
3 systems, human errors that compounded the equipment  
4 failures, miscalibrated automatic protection systems on  
5 power plants and FirstEnergy's failure to adequately trim  
6 trees. The author of that report also said, depending on  
7 the case, building new transmission lines is not the only  
8 or best approach to enhancing power system reliability.  
9 In some instances, investments in new monitoring and  
10 control technology may be the better solution.

11 Blackouts are caused by small events that spread  
12 rapidly. The problem in the northeast seems to have been  
13 the problem with the interconnectedness of the grid up  
14 there. West Virginia's lights never flickered. But if  
15 we build PATH, we will be connected to that grid. And if  
16 there should be some future blackout based on inadequate  
17 or malfunctioning control systems, then we may be part of  
18 a blackout the next time.

19 Their justification is also based on figures  
20 protecting peak demand. This peak demand they have used  
21 apparently has already started reducing because of some  
22 alternative efforts being put into place by other states,  
23 such as small natural gas plants that can be brought up  
24 rapidly as electrical demand increases and then shut  
25 down. They're not like coal-fired plants that have to

1 stay in full force all the time. Also, there's the  
2 demand-side management, which I'm sure you gentlemen are  
3 very well aware of, that's being put into place more and  
4 more all the time. It's already over the peaks down  
5 below what the predictions were for PJM for this project,  
6 as I understand it, and then shows the fallacy of the  
7 projections that have been used. These things also cost  
8 relatively little, especially demand-side management  
9 apparently. I have this quote that I wrote down from the  
10 web. We now have electrical power generating  
11 technologies that allow us to create a safer, less  
12 polluting, more reliable electric grid based on local  
13 diversified generating plants. Many of these new  
14 technologies are well adapted to producing peak load  
15 power, exactly what the PJM engineers say is causing the  
16 problem in their grid management. Building large  
17 coal-fired plants far from customers and shipping coal  
18 hundreds of miles is an inherently insecure and  
19 unreliable system. The bigger the transmission system,  
20 the greater the potential for power instability on the  
21 grid and the more difficult it is to bring the system up  
22 after system failures. The 2003 blackout in the  
23 northeast was caused more by the interconnectedness of  
24 the massive transmission grid than it was by any  
25 technical failures in transmission lines. More and

1 bigger lines will only make things worse. A truly secure  
2 system would include many different kinds of generating  
3 sources that in many cases overlap and provide  
4 redundancy. These generators would also be very small in  
5 scale so they could be located close to population  
6 centers where power demand is high. This reliability  
7 modeling that provides the predictions that justification  
8 for PATH has apparently been based on has certain  
9 assumptions, quite a few assumptions apparently. We  
10 don't know what they are because PJM has refused to tell  
11 us what they are.

12 Another quote that I have that pertains to this  
13 sort of stuff, this one is from Mr. Robert Driscoll, an  
14 Atlantic CEO, what he had to say in 2007 about PJM's  
15 assumptions used to justify PATH. He calls PATH the AK  
16 project.

17 Lastly, the transmission line models used by PJM  
18 staff for determining the need for the AK project by 2012  
19 are highly sensitive to protective generation  
20 requirements and additions. PJM's Staff, however, has  
21 not released the assumptions used in the model, so there  
22 is no way for market participants to test the validity of  
23 the results. In addition, PJM's staff failed to follow  
24 their own guidelines by not evaluating in the  
25 transmission line loading models generation additions

1 with proposed inservice dates that are prior to 2012.  
2 Thus, the AK project may not be needed by 2012. In fact,  
3 Mr. Driscoll was more accurate than PJM's managers in  
4 2006. Experience in 2007 and 2008 showed clearly that  
5 PJM's original PATH start date of June 2012 was just  
6 wrong. The real world proved that the assumptions that  
7 went into PJM's black box, which is where these  
8 assumptions are kept they say, were not very accurate.

9           Also, I have this quote pertaining to the Public  
10 Service Commission and you all's review of Trail. In the  
11 Trail case, the West Virginia Public Service Commission  
12 was distinctly uninterested in looking into PJM's black  
13 box. While the PSC refused to accept expert testimony  
14 from intervenors' witnesses about how bad PJM's  
15 assumptions were, particularly about the impact of DSM  
16 and new generation capacity, the PSC, it says here,  
17 bought all of PJM's faulty assumptions about those  
18 impacts. PJM only does transmission. PJM has no control  
19 over the speed of implementation of DSM or new generation  
20 on the east coast. Those alternatives are up to  
21 regulators. So far those regulators included in the West  
22 Virginia PSC have failed to take responsibility for  
23 developing real alternatives to building bigger and  
24 bigger power lines that do little or nothing to solve our  
25 larger electrical grid problems.

1           A couple of quick points of mine, then I'm done.  
2 And I may have gone over five minutes, and I apologize,  
3 but ---.

4                           CHAIRMAN ALBERT:

5                           I understand.

6                           MR. HUTCHESON:

7                           It appears from my look at stuff and  
8 from talking to a couple of people right quick that PJM  
9 and Allegheny Power and the American Electric Power have  
10 a number of faults in their justification for this line.  
11 And I think that opinion, that impression is supported by  
12 Allegheny Electric Power's outright lying about the blue  
13 fallings in the Kanawha Valley and the fact that they've  
14 been lying about the amount of emissions they've been  
15 putting out of that John Amos plant, which is where this  
16 line is supposed to start. So that, with all due  
17 respect, gentlemen, I think you cannot believe what these  
18 people are telling you about this project.

19                           Before I came in here, on my way in  
20 here, I actually had a few words with a gentleman who  
21 represents the construction trades who is in favor of the  
22 project and wants to see construction jobs created. I  
23 can well understand that. Our son-in-law is an oil  
24 rigger, works for a very large company. In this  
25 particular instance, I fail to see how the jobs that

1 would be created balance against the people who will be  
2 displaced and the people whose property will be reduced  
3 in value so that there is no, probably could easily end  
4 up being negative economic benefit to West Virginians.  
5 And I appreciate the opportunity to make these remarks.

6 CHAIRMAN ALBERT:

7 Thank you, Mr. Hutcheson. Next  
8 speaker? Yes, ma'am?

9 MS. GROSS:

10 Diane Gross, G-R-O-S-S. I haven't done  
11 the research that the previous speakers have done. My  
12 opposition is more emotional than anything. I live in  
13 Sutton. We have property on Curry Ridge. Somewhere  
14 between here and there, I'm going to have to look at  
15 this. And I'll look at it, but it's of no benefit to  
16 West Virginia. My feeling is if we need electricity on  
17 the east coast, build them a plant on the east coast.

18 West Virginia has a history of other  
19 people getting the benefit of our resources. And I think  
20 by this time in history we should put a stop to it and  
21 keep West Virginia for West Virginians.

22 There's environmental concerns.  
23 There's health concerns. I don't always believe, like  
24 the statements put out, that something is perfectly  
25 healthy, perfectly safe, because our government's track

1 record, our businesses' track records aren't exactly  
2 stellar on that point. I'm concerned about our property  
3 values and our kids' future, and I just think West  
4 Virginia would be better off without this. Thank you  
5 very much.

6 CHAIRMAN ALBERT:

7 Thank you. Next speaker? Yes, ma'am?

8 MS. ROMRIELL:

9 My name is Donna Romriell. That's  
10 R-O-M-R-I-E-L-L. I originally came here because I was  
11 going to speak on behalf of my brother, Kenneth Seel  
12 (phonetic). But since you said that somebody who has  
13 already done intervention, that they don't have a right  
14 to speak today, so I will just speak for myself and make  
15 it personal, like that lady did.

16 This land that my brother owns is over  
17 on Venison Run, and it's between Exchange and Red Bull.  
18 It's a very pristine area. There isn't even a road that  
19 is fit to drive on to get up to our house. I have rights  
20 to the old home place that is there, so I and my  
21 daughter, who is autistic, we came there, to that house,  
22 because we wanted peace and quiet and privacy. And this  
23 line --- I have a piece of paper here from the computer  
24 that shows that this line is going to be like about a  
25 thousand feet, not actually from the house but from the

1 barn, and the barn really is very close to the house.  
2 And it is just such an invasion of privacy, and I am very  
3 much against this. I will be able to hear all the  
4 popping and cracking and all that from it. And I'm even  
5 wondering how they can even get up there because there's  
6 no access. I mean, we don't even have a bridge that goes  
7 across Cedar Creek. How the heavy equipment person is  
8 going to be able to take a vehicle, I'm very curious.  
9 You know, are they going to build bridges? Are they  
10 going to build a nice road? How are they even going to  
11 get up there? And this line will go the entire length  
12 of my brother's property, which consists of about 40  
13 acres on the backside there. And I'm concerned that  
14 they're even going to have to take some of the meadows in  
15 front for the hay for our horses and so on and so forth.  
16 So I'm very much concerned about this. It's just way too  
17 close to the house. And I, too, feel that why should we  
18 do something like this and just tear up everybody's land?  
19 Because I know they'll have to tear up everything just to  
20 make roads to access to where they're even going to put  
21 the line through. And our water source comes from up  
22 there on that hill, ours and the neighbors'. And what is  
23 it going to do to that? What's it going to do to all  
24 those beautiful deer and raccoons and all the animals  
25 that are running around everywhere? So I'm just very

1 much concerned about it, and I just hate to even think  
2 about what it's going to be like up there if this thing  
3 actually comes through. I suppose that's all I have to  
4 say.

5 CHAIRMAN ALBERT:

6 Thank you. Appreciate your comments.

7 MR. ALBERT BLY:

8 My name is Albert Bly, B-L-Y. I  
9 represent the construction industry here in West  
10 Virginia, operating engineers. I spoke to Mr. Hutcheson  
11 before the meeting. As he clearly stated, I support this  
12 project for the jobs that it could create.

13 CHAIRMAN ALBERT:

14 Are you part of the Building and  
15 Construction Trades Council?

16 MR. ALBERT BLY:

17 No. I'm just a business representative  
18 of the operators, operating engineers.

19 COMMISSIONER STAATS:

20 Are the operating engineers a member of  
21 the Building and Construction Trades Council?

22 MR. ALBERT BLY:

23 Yes.

24 CHAIRMAN ALBERT:

25 Well, we've had questions raised about

1 --- the Building and Construction Trades is, in fact, a  
2 party to the proceeding and is represented by Mr.  
3 Trivelli, so we're not going to allow labor to make  
4 further statement beyond that. I mean, they are in this  
5 proceeding and will be participating fully in the  
6 hearings in Charleston.

7 MR. ALBERT BLY:

8 So I'm unable to give my support here?

9 CHAIRMAN ALBERT:

10 You can --- unless you have a personal  
11 position with respect to ownership of the land or  
12 something like that, that would be fine. But just in  
13 terms of your position with respect to favoring  
14 construction because it would favor the labor folks, we  
15 have a problem with that. That group is already in as a  
16 recognized party to the proceeding. And what we are  
17 trying to get are the comments of people who are  
18 otherwise interested but who are not intervening.

19 MR. ALBERT BLY:

20 Well, I also live here in central West  
21 Virginia and have worked in power plants, wind mills,  
22 hydro plants and so on that I feel this project can help,  
23 and I'm also --- you know, I don't feel like I should  
24 be ---.

25 CHAIRMAN ALBERT:

1           Sir, I appreciate your position, and  
2 I'm not going to argue with you about it. I mean, we've  
3 discussed it, and our feeling is that if you're a member  
4 of the Trades Council or your union is a member of the  
5 Trades Council, that, in fact, you're represented in our  
6 proceeding and that this is not a public comment at which  
7 your comments are going to be taken.

8           MR. ALBERT BLY:

9           Well, I strongly disagree with you.

10          CHAIRMAN ALBERT:

11          That's fine.

12          MR. ALBERT BLY:

13                I don't agree at all with being stymied  
14 here. I feel like I should be able to voice my support.

15          CHAIRMAN ALBERT:

16          Well, you already have, actually.

17          MR. ALBERT BLY:

18          I mean, on various levels.

19          CHAIRMAN ALBERT:

20                Thank you, sir. All right. Other  
21 comments? Yes, sir?

22          MR. PIERSON:

23                Good afternoon, sir. My name is Bob  
24 Pierson, that's P-I-E-R-S-O-N, and I'm a licensed  
25 engineer in Maryland and the State of West Virginia and

1 other states. And I have a couple of questions because I  
2 really don't understand, one, why they're taking some of  
3 the actions they're taking, and two, what is the  
4 rationale for your decisions?

5           And as was mentioned earlier today, I  
6 think it was Mr. Hutcheson, there seems to be a standard  
7 in the State of West Virginia for applications of this  
8 sort, which based on my experience, and I've worked  
9 probably 30 years in nuclear power transmission, electric  
10 grids, there seems to be a standard that is less than  
11 what other states would accept or what other states would  
12 demand for an application of a similar sort of process.  
13 I mentioned specifically here the acceptance, at least as  
14 far as I know, or perhaps you have information available  
15 to you which hasn't been available to the public, because  
16 my only access is through the web, and that's the  
17 assumption that the Applicant is making for some of the  
18 intervenors --- to lead to some of the conclusions that  
19 they're making in justifying the need for this facility.  
20 I've run calculations on the assumptions and I've run  
21 calculations on the need, and quite frankly, I don't come  
22 to the same conclusions that they do. Perhaps I'm  
23 putting realistic assumptions in place instead of worst-  
24 case assumptions they might be applying just to  
25 demonstrate that need. And I think this is illustrated

1 by the recent decision in the State of Maryland, where  
2 I'm also a licensed engineer, where they refused ---  
3 their Public Service Commission recently refused to grant  
4 this company permission to build the line through the  
5 State of Maryland. So what we're faced with here in West  
6 Virginia is we're literally building or conceivably  
7 building a line to nowhere. And I would just ask that in  
8 your position as the Public Service Commission that you  
9 would ask the Applicant to make available the underlying  
10 assumptions for how they're coming to the conclusions  
11 that they're justifying. Because, like I said, as a  
12 licensed engineer, somebody who has spent most of my  
13 professional career working in this area, what they  
14 submitted just doesn't add up to me. So I would be  
15 curious. I don't really have a position for or against  
16 this, but I would like to see the people in the community  
17 have the information they need to make an informed  
18 decision. Thank you very much.

19 CHAIRMAN ALBERT:

20 Thank you, sir. All right. In respect  
21 to the question that was asked earlier, why don't we take  
22 about a five-minute break and then we'll come back.

23 SHORT BREAK TAKEN

24 CHAIRMAN ALBERT:

25 All right. We're back on the record.

1 We had some comments that we heard that people are not  
2 being able to hear what's being said, so again, we would  
3 urge you to get up to the microphone. If you don't hear  
4 yourself over the sound system, then you're not up close  
5 enough to the microphone. You ought to be able to hear  
6 yourself and tell that your voice is being amplified.  
7 And if you can't, then you're probably not speaking  
8 effectively into the microphone. And it does help the  
9 people if you do that. All right. Next speaker?

10                   There was a question raised over the  
11 break by a young lady who wanted to know why we were  
12 doing this. It was an interesting question. It is, in  
13 fact, public comment. There are people who have been  
14 granted specific intervenor status in this case. Those  
15 are people who have filed to be a party to the case. In  
16 a normal proceeding there might be seven or eight  
17 intervenors. In a major proceeding there might be seven  
18 or eight intervenors. In this case, given the nature of  
19 the project that is being built, there's in excess of 240  
20 intervenors. Understand that an intervenor is a full  
21 party to the proceeding, has a right to ask questions,  
22 has a right to put on testimony, has a right to take the  
23 stand, be sworn, and to undergo Cross Examination on the  
24 testimony. Obviously, with 240 people we've have had to  
25 look at the process and we've asked people who are

1 intervenors to attempt to group together and to designate  
2 either an attorney or a spokesperson for that group, and  
3 a lot of that is being done. When we were in the eastern  
4 Panhandle, we met with a lot of people up there who  
5 are --- didn't meet with them, but we were advised that  
6 there are a lot of people who are actually part of groups  
7 who will be appearing at the hearing in Charleston and  
8 questioning the process and questioning the witnesses and  
9 testimony that's being put on. To the extent that we are  
10 here, listening to you, it's an opportunity for us to get  
11 out and not rely solely on what's being presented to us  
12 at the hearing and not rely solely on what we --- gets  
13 found, but to get a sense of the community. When we were  
14 asked why we were doing what we're doing, that's exactly  
15 what we're doing. Now, are we going to count up how many  
16 people speak in favor and how many people oppose it and  
17 sort of do it on the basis of an election? No, that's  
18 not what our statutory charge is. We're required under  
19 the statute to base our decisions on the evidence. But  
20 obviously we're influenced by public opinion and by the  
21 comments that you all make at these hearings. So they  
22 are not a waste of time. We learn a great deal from  
23 people who come up and make statements. But if you feel  
24 like the people who have made their comments ahead of you  
25 have carried your sword, so to speak, then you don't have

1 to feel compelled to come up and speak. You're certainly  
2 welcome to do so. So with that, I hope that's helpful a  
3 little bit in explaining what it is we're doing. All  
4 right. Now, with that, is there anybody else that would  
5 like to make a statement? Yes, sir?

6 MR. MCCOLLEY:

7 My name is Tom McColley. I live in  
8 Calhoun County. And my last name is spelled  
9 M-C-C-O-L-L-E-Y. I'm a citizen of Calhoun County in the  
10 State of West Virginia, a taxpayer. And my comment is  
11 that I would like to ask you, as members of the Public  
12 Service Commission, to think about your children and  
13 grandchildren when you decide to allow or disallow this  
14 ugly scar to go across our beautiful state. I thank you.

15 CHAIRMAN ALBERT:

16 Thank you, sir. Yes, sir?

17 MR. ALAN BLY:

18 Good day. I'm Alan Bly, Alan R. Bly.  
19 I'm here just representing the average working guy. I'm  
20 a retired coal miner, and I'm for jobs for West Virginia.  
21 I'd like to see more coal being burned. It pays my  
22 pension. It pays for my healthcare. I'd like to see  
23 construction work in West Virginia because it's provided  
24 good livings for a lot of people in this room perhaps  
25 that hasn't spoken yet. And I just think that we need to

1 be more proactive toward our trade, our construction,  
2 because it's providing the food that goes on the table  
3 for just about every nonprofessional person in the state,  
4 you know.

5 I've worked my whole life in --- from  
6 road jobs to coal mining and so forth, and it's always  
7 been a complaint about the scars that we've left and so  
8 forth. But you know, we don't live in a perfect world.  
9 And we have people perhaps here today that represents the  
10 Sierra Club that want to have this so-called perfect  
11 world, and I just don't think that we can do that. I  
12 think we need to come to some sort of a compromise on  
13 these things. Now, I understand that if I had land I  
14 might be more concerned about the imprint that it would  
15 leave on my land. But somewhere down the road I think  
16 that we have to come to the conclusion that if we don't  
17 move forward, we're going to be left behind. And I would  
18 just like to think that we're a little bit more  
19 progressive in the State of West Virginia and that we  
20 would want to provide for our people through this  
21 building of the line that's going to create more coal  
22 jobs and more construction work. Thank you.

23 CHAIRMAN ALBERT:

24 Thank you, Mr. Bly. Other comments?  
25 Yes, ma'am?

1                   MS. BEHR:

2                   Good morning. I'm Alice Behr, B-E-H-R.  
3 Blackouts are nothing new to the northeast. I was there  
4 during 1965. I go back a ways. I would suggest that the  
5 northeastern states build coal plants for power and that  
6 West Virginia supply the coal. The line will not benefit  
7 West Virginia at all. People talk about construction  
8 jobs. Those are temporary. Once the line is built, no  
9 more construction. We have to live with it. Tourism is  
10 West Virginia's future, and I think we should take care  
11 of our resources rather than having them depleted. Thank  
12 you.

13                   CHAIRMAN ALBERT:

14                   Thank you, ma'am. Other comments?  
15 Yes, sir?

16                   MR. STOTTS:

17                   Yes, sir. My name is Larry Stotts.  
18 I'm a construction worker. I've been a construction  
19 worker for 35 years.

20                   CHAIRMAN ALBERT:

21                   Will you spell your last name, sir?

22                   MR. STOTTS:

23                   S-T-O-T-T-S. I've worked at the  
24 powerhouses and coal fields and stuff. I've seen the  
25 deep mines and stuff. I think it's a good thing. Strip

1 mines I'm not too happy about. They do destroy. But  
2 once the power lines are built, there's always jobs added  
3 onto that. It's just like everything else. Like I said,  
4 I live in Spencer. I know it's coming through there. I  
5 don't know if it's coming, you know, right through my  
6 land or not, but I appreciate the work. We need the  
7 work. All of West Virginia does. I understand their  
8 problems with, you know, tearing through your land and  
9 stuff. I've had that done with the oil field, gas lines.  
10 It all comes again. But it's got to go. We've got to  
11 have power. We've got to have gas. And I appreciate you  
12 letting me speak.

13 CHAIRMAN ALBERT:

14 Yes, sir. Thank you. Yes, sir?

15 MR. DENNISON:

16 My name is Dale Dennison. I was  
17 born --- bred and born here in Braxton County. Back  
18 in --- my name is Dale Dennison, D-E-N-N-I-S-O-N. I'm  
19 sorry. Back in the '70s we called West Virginia almost  
20 Heaven. Then they built the interstate. Almost Heaven  
21 went down the drain. Now, we have --- everybody is  
22 moving into West Virginia because they're trying to get  
23 away from what they --- on the east coast, up in New  
24 York. I see this every day. I'm a retired boilermaker,  
25 a superintendent for 31 years. I was in New York City

1 during a blackout. I'll have you to know that if my  
2 house was the same as West Virginia, my power would have  
3 been off more than it was in the blackout when I was up  
4 there in New York City, and that's a fact.

5                   Now, also I would like to bring to your  
6 attention we build power plants, Chicago and more. We  
7 build on the west coast, the nuclear power plants in  
8 Atlanta, and I'll have you know we built --- started four  
9 containments. They only picked two of them out because  
10 they paid us after they built it to come back in and to  
11 actually cut them back down. Why did they do this? Did  
12 they have too much power on the east coast? These are  
13 the things I'm asking. Why are we sending power from  
14 here, from West Virginia, to send all the way through  
15 Maryland to the east coast? Why are we doing that? In  
16 New York City, out on Long Island there's a nuclear power  
17 plant there, out there, did you know that, sitting there  
18 dormant. Why don't they start it up? No, sir. They  
19 ain't started it up. They built it. It's there. It's  
20 dormant. We have built so many things over this country  
21 yet you're pumping from here to there. Thomas Edison  
22 Power Plant, I was there. I was the one that put the  
23 stacks up in Thomas Edison. Why don't they --- they  
24 hauled the coal from West Virginia all the way to  
25 Cumberland, Maryland by trucks. They don't want --- I

1 had to send the stack because they don't want the  
2 pollution over there.

3                   We are not a stomping ground for the  
4 east coast. And that's the way I see it. They're using  
5 us, taking advantage of us. Now, the question I have,  
6 why are we doing it? Why are we doing it? I am a  
7 boilermaker. I'm a retired boilermaker. I've worked out  
8 of John Amos. I've worked in all these power plants.  
9 Who do they create jobs for? A handful of six, seven  
10 guys. All politics. If you guys here in Braxton County  
11 think you're going to get a job down there, hello.  
12 Hello. I have two sons who are boilermakers and a  
13 daughter-in-law as a boilermaker. Hello. Why did I have  
14 to go to New York City to work? Hello. Because there  
15 was no work here, because everyone down there in the  
16 union hall has everything sewed up. So where do I go?  
17 I'm an International Transit member. I have to go to  
18 travel. I've traveled all over the country, to Montana.  
19 I've been up to everywhere. I'm telling you, I see and I  
20 know what it is out there, and I can see --- I hope the  
21 Rapture happens before I see it here in the State of West  
22 Virginia.

23                   CHAIRMAN ALBERT:

24                   Thank you, sir. Yes, ma'am.

25                   MS. DENNISON:

1                   Hi. Misty Dennison, D-E-N-N-I-S-O-N.  
2 I'm the boilermaker he was talking about. I'm very much  
3 opposed to the projected path that's going through my  
4 property, over my water source. I know this line can in  
5 no way be safe. I worked at Shinnston power plant. When  
6 I got out of my truck, those lines up there, it makes the  
7 hair stand on your arms. They crack. They sizzle. They  
8 pop. I'm aware of all that. And I'm aware that this is  
9 a much bigger line that will be going through my  
10 property. I already have to look at an abandoned  
11 railroad that runs through my farm that's been in my  
12 family for years. What would happen to this if it didn't  
13 work out in years to come? Is it just going to sit there  
14 once you take my land?

15                   I'm also upset about the way I had to  
16 find out about the PATH. Other than reading the  
17 newspaper, no person came to my door but the surveyor  
18 that wanted me to sign. I felt this was a deceitful way  
19 for me to have to find out that this is going to take my  
20 land. We just built a log home here and hope to reside  
21 here for many years and hope to keep this land that's  
22 been in my family to continue for many years to come. So  
23 you can't tell me that this would not diminish my  
24 property value. I wouldn't buy any property that this  
25 line would be running through.

1                   And I've heard and heard a lot about  
2 jobs being talked here this last little bit. Like I  
3 said, I'm a boilermaker. My husband is a boilermaker.  
4 We've had to travel for years to find work. This line  
5 would only make jobs for a short amount of time. This no  
6 way is going to create jobs for the long term. If that  
7 were the fact, they would have been there a long time  
8 ago. This is not the answer to finding jobs. I know  
9 West Virginians are desperate for jobs, but don't just go  
10 for this PATH because you want a job. You're not going  
11 to --- we're not going to benefit from jobs from this  
12 PATH project. It's not worth our farms and our land that  
13 our families have had for years to come. And I know it's  
14 unhealthy. Thank you.

15                   CHAIRMAN ALBERT:

16                   Thank you, Ms. Dennison. Other  
17 comments? All right. We have a further hearing this  
18 evening at 6:30. If you decide that you want to have  
19 comment at 6:30, we'll be glad to hear you. We  
20 appreciate the comments that you've given us so far,  
21 and --- yes, sir?

22                   MR. MCCORMICK:

23                   I'd like to make my comment, please. I  
24 hadn't planned on it, but ---. My name is Jim McCormick,  
25 M-C-C-O-R-M-I-C-K. And on the jobs issue, I'm retired

1 myself, but I'm fully in favor of union jobs and good  
2 jobs anywhere. But based upon what I've read, there's no  
3 guarantee that these will be union jobs. There's no  
4 guarantee that these jobs will even be filled by West  
5 Virginians, as far as I know. And there's no guarantee  
6 that these people will even speak English. So --- and  
7 one thing we do know is that these are short-term jobs.  
8 So I don't think we should sell out our neighbors and our  
9 community, our state, our environment, so cheaply. I  
10 think we're better than that.

11           And one thing that surprises me about  
12 this whole proposal is how it got this far. It's clearly  
13 flawed. I'm a layman, but it's just common sense. It  
14 doesn't seem like the thing should even have a chance of  
15 flying. I can understand why it's being pushed, because  
16 there's a ton of money to be made by the power company.  
17 They're guaranteed to make money with this proposal, if  
18 it's approved. If they get the ratepayers to pay for the  
19 cost of putting in this line, then they're guaranteed on  
20 top of that a 15 percent profit, guaranteed. And we  
21 don't get --- what benefit do we get out of this? We're  
22 paying for this sucker, and we don't get squat. I mean,  
23 this is crazy. I mean, you would think everybody  
24 involved in the process up to now has been on crack. So  
25 like I said, I hadn't planned on talking when you guys

1 early on said I couldn't use a lot of profanity. I  
2 figured, well, there wasn't a place in this for me  
3 anyway. But I had to say that much anyway, but ---.  
4 Green corporations are the topic of a movie that's coming  
5 out this Friday. You might want to watch it. And I  
6 don't know if Allegheny Power and American Electric Power  
7 are featured in it, but it sounds like they should have  
8 been. So that's all I've got to say.

9 CHAIRMAN ALBERT:

10 All right. Thank you, sir. Yes, sir?

11 MR. SEARS:

12 Thank you. My name is Jennings Sears,  
13 S-E-A-R-S. Just a very brief --- I hadn't planned to  
14 make any comments, but a few popped up. I share that  
15 pristine wilderness that my neighbor --- the Dennisons  
16 and my daughter. And I share that pristine wilderness.  
17 It's been my home for 60 years, a place that I thought I  
18 could retire and most likely die there. But my question  
19 about this line is that we need to consider are there  
20 safety hazards for what is involved as far as the issues.

21 I'm not a landowner, per se. My  
22 property line ends about 400 or 500 feet from where this  
23 line is going to cross, so you know, I'm just, you know,  
24 a spot along the road. But my question is about the  
25 health issues of this enormously large line and the

1 things that can evolve from it. Never in my wildest  
2 dreams --- we talked about the abandonment --- the  
3 biggest thing in our community was the abandoned railroad  
4 track, and now we propose to see 240-some foot towers  
5 going through our neighborhood and through our  
6 properties. So these are my concerns. And I know that  
7 progress must go on, but yet many of us have chosen to  
8 live in this tranquil, quiet, peaceful area, and it would  
9 be a shame to see things are not going to be as we had  
10 planned. And I thank you for your time.

11 CHAIRMAN ALBERT:

12 Thank you, Mr. Sears. All right.  
13 Other comment? Yes, sir.

14 MR. FACEMIRE:

15 I hadn't actually been prepared to  
16 speak, but my name is Ron Facemire, F-A-C-E-M-I-R-E. And  
17 I don't know exactly --- I've seen a map in the paper,  
18 but it's not real clear exactly where it goes. I own a  
19 part of the property my wife's inherited, and I'm not  
20 sure if it will go through there. And I don't even know  
21 how you find out for sure whether it will go through.  
22 Have the property owners been notified?

23 CHAIRMAN ALBERT:

24 There has been notice in the paper,  
25 certainly, and notice provided to many of the property

1 owners. I don't know that I can stand here and tell you  
2 that every affected property owner has received actual  
3 notice. I don't know that.

4 MR. FACEMIRE:

5 Someone said that this young gentleman  
6 here had a map.

7 CHAIRMAN ALBERT:

8 Well, we were going to talk about that.  
9 I don't know what it is he has, but I understand that he  
10 has a computer simulation of the line and where it is to  
11 be located. If anybody has a question, they can  
12 certainly talk with him about it and he can --- I think  
13 show you where the line is located. Now, whether he's  
14 able to specifically identify your property as it relates  
15 to the location of the line, I don't know.

16 MR. FACEMIRE:

17 Well, in fact, I just walked up and  
18 asked him about it, and he more or less said he could.  
19 And then the gentleman beside him said he's not the man  
20 to tell you this. So I don't know whether this is  
21 something that they want to keep secret.

22 CHAIRMAN ALBERT:

23 Well, they're not trying to keep  
24 secrets. The Consumer Advocate Division represents the  
25 residential customers of the state. They have maps, and

1 they can also provide you with information as to the  
2 location of your property and the line.

3 MR. FACEMIRE:

4 Well, myself, I was born and raised  
5 here. I had to leave here for a job. I was away for  
6 30-some years. And like you were saying, these jobs  
7 aren't here to stay. The areas grew up and it leaves  
8 scars. Right now, tourism is our best interest. And  
9 this only defeats the purpose. So myself, I am against  
10 it. All right. Thank you very much.

11 CHAIRMAN ALBERT:

12 Yes?

13 MR. HOYLMAN:

14 My name is Larry Hoylman,  
15 H-O-Y-L-M-A-N. I've lived and I have a farm here close  
16 to these other people. We bought this farm four years  
17 ago to use for cattle. Now we've turned it into a game  
18 preserve. And I've spent the last five years making  
19 plots so that we can have world-class deer. I spend  
20 thousands of dollars every year going out west to hunt  
21 deer. We can do that here in West Virginia. I have a  
22 map in my briefcase where they're going to take a 200-  
23 foot strike across my property, from the top of my hill  
24 to the bottom of my hill, 200-foot wide with nothing  
25 growing on it. I oppose this because we don't need it.

1 The only way the power companies make money is  
2 transmitting electricity. If we can have the power that  
3 comes out of John Amos here in West Virginia, our  
4 electric bills would be cut to almost nothing. So they  
5 want to transport this to Washington, D.C. so the people  
6 up there can have their power going through my property.  
7 I am extremely opposed to this. Thank you.

8 CHAIRMAN ALBERT:

9 Thank you, Mr. Hoylman. All right.

10 Yes, sir.

11 MR. JENKINS:

12 My name is Gordon Jenkins,  
13 J-E-N-K-I-N-S. And you're talking about these maps.  
14 I've got a map here they've given me when they came to my  
15 house that shows the beginning to the end. And they also  
16 brought a tax map of where it goes through the back of my  
17 property. And like this guy said, cut a plot through 200  
18 foot wide to put a line through for none of our benefit.  
19 I can't see it myself. It's going to be right at the top  
20 of my hill, at the back of my house. I'll be able to  
21 look up and see the thing every day and see what is no  
22 benefit it is to us. And I can't see no purpose of it to  
23 transport it to one end of the state to another state for  
24 their use when we're not getting nothing out of it.  
25 We're not going to get no work benefits out of it. And

1 there ain't going to be no benefits to it after it's put  
2 in. I just can't understand why we have to furnish  
3 something for everybody else, tear up our State of West  
4 Virginia. I mean, like the one lady said here, why can't  
5 you build a power plant up there where they need it and  
6 provide their own power source? You can buy another  
7 generator to provide for your house. Why can't they make  
8 one and provide it for their town if they're going to  
9 increase and get bigger? And like another guy said, all  
10 these people coming out of these other states, they don't  
11 want to be where there's pollution and everything else,  
12 come down here and get in our valleys and hills and take  
13 up our country down here. I just can't see it myself.  
14 And that's all I've got to say about it.

15 CHAIRMAN ALBERT:

16 Thank you, Mr. Jenkins.

17 MR. JENKINS:

18 They did come to my house.

19 CHAIRMAN ALBERT:

20 Thank you, sir. Any further comment?  
21 All right. So as I said, we will be back here at 6:30,  
22 taking further comment then. If you feel like you didn't  
23 get a chance to speak today and you want to speak  
24 tonight, you're welcome back. We'll be taking further  
25 comments at that time. Thank you. Thank all of you for

1 attending.

2 \* \* \* \* \*

3 PUBLIC HEARING CONCLUDED AT 2:00 P.M.

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## CERTIFICATE

I hereby certify, as the stenographic reporter,  
that the foregoing proceedings were taken  
stenographically by me, and thereafter reduced to  
typewriting by me or under my direction; and that this  
transcript is a true and accurate record to the best of  
my ability.

A handwritten signature in black ink, appearing to read "A. J. [unclear]", is written over a light gray rectangular background.