

19102019

<p style="text-align: right;">2</p> <p>1 APPEARANCES</p> <p>2 ON BEHALF OF STATE CORPORATION COMMISSION:</p> <p>3 C. AUSTIN SKEENS, ESQUIRE</p> <p>4 STATE CORPORATION COMMISSION</p> <p>5 TYLER BUILDING</p> <p>6 1300 EAST MAIN STREET</p> <p>7 RICHMOND, VIRGINIA 23218</p> <p>8 TELEPHONE: 804.371.9671</p> <p>9 FACSIMILE: 804.371.9240</p> <p>10 E-MAIL: AUSTIN.SKEENS@SCC.VIRGINIA.GOV</p> <p>11</p> <p>12 ON BEHALF OF THE STATE CORPORATION COMMISSION:</p> <p>13 DEBORAH P. BELL, SENIOR COMMISSION BAILIFF</p> <p>14 STATE CORPORATION COMMISSION</p> <p>15 TYLER BUILDING</p> <p>16 1300 EAST MAIN STREET</p> <p>17 RICHMOND, VIRGINIA 23218</p> <p>18 TELEPHONE: 804.371.9946</p> <p>19 FACSIMILE: 804.692.0681</p> <p>20 E-MAIL: DEBORAH.BELL@SCC.VIRGINIA.GOV</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">4</p> <p>1 4:00 P.M SESSION SPEAKERS:</p> <p>2</p> <p>3 GARY JOHNSON (MAYOR)</p> <p>4 232 EAST 23RD STREET NORTH</p> <p>5 BIG STONE GAP, VIRGINIA 24219</p> <p>6</p> <p>7 JUDY HALL</p> <p>8 6124 LAKE ROAD</p> <p>9 BIG STONE GAP, VIRGINIA 24219</p> <p>10</p> <p>11 ADAM MOLLE</p> <p>12 213 CHESTNUT LANE</p> <p>13 BIG STONE GAP, VIRGINIA 24219</p> <p>14</p> <p>15 IDA HOLYFIELD</p> <p>16 5444 SKEENS RIDGE ROAD</p> <p>17 BIG STONE GAP, VIRGINIA 24219</p> <p>18</p> <p>19 MARILYN DORANT-STURNES</p> <p>20 1216 SHAWNEE AVENUE EAST</p> <p>21 BIG STONE GAP, VIRGINIA 24219</p> <p>22</p> <p>23 GABRIEL SHUPE</p> <p>24 2721 SECOND AVENUE EAST</p> <p>25 BIG STONE GAP, VIRGINIA 24219</p>
<p style="text-align: right;">3</p> <p>1 ON BEHALF OF KENTUCKY UTILITIES COMPANY</p> <p>2 D/B/A OLD DOMINION POWER COMPANY:</p> <p>3 KENDRICK R. RIGGS, ESQUIRE</p> <p>4 STOLL KEENON OGDEN, PLLC</p> <p>5 500 WEST JEFFERSON STREET</p> <p>6 SUITE 2000</p> <p>7 LOUISVILLE, KENTUCKY 40202</p> <p>8 TELEPHONE: 502.560.4222</p> <p>9 FACSIMILE: 502.627.8722</p> <p>10 E-MAIL: KENDRICK.RIGGS@SKOFIRM.COM</p> <p>11</p> <p>12 ON BEHALF OF KENTUCKY UTILITIES COMPANY</p> <p>13 D/B/A OLD DOMINION POWER COMPANY:</p> <p>14 ALLYSON K. STURGEON, ESQUIRE</p> <p>15 LG&E AND KU ENERGY, LLC</p> <p>16 220 WEST MAIN STREET</p> <p>17 LOUISVILLE, KENTUCKY 40202</p> <p>18 TELEPHONE: 502.627.2088</p> <p>19 FACSIMILE: 502.217.4995</p> <p>20 EMAIL: ALLYSON.STURGEON@LGE-KU.COM</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">5</p> <p>1 LAURA MILLER</p> <p>2 201 DOGWOOD DRIVE</p> <p>3 WISE, VIRGINIA 24293</p> <p>4</p> <p>5 WALTER CROUSE</p> <p>6 6855 HURRICANE ROAD</p> <p>7 WISE, VIRGINIA 24293</p> <p>8</p> <p>9 DANA WIGGINS</p> <p>10 919 EAST MAIN STREET, SUITE 610</p> <p>11 RICHMOND, VIRGINIA 23219</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>



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1 7:00 P.M. SESSION SPEAKERS:
 2
 3 DONNA FUSON
 4 5202 SONESTA ROAD
 5 BIG STONE GAP, VIRGINIA 24219
 6
 7 KATHY SAVAGE SELVAGE
 8 6619 KEMPER ROAD
 9 WISE, VIRGINIA 24293
 10
 11 CHELSEA BARNES
 12 128 AZALEA LANE
 13 BIG STONE GAP, VIRGINIA 24219
 14
 15 LARRY WILLIAMS
 16 312 CHESTNUT STREET
 17 APPALACHIA, VIRGINIA 24216
 18
 19 MARY DARCY
 20 107 RIDGEFIELD ROAD
 21 WISE, VIRGINIA 24293
 22
 23 TIFFANY WINGATE
 24 4305 MCKINLEY ROAD
 25 NORTON, VIRGINIA 24273

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1 STATE CORPORATION COMMISSION
 2 PUBLIC HEARING
 3 WEDNESDAY, OCTOBER 2, 2019
 4 3:59 P.M.
 5 BAILIFF: All rise. O yea, O yea,
 6 O yea, silence is commanded while the Honorable
 7 State Corporation Commission is in session. God
 8 save the Commonwealth and the Honorable
 9 Commission. Please be seated. Today's case is
 10 PUR-2019-00060, application of Kentucky Utilities
 11 Company doing business as Dominion Power Company
 12 for an adjustment of electric base rates, the
 13 Honorable Mary Beth Adams, Hearing Examiner,
 14 Presiding.
 15 JUDGE MARY B. ADAMS: Good
 16 afternoon. Can everyone hear me in the room?
 17 Okay. The purpose of today's hearing is to take
 18 testimony from any public witness who is
 19 interested in testifying here to give their
 20 opinions, or feelings, or anything else on the
 21 application that is the subject of this
 22 proceeding. Before we get started what I would
 23 like to do is, we have counsel for the company,
 24 and also counsel for the staff of the State
 25 Corporation Commission present, so at this time I

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1 WAYNE HERNDON
 2 851 GILLEY AVENUE
 3 BIG STONE GAP, VIRGINIA 24219
 4
 5 THERESA KELLY
 6 526 MAXFIELD STREET
 7 BIG STONE GAP, VIRGINIA 24219
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1 would just ask that counsel for the company stand
 2 up and introduce themselves.
 3 MR. KENDRICK RIGGS: Your Honor,
 4 Kendrick Riggs for the law firm of Stoll Keenon
 5 Ogden in Louisville, Kentucky, and I'm a member
 6 of the Virginia State Bar Association. To my
 7 right is my colleague, Ms. Allyson K. Sturgeon
 8 who is vice, or I'm sorry, managing senior
 9 counsel of regulatory transactions with
 10 Louisville Gas & Electric Company in Kentucky
 11 Utilities Company.
 12 JUDGE MARY B. ADAMS: Thank you.
 13 MR. AUSTIN SKEENS: Austin Skeens
 14 with the Commission's Office of General Counsel,
 15 I'm here on behalf of the Commission staff.
 16 JUDGE MARY B. ADAMS: Thank you
 17 very much. And it's also my understanding,
 18 before we get started with any comments Mr. Riggs
 19 would just like to make a few points.
 20 MR. KENDRICK RIGGS: Yes, thank
 21 you, Your Honor.
 22 JUDGE MARY B. ADAMS: Yes.
 23 MR. KENDRICK RIGGS: My name is
 24 Kendrick Riggs and I represent Old Dominion Power
 25 Company in this case. Also appearing here in the



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1 room today is Mr. Robert W. Conroy, Robert M.
 2 Conroy, excuse me, Vice President, State
 3 Regulation & Rates.
 4 **JUDGE MARY B. ADAMS:** Could you
 5 please raise your hands?
 6 **MR. KENDRICK RIGGS:** And Mr.
 7 Stewart Spradlin, who is the manager of
 8 operations for Old Dominion Power.
 9 **JUDGE MARY B. ADAMS:** All right.
 10 **MR. KENDRICK RIGGS:** Old Dominion
 11 Power also has representatives in this hearing
 12 room today that are available to speak to any of
 13 our customers who have bill or service issues and
 14 we are prepared to speak with those customers
 15 directly today to try to solve any issues they
 16 may have.
 17 **JUDGE MARY B. ADAMS:** Could those
 18 representatives please raise their hands? All
 19 right, thank you.
 20 **MR. KENDRICK RIGGS:** And finally
 21 Your Honor, when Old Dominion filed the
 22 application for approval of the proposed change
 23 in base rates with the State Corporation
 24 Commission on August 1st, 2019, the Commission
 25 issued its order of notice in hearing, and in

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1 Otherwise, I have the first witness as Gary
 2 Johnson. Could you please step forward? And if
 3 you could for the record and I would ask that any
 4 witness who wishes to testify today state their
 5 name and their address on after being sworn in.
 6 **MAYOR GARY JOHNSON:** Thank you.
 7 **BAILIFF:** Would you raise your
 8 right hand please? Do you solemnly swear or
 9 affirm that the testimony you are about to give
 10 us the truth, the whole truth, and nothing but
 11 the truth, so help you God?
 12 **MAYOR GARY JOHNSON:** Yes I do.
 13 **BAILIFF:** Please be seated.
 14 **MAYOR GARY JOHNSON:** Your Honor,
 15 my name is Gary Johnson from Big Stone Gap,
 16 Virginia. I am the Mayor of Big Stone, and I
 17 have a resolution that we passed last night. I
 18 also noticed that one of my counsel persons,
 19 Tyler?
 20 **UNKNOWN SPEAKER:** Outside.
 21 **MAYOR GARY JOHNSON:** He's outside?
 22 Okay. He's outside, he was also, came in today.
 23 I would just like to read the resolution if I may
 24 ma'am?
 25 **JUDGE MARY B. ADAMS:** Thank you.

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1 that order under Paragraph 6, ODP was directed to
 2 publish notice of this hearing and the hearing to
 3 be held in January in Richmond. ODP did publish
 4 the required notice and as required by Paragraph
 5 8 of the Commission's order, filed proof of that
 6 notice with the Commission and its record before
 7 September 26, 2019. There were no issues with
 8 the publication of that notice, and Your Honor at
 9 this time I would move for the admission into
 10 evidence of ODP's proof of publication of notice.
 11 **JUDGE MARY B. ADAMS:** I will mark
 12 that proof of publication notice as Exhibit 1 and
 13 it will be admitted into the record.
 14 (WHEREUPON, the document referred to, notice of
 15 publication, was marked as Exhibit-1 for
 16 identification, and was admitted into the
 17 record.)
 18 **MR. KENDRICK RIGGS:** Thank you,
 19 Your Honor.
 20 **JUDGE MARY B. ADAMS:** Thank you.
 21 If there are any attendees here who wish to
 22 testify who haven't already filled out one of
 23 these pink forms, if you could see the Bailiff in
 24 the back of the room, that way we will make sure
 25 that we get your name on the list to testify.

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1 **MAYOR GARY JOHNSON:** Resolution
 2 opposing Old Dominion Power's electrical rate
 3 increase and rate designs. WHEREAS, the Town of
 4 Big Stone Gap recognizes the importance of an
 5 adequate and reliable supply of electricity at
 6 the lowest reasonable cost with minimal
 7 environmental impact. WHEREAS, business
 8 organizations, residents of Big Stone Gap use
 9 electrical power supplied by ODP Power to power
 10 their facilities and homes. Therefore, the Town
 11 of Big Stone Gap has a strong interest in ODP
 12 Power's request for the increase in its rates,
 13 fixed charges, demand charges for electricity.
 14 WHEREAS, an elected representative of the Big
 15 Stone Gap citizens, the counsel of the Town of
 16 Big Stone Gap has the responsibility to consider
 17 the concerns of our electrical tax, rate payers.
 18 WHEREAS, on July 12th, 2019, Old Dominion Power
 19 filed a proposal to increase the electrical rates
 20 totaling an increase of 12.5 million. The
 21 residential electrical customers who use the
 22 average of one thousand, two hundred and eighty-
 23 five kilowatt hours per month would see an
 24 increase of twenty-eight dollars and ninety-three
 25 cents per month. This rate increase is one of



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1 the highest proposed by any investor-owned
 2 utility in the county for the last year, and the
 3 second highest proposed increase for the average
 4 residential customer. WHEREAS, experts agree
 5 that it is affordable for customers to spend up
 6 to six percent of their household income on
 7 electrical costs, but in parts of Old Dominion
 8 Power, Southwest Virginia Territory many
 9 households already spend twelve percent of their
 10 household income on electricity. WHEREAS, Old
 11 Dominion Power is proposing an increase of
 12 residential fixed charges from twelve dollars per
 13 month to 16.11 cents per month, and increased
 14 demand charges on commercial and industrial
 15 customers, such fixed charges reduced customer's
 16 ability to control their energy bills through
 17 energy conservation and/or alternative energy
 18 installations. WHEREAS, Old Dominion power
 19 demand rates on commercial and industrial
 20 customers already current prohibiting investments
 21 in alternative energy and energy-efficiency
 22 technology, such as solar energy. WHEREAS,
 23 Southwest Virginia communities are making efforts
 24 to make our region friendlier to economic
 25 development and many businesses looking to locate

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1 prevent electrical rates from being a deterrent
 2 to economical development. Number three, the
 3 Virginia State Corporation Commission is urged to
 4 require Old Dominion Power to study different
 5 rate designs options based on time of energy used
 6 to help the utility keep rates low while allowing
 7 customers to have more control over their
 8 electrical bills. Number four, the Virginia
 9 State Corporation Commission is urged to study
 10 whether the sale of ODP Power & Electrical
 11 infrastructure and access to the Commonwealth of
 12 Virginia to a Virginia-based utility would be in
 13 the best interest of current Old Dominion Power
 14 customers. Adopted on this day, the First of
 15 October, 2019. Signed, the Mayor Gary Johnson,
 16 and also Amanda Hawkins as the Town Clerk. I do
 17 have a copy, I would like to present it to you.
 18 **(WHEREUPON, the resolution was presented to the**
 19 **Hearing Examiner.)**
 20 **MAYOR GARY JOHNSON:** Thank you,
 21 ma'am. Also speaking off grid, as a user of
 22 electricity, I also have had, bless her heart,
 23 she's no longer with us, a lady that was on a
 24 fixed income. At the time that she was alive,
 25 her electrical bills were like three, four, five

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1 in Southwest Virginia to source their electrical
 2 and electricity from renewable energy sources.
 3 Old Dominion Power proposed demand rates would
 4 further discourage businesses from locating in
 5 our area. WHEREAS, Old Dominion Power does not
 6 have any generation access within the
 7 Commonwealth of Virginia and the majority of the
 8 funds Old Dominion Power collects from Virginia
 9 taxpayers are invested in Kentucky. Now,
 10 therefore be it resolved by the Counsel of the
 11 Town of Big Stone Gap, that Number one, the
 12 Virginia State Corporation Commission is urged to
 13 reduce ODP Power rate increase requested to the
 14 lowest amount reasonable for the application of
 15 the law to deny such interests if the
 16 Commonwealth finds that it is not warranted.
 17 Number two, the Virginia State Corporation
 18 Commission is urged to require ODP Power to
 19 provide commercial and industrial customers with
 20 alternative rates, opposition to the demand rates
 21 offered in order to allow commercial customers
 22 with alternative rates. Opposition to the demand
 23 rates offered in order to allow commercial
 24 customers to manage their electrical bills with
 25 alternative energy resources, and in order to

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1 hundred dollars a month in the wintertime, and I
 2 guess what I'm asking is, with an increase like
 3 this, not just for me, but for other people that
 4 are on fixed incomes, how can we continue to
 5 afford this increase? I had a business owner
 6 came to me today, he stopped me and he said, I
 7 figured up my rates. He said my rates are going
 8 to increase over twenty-eight dollars a month.
 9 Now who is going to, who is going to absorb this?
 10 We are, as customers. Why would I want to do
 11 that when I can go to Tennessee, or I can go
 12 somewhere else and get it a lot cheaper? What is
 13 the product he offered? You know I joked at one
 14 time about one of our local businesses, and he
 15 has a funeral home, and they were charging a
 16 surtax on caskets. Well, I would just as soon
 17 not have the casket, just throw me in a hole, you
 18 know what I'm saying? Don't charge me that extra
 19 money, but electricity we got to have. I do
 20 like, I think Norton is already doing this, if I
 21 may say something this evening, in this room, so
 22 they have cut back on the thermostat I guess,
 23 expecting that rate increase is going to get...
 24 **JUDGE MARY B. ADAMS:** It just
 25 turned on again.



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1 **MAYOR GARY JOHNSON:** Okay, all
2 right. Yeah. But what I'm, I guess the point
3 I'm trying to make, we have gone through an
4 economical development downhill fast here, and
5 how in the world can I ask outside investors to
6 come into my part and pay such an outrageous
7 electrical bill that they're going to be paying?
8 I'm sorry, I mean I don't understand this, I
9 can't agree with it. You know, why are water
10 rates, we try to keep them down as low as we can
11 go to get people to come in, but when they tell
12 me you have the highest electrical rate around,
13 how can I even say anything about that? And also
14 those that are, as I mentioned, on fixed income,
15 I'm not going to ramble here, but I guess I get
16 in there and I feel sorry for those people. They
17 are on a fixed income. Do we take away from
18 their medicine, or do we take away from the food
19 so they can pay an electric bill? I don't know.
20 I just hope you will reconsider this, I hope you
21 do. Thank you, ma'am.
22 **JUDGE MARY B. ADAMS:** Thank you
23 very much for your testimony today. Next we have
24 Judy Hall. And after Ms. Hall we have Adam
25 Molle?

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1 this size. I would hope that the corporate
2 financial planning and budgeting staff would have
3 forecasted the improvements in such a way as to
4 not bring about such a dramatic and crippling
5 impact upon your customers. Additionally, there
6 have been other requests for increases in
7 previous years that were requested for upgrades
8 and other infrastructure improvements, but not
9 increase of this magnitude. As is well known,
10 Southwest Virginia has long been recognized as a
11 coal mining region. The near demise of coal
12 mine, coal industry just a few years ago resulted
13 in businesses closing and residents moving from
14 the region to find work. Inroads have been made
15 to bring about an economic shift from what once
16 was, but it continues to be a work in progress.
17 People living on fixed incomes, those working in
18 low paying jobs, those who are disabled, and
19 those without jobs still try to provide homes and
20 feed and clothe families. This large increase
21 will be beyond their ability to pay. The
22 Mountain Empire Older Citizens Fuel Fund exists
23 through the contributions of citizens and
24 businesses in our region to assist low income,
25 elderly, and disabled people with fuel needs.

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1 **MR. ADAM MOLLE:** Molle.
2 **JUDGE MARY B. ADAMS:** Molle, okay.
3 **BAILIFF:** Could you raise your
4 right hand, please?
5 **MS. JUDY HALL:** Um hmm (indicating
6 affirmatively.)
7 **BAILIFF:** Do you solemnly swear or
8 affirm that the testimony you are about to give
9 is the truth, the whole truth, and nothing but
10 the truth, so help you God?
11 **MS. JUDY HALL:** I do.
12 **BAILIFF:** Have a seat.
13 **JUDGE MARY B. ADAMS:** Ms. Hall,
14 could you please state your name and your address
15 for the record?
16 **MS. JUDY HALL:** Yes. My name is
17 Judy Hall, my address is 6124 Lake Road, Big
18 Stone Gap, Virginia. I've just prepared just a
19 brief statement here and I will give you a copy
20 of those in just a second. The request for the
21 increase cited the need for capital investments
22 for generation projects as well as planned
23 improvements on transmission and distribution
24 networks. I don't understand the urgency on
25 behalf of Old Dominion to request an increase of

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1 Approximately fifty percent of these funds pay
2 electric bills. I will add that the monies that
3 are contributed to the fuel fund go entirely to
4 pay power bills, whether it is electricity, or
5 coal, or wood, or even gas, propane. But about
6 fifty percent of those funds goes to pay electric
7 bills. In the past five years MEOC has paid a
8 total of one million, one hundred twenty-eight
9 thousand, twenty-six dollars in fuel assistance
10 to over eleven hundred homes. I will add that
11 Old Dominion has donated five thousand dollars
12 each year from 2016 through 2019, however, the
13 donation for 2015 was ten thousand dollars.
14 These funds do not cover all the needs within the
15 area served by MEOC, which consists of Lee, Wise,
16 Scott Counties, and the City of Norton, and if an
17 increase of this magnitude is approved, the
18 number of people served as well as the amount for
19 assistance will be dramatically reduced. I urge
20 you to examine this request in depth, considering
21 not just the specifics of how Old Dominion plans
22 to use the extra funds, and why this revenue
23 increase is so urgent, but also consider the
24 impact on this region's citizens whose income has
25 not been increased by a substantial amount if at



22	<p>1 all, and also the residual effect of businesses 2 having to increase their charges to cover the 3 added expense of the electric bill. I implore 4 members of the State Corporation Commission to 5 give serious consideration of this request and 6 make a reasoned decision for all concerned. 7 Thank you. 8 JUDGE MARY B. ADAMS: Thank you 9 very much, Ms. Hall. Thank you. Mr. Molle, and 10 then after that, Ida Holyfield. 11 BAILIFF: Do you solemnly swear or 12 affirm the testimony you are about to give is the 13 truth, the whole truth, and nothing but the 14 truth, so help you God? 15 MR. ADAM MOLLE: Yes, I do. 16 JUDGE MARY B. ADAMS: Good 17 afternoon, could you please state your name and 18 your address for the record, please? 19 MR. ADAM MOLLE: My name is Adam 20 Molle and I live at 213 Chestnut Lane, Big Stone 21 Gap, Virginia, 24219. 22 JUDGE MARY B. ADAMS: Thank you. 23 MR. ADAM MOLLE: I have been an 24 Old Dominion rate payer for more than sixteen 25 years. I am here to speak in opposition to the</p>	24	<p>1 livelihoods at a time when our region is already 2 economically, socially, and environmentally 3 distressed. For myself, this rate increase will 4 potentially cost me a tank of gas, nearly a 5 week's worth of food, nearly half of my water 6 bill, or two-thirds of my phone bill. Which of 7 these things does Old Dominion Power expect fixed 8 income people to give up in order to compensate 9 for their failing to adapt to changes in the 10 energy market? I am also working towards adding 11 solar to my house, solar power to my house. The 12 changes to residential customer charges after 13 the, at an undue and unjustifiable financial 14 burden to people who wish to become less 15 dependent for their energy needs. As an added 16 expense that cannot be avoided on grid, it 17 increases the payoff time line and as well as 18 decreases the monthly savings possible for 19 rooftop, for rooftop solar, and we should be 20 encouraging it. Instead of enabling ODP's 21 dependence on increasingly expensive coal and 22 natural gas fossil fuels, this rate increase 23 should be denied along with any further requests 24 for rate increases unless and until they expand 25 their renewable energy mix and improve the</p>
23	<p>1 proposed rate increase, residential customer 2 charge increase and the transitioning to the 3 customer charge from a monthly to daily 4 application. In my opinion, ODP has not 5 adequately adapted to changes in the energy 6 market and has continued to burden their rate 7 payers with the added costs of expensive fossil 8 fuels during a time when renewable energy prices 9 are falling and are projected to continue to do 10 so. Rather than continue to burden, or rather 11 than continuing this burden ODP should be 12 focusing on transitioning to cleaner, cheaper 13 renewable fuels and increasing its pathetic 14 energy generation from renewables, or pathetic 15 one percent energy generation from renewables 16 rather than passing the buck on to their 17 customers. I am a disability recipient and only 18 work a part time job. Every increase in cost has 19 a compounding detrimental effect on my 20 livelihood, not to mention the disproportionate 21 number of people in our region who rely on a 22 fixed income from Disability and Social Security 23 as their only means of survival. A roughly 24 twenty-nine dollar average monthly increase would 25 be devastating for poor and low income people's</p>	25	<p>1 ability, or the availability of energy efficiency 2 programs and invest in sustainable solar 3 development in Southwest Virginia. Our current 4 governor issued Executive Order 43 in September 5 to achieve a one hundred percent clean energy 6 grid by 2050 in the State of Virginia. ODP's 7 proposed rate increase is detrimental to that 8 goal. It hurts customers, it hurts its customers 9 and further strains economic activity in 10 Southwest Virginia. For those reasons and many 11 more, this rate increase should be denied. And 12 in addition to my written comments, just a little 13 side note. Back in November, Habitat for 14 Humanity built me a highly efficient house that 15 saved me roughly thirty to fifty dollars per 16 month, coincidentally, and this rate increase 17 will entirely wipe that out. So my newly, my 18 newly set budget is now just wiped out, and I 19 just wanted that on the record too. Thank you. 20 JUDGE MARY B. ADAMS: Thank you 21 very much for your testimony today. Ida 22 Holyfield, followed by Marilyn Dorant-Sturnes. 23 BAILIFF: Raise your right hand, 24 please? Do you solemnly swear or affirm that the 25 testimony you are about to give is the truth, the</p>



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1 whole truth, and nothing but the truth, so help
 2 you God?
 3 **MS. IDA HOLYFIELD:** I do.
 4 **BAILIFF:** Be seated.
 5 **MS. IDA HOLYFIELD:** Hello, my name
 6 is Ida Holyfield, I reside at 5444 Skeens Ridge
 7 Road in Powell Valley. I'm very concerned about
 8 the size of the rate increase. I feel that a
 9 nibble might have been appropriate, but a huge
 10 bite right now is not. I understand what Adam
 11 was saying about the need to change our sources
 12 of energy, and I understand that that's part of
 13 what they want to do, they want to do away with
 14 fossil fuels and to do more solar and more wind.
 15 However, the issue for the users of that energy
 16 is a stark one. I have electric bills that
 17 everybody has to pay, in my highest month my
 18 kilowatt hour usage is twenty-two hundred and
 19 eight-one dollars. That means my electric bill
 20 for that highest month will go up fifty dollars.
 21 In our church, which is a small rural church, we,
 22 we help people who cannot pay their bill that are
 23 members of our church. One lady last year was in
 24 a coal camp, her electric bill in a poorly
 25 insulated house was over six hundred dollars,

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1 she's up in her seventies, it's bitter cold, she
 2 has more sensitivity to cold than the average
 3 person, she is trying her best to do the best she
 4 can and we as a church are trying to help people
 5 like that. But this rate increase is going to
 6 take that six hundred dollar bill and move it up
 7 into the eight, eight hundred and fifty dollar
 8 range. It's difficult for small churches, it's
 9 difficult for small towns, it is difficult for
 10 community groups, for people that are genuinely
 11 trying to maintain a quality of life in our
 12 community. And I ask please that they consider
 13 dropping their rate to a reasonable bite until we
 14 can have time to assimilate these changes that
 15 need to be made in the electrical grid. I
 16 understand that tree branches have to be trimmed,
 17 I understand that roads have to be cleared, I
 18 understand crews have to be called out for
 19 critical needs, we understand all that and I'm
 20 not accusing anybody of poorly managing money or
 21 of trying to not be good stewards of our money,
 22 but I am saying that to do it in one large bite
 23 like this does not give low income people or
 24 people on Social Security time for cost of living
 25 increases to help offset part of this. And I ask

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1 respectfully that they consider that. Thank you.
 2 **JUDGE MARY B. ADAMS:** Thank you
 3 very much for your testimony today.
 4 **MS. IDA HOLYFIELD:** Thank you.
 5 **JUDGE MARY B. ADAMS:** Marilyn
 6 Dorant-Sturnes? And the next witness on my list
 7 is Gabriel Shupe.
 8 **BAILIFF:** Would you raise your
 9 right hand, please? Do you solemnly swear or
 10 affirm that the testimony you are about to give
 11 is the truth, the whole truth, and nothing but
 12 the truth, so help you God?
 13 **MS. MARYLYN DORANT-STURNES:** Yes.
 14 My name is Marilyn Dorant-Sturnes and I live at
 15 1016 Shawnee Avenue East, and I am here to oppose
 16 the extremely high rate fee that has been asked.
 17 I live at Big Stone Gap, the Town of Big Stone
 18 Gap, and I have lived here about a year and a
 19 half. I was fortunate enough when I came to town
 20 to find a fuel efficient home to live in and this
 21 was very important to me as I am on a fixed
 22 income, I'm a senior, and I left Denver, Colorado
 23 because this was a small town, which I was eager
 24 to live in a small town and have a new experience
 25 in my life. And also I needed to have a way to

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1 continue to provide for a son who is homeless and
 2 disabled at this time that still remains in
 3 Denver. So my resources are stretched beyond
 4 what I would necessarily have to go through while
 5 I help him prepare for a new life. In so doing
 6 to have a rate increase like this, it would be a
 7 burden beyond measure for me. I left a home
 8 where I did have solar on my home and I really
 9 appreciated that, and I have never been anywhere
 10 where they have asked for so much money at one
 11 time, it's usually to see two dollars and eighty-
 12 one cents, you know, something like that, you
 13 don't even balk at it. And but to have something
 14 so massive come it would be bad. And since I
 15 have been in Big Stone Gap I have met a lot of
 16 residents who are caring for their spouses
 17 because they are already overburdened with
 18 illnesses, that are pretty common around here,
 19 and haven't been able to even think about coming
 20 to this meeting. But I have been told by them
 21 that they pay, even in the summertime they are
 22 paying over two hundred and fifty dollars a
 23 month, so when you are looking at winter, that's
 24 even more extreme. So my concerns do not just
 25 lay on myself, but those other people who have no



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1 way of being represented today. I also am
 2 concerned because every time you get excited for
 3 our towns and cities around here, to emerge from
 4 a very desperate place economically, something
 5 creeps up like this and there's so many
 6 opportunities that we get excited about when I
 7 meet with my new friends, and then something like
 8 this happens that it really makes you worry about
 9 what can happen for us in the future. So I would
 10 like for you to reconsider it, those of you who
 11 are here to listen to reconsider the, the way you
 12 look at this and consider the needs of the people
 13 that the Southwest Virginia community. Thank
 14 you.

15 **JUDGE MARY B. ADAMS:** Thank you
 16 very much for your testimony today. Gabriel
 17 Shupe? And after Mr. Shupe, we have Laura
 18 Miller.

19 **BAILIFF:** Would you raise your
 20 right hand, please? Do you solemnly swear or
 21 affirm the testimony you are about to give is the
 22 truth, the whole truth, and nothing but the
 23 truth, so help you God?

24 **MR. GABRIEL SHUPE:** Yes ma'am.
 25 **BAILIFF:** Have a seat.

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1 When you get a bill in the mail, three hundred, I
 2 think our next bill is like two hundred and
 3 eighty-two dollars. That's more than my car
 4 payment. And that takes, you know, when you have
 5 water bill, we don't deal with Comcast, that's
 6 another issue. I'm not going there. But it's
 7 bad when everything, when you have bills and it
 8 almost, let's say an average person gets eleven
 9 hundred dollars that's on a fixed income. All
 10 right? You have water bill, you have internet
 11 bill, you have to have internet if you have
 12 children because they got to do their homework.
 13 And you know, if you, if you don't have lights
 14 and water and if you have children, they're going
 15 to take them out of the home, Social Services is
 16 going to be calling. When Social Services comes
 17 down and you're going to say well, you know, I
 18 didn't have the money to do it. They take your
 19 children. It's not right. We're in America,
 20 guys. We have veterans that's fought for this
 21 country and I'm not trying to be a smart aleck in
 22 any way, but I'm tired of going without things
 23 that my child needs, my wife needs, and myself
 24 needs because of a light bill. It's ridiculous,
 25 guys. People are moving to Johnson City,

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1 **MR. GABRIEL SHUPE:** Good evening.
 2 My name is Gabriel Shupe, I reside at 2721 Second
 3 Avenue East in Big Stone Gap, Virginia. I'm here
 4 today for a concern, a concern for citizens of
 5 Southwest Virginia. This is a beautiful country
 6 that we live in, and it's being ruined because
 7 seventy percent of citizens in Southwest Virginia
 8 are on fixed incomes. They are moving to
 9 Tennessee, North Carolina, West Virginia. They
 10 tell you to shop local here, but how can you shop
 11 when your light bill is more than your car
 12 payment, house payment, water bill put together?
 13 I come here today, I have served my community for
 14 over sixteen years. I am an ex-firefighter and
 15 EMT for many years, I have been in many homes. I
 16 have took patients to the hospital because they
 17 couldn't afford their medications because of
 18 bills. I'm not saying it's only the light bill,
 19 there's other issues too with bills. I know life
 20 comes at an expense, I do know that. I have
 21 lived probably, I would say not a good life, but
 22 I've had a rough life and it's taught me a lot
 23 of, a lot of respect. When you grow up poor and
 24 your family, your mom, your dad, and they do the
 25 best they can to try to provide for the family.

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1 Kingsport, Bristol, it's a hundred and thirty
 2 dollars to a hundred and fifty dollars average
 3 light bill in Johnson City, Tennessee. It's a
 4 big place. We're in Big Stone Gap, we're in the
 5 north, we're in town, we're not, this might be
 6 called a city, there's bigger cities than this.
 7 Guys, listen, from my heart, I know, I have
 8 respect for a working man, been there, done that.
 9 I worked until my fingers bleed, I've worked til
 10 my back is broke, that's the reason my hip issues
 11 is the way they are now. You guys listen, we're
 12 a community, we got to stand up for each other.
 13 By dividing a community that can't pay for their
 14 bills, that makes that person feel bad, that
 15 makes that person say I can't provide for my
 16 family. But there's one thing about it, they
 17 always get their money. People, they wonder why
 18 people steals, they wonder why. I don't steal,
 19 but you know what, the thing about it is you got
 20 to have a heart in doing your job and you got to
 21 think about your community, you got to think
 22 about who is living here. And not only that,
 23 we're, as they say, the Santa train comes up,
 24 look at these poor kids scrambling for candy
 25 because they're starved to death. We're rated



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1 the, we're rated here as the poorest in the
 2 community, but we have a light bill that's this
 3 high, how in the world can we afford this? I
 4 know the rate increase people says twenty, thirty
 5 dollars ain't much, but it is to a poor person.
 6 It also is to me. There's people around here
 7 that's got money, but some of us ain't that
 8 fortunate. But I'm going to tell you something
 9 right here and now, I have a heart in everything
 10 I do, and I would take my shirt off my back, if
 11 somebody is homeless I'd bring them in my house
 12 if they treated me right and done me right. But
 13 here's the thing, have a heart in your job and
 14 don't rob us. Everybody says what do you think
 15 about ODP? One word, discrepancy. A lot of
 16 people don't like that word. But that's one word
 17 that I have to describe ODP. I, and I'm going to
 18 tell you why, then I'm going to shut up and get
 19 out of here. In 2009 there was a snowstorm that
 20 come here. I was out of electricity for two and
 21 a half weeks. We had to stay with relatives.
 22 She had electricity, but our area couldn't get it
 23 because so many trees were down, got a light bill
 24 of eight hundred and eighty-two dollars. Now,
 25 somebody without electricity for two months, how

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1 everybody pays the bills, and can afford their
 2 bill. I know you all got to have equipment,
 3 trucks, saws, whatever, I know that. Hey, you
 4 got to spend money to make money. Been there.
 5 There's one thing about it, we're in Southwest
 6 Virginia and people around here can't afford
 7 this. Have a heart, have a heart in your job,
 8 guys. And I'm shutting up. Have a good day.
 9 **JUDGE MARY B. ADAMS:** Thank you
 10 for your testimony, Mr. Shupe.
 11 **MR. GABRIEL SHUPE:** Thank you.
 12 **JUDGE MARY B. ADAMS:** Thank you
 13 very much. Laura Miller? And after Ms. Miller
 14 we have Walter Crouse.
 15 **BAILIFF:** If you could raise your
 16 right hand? Do you solemnly swear or affirm that
 17 the testimony you are about to give is the truth,
 18 the whole truth, and nothing but the truth, so
 19 help you God?
 20 **MS. LAURA MILLER:** I do. Good
 21 afternoon. My name is Laura Miller and I live at
 22 201 Dogwood Drive in Wise, and I have been a
 23 customer of ODP since July of 1995, so that's
 24 going on twenty-five years. I'm going to talk
 25 some numbers to start with. First of all, the

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1 in the world is that happening? So I called, all
 2 I heard was blup, blup, blip, blah, blah. That's
 3 all I heard. They was coming up with every lie
 4 that they could. Get an electrician. Done that.
 5 Seal your windows. I got caulk that thick on my
 6 windows. Seal your doors. I've done that. I've
 7 done every, I've ben got LED lights in my whole
 8 home. So I called and they dropped it down to
 9 four hundred dollars, that's still too high. I
 10 even took pictures of my meter and it's been
 11 adjusted a hundred dollars. I've been had them
 12 say, oh we've had a meter man come out but
 13 there's six inches of snow on the ground and
 14 there's no footprints. Unmetered bills, I don't
 15 understand that. I don't understand why, what's
 16 it going to be next year? Is it going to be
 17 another rate hike? Come on, guys. You're in
 18 Southwest Virginia, you're in the poorest in the
 19 nation. But I beg you all, have a heart,
 20 understand how we live here, and also understand
 21 that you would make more money because there's
 22 going to be a lot of people that's going to go,
 23 that when they have a light bill, they won't pay
 24 it. You'll make more money if you lower you
 25 bill, and you'll also make more money when

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1 monthly residential charge that they are
 2 proposing to take from twelve dollars to sixteen
 3 dollars and eleven cents, that's over thirty-
 4 three percent of an increase. That's huge. Just
 5 look at the percentage on that, that's huge.
 6 Some more figures. The average electricity
 7 burden in the United States is 2.7 percent. Some
 8 of ODP's in Southwest Virginia is as high as 11.9
 9 percent, that's over four times the national
 10 average. Mr. Shupe was talking about people
 11 moving out of the area because of high
 12 electricity bills. Let me tell you what I do. I
 13 literally spend six months of the year, winter,
 14 in New Orleans and it's because of the power
 15 bills, that's the reason. And I am extremely
 16 careful with my energy use. I had my house
 17 redone back in '09 right before that big
 18 snowstorm that he was talking about, we all
 19 remember that storm, it was terrible. I
 20 personally was out of electricity for almost a
 21 whole week, and there were people that had that
 22 situation even longer, as he just testified.
 23 Because I am so careful, and because I spend
 24 winters elsewhere, I actually earlier this
 25 morning in preparation for this meeting today I



38	<p>1 looked at all of my charges for the past twelve 2 months, averaged them out. I average, I know 3 you're going to find this hard to believe, but I 4 did the math, I know what I'm talking about. 5 Thirty-four dollars and forty-one cents a month 6 is my average for ODP for the year, this past 7 year. And you think twenty-eight dollars and 8 ninety-three cents is nothing? It's a lot, it's 9 a whole lot. My bill in New Orleans is less than 10 half of my bill in Wise on average. It's less 11 than sixteen dollars a month down there, and 12 that's in the winter, and it does get cold down 13 there in the winter, I mean I you know, it's 14 warmer than here certainly it is, but it does get 15 cold. I started doing this, spending six months 16 down there and six months here after having some 17 really horrendous bills earlier in the decade, I 18 mean I was getting those six hundred dollar a 19 month bills in the winter, and I just, I can't do 20 it. There's no way I can do it. I have an 21 extremely low income, I am poverty-level when it 22 comes to income. I mean I, you, if I, I'll tell 23 you, I make less than four thousand dollars a 24 year. I'm living off of savings, you know, 25 obviously I have to have more than four thousand</p>	40	<p>1 affordable energy. Frankly, you all should be 2 reducing your expenses to us and not increasing 3 them, particularly, I will refer back to the 4 thirty-three percent increase in the monthly 5 residential charge, and the average electricity 6 burden in the U. S., we're already four times 7 higher than that. So I really, really do hope 8 that you all do not grant this increase. Think 9 about the people who are really desperate and not 10 going to be able to pay it. Thank you. 11 JUDGE MARY B. ADAMS: Thank you 12 very much for your testimony today. Walter 13 Crouse, and then after that we have Ronald Dennis 14 Wells. 15 BAILIFF: Do you solemnly swear or 16 affirm the testimony you are about to give is the 17 truth, the whole truth, and nothing but the 18 truth, so help you God? 19 DR. WALTER CROUSE: I do so. My 20 name is Dr. Walter Crouse, retired chemistry 21 professor, UVA, Wise thirty years. I've been a 22 customer of ODP since I started out teaching down 23 here in January of 1984, so I've been with them 24 in Wise, Big Stone, and Wise again. I want to 25 commend ODP for how they got the power back on,</p>
39	<p>1 dollars a year, but I'm going through my savings 2 in order to survive. In my opinion, Old Dominion 3 Power should invest in solar and wind. This 4 would provide economic opportunities for people 5 who are here, who are seeking jobs, the coal 6 miners who have lost their jobs who are very 7 rightly proud of having been energy workers all 8 these years, I mean there are signs, you know, we 9 keep the lights on. Well, these people who have 10 that attitude would surely be happy to work in 11 the energy sector, solar, wind, renewables would 12 give them jobs, it would give us lower costs 13 because those costs are coming down as time goes 14 on, I mean why ODP has waited so long to really 15 invest in renewables, frankly it verges on the 16 criminal if you want my opinion on the matter. 17 You know, I know, I might be considered an 18 extremist by some, but honestly folks, come on, 19 let's think about this. Let me also mention that 20 the Governor's Executive Order 43, which was 21 issued this month, calls for a hundred percent 22 clean energy by 2050, and it requires the 23 Department of Mines, Minerals, and Energy to work 24 with Virginia's utilities to develop efficiency 25 programs so that we will have access to clean and</p>	41	<p>1 the storm, December 1809 was my father's 2 birthday, so I will never forget. I was out 3 shoveling the snow and the power cut, went 4 blasting off. People who had Appalachian Power, 5 we were out a week in the hurricane, but just a 6 few miles down the road where we switched to 7 Appalachian Power over in town, they had power, 8 they didn't have power for a month or more. And 9 so I commend ODP for getting the power back up 10 considering how disastrous the situation was at 11 the time. But I oppose, strongly oppose the 12 present rate increase. The majority of the 13 residents of Wise County includes the Town of 14 Wise, I consider Norton a town even though they 15 officially call it a city, so Big Stone Gap, 16 Appalachia, are on fixed incomes and as myself, I 17 am retired, I have retired in the fall of, or 18 December of '13, but I'm now teaching at the Wise 19 County Christian School for no salary. But still 20 I'm on a fixed income. We have one of the 21 highest unemployment rates in the country. Our 22 wonderful former President Hussain Obama 23 destroyed our economy when he destroyed the coal 24 industry, and businesses are closing right and 25 left, restaurants are closing, people do not have</p>



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1 jobs, they can't find jobs. The young people are
 2 all moving away, which is killing our education
 3 system, we have a sixty million dollar debt to
 4 pay off. And so this coming winter the power
 5 bill probably will hit over five hundred dollars.
 6 My wife and I just got two grandkids to take care
 7 of, they had lived in Florida, so that means
 8 we've got to heat the whole house, we've got to
 9 wash lots more clothes, so all those require
 10 electricity, cooking meals requires electricity,
 11 so this rate increase is going to be very
 12 significant in effect on people that have fixed
 13 incomes. What will happen? People will have to
 14 decide whether they pay their medical bills, and
 15 medical costs keep going up, this incompetent
 16 House of Representatives has done nothing to
 17 control drug prices, our food bills keep going
 18 up, the power bill of course is going up, and
 19 every year we use less power but we pay more for
 20 electricity, so if we tried to, you know, turn
 21 off the lights, turn down the heat, but the power
 22 bill keeps going up because they have had rate
 23 increases. And now we have an incompetent
 24 Governor who doesn't know anything about science.
 25 There's no way we can convert the whole State of

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1 Virginia to solar and wind power by 2050 unless
 2 we plan on building a bunch of windmills in the
 3 backyards of all the rich people in the Virginia
 4 Beach area. They tried to do this up in
 5 Massachusetts, everybody raised cane, they didn't
 6 want windmills in their backyard and we don't get
 7 that much sun, so now we're getting the sunshine
 8 when we should be having summer back, in summer
 9 it rains every day, the sun has to shine to make
 10 solar efficient. We still do not have very
 11 efficient batteries and the only way you're going
 12 to go through solar is to find an efficient
 13 battery so we can actually put solar in
 14 everybody's home, but to have the power companies
 15 around here now, out west they get sunshine, they
 16 get wind, but where the sun shines, sun shine and
 17 when the wind blows, nobody lives, and time you
 18 transport that power to where people live, you've
 19 lost all of it in transmission. And no, we have
 20 all these nut cases in D. C. and Richmond, all
 21 our large cities, California particularly think
 22 that we can go one hundred percent solar and wind
 23 and that's just not going to be possible. We've
 24 got natural gas, it's killed as far as the coal,
 25 but in Wise County about, we mined all the coal

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1 we can mine that's economical, but we still have
 2 natural gas that we can use to power the power
 3 plants. And so these mandates on the power
 4 companies are just, those costs are all going to
 5 be passed on to us poor consumers who are on
 6 fixed incomes. And the Governor promised us
 7 jobs, and we have no jobs in Southwest Virginia.
 8 And so the only place that has any growth is UVA
 9 Wise and then even trying to get students out
 10 here has been difficult the last several years.
 11 Thank you very much.
 12 **JUDGE MARY B. ADAMS:** Dr. Crouse,
 13 could you please state your address?
 14 **DR. WALTER CROUSE:** I'm sorry.
 15 **JUDGE MARY B. ADAMS:** It's no
 16 problem.
 17 **DR. WALTER CROUSE:** My mailing
 18 address is Post Office Box 2856, Wise. My home
 19 address is 6855 Hurricane Road, Wise.
 20 **JUDGE MARY B. ADAMS:** Thank you
 21 very much, I appreciate your testimony today.
 22 Ronald Dennis Wells?
 23 **UNKNOWN SPEAKER:** He's already
 24 left.
 25 **JUDGE MARY B. ADAMS:** He's left?

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1 **UNKNOWN SPEAKER:** Yes.
 2 **JUDGE MARY B. ADAMS:** Dana
 3 Wiggins?
 4 **BAILIFF:** Could you please raise
 5 your right hand? Do you solemnly swear or affirm
 6 that the testimony you are about to give is the
 7 truth, the whole truth, and nothing but the
 8 truth, so help you God?
 9 **MS. DANA WIGGINS:** Yes I do.
 10 Hello, thank you for holding this public hearing.
 11 My name is Dana Wiggins, I'm with the Virginia
 12 Poverty Law Center as a consumer advocate, not an
 13 attorney. And my address is 919 East Main
 14 Street, Suite 610, Richmond, Virginia, 23219.
 15 As I said, I'm with the Virginia Poverty Law
 16 Center, and our main goal, my main goal at the
 17 Poverty Law Center is to represent consumers, to
 18 listen to consumer complaints, and to help
 19 consumers in the many kinds of ways that they
 20 need help. Most of my time is spent on predatory
 21 lending issues, but another fair bit of my time
 22 is on utility issues and I have to say that many
 23 times unfortunately those two things are very
 24 much linked. So for example, many low income
 25 Virginians typically want to pay their bills,



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1 they want to be, they are very proud and they,
 2 whether they really can afford them or not they
 3 will do whatever possible to make sure that they
 4 can take care of their bills. In the event that
 5 maybe they can't, many of them do turn to
 6 predatory loan products, so I talk to folks on
 7 our predatory loan help hotline, who have used
 8 those loans in order to pay their electric bills
 9 as they are already without an increase. And
 10 what that means is that then they are in trouble,
 11 they are paying three hundred or more, sometimes
 12 five hundred, seven hundred percent interest,
 13 sometimes more than that, depending on where they
 14 got that loan. And so they are paying that which
 15 makes it then harder for them to pay their
 16 electric bills and any other bills moving
 17 forward. Or we're getting calls on the other
 18 side on our utility work where people are just
 19 having really a hard time already making ends
 20 meet, and instead of not paying their electric
 21 bill they will pay their electric bill, they will
 22 summon all their resources to do that, but that's
 23 at the expense of living a comfortable or safe
 24 life, so many, especially seniors on fixed
 25 incomes or those who are disabled on fixed

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1 can least afford to do that. Most of our
 2 consumers, those who are folks who go to Legal
 3 Aid programs for help, or those who are just low
 4 income in general, you know, they can't really
 5 afford these bills already. Increasing these
 6 bills will only make it that much harder, and it
 7 doesn't just affect those who, their individual
 8 bills, it obviously will negatively affect and
 9 impact the individual consumers, but it's all the
 10 things that they won't do after that is also
 11 affected, so those small businesses that still
 12 exist, those small, the grocery store, you know,
 13 all of these other, their gas station, people
 14 will forego paying for gas, they will forego
 15 trips, they will try to do without on so many
 16 other levels, which has a ripple effect and
 17 negative effect for the rest of the economy. And
 18 those businesses, we also have to think about the
 19 businesses, they are consumers too. And so they
 20 also will have to pass those increases on to
 21 their customers, which then makes it harder for
 22 those customers to use their products. So it all
 23 has a negative ripple effect on the economy, but
 24 particularly those who are the worst hit are
 25 those with the least ability to pay it. We hope

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1 incomes generally end up, you know, living an
 2 uncomfortable life. They don't use electricity,
 3 and we talk to a lot of people in trailers who
 4 will not heat it and they won't cool it, and they
 5 use the least wattage light bulbs that they can,
 6 they typically will, you know, wait for the sun
 7 to come up or the sun, you know the sun to go
 8 down for their lighting, just so that they can
 9 survive and pay their bills. So for many low
 10 income people they are making it work but it's at
 11 the expense of literally being able to be
 12 comfortable in their own homes. As somebody
 13 earlier said, you know, Virginia actually has a
 14 higher energy burden than the national average,
 15 this part of Southwest Virginia has an even
 16 higher energy burden than that and so the energy
 17 burden in all of Virginia, if you take it as a
 18 whole, is 3.4, but obviously in this area its
 19 much higher than that. So not only are we higher
 20 than the national average, but this area in
 21 particular is even much higher than that. What
 22 that energy burden means is that they pay, most
 23 people are paying a higher percentage of their
 24 income towards utilities than other people in the
 25 country, and obviously this is an area where we

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1 that the Commission will look at the, if they,
 2 obviously ODP has not received an increase the
 3 last time they asked for an increase they were
 4 denied, and we hope that if they feel like they
 5 have to give an increase that they take on the
 6 idea of gradualism, which is typical of the
 7 Commission in this sort of sense, so that it's
 8 not necessarily the same high amount that's being
 9 asked for, but maybe something that's very much
 10 smaller, if an increase is needed at all. We
 11 don't believe that it is, but we know that
 12 typically the Commission has worked on the
 13 concept of gradualism in most of their utility
 14 cases, typically for investor-owned utilities,
 15 but this being a Chapter 10 utility, we hope that
 16 they will take that into account and account the
 17 economics of the area and those who are most
 18 affected. Thank you.
 19 **JUDGE MARY B. ADAMS:** Thank you
 20 very much for your testimony today. I don't have
 21 any more signup sheets here but if there are any
 22 individuals who wish to testify today, please see
 23 the Bailiff and we will get you on the stand.
 24 Seeing no one stepping forward, I think we will
 25 adjourn until 7:00 o'clock this evening for our



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1 next session. Thank you very much for your time
 2 and your testimony today.
 3 **(WHEREUPON, a short break was taken.)**
 4 **BAILIFF:** All rise. O yea, O yea,
 5 O yea, silence is commanded while the Honorable
 6 State Corporation Commission is in session. God
 7 save the Commonwealth and the Honorable
 8 Commission. Please be seated. Today's case
 9 consists of PUR-2019-00060, application of
 10 Kentucky Utilities Company doing business as
 11 Dominion Power Company for an adjustment of
 12 electric base rates, the Honorable Mary Beth
 13 Adams, Hearing Examiner, Presiding.
 14 **JUDGE MARY B. ADAMS:** Good
 15 evening, everyone. Can everyone hear me okay?
 16 All right. We are reconvening the public hearing
 17 that was originally to meet at 4:00 o'clock this
 18 afternoon for the purpose of taking public
 19 witness testimony on the application that is the
 20 subject of this proceeding. I have some public
 21 witnesses that have filled out the slips to
 22 testify, if you wish to testify and you haven't
 23 filled out one of these pink slips, please see
 24 the Bailiff in the back of the room and fill out
 25 a slip so that we can put you on the list to

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1 Old Dominion Power. And if customers have a
 2 complaint about their bill or their services, we
 3 have two representatives here this evening that
 4 are ready, willing to speak with them. Ms.
 5 Darlene Long, who is the area retail operations
 6 manager currently, and then her colleague, Ms.
 7 Tammy Coleman-Pamey, so they are available and
 8 more than willing to speak to any customers that
 9 have issues about their bills or services.
 10 **JUDGE MARY B. ADAMS:** Thank you
 11 very much.
 12 **MR. KENDRICK RIGGS:** Thank you.
 13 **JUDGE MARY B. ADAMS:** The first
 14 witness that I have is Danna F-U-S-O-N, if you
 15 could come forward? And for all witnesses who
 16 are going to testify this evening, if you could
 17 please state your name and your address before
 18 you testify, that would be wonderful. Also I
 19 will note that any witness who testifies is
 20 subject to cross examination and so I just want
 21 to make you aware of that as well.
 22 **BAILIFF:** Would you raise your
 23 right hand please? Do you solemnly swear or
 24 affirm the testimony you are about to give is the
 25 truth, the whole truth, and nothing but the

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1 testify. The first thing I want to do is the
 2 introduction of counsel, we have counsel here
 3 from Old Dominion Power Company and from the
 4 Commission staff, so of the company counsel could
 5 please?
 6 **MR. KENDRICK RIGGS:** Your Honor,
 7 Kendrick Riggs, with the law firm of Stoll Keenon
 8 Ogden in Louisville, Kentucky, and sitting next
 9 to me is my colleague, Ms. Allyson Sturgeon who
 10 is the managing senior counsel for regulatory
 11 transactions for LG&E and KU Energy Services
 12 Company.
 13 **JUDGE MARY B. ADAMS:** Thank you.
 14 **MR. AUSTIN SKEENS:** Austin Skeens
 15 with the Commission's Office of General Counsel,
 16 and I represent the Commission staff.
 17 **JUDGE MARY B. ADAMS:** Thank you
 18 very much. And did the company want to make an
 19 opening statement?
 20 **MR. KENDRICK RIGGS:** Very briefly,
 21 Your Honor. I would like to recognize that in
 22 attendance in addition to counsel, Mr. Robert M.
 23 Conroy, Vice President of State Regulations &
 24 Rates is in the room this evening. Also Mr.
 25 Stewart Spradlin, the manager of operations for

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1 truth, so help you God?
 2 **MS. DANNA FUSON:** Yes. Yes.
 3 **BAILIFF:** Okay.
 4 **MS. DANNA FUSON:** Thank you for
 5 this opportunity to speak. I oppose the rate
 6 price increase because everyone in this area is
 7 out of work, out of jobs, and most of
 8 circumstances, which the rate would put more
 9 people in a tighter position to try to pay for
 10 their bills. So therefore I feel like it would
 11 put a burden on the people in this area to have a
 12 price increase.
 13 **JUDGE MARY B. ADAMS:** Does that
 14 conclude your testimony?
 15 **MS. DANNA FUSON:** Thank you for
 16 the opportunity to speak.
 17 **JUDGE MARY B. ADAMS:** Could you
 18 please give your name and address for the record,
 19 please?
 20 **MS. DANNA FUSON:** Danna, D-A-N-N-
 21 A, Fuson, F-U-S-O-N, 5202 Sonesta, that's S-O-N-
 22 E-S-T-A Road, Big Stone Gap, Virginia, 24219.
 23 **JUDGE MARY B. ADAMS:** Thank you
 24 very much for your testimony. Any questions for
 25 the witness?



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1 **MR. KENDRICK RIGGS:** No, Your
 2 Honor.
 3 **MR. AUSTIN SKEENS:** No questions,
 4 Your Honor.
 5 **JUDGE MARY B. ADAMS:** Thank you
 6 very much for your time tonight.
 7 **MS. DANNA FUSON:** Thank you.
 8 **JUDGE MARY B. ADAMS:** The next
 9 witness on my list is Kathy Selvage, and the next
 10 witness after is Chelsea Barnes.
 11 **BAILIFF:** Would you raise your
 12 right hand please? Do you solemnly swear or
 13 affirm the testimony you are about to give is the
 14 truth, the whole truth, and nothing but the
 15 truth, so help you God?
 16 **WITNESS:** I do.
 17 **MS. KATHY SELVAGE:** Thank you for
 18 your time and an opportunity to speak briefly.
 19 My name is Kathy Selvage and I'm an Old Dominion
 20 Power Kentucky Utilities customer at both 6619
 21 and 6611 Kemper Road, Wise, Virginia. Far
 22 Southwest Virginia and Old Dominion's service
 23 territory can ill afford a power rate increase.
 24 In most households the Virginia Poverty Law
 25 Center chose to examine the burden placed on the

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1 losses prompt this, and I have attached a copy
 2 with my testimony. I will add that when you look
 3 at it in the upper left corner, it talks about
 4 it, they put it in with the bill, it says why
 5 your costs are rising, and in the top left
 6 corner, Number one is weathering the storm.
 7 There were sixteen storms and climate disasters
 8 in the U. S. in 2017 that surpassed one billion
 9 dollars in damage. I will also add that Wise
 10 County is one of several counties here in far
 11 Southwest Virginia that now occupies the
 12 designated status of distressed counties, applied
 13 by the Appalachian Regional Commission. So we do
 14 the only thing we can do, we practice
 15 conservation, we practice energy efficiency
 16 whenever we can, and wherever we can, and for us
 17 we installed solar panels with payments. We will
 18 be a part of the National Solar Tour on October
 19 the 19th. Please remember that homeowners don't
 20 get a check to cover the cost of their solar
 21 panels, as corporate facilities do, and the tax
 22 credits in the State were never designed for
 23 those who are retired, or those who are low
 24 income people. Flat out giveaways go to
 25 industry, Mineral Gap, copy attached, I provided

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1 family's income and provided an interactive link
 2 to a map making it easy to check from ones
 3 individual zip code. I provided the link here, I
 4 won't read it, but I did extract this for my own
 5 zip code, zip code 24293. The energy burden is
 6 currently at 4.6 percent. It also lists the
 7 median income at forty-four thousand, forty-three
 8 dollars, with population of ten thousand, seven
 9 ninety-one, that being found in the zip code
 10 23293. In addition I have provided within my
 11 testimony here a link to that entire report.
 12 What we find is a verification of what we already
 13 know. Our family income is nowhere close to this
 14 median. Just spotlighting the great inequality
 15 of income that has always existed here, therefore
 16 our energy burden is much larger than the one
 17 listed here proportionate to our income.
 18 Combined with other increases such as County,
 19 real estate values rising 3.33 percent in 2018,
 20 along with a tax rate increase, and 5.61 percent
 21 increase in 2019, increasing your real estate
 22 taxes, and I provided a copy so you could see.
 23 The burden on family resources just keeps
 24 mounting. Rising homeowner's insurance rates
 25 based on the value of the home and the industry's

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1 for you a copy of the press. While we still
 2 search for the Wise County citizens who may be
 3 working there, the workers were construction
 4 workers with short time spent, and when you
 5 continue to increase the monthly fee that we pay
 6 to be connected to the grid, you're penalizing
 7 those of us who are trying to find another way
 8 through conservation, energy efficiency, and
 9 green energy. How is that warranted? We must
 10 pay more while we use less. We are told time and
 11 time again that the affordability of electricity
 12 in Virginia is great, though this part of the
 13 Commonwealth has provided the fuel for
 14 electricity, we have not reaped the benefits but
 15 instead we have absorbed the cost. The low
 16 income and retired show an unfair burden. It
 17 simply is not fair and it is not right. The rate
 18 payers are asked over and over again to cover the
 19 utility's bad judgement calls, whether it is on
 20 coal ash or their continued dependence on a dying
 21 industry instead of zero based fuels that do not
 22 threaten our health, the health of our
 23 communities or the fate of the planet. You might
 24 say what does all of that have to do with you?
 25 It does because we live in a Commonwealth where



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1 we have no choices. Electric production and
 2 delivery are a monopoly and you are the
 3 arbitrators of these utilities. Please consider
 4 the effects of your decisions on all when your
 5 judgements are contemplated for this energy
 6 monopoly. Please remember how median incomes are
 7 determined, huge salaries are diluted by the vast
 8 number of households who can't reach and never
 9 have, that median income. Once again I thank you
 10 for your time.
 11 **JUDGE MARY B. ADAMS:** Thank you
 12 very much for your testimony tonight. Did you?
 13 **MR. KENDRICK RIGGS:** No questions,
 14 thank you, Your Honor.
 15 **MR. AUSTIN SKEENS:** No questions.
 16 **JUDGE MARY B. ADAMS:** Chelsea
 17 Barnes, followed by Larry Williams.
 18 **BAILIFF:** Would you raise your
 19 right hand please? Do you solemnly swear or
 20 affirm the testimony you are about to give is the
 21 truth, the whole truth, and nothing but the
 22 truth, so help you God?
 23 **MS. CHELSEA BARNES:** Yes. Thank
 24 you for having this hearing here in our
 25 community, my name is Chelsea Barnes, I live at

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1 128 Azalea Lane, Big Stone Gap, Virginia. I am a
 2 customer of ODP and I have lived here for, since
 3 January, I moved from an area that had electric
 4 cooling but not electric heating, and so the
 5 winter bills were truly a shock to us here when
 6 we moved. I'm very opposed to this
 7 extraordinarily high rate increase. This
 8 increase would be shocking to utility customers
 9 in any area and you know, even a wealthy area
 10 this was just an abnormally large request, and it
 11 is that much more shocking here in an area where
 12 we are already trying to dig ourselves out of an
 13 economic hole. And as you have heard here today
 14 so many people are on fixed incomes and just
 15 trying to get by and this is just a punch to the
 16 gut for our community. These, especially the
 17 increases to demand charges on commercial
 18 customers and fixed charges on residential
 19 customers are specifically designed to discourage
 20 and make energy efficiency and solar energy less
 21 cost effective for both businesses and consumers.
 22 I am trying to get solar panels installed on my
 23 house currently to help us control our utility
 24 costs, and this is going to make our investment
 25 less cost effective, and that is what the rates

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1 are designed to do is to discourage customers
 2 from making these investments. This utility
 3 offers no energy efficiency programs for
 4 customers in this area, there's no way for people
 5 to control their utility costs, they just keep
 6 going up and up and there's no way for customers
 7 to go through efficiency programs that are
 8 offered by other utilities in the State and
 9 across the country. And that is just
 10 unreasonable in an area that is experiencing such
 11 high utility bills. And lastly I will just say
 12 that the Executive Order 43 that was just passed
 13 last month has specific requirements for the
 14 Department of Mines, Minerals & Energy to work
 15 with utilities to develop new energy efficiency
 16 programs that include measures to help moderate
 17 income customers access energy efficiency and
 18 clean energy and reduce their bills, so to
 19 approve a rate increase like this at a time when
 20 the State is moving towards new programs to try
 21 to help customers with their bill would be
 22 unadvisable, that we should go through that
 23 process of helping customers to reduce their
 24 bills before increasing their rates. Old
 25 Dominion Power should be investing and the

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1 Commissions should be requiring Old Dominion
 2 Power to be investing in energy efficiency in
 3 this area instead of continuing to increase
 4 rates. Thank you for your time.
 5 **JUDGE MARY B. ADAMS:** Thank you
 6 for your testimony. Did the company have any
 7 questions for the witness?
 8 **MR. KENDRICK RIGGS:** No Your
 9 Honor, thank you.
 10 **JUDGE MARY B. ADAMS:** The staff?
 11 **MR. AUSTIN SKEENS:** No questions,
 12 Your Honor.
 13 **JUDGE MARY B. ADAMS:** Thank you
 14 very much. Larry Williams? And Marcy Darcy is
 15 the next witness after Mr. Williams.
 16 **BAILIFF:** Do you solemnly swear or
 17 affirm the testimony you are about to give is the
 18 truth, the whole truth, and nothing but the
 19 truth, so help you God?
 20 **MR. LARRY WILLIAMS:** I do. Madame
 21 Chair, Commission, members of ODP and
 22 representatives, I am here because of what I see
 23 going on in our county with the power company.
 24 Just to give you some background, forty-three
 25 years in emergency services to our area here in



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1 Southwest Virginia. You know, it's sad that we
 2 have twenty-six-plus percent rate increase being
 3 asked for. In the seventies, we were a gold mine
 4 here, everything was based on coal mining. One
 5 of the highest paying jobs there was in the
 6 United States, and rightfully so, anyone that
 7 will go underground, to me I think there's a
 8 mental problem with them but that was the,
 9 because I had to go in many a time and get some
 10 of them out. It's not a pretty sight. The sad
 11 thing is from the seventies, late seventies to
 12 eighties, we started declining. We declined so
 13 bad to now this county, including Lee Counties
 14 and other that you all service, some of the
 15 poorest counties there is the United States, yet
 16 everything keeps rising, and no one takes into
 17 effect and consideration what is happening.
 18 Madame Chair, I hope today, and members, that we
 19 are just not talking here today that you all are
 20 listening, but I personally have went into homes
 21 of elderly people and their temperatures in their
 22 homes are setting them at forty-eight, or their
 23 power is turned off. I've took them in because
 24 of pneumonia. Their houses are old and drafty,
 25 they couldn't afford it. I've been to many a

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1 see. If it is happening, it's happening in
 2 Kentucky or other places you all are servicing.
 3 There's regular maintenance that goes on on the
 4 line, we understand, but at the rate that you are
 5 being paid related to people who are working,
 6 even though we know it's a dangerous job, I for
 7 one know, I know what electricity will do. It's
 8 a very extreme hazardous job. One of my best
 9 friends died from raising a drill mask after
 10 hitting a power line. That power is not funny.
 11 And I understand why they get paid, but what's
 12 going on that they got to have a rate increase
 13 like this to put a burden upon this county and
 14 the citizens, and the elderly, of the people of
 15 our State. Why? I can't see it and no one else
 16 can. The only question I can leave you with
 17 tonight is I hope and pray to God you have never
 18 walked in my shoes, to walk into a house that
 19 someone is absolutely freezing and we have
 20 actually treated them for hypothermia. I'm
 21 blessed to be retired now, but I still see it
 22 every day. I buy medicines of a month's still
 23 yet for people that's over, that can't afford to
 24 get their meds, it's because of the electric
 25 bill. If they, they can't use the air or what

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1 home that the people their self had to choose
 2 medication, electricity, water bills and stuff,
 3 their biggest burden that they have was the
 4 electric bills, they couldn't afford to heat.
 5 But they went without medications and stuff to
 6 pay these bills, yet we continue to decline in
 7 our area, to it is pitiful in our area. I don't
 8 know if any of you all get out to go and see, but
 9 we see it every single day, every day. It's not
 10 pretty. I thought when I left third world
 11 countries, come back home years ago that I would
 12 never see it in our country, but I do. Old
 13 Dominion, you all are better than this, I truly
 14 believe that. I believe our State Commission and
 15 everyone that works tries to do a job to help us
 16 all, but my God look at our people. Look at
 17 what's happening here, okay? You ask for a
 18 raise. I myself I'm fortunate, I guess at what I
 19 make, but you know it's not funny when you're
 20 paying out more in electricity just when it's
 21 actually turned off than anything else you have.
 22 I'd love to see, where's it going to? What is
 23 the reason for the big rate increases? Can
 24 anyone tell me that? The improvements we look
 25 at, where's it at? It's not happening that we

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1 they have, they die from heat exhaustion. So you
 2 have a choice, you all want to go with this and
 3 continue to have the negativity that we have, or
 4 do you want to look at what's going on? The
 5 burden that's hitting here is not just limited to
 6 Wise County, it's your whole service area, from
 7 Richmond down we are in bad shape. In fact, if
 8 you want to put it bluntly, we're critical.
 9 We're doing everything we can to try to get a
 10 job, businesses here, the people are leaving by
 11 the hundreds. If you take it from Richmond down,
 12 it's by the thousands. They can't afford to live
 13 here. They cannot afford it, everything is going
 14 up, the grocery stores, look at what's happened
 15 there. Isn't the one, that Sav-A-Lot in
 16 Appalachia closed? And I will go on record
 17 stating, check one item just to see in the store,
 18 two boxes of it was five dollars, for some Ritz
 19 crackers people, you know what it is now, the
 20 store left, it's been gone a month, month and a
 21 half. It's a shame, it's seven dollars and plus.
 22 This is a monopoly. I'm not accusing you of
 23 having a monopoly, we know that electric power
 24 companies have to do their thing. We all need
 25 electricity, but rate increase that you all are



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1 looking at is ridiculous. Our people can't
 2 afford it. If you go through with this rate
 3 increase, you're not going to have people here to
 4 use your power because they're leaving, okay?
 5 When they can go across into Johnson City and
 6 live over there cheaper than what they can here,
 7 then as big as Johnson City is and us being still
 8 charged here by the stores, our utility companies
 9 and all at the same price the miners made when
 10 their salaries were fifty, sixty, and seventy
 11 thousand dollars. Our normal average income in
 12 Wise County, and it is actually right at fifteen
 13 to eighteen thousand dollars. That's maximum.
 14 The people are making minimum wage, a lot of them
 15 is working two to three jobs just to get by.
 16 They're not trying to live extravagant, that's
 17 just to be able to eat. A lot of the young
 18 people are taking care of their parents, helping
 19 them pay the bills because they don't get the
 20 money because with all the rate increases we're
 21 seeing. The people can't handle it here no more.
 22 So you can choose, do we continue with this rate
 23 increase? Because what's left here, you're not
 24 going to have them. You think, everybody thinks
 25 that it's wrong, but you're not, you're turning

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1 the whole county, the area into a ghost town, and
 2 in part I would blame you all if you do raise it.
 3 But I think there's enough common sense to say
 4 here, to say what are we doing? That is my wish
 5 from the Commission, ODP that you re-look at what
 6 you're doing. With the statement I said I'd
 7 make, I would pray you never walk into your
 8 mother's house, your daughter's house, your son's
 9 house and have to see what I've seen in forty-
 10 three years, it's not funny, and you don't know
 11 it until you go see what it's like. The last
 12 counsel member I spoke to voted against giving,
 13 or helping the EMS system and I won't call his
 14 name. That night he had a heart attack. Do you
 15 know how many medics was around to work on him?
 16 None. But there was one who went out, and I
 17 saved his life, they got another year. I was
 18 supposed to have got paid for it. I never asked
 19 for a penny. That life meant more to me than
 20 anything and I'm going to be honest with you,
 21 that's what you're playing with people's lives.
 22 Hypothermia kills. So when people has to choose
 23 what to do, either they're going to leave the
 24 area because they have no choice, or they go
 25 without. And just remember if this rate increase

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1 goes, you will see it happen, and when it comes
 2 back you can't say that you didn't take the blame
 3 for it, because they can't have no more. The
 4 people cannot stand any more of this. I thank
 5 you very much for your time and everything, and
 6 your consideration, I hope you take things to
 7 heart and what's being said her tonight because
 8 everyone can't be wrong. Thank you. Any
 9 questions from either of you?
 10 **MR. KENDRICK RIGGS:** Yes sir.
 11 Maybe I missed it at your opening, could you
 12 state your address for the record?
 13 **MR. LARRY WILLIAMS:** It's 312
 14 Chestnut Street, Appalachia, Virginia.
 15 **MR. KENDRICK RIGGS:** And are you a
 16 customer of ODP?
 17 **MR. LARRY WILLIAMS:** I am a
 18 customer, I have been, well say about fifty some
 19 years. So I have.
 20 **MR. KENDRICK RIGGS:** Thank you,
 21 that's all the questions I have.
 22 **MR. AUSTIN SKEENS:** No questions.
 23 **MR. LARRY WILLIAMS:** And I had
 24 something, if it's all right with Madame Chair.
 25 We had problems back in the seventies and the

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1 Commission I think was formed then, or on it, but
 2 the same thing going on, the rate increases. You
 3 know ODP listened, guess what, ODP broke, because
 4 people liked what ODP did back then. So think
 5 about what you're doing and what happens in this
 6 Board, it's all I ask is think about it, do you
 7 want it for your own family, and what if? Thank
 8 you very much.
 9 **JUDGE MARY B. ADAMS:** Thank you
 10 very much for your testimony, Mr. Williams.
 11 **MR. LARRY WILLIAMS:** You're
 12 welcome.
 13 **JUDGE MARY B. ADAMS:** Mary Darcy,
 14 and after Ms. Darcy we have Tiffany Wingate.
 15 **BAILIFF:** Would you raise your
 16 right hand please? Do you solemnly swear or
 17 affirm the testimony you are about to give is the
 18 truth, the whole truth, and nothing but the
 19 truth, so help you God?
 20 **MS. MARY DARCY:** Everything I say
 21 is the truth as far as I know it, so help me God.
 22 I just have two questions. The first is, given
 23 the Governor's Executive Order 43 to set the
 24 State on the plan to achieve a hundred percent
 25 clean energy grid. Why does Old Dominion Power



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1 continue to base generation on expensive coal and
 2 natural gas without a plan of change? That's one
 3 question. A second question I have is that where
 4 is the logic of take, increasing costs, having
 5 cost move, costs move up while the popu, a good
 6 part of the population's income stays constant?
 7 The elderly and many subgroups within the
 8 population there is a known income that won't
 9 increase. Then why does a large company like
 10 Dominion plan on asking people for more? That's
 11 the last question, thank you.
 12 **JUDGE MARY B. ADAMS:** Ms. Darcy,
 13 could you please state your address?
 14 **MS. MARY DARCY:** Yes, 107
 15 Ridgefield Road, Wise, Virginia, 24293, and I am
 16 a customer.
 17 **JUDGE MARY B. ADAMS:** Any
 18 questions?
 19 **MR. KENDRICK RIGGS:** No, Your
 20 Honor.
 21 **MR. AUSTIN SKEENS:** No, Your
 22 Honor.
 23 **JUDGE MARY B. ADAMS:** Thank you
 24 very much for your testimony. Tiffany Wingate?
 25 **BAILIFF:** Would you raise your

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1 situation, so much so that I had to rely on
 2 friends and family, which in that situation, you
 3 know, you think that you should, but there's also
 4 other, you know, programs that was set up to help
 5 us which the Department of Social Services and
 6 things of that nature. But one particular
 7 situation that I would like to point out in this
 8 situation is with our electricity. My son was
 9 born four pounds, okay? I brought him home six
 10 days after I gave birth to him and he was still
 11 only four pounds and five ounces. He has
 12 exclusively breastfed. Sorry.
 13 **JUDGE MARY B. ADAMS:** It's okay.
 14 **MS. TIFFANY WINGATE:** I'm a new
 15 mom, okay? And it took me four years to have my
 16 son. And when I came home I didn't know what to
 17 do, you know, I was, I'm a new mom, I'm scared,
 18 you know, I'm struggling with this when really
 19 I've got the best thing ever since sliced bread,
 20 you know? I check my mail and I have a
 21 disconnection notice on my electricity bill and
 22 guess what, that was during my husband's layoff.
 23 We had no money. I had no income in my house, my
 24 home, I had nothing. My mom and dad are on fixed
 25 incomes because they are both disabled and cannot

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1 right hand please? Do you solemnly swear or
 2 affirm the testimony you are about to give is the
 3 truth, the whole truth, and nothing but the
 4 truth, so help you God?
 5 **MS. TIFFANY WINGATE:** I do. I'm
 6 not a public speaker and I'm quite nervous, but I
 7 want to thank you so much for the opportunity
 8 today to speak just to let you guys know how this
 9 rate increase is going to affect myself and my
 10 family. I live at 4305 McKinley Road, Norton,
 11 Virginia, 24273, and it's right outside the town
 12 limits actually. I don't know if you saw the
 13 baby here, but he's, he's only eight months old
 14 and there is where my story kind of starts. I
 15 was working and employed for a law office in
 16 Wise, Virginia shortly before the birth of my son
 17 and which I was put up on medical leave and then
 18 I was unable to work at that time. My husband
 19 unfortunately lost his employment that he
 20 currently had but found employment in Coburn, the
 21 Town of Coburn for the Public Works Department.
 22 He is currently making minimum wage. And
 23 unfortunately whenever I quit my job or had to
 24 had to resign from my position, we found
 25 ourselves in an absolute whirlwind of a financial

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1 work, they couldn't help me at the time. I had
 2 no friends, I had nothing. I had to get my son's
 3 pediatrician to file a medical form to allow me
 4 fifteen extra days on my bill in order to pay it.
 5 I had to go and contact churches, most of which
 6 didn't have funds to help me. If that was the
 7 situation then, what is my situation going to be
 8 with this increase? I still can't work, I had
 9 problems prior to pregnancy and I still have
 10 them, and some of my problems have, have
 11 worsened. My, my son is currently still
 12 experiencing some problems from being premature
 13 and the weight problem and things like that, he
 14 is still exclusively breastfed. I can't, I'm
 15 someone who cannot deal without power because I
 16 have to pump my breasts to feed him. He, I don't
 17 know what else to do with this increase, there's
 18 no help for someone like me, and with the
 19 increase there's no assistance that's increasing
 20 to help people like me. And as the gentleman
 21 spoke just a moment ago that was a witness prior
 22 to me being up here, he stated about, you know,
 23 elderly and other people who actually turn down
 24 their thermostats because they can't afford it.
 25 And my dad is someone who does that, he lives on



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1 Virginia Avenue, he is also a customer of Old
 2 Dominion but could not make it out today because
 3 he is very sick. He honestly has no money. He
 4 gets out and does the very best he can for
 5 friends and family, you know, just helping them
 6 out in the yard, helping them, you know, pick
 7 their, right crops off of their like little
 8 vegetable gardens and stuff, just to make any
 9 amounts of money to help pay their bills. And he
 10 can, he can't afford the rate increase, I mean
 11 he's sitting up there right now, I'm sure, if you
 12 walk into his home he's sitting up there right
 13 now and his house is upwards of eighty degrees,
 14 and it's warm outside today, just because he
 15 can't afford it, he can't afford to do that. And
 16 I tell him dad, you know, well why can't you
 17 afford it, you know, why can't you do this, why
 18 can't you do that? And his response to me is
 19 Tiff, I have a three hundred dollar mortgage
 20 payment, I have a two hundred dollar truck
 21 payment, you know, I'm, I'm on a fixed income of
 22 seven hundred and some dollars in disability, I,
 23 I can't work, I can't do this, like you know,
 24 I'm, I'm just to the point that I'm not even
 25 going to be able to live here, I'm going to have

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1 **JUDGE MARY B. ADAMS:** Thank you
 2 very much for your testimony tonight. Wayne
 3 Herndon, and following Mr. Herndon, Theresa
 4 Kelly.
 5 **BAILIFF:** Would you raise your
 6 right hand please? Do you solemnly swear or
 7 affirm the testimony you are about to give is the
 8 truth, the whole truth, and nothing but the
 9 truth, so help you God?
 10 **MR. WAYNE HERNDON:** Yes ma'am, I
 11 do. My name is Wayne Herndon, I live in Big
 12 Stone Gap, Virginia, 851 Gilley Avenue. I have
 13 lived here most all of my life, sixty-some years,
 14 ten years away from here living in Virginia Beach
 15 and Charlotte, and some different areas, but I
 16 love it here. Most of the people who do live
 17 here, they stay here because they love it here,
 18 but we've got to the point folks, we're in a
 19 desperate situation in this county and this whole
 20 region really. Our coal industry is gone bottom
 21 up, you know, and we got towns that actually, I
 22 believe they are in jeopardy of maybe having to
 23 surrender their town charters, and when that
 24 happens, we've got some real issues going on. We
 25 don't want the county taking care of our, our

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1 to move in with your mom. That hurts me because
 2 that's my job, just as he helped me in that
 3 situation with my timing, whenever I had my son,
 4 whenever he was scrounging out pennies, count,
 5 quite literally counting pennies to help me and
 6 my husband with our, with our problem because we
 7 had no income. I feel that that's my
 8 responsibility, but there's no way that I can do
 9 that for myself, let alone for my dad. This rate
 10 increase if it is approved, it's going to harm my
 11 family ridiculously, like I don't know how we're
 12 going to survive. And I'm sorry that I don't
 13 have anything additionally planned, but this is
 14 how this is going to affect me, and I can't do
 15 it, I, I mean, who am I going to turn to? And
 16 that's all I have.
 17 **JUDGE MARY B. ADAMS:** Do you have
 18 any questions?
 19 **MR. KENDRICK RIGGS:** No ma'am, I
 20 do not.
 21 **JUDGE MARY B. ADAMS:** Do you have
 22 any questions?
 23 **MR. AUSTIN SKEENS:** No ma'am,
 24 thank you.
 25 **MS. TIFFANY WINGATE:** Thank you.

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1 issues in towns because if you've got a waterline
 2 that needs to be dug or whatever needs to be
 3 done, you don't get somebody to come from Wise,
 4 Virginia all the way to Big Stone Gap or
 5 Appalachia. But anyway as has been mentioned
 6 before, a lot of folks in this area are on fixed
 7 incomes and we have a higher percentage of
 8 seniors and retirees. The jobs that are
 9 available here, you can see wanted signs all over
 10 this area for service-type jobs, like restaurants
 11 and so forth, they can't even fill those jobs. I
 12 know McDonald's even paying up to ten dollars an
 13 hour now, they can't find people to stay on the
 14 job. They will work long enough to get one or two
 15 paychecks and they're out of there. I don't know
 16 why, but it just happens. But as mentioned by
 17 other people, the cost of living has increased,
 18 we get no increase from Social Security, what
 19 little bit you get it doesn't even make a dent in
 20 what you're having to pay out. And I talked with
 21 some people from Tennessee the other day and
 22 their rates are much lower than the rates over in
 23 this area, they're paying less than a hundred
 24 dollars a month, a lot of folks are, for
 25 electricity. And I don't want to say it but I



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1 pay over two hundred dollars a month and I
 2 appreciate the service that they do provide here,
 3 but it's got to the point that we need a break.
 4 I think we need a rate decrease is what we need
 5 to help us out, so people can stay here and live
 6 here. And the gentleman mentioned monopolies,
 7 monopolies in this area I think are killing all
 8 of us, and we're sort of helpless at the mercy of
 9 the merchants and the businesses. The power
 10 rates are going up, water and sewer rates are
 11 going up, TV cable service, Comcast going up,
 12 grocery stores, Food City in particular, they all
 13 have a license to steal from us and nobody is our
 14 protector. What is happening? We used to have
 15 what we called a Consumer Protection Agency, I
 16 don't know if that agency still exists or not but
 17 if they are, they're not doing anything to help
 18 us in this area. Don't seem to be anyway. As I
 19 said, we're in, we're in jeopardy here in this
 20 county, and I think we're all in a survival mode.
 21 Our coal industry has gone down, our tax base has
 22 gone down, our schools can't even meet their
 23 budgets hardly, the tax, the coal tax severance
 24 money has gone down, we've got drug issues in
 25 this county that's causing us all kind of

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1 **JUDGE MARY B. ADAMS:** The last
 2 witness that I have to testify is Theresa Kelly,
 3 but if there's anyone else in the room that
 4 wishes to testify who hasn't filled out a pink
 5 form, please do so.
 6 **BAILIFF:** Would you raise your
 7 right hand please? Do you solemnly swear or
 8 affirm the testimony you are about to give is the
 9 truth, the whole truth, and nothing but the
 10 truth, so help you God?
 11 **MS. THERESA KELLY:** Yes. My name
 12 is Theresa Kelly and I live at 526 Maxfield
 13 Street, Big Stone Gap, Virginia. I know that
 14 we've heard over about everybody that's been up
 15 here tonight has talked about the coal industry
 16 and I too am going to mention it because it's
 17 what we had here and it's gone, it's just pretty
 18 much totally gone. But you know, it didn't
 19 affect just coal miners, a lot of people thinks
 20 it affected just coal miners. It affected
 21 everything, everything worked off of our coal
 22 industry here. My husband sitting back here
 23 beside of me, he worked for Thompson Litton
 24 Engineering as an inspector and because of the
 25 coal industry going down, he lost his job. He

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1 problems, money-wise and otherwise. That's some
 2 of the problem you have when you have monopolies
 3 and no competition, you're at the mercy of
 4 whoever is providing that service. So we would
 5 like to be able to keep the lights on, that used
 6 to be the motto of the coal industry, you know.
 7 We keep the lights burning. And we keep the heat
 8 in the wintertime, that's, that business has been
 9 hurt severely. I hope it doesn't come to the
 10 time, but there may be a time that people cannot
 11 pay their electric bill and maybe they go back to
 12 using candles, or the old coal oil lamps, or
 13 whatever you want to call them. We hope that day
 14 never comes, but the way the economy looks in
 15 this area now, I don't know what the future holds
 16 for us, but we would appreciate any, anything
 17 that you could do I think to give us a rate
 18 decrease. Thank you.
 19 **JUDGE MARY B. ADAMS:** Thank you
 20 very much for your testimony, Mr. Herndon.
 21 **MR. WAYNE HERNDON:** Excuse me?
 22 **JUDGE MARY B. ADAMS:** I said thank
 23 you very much for your testimony.
 24 **MR. WAYNE HERNDON:** Yes sir,
 25 Madame, yes ma'am.

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1 worked there for thirty years almost and he lost
 2 his job. He got a job with another company out
 3 of North Carolina, but he, he's getting very
 4 little work, just a few days here, a few days
 5 there, having to travel to North Carolina,
 6 Richmond to get those few days. In our house, we
 7 probably would just sell it and move, but we
 8 built a new house a few years ago before all this
 9 happened, and we know we would never recover our
 10 money from it, we would have to take a big loss.
 11 In our house we burn wood to subsidize our
 12 electric bill. I'm sixty-eight years old, my
 13 husband is, I'm not going to tell you how old he
 14 is, but he's almost there, and every morning he
 15 comes in my bedroom and he says hon, I'm going
 16 out to work on the wood before it gets too hot.
 17 He's out there splitting wood, going wherever him
 18 and his brothers can go to find wood to haul it
 19 in to burn in our wood burning stove. I hope you
 20 all don't say well let's see if we can get rid of
 21 those because it's the only way a lot of people
 22 make it, and certainly it does help keep the
 23 power bills down some. But that's what we do in
 24 our house to be able, and it's hard work for
 25 sixty-some year old people to go to the mountains



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1 and gather wood and cut trees and then spend the,
 2 before it gets so hot spend it out cutting the
 3 wood up and trying to get it ready, trying to get
 4 it dried out. A lot of people think you just get
 5 wood and stick it in the stove, that's not true,
 6 you got a lot you got to do, you got to get it,
 7 dry the water out of it or at least for the new
 8 stoves that are supposed to be environmental safe
 9 for us, but that's what we do. We just had some
 10 friends in Big Stone Gap, that's where we live,
 11 and thing were really bad in Big Stone Gap, I
 12 guess they are everywhere, but it seems like Big
 13 Stone has really been hit hard lately. Her
 14 husband works for the railroad, but there again,
 15 he's getting hardly any work, a day here, a day
 16 there. He just told us last week, he said I need
 17 one more day's work to be able to get my three
 18 weeks of vacation, if I don't get that one day
 19 I'm going to lose three weeks of vacation. So to
 20 help themselves they opened a restaurant, which
 21 we badly needed in Big Stone Gap. They put it in
 22 the old Westmoreland Building, it's a wonderful
 23 little restaurant, if you're down there, try it.
 24 I will put a little spot in there for them. But
 25 their first month of having the restaurant open

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1 is take her stuff like that, and then she, and I
 2 said how are you doing Patsy? She said, I'm
 3 burning up Theresa, I'm burning up. When I go
 4 over to her house and try to visit with her a
 5 little while, the sweat runs out of my head and
 6 drips off of my chin because her house is so hot.
 7 She won't run a fan. She won't run a fan in her
 8 house. And I said Patsy, you got a fan. Well
 9 yeah, but I don't run it, sometimes I turn it on
 10 the dog. She thinks more of the dog than she
 11 does herself, okay? Sometimes she turns it on
 12 the sixteen year old dog, but just for a few
 13 minutes, she won't run a fan, and I mean I can't
 14 stand it over there, I can't stand to try to
 15 visit with her, it is so hot in her house. And
 16 you know, this is the way it is for her. Like I
 17 said, me and my husband take her groceries, you
 18 know, she has a few other people that, that help
 19 her out. My friend sitting back here in the
 20 pink, Becky, she had a friend, well it's a
 21 neighbor that lives in her community and they
 22 live in a rented condo and they got fireplaces in
 23 them. He came to Becky a few months ago and
 24 admitted to her that he cut one of her trees down
 25 on her property and asked for her forgiveness he

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1 their power bill was over a thousand dollars.
 2 What little restaurant can survive trying to get
 3 started, trying to buy what you need, trying to
 4 make some money with a power bill being over a
 5 thousand dollars? That's what happened to them.
 6 Next, I would like to talk a little bit about a
 7 friend that I have recently met and adopted,
 8 she's eighty-one years old. She's one of
 9 hundreds and thousands probably, but all I could
 10 do was choose one, I didn't know her but I went
 11 to a pastor and I said I want to adopt somebody
 12 in my town to try to help that really needs help.
 13 I said I don't want an old person with kids
 14 that's on drugs and that they hand their money, I
 15 want somebody that really needs my help and will
 16 use it wisely. So he pointed me to this
 17 wonderful old lay, she's eight-one years old
 18 guess, how much income she has? Zero. You might
 19 say well no, we got SSI, we've got, I've been
 20 trying for months to get her on SSI, I've been
 21 trying for months to help her. She's got other
 22 people, she's got a social worker. Hasn't
 23 happened yet. She has zero income. I called her
 24 this afternoon and I said Patsy, what do you need
 25 from the grocery store, that's mostly what I do

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1 said, because I have a baby, it was in the
 2 wintertime and he said my baby's freezing, he
 3 said, so I cut one of your trees down to build a
 4 fire to try to keep my baby warm. Now this is
 5 what is going on in Wise County. You've heard
 6 example after example, and these are just a few
 7 of the thousands of stories that could be told to
 8 you all where people are hurting. We have no
 9 jobs. In Big Stone Gap, we got hit with losing
 10 our Walmart, eighty jobs, and you think a Walmart
 11 job, you know, that was very important to eighty
 12 people. Eighty people in Big Stone Gap were
 13 devastated because they lost their Walmart job.
 14 The rest of us was devastated because now to go
 15 get toilet paper, whatever, we got to drive to
 16 Norton or to Lee County because we lost that.
 17 There again, that's the coal mining filtering
 18 down, the towns are just, you know, they're
 19 drying up, they're dying, there's nothing here.
 20 We have one grocery store, we have, they can
 21 charge us whatever they want because there's not
 22 enough in this area to bring in competition, or
 23 either we have to drive twenty miles, or
 24 whatever, so that's what we're facing here. And
 25 like I said, these stories, like the man cutting



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1 down Becky's tree, you know, and coming and
 2 telling her, that's just one of thousands and
 3 thousands that you know, if the people were here
 4 that could tell you. Talking about people in the
 5 coal industry, my friend sitting back there in
 6 the pink and the orange, she was a coal miner.
 7 She's not a coal miner anymore because there is
 8 no jobs. She's still got a house payment, she's
 9 still got a big electric bill, she's still got
 10 everything that she ever had, but she doesn't
 11 have a job. She's cleaning house for people now
 12 when she can get that. So its hard times in Wise
 13 County, and we don't need your raise. Thank you.
 14 **JUDGE MARY B. ADAMS:** Thank you
 15 very much for your testimony tonight. Do you
 16 have any questions for this witness?
 17 **MR. KENDRICK RIGGS:** No, Your
 18 Honor.
 19 **MR. AUSTIN SKEENS:** No, Your
 20 Honor.
 21 **JUDGE MARY B. ADAMS:** Thank you
 22 very much. I don't have any more witnesses
 23 signed up to testify this evening, but if anyone
 24 wants to testify, please come forward now. And I
 25 don't see any more coming forward, so please let

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1 CAPTION
 2
 3 The foregoing matter was taken on the date, and at
 4 the time and place set out on the title page hereof.
 5
 6 It was requested that the matter be taken by the
 7 reporter and that the same be reduced to typewritten
 8 form.
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1 the record reflect that no further witnesses came
 2 forward to testify, and the Commission stands
 3 adjourned.
 4 **(WHEREUPON, the State Corporation Commission**
 5 **public hearing was adjourned at 7:49 p.m.)**
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1 CERTIFICATE OF REPORTER AND SECURE
 ENCRYPTED
 2 SIGNATURE AND DELIVERY OF CERTIFIED TRANSCRIPT
 3 I, **STEPHEN D. GRIDER**, Notary Public, do hereby
 4 certify that the forgoing matter was reported by
 5 stenographic and/or mechanical means, that same was
 6 reduced to written form, that the transcript prepared
 7 by me or under my direction, is a true and accurate
 8 record of same to the best of my knowledge and
 9 ability; that there is no relation nor employment by
 10 any attorney or counsel employed by the parties
 11 hereto, nor financial or otherwise interest in the
 12 action filed or its outcome.
 13 This transcript and certificate have been
 14 digitally signed and securely delivered through our
 15 encryption server.
 16 IN WITNESS HEREOF, I have here unto set my hand
 17 this 10th day of October, 2019.
 18
 19
 20
 21
 22 /s/ **STEPHEN D. GRIDER**
 23 COURT REPORTER / NOTARY
 24 NOTARY REGISTRATION NUMBER: 277815
 25 MY COMMISSION EXPIRES: MARCH 31, 2021

