

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

[Campobello, South Carolina]

HEARING #15-11492

AUGUST 27, 2015

6:00 P.M.

ND-2015-20-E and DOCKET NO. 2015-305-E:

DUKE ENERGY CAROLINAS - Foothills Transmission and Substation
Project: 45-Mile Transmission Line Between Asheville, NC, Power
Plant and New Substation Near Campobello

TRANSCRIPT OF TESTIMONY

AND PROCEEDINGS

HEARING BEFORE: Nikiya M. 'Nikki' HALL, *Chairman*; Swain E.
WHITFIELD, *Vice Chairman*; and COMMISSIONERS John E.
'Butch' HOWARD, Elliott F. ELAM, JR., Comer H. 'Randy'
RANDALL, and Elizabeth B. 'Lib' FLEMING
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General Counsel

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Hearing Room Assistants

APPEARANCES:

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CAROLINAS

**C. DUKES SCOTT, ESQUIRE, and ANDREW M.
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REGULATORY STAFF

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

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P R O C E E D I N G S

1
2 **CHAIRMAN HALL:** Hello to everyone. Thank you
3 for being here. My name is Nikki Hall; I'm the
4 Chair of the Public Service Commission. And I'll
5 just take a second to introduce my fellow
6 Commissioners. To my far right, I have
7 Commissioner Elliott Elam, who represents District
8 2. To his left is Commissioner Randy Randall, who
9 represents District 3. Commissioner Lib Fleming,
10 who represents the District 4 in this area. To my
11 far left, we have –

12 [Applause]

13 – Commissioner Butch Howard – she deserves a
14 round of applause.

15 [Applause]

16 – Commissioner Butch Howard, who represents
17 the First District, the lowcountry area. And
18 Commissioner Whitfield, Swain Whitfield, who
19 represents District 5.

20 We are so glad to be here this afternoon, this
21 evening. At the request of the high school,
22 however, we have to be out of here by 10 o'clock,
23 so we will only be taking testimony until 10 p.m.
24 So we ask that each person limit their comments to
25 three minutes. So if you can, prepare accordingly.

1 We have to thank some people for coordinating
2 this effort. Of course, first, thank you to Mr.
3 Walker who has coordinated the security for us and
4 coordinated the facility, and so we are grateful.
5 Thank you, so much.

6 And thank you to – Mr. Walker mentioned it,
7 but I would like to also thank Jason McCraw, the
8 principal. And our tech. people, our IT people,
9 who are running our sound, we appreciate you:
10 Jonathan Wilson and Dr. Jimmy Pryor. And to Dr.
11 Garner, the superintendent, thank you for
12 coordinating this; and his assistant, Jada Tessier,
13 who has helped us, we appreciate that.

14 We have some legislators who would like to
15 address us, and we will recognize y'all in a short
16 time, but right now I'm going to turn it over to my
17 attorney, to give us some instructions in the
18 docket.

19 **MR. MELCHERS:** good evening. Thank you for
20 joining us. I've got about three pages of
21 instructions to read to you and it's probably going
22 to have something in it of importance, so do your
23 best to stick with me as we work through the ground
24 rules for tonight.

25 First off, I would ask that you mute or cut

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off your cell phones. Please do so.

I will reiterate, they've asked us to not have any food or drinks in here; and anything you brought in with you, please leave with it, so that they are not having to clean up after us.

Now, this proceeding before the Public Service Commission in Docket No. 2015-305-E concerns Duke Energy's proposed Foothills Transmission and Substation Project, a 45-mile transmission line between the Asheville, North Carolina, power plant and a new substation near Campobello, South Carolina. The company has filed information stating that it intends to file, in late 2015 or early 2016, an Application under the South Carolina Utility Facility Siting & Environmental Protection Act. That will be filed with the Commission.

The Commission is here tonight because it granted the request of the Office of Regulatory Staff, another State agency, for an early public hearing. Even though an application has not been filed and a preferred route has not been proposed by Duke, Duke Energy has provided a filing which provided background information on the proposed project and a timeline for the filing of its Application, as we discussed. Therefore, the

1 Commission has opened a docket for public testimony
2 to be taken. So, tonight is an early and unique
3 opportunity to provide testimony very early in the
4 siting process. We thank you for being here
5 tonight.

6 I'd like to explain the Public Service
7 Commission's role. Duke Energy is the entity
8 proposing the project, not the State or any of its
9 agencies. The Public Service Commission is called
10 to be neutral in the cases that it hears. In fact,
11 it operates under the same thing that State judges
12 operate under, called the Code of Judicial Conduct.
13 That's why the Commission and staff cannot talk to
14 you about your views on the project. The
15 Commission is here to listen to your views.

16 When a project such as this one is proposed in
17 South Carolina, the Legislature has passed laws
18 that require three State agencies be involved in
19 that process, and those agencies are the Department
20 of Health & Environmental Control, the Department
21 of Natural Resources, and the Department of Parks,
22 Recreation & Tourism. These will be what they call
23 statutory parties in siting cases. So when an
24 application is filed, you will see that those
25 parties are, by statute, made party to the docket.

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At this time, we would like to take appearances of the attorneys and other officials present. Ms. Shirley Smith is here, representing Duke Energy. Would you please introduce yourself?

MS. SMITH: Good evening, Commissioners. I'm Heather Shirley Smith, counsel for Duke Energy, and with me is Frank Ellerbe with the law firm of Robinson McFadden. While we are not giving a presentation this evening, we have several team members here who will be listening to the concerns of the public, and all those concerns will be taken into account in our route selection process, which will be announced – a route will be announced in early October.

As provided for in the Hearing Officer's Directive, we will be reserving any objections this evening for a later time, as well as the right to file any responsive testimony. We don't want to impede any statements being given to the Commission, and we're here to listen and we appreciate the opportunity to be here.

MR. MELCHERS: Thank you. I see that Mr. Scott is here from the Office of Regulatory Staff. Would you please introduce yourself?

MR. SCOTT: I'm Dukes Scott with the Office of

1 Regulatory Staff. With me is Andrew Bateman, who
2 is staff counsel. We also have several members of
3 the Office of Regulatory Staff with us, that will
4 be available to you if you have questions to ask.
5 We've got Stephen, Dawn, and April right here
6 [indicating]. So that is our introduction.

7 MR. MELCHERS: Do you have a statement that
8 you would like to –

9 MR. SCOTT: I do, if this would be the
10 appropriate time.

11 MR. MELCHERS: Yes.

12 MR. SCOTT: All right. Yes, thank you, Madam
13 Chairman.

14 We very much appreciate the Commission being
15 here. As Mr. Melchers pointed out, this is unique.
16 They are giving you an opportunity, by being here
17 tonight, to come before them and tell them your
18 story. That is unique. I've been around a long
19 time; I've never seen a Commission willing to do
20 that, as this Commission so graciously and
21 expeditiously granted. Thank you for being here.

22 And please, be appreciative of the fact that
23 they are here. And the fact they are here also
24 raises the whole level of your conversation,
25 because you've got Duke people here who haven't

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been to a meeting before; you've got some decision-makers here who are going to hear you talk to the Commission. Because the Commission is here, it raises the whole level of the significance of what you're saying before the Commission and their staff, and senators, and representatives. You don't see this much, around this country, to have the Commissioners with the compassion and the care that our Commissioners have. You don't see this going on around the country, and we thank you for your part in getting them here. Thank you, very much.

CHAIRMAN HALL: We thank you, too.

MR. SCOTT: Now, the Commissioners are here as judges. They are here and it's just as if you were in the Circuit Court and Mr. White was representing you. They are the judge; they are the jury. They are here to listen. Please – and listen, I've become friends with most of you in here, I'd say, either through personal acquaintances or through correspondence, and it's good to see all of you here. And I know the manner in which you approach things, but, please, show the Commission the respect they deserve. They work hard to get where they are, and they work hard when they get there.

1 As you come here, express your views, and with
2 no emotion – as some of you know, I got a little
3 emotional, for my part. But, please, be kind as
4 you address these Commissioners, because they
5 deserve that respect. They're all subject to a lot
6 of rules. They're subject to rules I'm not subject
7 to. They don't make me be subject to the Judicial
8 Canons – they probably figure I couldn't comply
9 with them.

10 [Laughter]

11 But they do. And because of that, they're
12 limited in conversation with you. And, in fact,
13 not only are they subject to the Judicial Code of
14 Conduct, they are subject to the ethics laws;
15 they're subject to specific statutes on
16 conversations outside the realm of a public hearing
17 or in some other lawful manner. So, please be
18 respectful of that. They're not – they cannot
19 answer your questions, and it's very hard for them.
20 If you come up here and start asking questions,
21 because they can't answer them – not because they
22 don't know the answers, because in fact they do
23 know the answers. They know answers to questions
24 that we don't know the answer to, which is
25 frustrating, I'm sure, to them, because they can't

1 respond to you. And it makes it look like they
2 don't want to respond, and you'll get frustrated,
3 and they get concerned, because they are
4 compassionate and caring people.

5 So please, make your statement to them, but
6 remember they are judges and they're jurors, and
7 conduct yourself that way.

8 There are people I know here, and I know a lot
9 of you – six weeks ago, I didn't know a one of you,
10 but I know lots of you now.

11 [Laughter]

12 But, please do that. Again, thank y'all for
13 being here. Thank y'all for being here, Senators
14 and Representatives. I know y'all are going to
15 make a statement and will be introduced, and we
16 appreciate you being here, too.

17 Thank you, very much. Your being here is very
18 important. The Commission came a long way and we
19 appreciate the turnout tonight, and the manner in
20 which this hearing, I'm sure, is going to be
21 conducted.

22 Thank you.

23 [Applause]

24 **CHAIRMAN HALL:** Thank you. Thank you, Mr.
25 Scott.

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At this time, I'd like to recognize our elected officials, and come forward, please, if you'd like to make a statement.

Let's start with Senator Corbin. Thank you for being here, Senator.

[Applause]

SEN. CORBIN: Thank you, very much, Commissioners. You've traveled a long way to get here, and I deeply appreciate it.

CHAIRMAN HALL: Senator Corbin, I'm sorry, excuse me. Would you like to be sworn, or do you want to just give your comments?

SEN. CORBIN: I would like to be sworn in. I noticed that this was still listed on the sheet here as a non-docketed item, so anyone who wants their voices – it's important to me that the voices of my constituents, the ones that I serve, are heard.

If you want your testimony presented to the Commission at the time the decisions are made, you have to be sworn in.

And I do want to be sworn in.

CHAIRMAN HALL: Okay, thank you.

[Witness affirmed]

<

1 THEREUPON came,

2 THE HONORABLE THOMAS D. 'TOM' CORBIN,
3 who, having been first duly affirmed, testified as follows:

4 WITNESS: Again, thank you all. I have a lot
5 of constituents who may not have had a chance to
6 speak with me. There's a colleague in the back,
7 Jerry Wood, who has some information, and you can
8 reach me through him. He'll be in the back, should
9 I have to leave early – my parents have been in the
10 hospital and I may not be able to stay for the
11 entire meeting, but he will be in the back. Thank
12 you for letting me speak, and I would also like to
13 thank Dukes Scott, all the Commissioners –
14 particularly, Jocelyn Boyd – for all the work they
15 have done.

16 I am not convinced based on anything I've been
17 told that this project is actually needed. I've
18 heard it is for possible future expansion in the
19 Asheville area. I do not believe it will benefit
20 South Carolinians nor the constituents I serve. We
21 all understand that we need power. But the idea of
22 plowing up these pristine farms and mountains with
23 high-level, high-voltage lines is unacceptable. If
24 – and I say if – Duke can convince the Commission
25 that this project is needed, the only acceptable

1 solution that I see would be to stay on their
2 existing power lines. Thank you.

3 [Applause]

4 **CHAIRMAN HALL:** Thank you.

5 [WHEREUPON, the witness was excused.]

6 Representative Burns? Thank you for being
7 here.

8 [Witness affirmed]

9 THEREUPON came,

10 **T H E H O N O R A B L E J A M E S M . ' M I K E ' B U R N S ,**
11 who, having been first duly affirmed, testified as follows:

12 **WITNESS:** I'm Mike Burns, Representative from
13 District 17, South Carolina House. That's Northern
14 Greenville County. And let me know when I can
15 speak.

16 **CHAIRMAN HALL:** Okay, go ahead.

17 **WITNESS:** We're ready to go? Okay.

18 **CHAIRMAN HALL:** Thank you.

19 **WITNESS:** Well, I would also like to echo the
20 thanks for you all giving of your time in coming
21 out and having an impartial hearing. As has been
22 stated already, it's a unique opportunity for us to
23 be heard even before an application is made, and
24 I'm very pleased by that and very thankful that
25 you'd be willing to do that.

1 When this process began, I had heard – I'm
2 going to give you a little balance. I have not had
3 one single constituent, out of thousands of
4 constituents – I've got about 39,000. I have not
5 had one phone call in favor of this project, and
6 nobody has come and asked me –

7 [Applause]

8 Nobody has come and asked me, "Would you get
9 behind Duke, and let's travel up through Northern
10 Greenville County Route 4." In fact, the opposite
11 is true. In fact, we have hundreds, even thousands
12 of – you'll get letters delivered to your office,
13 handwritten letters, bazillions of emails, phone
14 calls. I mean, the heartburn level for this
15 project has gone astronomical. as you all well
16 know. And I've got a feeling that's why we're here
17 early in the process and trying to move this along.

18 To be frank, I was not notified when my other
19 colleagues in North and South Carolina were, that
20 there was a Route 4. I was reading *The Greenville*
21 *News* and I found Route 4. And so I picked up the
22 phone, called Duke Power and said, "What's
23 happening? Everybody's been notified and now I see
24 there's a Route 4. What's happening?" I was told,
25 "There is no Route 4. You know, you're mistaken."

1 Two hours later, I got a return phone call that
2 there, in fact, is a Route 4, and it was added on
3 late. And nobody could have come up with a more
4 preposterous route than Route 4.

5 Now, I want you to consider it for a minute.
6 Route 4 is a number of miles longer, some 10 miles
7 longer than some of the other routes. It violates
8 the watershed area, going right above the watershed
9 where Greenville County gets its water. It goes
10 through the Boy Scout Camp, and it turns right up
11 through the Rocks, going over the mountain, where
12 it would almost be impossible to have access roads
13 to service those 14-story towers that will go in.
14 And so, you know, it seems a preposterous route.

15 So, I live in Northern Greenville County. I'm
16 violently opposed to violating that green space and
17 going through where those people live up on the
18 mountain up there, and I want to be on the record
19 for that. But one of the more important things I
20 could say is that, you know, it has access – if the
21 project goes – for North Carolinians, possibly some
22 other South Carolinians, but it has no value for us
23 in Greenville County. It's not going to have any
24 power increase or decrease. All it's going to do
25 is lessen property values and deface the pristine

1 green space that we have through those mountains
2 over there. And so I would hope that you all would
3 recognize that and take into consideration that
4 it's not very good for Greenville County.

5 Now, when I step back and look at the big
6 picture, I'm a State Representative. I just don't
7 represent Greenville County. And I don't think
8 those other routes are so great, either. In fact,
9 I think we should do like has been done in the past
10 in our State and we should stay on the existing
11 right-of-ways. As Senator Corbin just mentioned,
12 if they need a few more feet to do that, fine. But
13 I was talking to one of my retired Duke Power
14 employees and he says, "Mike, I don't understand
15 how we've got to have all this space in the rights-
16 of-way, all this space, but when it's on Duke's
17 property they're all crowded up and right beside
18 each other. It's just when we get on the public
19 space that we have to be so far apart." And I
20 would encourage you to do what needs to be done to
21 keep it as near as we can to the right-of-ways that
22 are already in force.

23 Thank you for the time. I appreciate it very
24 much.

25 [Applause]

1 **CHAIRMAN HALL:** Thank you, sir. Thank you.

2 [WHEREUPON, the witness was excused.]

3 Representative Brannon.

4 [Witness affirmed]

5 THEREUPON came,

6 **T H E H O N O R A B L E N O R M A N D . ' D O U G ' B R A N N O N ,**

7 who, having been first duly affirmed, testified as follows:

8 **WITNESS:** Madam Chairman and members of the
9 Commission, thank you for being here. I know that
10 you didn't have to do this.

11 I represent District 38 in the South Carolina
12 House of Representatives. You are in my district
13 right now.

14 Two – the entirety of two of these proposed
15 routes, while it is in South Carolina, run
16 completely through my district. This proposed
17 substation is in my district. The people that will
18 be negatively impacted by this project are my
19 constituents. But more importantly – well, no, not
20 more importantly. Equally as importantly, I live
21 here, too. And Route 2 affects my house. Route 2
22 affects my parents' house. We must stop this
23 project.

24 [Applause]

25 About eight days ago, I wrote a letter to Mr.

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Dukes Scott, on behalf of Senator Corbin, Representative Burns, and Representative Tommy Stringer. And in that letter, I said not one person in South Carolina benefits from this proposed transmission line. And Mr. Scott's response to me verbally over the telephone was, "Oh, Mr. Brannon, you're wrong, because that transmission line can run power both ways, so if the Oconee Nuclear Power Plant goes down, Duke could send power back through that transmission line to those affected who lost power because the plant, the Oconee Plant, went down." Ladies and gentlemen, I submit to you that that's nonsense, because if Oconee Power Plant goes down today –

[Applause]

If Oconee Power Plant goes down today, Duke Power can service those customers. They can fill that need without this transmission. But I was –

[Applause]

– wrong. I was wrong. There is one person in South Carolina that would benefit – and, in fact, has already benefited from this project. He's the guy that bought the land –

[Applause]

– and then sold the land.

1 Now, most of you know who I am, but I don't
2 know that you know that I'm a criminal defense
3 attorney. I defend those people who are accused of
4 crimes and, in doing so, what I look for is
5 something that makes you go hmm, something that
6 makes you hesitate to act.

7 Duke Power has to provide to you a report each
8 year. I believe it's in September. It's called
9 the IRP. They tell you what their plans are for
10 the next year or 15 years. They provided the
11 report to you in September 2014. Do you understand
12 that it does not mention this project? Not one
13 word is mentioned of this project. But yet, I've
14 gone to some of their informational meetings and
15 they're using Google Maps to show you where these
16 routes are going to go. Do you know that those
17 maps are three years old?

18 [Applause]

19 How did a Spartanburg County Citizen have
20 information to acquire properties in Spartanburg
21 County that he would then sell to Duke Power in a
22 project that they didn't even know about in
23 September of 2014, when they told you in their IRP
24 that they didn't have this plan in mind? Makes me
25 hesitate to act.

1 They grossed \$24 billion, according to that
2 2014 report. They spent \$5.5 billion on investment
3 and expansions or improvements. This project is
4 going to cost nearly one-fifth of that total
5 expenditure, but they didn't know about it to tell
6 you in September of 2014.

7 Now, there is one person in South Carolina
8 that benefited from this project, but nobody else
9 does. This project, just the mention of this
10 project, has crushed real estate values for my
11 constituents. Not only has it -

12 [Applause]

13 Not only has it devalued properties, it has
14 killed the real estate market. When, in other
15 areas, people are buying properties, in Spartanburg
16 County in this area they are not touching it,
17 because they don't know where Duke's going. This
18 project must be stopped. It must be stopped.

19 [Applause]

20 I'm almost done, but I want to - this letter
21 is dated August 25, 2015. It's from one of my
22 constituents. This is one of about 7000 letters or
23 emails that I've gotten.

24 "My wife and I live in Campobello, South
25 Carolina. We acquired our 16.8 acres in 1898 and

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have lived here for over 15 years. During this time, we have poured our hearts, souls, and finances in making our home a beautiful horse farm. Our farm is one of 22 parcels in this particular area. It's an equine community." Just so you know the facts, this line covers 10.51 acres of their 16.8 acres. Their proposed – as proposed, their barn lies 60 feet within the study area. Their 155-by-80 riding ring abuts the transmission line area. It just keeps going, and keeps going.

The property that has been crushed in value here is some of the most pristine, most beautiful, and most valuable property in South Carolina.

I represent South Carolina. You represent South Carolina. There's no benefit for this project in South Carolina. It must be stopped.

[Applause]

CHAIRMAN HALL: Thank you, Representative Brannon.

[WHEREUPON, the witness was excused.]

I think we also have Councilman Joe Dill. Would you like to address us, Mr. Dill? Thank you.

[Witness affirmed]

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1 THEREUPON came,

2 THE HONORABLE JOE DILL ,

3 who, having been first duly affirmed, testified as follows:

4 WITNESS: My name is Joe Dill. I live at 228
5 Highway 101, Landrum. Landrum, South Carolina.

6 And I'm in Greenville County. I am on Greenville
7 County Council; I've been there 18 years. I
8 represent everybody about from Furman University
9 and over – this is my son here [indicating].

10 Thirty-nine thousand people from Pickens County to
11 the Spartanburg County line. And we voted, on the
12 18th day of August, to pass a Resolution in
13 Greenville County. I'm not going to read all the
14 Whereases, but I'm going to give it to y'all and
15 you can.

16 The last paragraph says, "Now therefore be it
17 resolved that the Greenville County Council
18 encourages Duke Energy to consider the alternatives
19 of running new transmission lines through
20 Greenville County, to look at the possibility of
21 using existing lines for this project, and to
22 carefully consider the environmental and the steady
23 impact on this extraordinary area, before deciding
24 on a course of action."

25 And I would appreciate – I'm going to give

1 this - would you take it, or who takes it
2 [indicating]?

3 **MR. RICHARDSON:** [Indicating.]

4 **WITNESS:** But we were unanimous in that vote.
5 I'm not only - I'm on County Counsel; I'm on the
6 board of directors of the Appalachian Council of
7 Governments. We're having a meeting tomorrow. I'm
8 past chairman of the South Carolina Association of
9 Counties. And I can tell you right now it's not
10 something that anybody in this State is going to
11 look at and be really proud of, because people from
12 around this State love to come here. A lot of them
13 own homes up in here. And I'm getting all kinds of
14 responses from people, as you've heard some of my
15 counterparts tell you. This is not a good issue,
16 and I would hope that Duke would never even bring
17 it to y'all, that they'd just drop this whole
18 thing.

19 [Applause]

20 **CHAIRMAN HALL:** Thank you so much.

21 [WHEREUPON, the witness was excused.]

22 Okay. I'll turn it back over to our attorney
23 to give us some more instructions.

24 **MR. MELCHERS:** Thank you, Madam Chairman.

25 [Brief pause]

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CHAIRMAN HALL: Okay, we'll make it Exhibit No. 1, the Greenville County Resolution.

[WHEREUPON, Hearing Exhibit No. 1 was marked and received in evidence.]

MR. MELCHERS: All right, folks. In a moment, I'm going to call the names of those who have signed up to speak to come forward to the table – or, to the podium and be sworn in. If you would then, after being sworn in, give your name, your address, whether or not you are a customer of Duke Power, and then give your testimony. Please be sure to speak in the microphone so everybody – particularly, our court reporter – can hear you. After you're done, it's possible that the attorneys tonight may have a question or two for you. It doesn't happen often, but it might. And the Commissioners may have some clarifying questions for you. So if you would just hang on at the microphone for just a second when you're through, to find out if anybody has any follow-up, it would be really helpful to us.

We have placed a limit of three minutes on all presentations, so everybody has an opportunity to speak. We've got a timer that will aid you in timing your testimony.

1 Now, if you have not signed up to testify
2 tonight and you decide sometime in the middle of
3 the hearing that you want to testify, you're going
4 to have to go back there and get your name on the
5 list or we're not going to know to call you. So,
6 also, conversely, if you decide that you've heard
7 enough people state your point of view and you
8 decide you're not going to testify after all, but
9 you did sign up to, if you would please do the same
10 and go back to the back, talk to our staff, so that
11 we'll know to take your name off the list and we'll
12 be able to gauge how much time we've got left and
13 how many witnesses we need to fit into it.

14 I want to remind everybody that this public
15 hearing is the time for affected South Carolina
16 residents to testify with regard to the preliminary
17 information that Duke has provided regarding its
18 proposed transmission project. Just to tell you
19 one more time: Due to the judicial nature of this
20 proceeding, both the Commissioners and staff cannot
21 take questions and are prevented from making
22 comments. ORS has indicated that they will be
23 available after the hearing for any questions that
24 you might have.

25 Further, just to be clear about South Carolina

1 residents, in order to allow full opportunity for
2 all South Carolina residents to address the
3 Commission, the Commission will not hear testimony
4 from North Carolina residents, nor will written
5 statements from North Carolina residents be allowed
6 to be orally read into the record here at the
7 hearing. However, this hearing comes only one week
8 before the Public Staff of the North Carolina
9 Utilities Commission plans a meeting at the Blue
10 Ridge Conference Hall, at Blue Ridge Community
11 College, where they will take comments and answer
12 questions. The meeting at BRCC starts at 6 p.m.,
13 Thursday, September 3rd. North Carolina residents
14 present here tonight are nonetheless welcome to
15 stay and hear what their South Carolina friends
16 have to say.

17 Now, as I mentioned, your testimony tonight is
18 going to be transcribed by our court reporter. We
19 will be taking breaks approximately every hour and
20 a half in order to allow her and the rest of us to
21 stay focused on the important testimony being
22 given. That mask, after a while, just gets a
23 little wearing, so we need to give her a break.

24 So, now that I have filled you in on all the
25 details, I'll call the names of the witnesses who

1 have signed up to speak. In order to speed these
2 proceedings, I'm going to call two names at a time,
3 and I ask that both make their way down to these
4 two chairs here in the front. The first name
5 called, come on up to the podium immediately, and
6 the second will be on deck to go next. Then we'll
7 call the next names, and we will save some time
8 this evening. I'm also going to ask you to please
9 withhold applause, for the same reason. It's clear
10 where many of you stand -

11 [Laughter]

12 - and if you don't applaud, we'll be able to
13 get through more testimony this evening, so thank
14 you for your forbearance on that.

15 And as I said, if a previous witness has
16 already stated your position, please feel free to
17 just go back in the back and let them know that
18 you're not going to be testifying after all.

19 So with all those preliminaries, folks, let's
20 get started on what you have to say. The first two
21 witnesses signed up are Rivers Stilwell and Van
22 Kornegay. Mr. Rivers, if you would hit the podium,
23 and Van, if you would please come sit up front.

24 **CHAIRMAN HALL:** Before we hear from Mr.
25 Stilwell, I forgot to mention: We're missing one

1 Commissioner, Commissioner O'Neal Hamilton, who
2 represents District 7. He had a family obligation,
3 or he would be here with us.

4 **MR. STILWELL:** Just a bit of housekeeping,
5 Madam Chairman and Mr. Melchers -

6 **CHAIRMAN HALL:** If you could just hold one
7 second, Mr. Stilwell.

8 [Documents distributed]

9 [Witness affirmed]

10 THEREUPON came,

11 **R I V E R S S T I L W E L L ,**

12 who, having been first duly affirmed, testified as follows:

13 **WITNESS:** I'm Rivers Stilwell. I live at 210
14 West Earl Street, in Greenville, South Carolina.

15 The bit of housekeeping I was going to address
16 is that we would ask that these be entered into the
17 record [indicating]. I gave you a package of
18 photos that go with Route 4, which is the group
19 that I'm representing, which is generally this
20 group over in this area [indicating]. And I'm glad
21 to see Mr. Kornegay here - I don't know where he
22 went - the second witness, but he just showed up so
23 I'm glad to have him. There he is.

24 So what we have for you tonight is a set of
25 speakers who kind of cover Route 4, which is what

1 Representative Burns was talking about, the
2 Greenville County part of this piece. If you went
3 down Highway 11 and then went up into North
4 Carolina into Flat Rock, up 25, that's the Route 4
5 piece that I'm helping them with tonight.

6 We have here some boxes that I'd also be
7 asking entered into the record, which are responses
8 to the Duke survey and letters, which represent
9 about 700 individual responses.

10 If you look at our route on the map which is
11 the first slide y'all have there – I think I gave
12 y'all all my copies, but the first slide, Route 4
13 is the one that goes around the bottom and comes up
14 into North Carolina. That's okay, I can do it.
15 Most of the speakers will go through the individual
16 slides they want to draw your attention to, but if
17 you see, ours is as Representative Burns said – not
18 to be facetious, but if you tried to draw a more
19 preposterous route, I don't know what you'd do
20 except draw one over the top of Table Rock or right
21 up Caesar's Head. We don't have that much
22 mountains in South Carolina, and this thing's going
23 right up the middle of them.

24 It's also going right in front of The Cliffs
25 at Glassy, down Highway 11, right across the top of

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Camp Old Indian, right over the middle of The Cliffs Valley development and up Highway 25. Now, my dad was raised in Travelers Rest, and a lot of people here love these mountains. You cannot do more damage to the Upstate Escarpment with a power line than basically this route that's been chosen.

I looked at a map that Duke was kind enough to provide us, and if you look, the route that goes up Route 4 is almost entirely forested. So instead of calling it Route 4, we could probably call it The Forest Route. Other speakers are going to come after me and talk about the natural beauty of this. Van is the chairman of the South Carolina Scenic Highways Committee, appointed by the Governor. After him, Mike Butler is going to come speak for Camp Old Indian. He's here somewhere in his scout uniform. Tom Peter is going to come; he's a resident of The Valley. He's going to talk some about the natural beauty of the area. And then Glenn English is going to talk some about – who is the former president of the National Rural Electric Co-Op – he's going to speak some about the benefits of this project for North Carolina and South Carolina, which it's fair to say is a kind of an unfair comparison.

1 Anyway, I know nobody came here to listen to
2 lawyers talk. Everybody before me's done a
3 wonderful job, and I'm anxious to let these other
4 people talk to you, and any questions you have for
5 them, please let us know.

6 **CHAIRMAN HALL:** Thank you, Mr. Stilwell.

7 [WHEREUPON, the witness was excused.]

8 **MR. MELCHERS:** Mr. Kornegay. And after him
9 will be Mike Butler, if Mike wants to come on down
10 and sit up front, please.

11 [Witness affirmed]

12 THEREUPON came,

13 **V A N K O R N E G A Y ,**

14 who, having been first duly affirmed, testified as follows:

15 **WITNESS:** My name is Van Kornegay. I live at
16 1200 Shirley Street, Columbia, South Carolina, and
17 I'm not a Duke customer.

18 As Mr. Stilwell said, I am the chairman of the
19 South Carolina Scenic Highways Committee. We're a
20 group of 11, appointed by the Governor. We are a
21 volunteer group. We're not a regulatory group, but
22 an advisory group, and we're appointed to two-year
23 terms. And if you've never heard of us, what we do
24 is we assess roadways in South Carolina that have
25 been recommended for scenic byway designation on

1 the national and state level, and make a
2 recommendation to the Legislature for designation.
3 Sometimes we might even recommend the dedesignation
4 of roads that have lost their scenic value.

5 We represent a diverse interest of groups,
6 such as the general public, the petroleum industry,
7 the billboard industry, the agriculture industry,
8 parks recreation, and tourism, and the hotel and
9 motel industry. There are representatives from
10 those industries on the committee.

11 After reviewing Duke's proposed power line
12 route from Campobello to the Asheville Power
13 Station, members of the committee are unanimous in
14 our opposition to locating power lines along or
15 nearby or within the view corridor of Highway 11
16 because we believe it would damage the scenic
17 quality of this Cherokee Foothills Scenic Highway.

18 The Cherokee Foothills Highway is unique. It
19 is the gem of scenic highways, and is a national
20 scenic highway, one of only four in the State. And
21 it is the gem of the scenic highways in our State.
22 At 120 miles – close to 120 miles long, it is the
23 longest scenic highway, and one of the best known.

24 Scenic highway designation at the national
25 level from the Federal Highway Administration means

1 that Highway 11 is only one – is one of only 150
2 roads in the entire country to get this special
3 designation. The Federal Highway Administration
4 promotes this on its website. Local, state, and
5 regional entities promote this as a tourist
6 designation for its scenic quality and value. So
7 it has some real value to us as a tourist
8 designation.

9 So scenic byways are not just pretty backroads
10 off the beaten path, collecting dust. They can be
11 a significant resource for our State. Studies
12 cited by the NHC nonprofit group – the South
13 Carolina National Heritage Corridor – have found
14 the scenic byways designation increases traffic on
15 these roads, and it appeals to people who are
16 cultural and scenic visitors, and those are a
17 unique group of visitors to our State. They stay
18 longer, they spend more money. So that's a good
19 thing.

20 Their specific criteria for scenic byways
21 designation: Power lines located along these roads
22 argue against designation of a road as a national
23 scenic byway. Scenic values have, I think,
24 parallels to property values, in terms of they must
25 be preserved and maintained and kept up.

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So we've looked at this -
[Three-minute bell]
- and would urge you to not allow this plan in
our region. Thank you.

[Applause]

CHAIRMAN HALL: Thank you, Mr. Kornegay.

[WHEREUPON, the witness was excused.]

MR. MELCHERS: Mr. Butler, if you'll come up.
And if Tom Peter could come down front, please?

[Witness affirmed]

THEREUPON came,

M I K E B U T L E R ,

who, having been first duly affirmed, testified as follows:

WITNESS: My name is Mike Butler. I'm the
Scout Executive to the Blue Ridge Council of Boy
Scouts of America. My home address is 195
Riverwalk Court, in Simpsonville. Camp Old
Indian's address is 615 Callahan Mountain Road, in
Travelers Rest. And, again, I'm the Scout
Executive for the council and speaking on their
behalf.

The Blue Ridge Council began camping
operations at -

MR. MELCHERS: Sir, could you just - a
customer or not, if you don't mind?

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WITNESS: Oh, I'm sorry. Personally, I am not. A portion of Camp Old Indian has been served by Duke, though.

MR. MELCHERS: Thank you.

WITNESS: The Blue Ridge Council began camping operations at the Camp Old Indian Scout Reservation in 1926. Since that time, tens of thousands of scouts, leaders, and families have enjoyed the adventure of scouting at Camp Old Indian.

Camp Old Indian comprises approximately 950 acres just north of Travelers Rest and is neighbored by the Greenville watershed, the Poinsett Bridge Heritage Preserve, and two of The Cliffs communities. It is one of the most prominent and highly recognized Boy Scout camps in the Southeast and draws scouts every summer from a number of neighboring states. Over the past nearly 90 years, the Blue Ridge Council has invested heavily in the development of facilities and programs to serve our scouts and volunteer leaders with best-of-class camping programs and experiences. There is absolutely no mind – no doubt in our mind that the intrusion of a major power transmission line through the camp property will severely diminish our ability to continue to

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offer the breadth and depth of these exciting programs for generations of scouts to come.

One of the key components of a Boy Scout camping experience is to retreat to outdoor adventures and to enjoy the natural beauty of the environment. We have a great respect for the out-of-doors. We feel we are good stewards of our land resources and the environment. We have worked very hard to maintain that kind of atmosphere at Camp Old Indian, and we don't want to lose it.

We have an actively engaged volunteer conservation committee. They have developed a long-range conservation plan and work diligently to meet its objectives. They've also developed and administer a forestry stewardship plan and a wildlife management plan. We have built multiple hiking trails throughout the property and utilize several lakes and wetlands and streams to support our interpretive nature program areas. The camp is also home to several state-record trees and numerous wildlife species. A transmission line running through the camp will negate the very nature of what we're teaching and what our scouts are experiencing today.

The Blue Ridge Council would respectfully ask

1 Duke Energy to consider other alternatives to the
2 proposed Route 4 transmission line. And on behalf
3 of generations of scouts and our current 10,000
4 scouts and families who have experienced the
5 wonders of Camp Old Indian, we stand opposed to the
6 Route 4 option.

7 The Blue Ridge Council and Camp Old Indian
8 Scout Reservation have a long history and tradition
9 of offering fantastic scouting programs to our
10 youth and families. We look forward to future
11 generations enjoying the same atmosphere and
12 scouting experiences as those that have hiked the
13 trails for the past 90 years. We've encouraged
14 Duke Energy to use existing right-of-way that could
15 be expanded to accommodate their needs and ask them
16 to please consider that option or some other
17 alternative to the proposed Route 4 transmission
18 line running through Camp Old Indian Scout
19 Reservation. Thank you.

20 [Applause]

21 **CHAIRMAN HALL:** Thank you. Parties, if you
22 have any questions for a witness, just say so.

23 Thank you, Mr. Butler.

24 [WHEREUPON, the witness was excused.]

25 **MR. MELCHERS:** Thank you, Mr. Butler.

1 Mr. Peter, if you'd come forward. And Glenn
2 English, if you would please sit down front.

3 [Witness affirmed]

4 THEREUPON came,

5 **T O M P E T E R ,**

6 who, having been first duly affirmed, testified as follows:

7 **WITNESS:** My name is Tom Peter. Address is
8 1307 Panther Park Trail, Travelers Rest, South
9 Carolina 29690.

10 Thank you for the opportunity – pardon me?

11 **MR. MELCHERS:** And whether you're a customer?

12 **WITNESS:** Oh, I'm sorry. Blue Ridge Electric
13 is where we get our power, who buys it from Duke.
14 So, I can assure you the people, however, for whom
15 I speak are all impacted by Route 4.

16 **MR. MELCHERS:** Thank you.

17 **WITNESS:** Specifically, we'd like to express
18 strong opposition to the potential construction of
19 high-voltage towers along Segment 4. Assuming
20 there is a genuine need for these sorts of towers,
21 the decision to put them in place along any of the
22 proposed routes should minimize the damage done to
23 property, residences, and minimize devastation to
24 the environment.

25 Before you, you have some pictures, and a

1 picture is worth 1000 words, to be sure. In short
2 order, the power line moves from Campobello and
3 quickly jumps into the Blue Ridge Mountains,
4 cutting across the face of Glassy Mountain, across
5 the Blue Ridge Escarpment, cutting into Cliffs at
6 Glassy – you heard, an established community, a
7 vibrant community, at the top of which of that
8 mountain there is a beautiful chapel that serves as
9 a site for many weddings, for people near and far,
10 because of the vast panoramic views that exist –
11 now permanently damaged by a power line that would
12 run through the face of Blue Ridge – of Glassy
13 Mountain.

14 Your next slide shows a picture of The Cliffs
15 Valley, as Mr. Stilwell mentioned earlier. This
16 power line literally plows right through the center
17 of Cliffs Valley, goes over the top of a water tank
18 – clearly unacceptable. It would cost almost \$3
19 million – maybe a little more – to make the
20 necessary changes to provide the Valley community
21 with water.

22 Continuing, you see another slide.
23 Superimposed on that slide is the power line
24 itself: What the Blue Ridge Escarpment might look
25 like with a power line running through it. You

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also get a sense for the rugged terrain, the steep mountainsides that exist. We already suffer from severe erosion problems. An escarpment – or, excuse me. A power line running through it, requiring an easement half the size of a football field, would only add to those severe erosion problems. Silt runoff that already occurs now would be contaminated from chemicals and defoliants used to maintain that 150-foot easement. There are many headwaters of important rivers in South Carolina that originate in these Blue Ridge Mountains. It traverses through environmentally sensitive areas, a large protected area, home to the north flowered heartleaf, an endangered species. Hiking trails would be completely obliterated if Segment 4 is approved and used.

The Blue Ridge Mountains are an economic jewel to South Carolina. They attract tourists from across the country; many new residents come in from across the country and around the world, to take in the beauty of the mountains. It has served to drive economic growth throughout the upstate. It is good for the upstate and we hope the Commission recognizes that. Thank you, very much.

[Applause]

1 **CHAIRMAN HALL:** Thank you, Mr. Peter.

2 [WHEREUPON, the witness was excused.]

3 **MR. MELCHERS:** Thank you.

4 [Witness affirmed]

5 THEREUPON came,

6 **G L E N N E N G L I S H ,**

7 who, having been first duly affirmed, testified as follows:

8 **WITNESS:** Madam Chairman and Commissioners, my
9 name is Glenn English. I'm a former chief
10 executive officer of the National Rural Electric
11 Cooperative Association, and I suppose I should own
12 up to the fact that 10 years ago, I was part of the
13 Department of Energy's committee to look at how we
14 can build more transmission in this country to take
15 care of the national grid. So I find that I come
16 at this at a little different angle, perhaps a
17 little different understanding than many of your
18 witnesses today. I'm also a member/owner of Blue
19 Ridge Electric Cooperative, which is a customer of
20 Duke, which makes me a customer of Duke, as well.
21 So I would urge you to consider all Blue Ridge
22 Electric Cooperative members as customers of Duke,
23 even though it is indirectly. Thank you.

24 Duke Energy has told us that it is necessary
25 to build new generation and new transmission in

1 order to meet the economic needs of Asheville. By
2 the same token, that need, of course, cuts into
3 South Carolina. You have before you the proposed
4 routes as it would affect South Carolina, and
5 you'll notice that we focus particularly on South
6 Carolina. The reason for that is due to the fact
7 that, while additional generation and this
8 transmission line may be necessary for future
9 Asheville growth, it certainly comes at the expense
10 of South Carolina's upstate economy.

11 What you've heard so far in the testimony is
12 one that underscores the fact that the economic
13 engine for the Foothills, for the upstate area
14 affecting Greenville, Spartanburg, all this region,
15 is the beauty of these mountains, the Foothills.
16 And certainly it is that beauty that has gotten us
17 the designation of a scenic highway. That highway,
18 as I'm sure you will see, leads up to Glassy
19 Mountain. And as you're going down Highway 11,
20 there's Glassy Mountain in front of you for several
21 miles there. You see that red line across Glassy
22 Mountain; it will be clear-cut, and a transmission
23 line, which obviously is going to detract
24 significantly. Not to mention the hang gliders.
25 The only place you have in South Carolina where you

1 have hang gliders is coming off of Glassy Mountain,
2 and that transmission line is going to be between
3 where the hang gliders take off and where they land
4 down below. Obviously, it will eliminate that
5 particular site.

6 If there's any question about the word
7 "damage" being too serious a word, I would bring
8 your attention to the fact that the very proposals
9 that we've seen so far have stopped home sales,
10 real estate sales, throughout this region.
11 Anyplace that's even within the site of one of
12 these routes, sales have come to a halt. New homes
13 that were scheduled to be built have been stopped.
14 All an indication of the kind of damage that will
15 take place if, in fact, a route is designated.

16 Now you can see Route 4, which I live on, is
17 roughly half of the entire transmission route
18 that's been talked about. It's 22 miles along that
19 route. And you have a variety of different
20 experiences by different people that are going to
21 be damaged and ruined forever. There -

22 [Three-minute bell]

23 I would urge you, Madam Chair, Commissioners,
24 I would urge you all to use the existing right-of-
25 way. That's the only way you can protect the

1 economy of the upstate of South Carolina. Thank
2 you, very much. Appreciate it.

3 [Applause]

4 **CHAIRMAN HALL:** Thank you.

5 Please hold your applause. Please.

6 [WHEREUPON, the witness was excused.]

7 **MR. MELCHERS:** Madelon Wallace, and Jo
8 Quatannens?

9 [Witness affirmed]

10 THEREUPON came,

11 **M A D E L O N W A L L A C E ,**

12 who, having been first duly affirmed, testified as follows:

13 **WITNESS:** my name is Madelon Wallace. I live
14 at 425 Racetrack Road, in Campobello, 29322. I am
15 a Duke customer.

16 I'd like to thank the Office of Regulatory
17 Staff and the Public Service Commission for having
18 this meeting and acknowledging what an important
19 issue this is to the citizens of our community.
20 Having lived here for over 44 years, running with
21 my late husband, Tony Wallace, a successful
22 racehorse training center for 25 of those 44 years,
23 and for the last 19 years in the real estate
24 business, I feel like I know this area pretty well.
25 Landrum, Tryon, Columbus, and Saluda, or as I refer

1 to, 4-3-2-1. One economic community stretching
2 from the meadows of South Carolina to the mountains
3 of North Carolina: four towns, in three counties,
4 and two states, but as I said, one community. Our
5 agro-eco economy is not only based, it is dependent
6 upon our environment, our natural resources, our
7 scenic beauty, our open space, our mountain vistas,
8 and general ambience. The elements of that economy
9 are the equestrian industry, agriculture, wineries,
10 recreation, artisans, tourism, and retirees.

11 Spartanburg County's September 2014-2016
12 Strategic Plan urges us to, quote, "strengthen
13 policies related to assessing natural resources and
14 promoting tourism," unquote. We have a long
15 history as an equestrian designation and with the
16 birth of the new Tryon International Equestrian
17 Center, that history continues to strengthen the
18 local economy.

19 But make no mistake, our thriving equestrian
20 industry here is now at risk. People who were
21 planning on moving here have halted their search
22 for property. Others have said, quote, "We've been
23 through this power line thing where we came from,
24 so we're going to look elsewhere," unquote.

25 From the Landrum exit in South Carolina to the

1 Columbus exit in North Carolina, you will see no
2 billboards. That was done in order to keep the
3 gateways into both states pristine and beautiful
4 for visitors and residents alike. In a climate of
5 no zoning and little to no land-use planning, we
6 have worked tirelessly to preserve our open space
7 and our environment so that the very essence of
8 this place will be preserved now and for future
9 generations. Those of us –

10 **CHAIRMAN HALL:** I'm sorry, Ms. Wallace.
11 Please silence your cell phone, whoever that
12 is.

13 Go ahead.

14 **WITNESS:** Those of us who call it home have
15 made a conscious and considered effort, whether by
16 individual efforts at land preservation, by working
17 with the Chamber to promote our rural town
18 environment, or working with the town's downtown
19 development groups, to preserve what makes us
20 unique. In 2010, Upstate Forever did a Special
21 Places inventory of Spartanburg County and the most
22 sensitive, highest ranked, ecological and
23 biologically significant places to protect are
24 located right here in Northern Spartanburg County.
25 The Landrum and Campobello CFA – conservation focus

1 area – boasts the sixth highest scoring individual
2 points of all the CFAs. Greenspace of Fairview is
3 in the center of that CFA. You have a picture of
4 the lake. In 2001, Greenspace of Fairview was
5 preserved through a conservation arrangement with
6 what has grown to be 1331 acres, in order to ensure
7 its permanent protection as open space and horse
8 country. Duke's proposed line-to-be would directly
9 impact the pristine and unpolluted 12½-acre spring-
10 fed lake totally surrounded by open space and home
11 to documented –

12 [Three-minute bell]

13 – endangered species and wildlife. For Duke
14 Energy in all its arrogance to sweep in and
15 threaten the very essence of who we are and the
16 environment we have worked so hard to protect and
17 enhance, to threaten to devastate our hard-fought-
18 for economy is just not right. Our community now
19 stands to lose everything we hold dear. Thank you,
20 very much.

21 [Applause]

22 **CHAIRMAN HALL:** Thank you, Ms. Wallace.

23 **MR. MELCHERS:** Would you like to move those
24 into the record, Ms. –

25 **CHAIRMAN HALL:** Ms. Wallace.

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MR. MELCHERS: Ma'am.

WITNESS: Yes, excuse me. Madam Chairman, I'd like this to be entered in as evidence. Thank you.

CHAIRMAN HALL: Thank you. It will be Hearing Exhibit No. 4.

MR. MELCHERS: 3.

CHAIRMAN HALL: I'm sorry, 3.

[WHEREUPON, Hearing Exhibit No. 3 was marked and received in evidence.]

[WHEREUPON, the witness was excused.]

MR. MELCHERS: Joe Quatannens? And then next is Betty Montgomery, if you would come down front, please?

[Witness affirmed]

THEREUPON came,

J O A N N M c C O R M I C K Q U A T A N N E N S ,
who, having been first duly affirmed, testified as follows:

WITNESS: Commissioners, my name is Jo Ann McCormick Quatannens – do you want me to spell that?

COURT REPORTER: If you would.

WITNESS: Q-u-a-t-a-n-n-e-n-s. I get it all the time.

I live at 340 Turkman Trail, Campobello, South Carolina, and I am a Duke Energy customer.

1 Before my husband and I came here, I worked in
2 the shadow of the United States Capitol as a
3 historian for the United States Senate, and nothing
4 I wrote and nothing I said there spoke of our
5 nation's history as eloquently as did the Capitol
6 Building. Historic places speak. Historic places
7 teach. Historic places inspire.

8 Duke Energy has asked us to report historic
9 structures and sites. Well-intentioned as this
10 initiative is, it misses the point I wish to make
11 to you tonight. Focusing on individual sites,
12 presumably so they can be preserved, takes them out
13 of context in a way that minimizes, even
14 trivializes, their true importance. The rural
15 landscape of the Carolina Foothills is the context
16 that provides the backdrop for our historic
17 treasures, evoking the sense of place that is so
18 important to us all.

19 Our historic sites are showcased in landscapes
20 that are only minimally impacted by modern-day
21 intrusions. Just to cite one example, the North
22 Pacolet River Valley that's impacted by Proposed
23 Routes 2B and 19, looks much the same as it did
24 when the first European settlers came here over 200
25 years ago. The farmland they cleared and defended

1 in the American Revolution is still farmland, with
2 only minimal intrusion by modern development. Some
3 of the homes are still there. They've been
4 adaptively reused, but they are still clearly
5 identifiable as historic structures. The church
6 that the Jacksons founded in 1830 still holds
7 regular worship services, although now we use our
8 modern 1875 sanctuary.

9 We are not, nor do we want to be a community
10 that's frozen in time. Later generations have left
11 their footprints on the land but in a way that
12 respects all that has come before. The proposed
13 substation and power lines will change all of that,
14 and not for the better.

15 The preservation community has long recognized
16 that high-voltage transmission systems that
17 overshadow historic sites and bisect historic
18 landscapes degrade their integrity and blur their
19 interpretation. In 2007, the National Trust for
20 Historic Preservation's list of most endangered
21 historic places included all of the mid-Atlantic
22 sites in a path of a proposed transmission system
23 much like the one that we're discussing tonight.
24 It was the National Trust's position that historic
25 transmission towers, quote, "blight historic

1 landscapes."

2 The proposed project will be a blight on our
3 historic landscape. That's why we are here to
4 defend it tonight, and that's why we thank you for
5 listening to us tonight.

6 I have some information I'd like to move into
7 the record, if I could, please [indicating].

8 **CHAIRMAN HALL:** Okay, thank you. This will be
9 Hearing Exhibit No. 4.

10 [WHEREUPON, Hearing Exhibit No. 4 was
11 marked and received in evidence.]

12 **CHAIRMAN HALL:** Thank you.

13 **MR. MELCHERS:** Yes, thank you.

14 [WHEREUPON, the witness was excused.]

15 [Applause]

16 Ms. Montgomery, if you would come up?

17 **CHAIRMAN HALL:** Please hold your applause.

18 **MR. MELCHERS:** Please, folks, please? Please
19 hold the applause.

20 John Montgomery will be next, if you would
21 please come forward?

22 [Witness affirmed]

23 THEREUPON came,

24 **B E T T Y M O N T G O M E R Y ,**

25 who, having been first duly affirmed, testified as follows:

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WITNESS: my name is Betty Montgomery. My address is Forty Oaks Farm, Campobello, South Carolina. We've owned our property for – since 1972, and we are affected by three different routes, plus we're next to the substation.

I want to thank the Commissioners for being here and to allow us to speak with you. I'd like to thank Landrum High School for the wonderful facility. And Duke Energy, I would like to thank you for the power you provide for us every day.

In the 2014 Duke Annual Report, they stated in large letters, "We are always connected to what matters most: the people and the communities we serve every day." I hope Duke will listen to our concerns and will come up with a better solution than the proposed plan.

The upstate of South Carolina is a unique landscape. As you come across Lake Bowen and you come up the hill to the Campobello exit, you see the majestic mountains in front of you. Why in the world would Duke Energy want to put a substation right there on the left-hand side of the interstate, right at this beautiful peak of where you see the majestic mountains?

What will Duke do with the remainder of the

1 200 acres they purchased? Will they expand this
2 property in three or four years?

3 We are told they want to develop a grid.
4 Well, we have a grid now. In South Carolina, we
5 have a 500,000-volt line running from Cliffside all
6 the way to Ocone. It goes right through
7 Campobello. Plus, there are substations all along
8 the way. We already have a substation in
9 Campobello. Why can't that be modernized and
10 expanded? Why do you have to building a new
11 substation right in our view?

12 Asheville has demanded the decommissioning of
13 a coal-powered plant. They wanted a cleaner source
14 of power. This project, in total, will cost about
15 \$1 billion to build and to clean up all the ash and
16 build the lines. There will be a rate increase,
17 possibly, to pay for all this. Why should South
18 Carolina suffer the burden of higher rates for the
19 new lines, the new plant, and the cleanup in
20 Asheville?

21 According to *The Wall Street Journal* on
22 February 2nd, energy-conserving Americans are
23 contributing to the low sale volumes of utilities,
24 which in turn means less revenue to maintain
25 infrastructure. The truth is, the demand for

1 electricity peaked in 2007. Better building codes,
2 thermal pane windows, more efficient heating and
3 lighting systems are part of the many reasons for
4 the stagnant growth in electricity across our
5 country.

6 We do not need this project. We do not need
7 the scarring of our pristine landscape here in the
8 Carolinas. Please, please, Duke Energy, be
9 connected tonight and listen to what all these
10 people have to say. Thank you.

11 **CHAIRMAN HALL:** Thank you.

12 [WHEREUPON, the witness was excused.]

13 **MR. MELCHERS:** Thank you, Ms. Montgomery.

14 Mr. Montgomery, if you would come up to
15 testify? And Pat Knie, if you would come down.
16 Pat Knie, K-n-i-e.

17 [Witness affirmed]

18 THEREUPON came,

19 **J O H N M O N T G O M E R Y ,**

20 who, having been first duly affirmed, testified as follows:

21 **WITNESS:** Good evening. And thank you for the
22 opportunity to speak. My name is John Montgomery
23 and I live at 1445 Thornwood Drive, in Spartanburg,
24 South Carolina, and I am a Duke resident. And I
25 wish I'd gone in front of my mother, because she

1 just said a lot of things that I was getting ready
2 to say -

3 [Laughter]

4 - but I'll try to be brief. I grew up in
5 Campobello on a cattle farm. My family bought this
6 property in the 1970s and moved there because of
7 the beautiful scenic landscape. Our family's farm
8 is directly adjacent to the former cattle farm and
9 proposed 200-acre substation in Campobello. As you
10 are aware, at the Campobello exit, you see the
11 beautiful outline of the Blue Ridge Mountains.
12 That is totally ruined by the 500 kV line that
13 crosses at Exit 5.

14 I have yet to hear a reason, a legitimate
15 reason, from Duke on why this new line is needed
16 and why this substation needs to be located here.
17 According to *The Wall Street Journal*, we are - the
18 ever-increasing costs of energy are still off the
19 2007 peak, and energy-saving measures are creating
20 a lack of demand for energy. Is this a ploy for
21 Duke to put a project in place and increase their
22 rates, to help offset some of these costs to make
23 Wall Street earnings? Is this a way for Duke to
24 help offset costs of their coal ash cleanups? Duke
25 needs to justify the need for these transmission

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lines and substation. I personally am in the economic development business, and I've been very involved with bringing some large investment to this area. I understand, as well as anyone, the reason the upstate has been so successful in recruiting business is because of our quality of life and affordable utility rates. However, unnecessary projects like this, that allow utilities to increase their rates, will, in the long-term, hurt our economy and deter future investments from large companies and large employers.

I have a map here that I created from Google Earth, that I'd like to submit as an exhibit. It shows that there's an existing transmission line that connects three major power plants in this area: Cliffside, Oconee, and Asheville plants, running east to west, and then north up to Brevard. There's no need for this new transmission line, as there are, in my opinion, a sufficient network of lines to handle current demand and future demand. Why do we need more?

I hope you will listen to our concerns and put a stop to this project. Thank you.

[Applause]

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CHAIRMAN HALL: Thank you.

Mr. Montgomery's map will be Hearing Exhibit No. 5. Please, hold your applause.

[WHEREUPON, Hearing Exhibit No. 5 was marked and received in evidence.]

MR. MELCHERS: Pat Knie, if you would please come forward? And John White, if you'll come down front?

[Witness affirmed]

THEREUPON came,

P A T R I C K E . K N I E ,

who, having been first duly affirmed, testified as follows:

WITNESS: My name is Patrick E. Knie. I live at 885 Smith Chapel Road, in Campobello, South Carolina, and I am a Duke customer.

About eight years ago, my wife, Grace, and I made what we thought was one of the best decisions we had made in our life, in buying a home and acreage and moving to Campobello, South Carolina. And it was, until about two months ago. Two months ago, we found out Duke Power was going to build a new transmission line that was going to be somewhere between 145 feet and – the tower somewhere between 145 to 190 feet tall. That is as high as most of the tallest buildings in Columbia,

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South Carolina.

But it gets worse. We also found out that our home was going to be within 1100 feet of the new substation that was being proposed. This substation – and it hasn't been said yet, tonight – on the site plan of Duke, is 16 acres large. That's as big as this high school, its parking lots, and all of its adjoining sports fields. This is a giant, giant substation, and it is right on Highway 11, the scenic highway in South Carolina.

No need has been demonstrated to the people of South Carolina for this substation and these power lines. I tried to get information from Duke about the substation and absolutely was stonewalled. I'm a lawyer. I represent my wife in a lawsuit in court right now, suing Duke for their documents and for access to property where they plan to build the substation. Instead of graciously consenting to say, "Sure, we'll give you the documents and, yes, we'll let you on the property," they vigorously fought the lawsuit. We might ask why. What is so secret and what don't they want us to know?

But let's examine what Duke has told us. Duke says, quote – and this is on their website and in the 3700 letters that they have sent out to

1 affected landowners – Duke says, "In the past four
2 decades, customers' electricity use in the
3 Asheville area has more than doubled, and demand
4 for electricity in the service area is expected to
5 grow by more than 15 percent in the next decade."
6 Their words, not ours. Nothing about South
7 Carolina.

8 In the Duke Annual Report to its shareholders
9 in 2014, they said average usage per customer is
10 expected to remain flat or decline in the
11 foreseeable future. Yet, they are building a new
12 gas plant that will double their production in the
13 Asheville area. Duke has already publicly said
14 that this is a project to serve the people of North
15 Carolina. They've said nothing about the people of
16 South Carolina.

17 Duke will come before you early next year, and
18 I am sure they're going to have all kind of facts
19 and statistics at that time, saying that this
20 project is to benefit the people of South Carolina.

21 [Three-minute bell]

22 But at least Pat Knie, as one customer, is
23 holding their feet to the fire and asking this
24 Commission to hold their feet to the fire and say,
25 "Why have you changed your story? And if you've

1 changed your story, should we believe you now?"
2 Hold their feet to the fire, to what they've said
3 when they first announced the project. Thank you.

4 **CHAIRMAN HALL:** Thank you, Mr. Knie.

5 [WHEREUPON, the witness was excused.]

6 **MR. MELCHERS:** Thank you. John White, to
7 testify? And let me ask: Gary Gilbert, you have
8 not indicated whether or not you wish to testify.
9 Is Gary Gilbert still here?

10 **VOICE:** No.

11 **MR. MELCHERS:** No? Okay. Thank you, sir.

12 Scott Homstead, if you'll come and sit down
13 front?

14 [Witness affirmed]

15 THEREUPON came,

16 **J O H N W H I T E ,**

17 who, having been first duly affirmed, testified as follows:

18 **CHAIRMAN HALL:** Go ahead, Mr. White.

19 **WITNESS:** Thank you – [indicating].

20 **CHAIRMAN HALL:** I think –

21 **MR. MELCHERS:** That's not ours.

22 **WITNESS:** Am I right [indicating]?

23 **CHAIRMAN HALL:** Yeah. Yeah, go ahead.

24 **WITNESS:** Madam Chairman and members of the
25 Commission, thank you for being here. Pat Knie and

1 I used to practice law together, and it's ironic
2 that he broke the mic before I got ready to speak.

3 [Laughter]

4 My name is John White, and I live at 735
5 Jackson Grove Road, Landrum, South Carolina, and I
6 am a Duke customer.

7 Tom Brokaw talked about The Greatest
8 Generation. My late and deceased father was a
9 member of that generation. I speak to you tonight
10 for my neighbors and the citizens of what I'll call
11 District 5. It stretches from the edge of Pickens
12 County all the way over to the edge of Cherokee
13 County. It's the next greatest generation. Except
14 for our wives and ladies, we're all about the same
15 age.

16 [Laughter]

17 You can tell by the color of our hair. We
18 grew up in America with reaching for the American
19 Dream. You are here tonight because you've got
20 your heartbeat on what's happening in South
21 Carolina, and I thank you for that. See, the mood
22 now is this: The mood is, we've got to put people
23 above politics; we've got to put people above
24 corporate profits.

25 **VOICE:** Yes.

1 **WITNESS:** That's the mood. These are the
2 people I'm speaking for [indicating]. These are
3 the beautiful people. It's beautiful property, but
4 these are beautiful people. These are people that
5 are representative of five, six, eight generations.
6 There are people that are represented here that
7 have moved here 26 years ago, like I did, or moved
8 here 24 months ago and said, "Why did I do this?"
9 There's one constant thing, and that is, nobody
10 that moves here wants to change anything; they like
11 it the way it is. Because we're in the upper part
12 of Spartanburg County and Greenville County,
13 sometimes people forget us. They pooh-pooh the
14 influence that we have.

15 We talked about endangered species. It dawned
16 on me the other day, we're the endangered species.

17 [Laughter]

18 I love the birds and I love the turtles and I
19 love the ferns, but we're the endangered species,
20 because we're too old to go anywhere else.

21 [Laughter]

22 Duke Power's got a problem. It doesn't have
23 to be in *The Wall Street Journal*. It's in the
24 courts in North Carolina. They've got a
25 credibility problem. It's trust. I used to think

1 about Duke Energy, Duke Power like I do Johnson &
2 Johnson. All I want's a no-tears shampoo.

3 [Laughter]

4 You're the gatekeepers. You're elected. You
5 act as judicial officers. This is like the old
6 commercial on TV with the lady that says – and it
7 was a hamburger commercial, and since we had The
8 Beacon, I'm into hamburgers. We sold it 15 years
9 ago. And so I know a lot about hamburgers. But,
10 show me the beef.

11 They've got a credibility problem. When I
12 spoke before the Office of Regulatory Staff, they
13 wanted me to sign a confidentiality agreement to
14 get the documents. They've got an opportunity here
15 to say, "Listen, we made a mistake." We've got
16 problems that's been reported by –

17 [Three-minute bell]

18 Governmental problems, problems between
19 Progress and problems between Duke – we've got a
20 convoluted system here. We need you to stop this
21 project. We need you to protect the people. We
22 need the people to be protected, over profits.
23 Thank you.

24 **CHAIRMAN HALL:** Thank you, sir.

25 [Applause]

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[WHEREUPON, the witness was excused.]

MR. MELCHERS: Folks –

CHAIRMAN HALL: Please, hold your applause.

MR. MELCHERS: Walt Myers, and then Sally
Rock.

Folks, we really need to stop with the
microphone. If – are you going to need to come
back again and get the microphone, ma'am?

VOICE: Well, the other station just turned it
off.

MR. MELCHERS: Oh, okay. All right.

[Witness affirmed]

THEREUPON came,

S C O T T H O M S T E A D ,

who, having been first duly affirmed, testified as follows:

WITNESS: Ma'am, I would like to also submit
these [indicating] for the record.

CHAIRMAN HALL: Okay.

MR. RICHARDSON: [Indicating.]

[Documents distributed]

WITNESS: My name is Scott Homstead. I live
at 180 Night Lark Lane, in Campobello, South
Carolina. And not for this property, but I am a
Duke customer at another property.

Golden Hills of Fairview, along with our

1 sister community, the Greenspace of Fairview, are
2 located in Spartanburg, South Carolina. They were
3 Duke – they were Duke Power – excuse me. They're
4 where Duke Power proposed their transmission lines
5 of 2B. You can please review page A1 and A2. Our
6 community consists of equine enthusiasts and
7 families that have moved into the area from various
8 parts of the United States due to the natural
9 beauty, historic, and bucolic lifestyle that the
10 upstate of South Carolina offers. The demographics
11 of our landowners mirror many of the other area
12 communities in that we fully support the rich agro-
13 tourism industry that has made this area what is
14 today.

15 Golden Hills of Fairview consists of 25
16 landowners, 17 of which call Golden Hills home.
17 More than half of our residents are retired. Most
18 of our residential, small-farm properties are
19 between 12 and 20 acres in size. Over half of the
20 owners in our community have voluntarily placed
21 their properties in conservancy with the Pacolet
22 Area Conservancy, and Greenspace of Fairview placed
23 their properties into conservancy with Upstate
24 Forever. You can now review this on page A4, where
25 you can see all the conservancies addressed in

1 pink. Our residents did this so that the beauty
2 and nature of the properties will remain untouched
3 by development. Duke Power's proposed Route 2B
4 will devastate our entire community in value,
5 clearcutting our conservancy areas, and subsequent
6 runoff to a large spring-fed lake that flows into
7 the Pacolet River a mile away, and leave scars on
8 the landscape of the upstate that can never be
9 healed.

10 On Golden Hills' inception in 1993, Golden
11 Hills created a protective covenant so that we can
12 maintain the aesthetics which lured all of us to
13 live in this area. One of our most important
14 requirements in Golden Hills is that all of our
15 homes' utility services be buried.

16 We have approximately 10 miles of hiking and
17 bridle trails within our community, along with
18 access rights to 500 acres of trails and green
19 space. This proposed transmission line Route 2B
20 will separate us from the trail system. You can
21 review the photos of the affected areas at A5 to
22 A8. Our community does not believe that the
23 proposed substation in Campobello nor any of the
24 transmission lines carving up the properties has
25 any benefit whatsoever to anyone in the State of

1 South Carolina nor the adjacent North Carolina
2 communities.

3 I want to thank you all very much for coming
4 to Landrum today to hear our concerns.

5 **CHAIRMAN HALL:** Thank you, so much, Mr.
6 Homstead.

7 Mr. Homstead's packet will be Hearing Exhibit
8 No. 6.

9 [WHEREUPON, Hearing Exhibit No. 6 was
10 marked and received in evidence.]

11 [WHEREUPON, the witness was excused.]

12 All right. We'll take one more before we take
13 our break.

14 **MR. MELCHERS:** Mr. Myers?

15 [Witness affirmed]

16 THEREUPON came,

17 **W A L T M Y E R S ,**

18 who, having been first duly affirmed, testified as follows:

19 **WITNESS:** My name is Walt Myers. I live at
20 405 Fairview Farms Road, in Campobello. I am the
21 last customer on the Broad River Power network; my
22 next-door neighbor is a Duke customer. And I live
23 immediately next door to Scott Homstead, who just
24 spoke.

25 With other citizens of South Carolina, I

1 oppose the Western Carolinas Modernization Project
2 for a number of reasons, and wish to call the
3 attention of the Public Service Commission to the
4 following:

5 The Integrated Resource Plan, known as "IRP,"
6 is a comprehensive report published annually by
7 public utilities. It's required to be submitted to
8 the PSC and made available to the citizens. This
9 document includes fine detail about the company's
10 planned operations, customers, capital projects,
11 and so forth, for a proposed 15-year projected
12 period.

13 My question is – and I will answer it – do the
14 September 1, 2014, IRPs from Duke Energy Progress
15 and Duke Energy Carolinas spell out the above
16 project in detail, including
17 generation/transmission infrastructure? The answer
18 is, they do not. The reports are absolutely silent
19 on all aspects of this \$1.1 billion project. Its
20 name is not even mentioned in the IRPs. A careful
21 review of the documents suggests that when the IRPs
22 were published in September of 2014, there seemed
23 to be no intention at all to reveal any aspect of
24 this very large and substantial program.

25 In 2014, Duke Energy reported that it invested

1 \$5.5 billion in capital projects. The question I
2 have – another one – is, would Duke Energy
3 reasonably insist that subsidiaries perform
4 detailed analyses and long-range planning prior to
5 committing to the Western Carolinas Modernization
6 Program worth about \$1 billion? I'm sure they
7 would. This modernization project was announced in
8 May, this year. Included in it is a large
9 combined-cycle gas-turbine-generation system for
10 base-load in Asheville. Also specified is a prompt
11 decommissioning of the two coal-fired units there
12 that are over half a century old. The announcement
13 included, as well, a 45-mile transmission line from
14 Asheville to a substation terminus near Campobello,
15 three miles from here. None of this infrastructure
16 is on record in the company's own official planning
17 documents, the IRPs.

18 Would a holding company with the
19 sophistication of Duke Energy permit its
20 subsidiaries to independently commit this
21 expenditure without supervision? And the answer I
22 have is, we think not. Reasonable minds can only
23 conclude that this project was part of the
24 corporation's plans for a substantial period of
25 time. If true, there was deception last year in

1 not reporting it to the Commission. If it was not
2 true, then the plans and the project surely are
3 reckless, premature, and rushed.

4 Finally, ladies and gentlemen, if there is any
5 benefit at all to be derived from this project, not
6 one penny of it will accede to the citizens of
7 South Carolina, and much sacrifice will be demanded
8 from us. Thank you.

9 [Applause]

10 **CHAIRMAN HALL:** Thank you, Mr. Myers.

11 Please, hold your applause. Please.

12 Mr. Myers' photo and packet will be Hearing
13 Exhibit No. 7.

14 [WHEREUPON, Hearing Exhibit No. 7 was
15 marked and received in evidence.]

16 [WHEREUPON, the witness was excused.]

17 We will take a 10-minute break; at 7:40 we
18 will start back.

19 [WHEREUPON, a recess was taken from 7:30
20 to 7:50 p.m.]

21 **CHAIRMAN HALL:** Okay, folks, we're back on the
22 record.

23 Mr. Melchers, call our next speaker.

24 **MR. MELCHERS:** Thank you, Madam Chair.

25 Our next speaker is Sally Rock, and after Ms.

1 Rock is Dean Campbell, if Dean Campbell would come
2 down front.

3 [Witness affirmed]

4 THEREUPON came,

5 **S A L L Y R O C K ,**

6 who, having been first duly affirmed, testified as follows:

7 **WITNESS:** Good evening. My name is Sally
8 Rock. I reside at 255 Night Lark Lane, in
9 Campobello, South Carolina. That property is along
10 proposed Route 2B, and I will be referring,
11 Commissioners, to Exhibit No. 6, which was
12 submitted by Mr. Homstead, entitled "Golden Hills
13 of Fairview, Greenspace of Fairview, Proposed HVTL
14 Route 2B." I'll be referring to that, however
15 briefly.

16 I am a retired attorney, and I spent the
17 beginning of my legal career working for an energy
18 company up in the Northeast. And I sold coal, and
19 lots of it, to Duke to power its generating
20 facilities in the Carolinas. A long time ago, but
21 I remember it well and I can relate to being on the
22 other side of the table as these Duke folks are.

23 So, thank you for having us this evening. I'd
24 like to briefly address the 2014 IRPs that
25 Representative Brannon touched upon and some other

1 folks have mentioned. And many of us are
2 extremely, extremely puzzled as to how this \$320
3 million project could not appear in the 2014 IRPs
4 filed by both Duke Energy Progress and Duke Energy
5 Carolinas with the South Carolina Public Service
6 Commission seven months before the 3700 letters
7 went out to the residents along the proposed
8 routes.

9 I'd like to draw your attention to page B6 of
10 Exhibit No. 6. That is Duke Energy Carolinas' -
11 their IRP, page 153, Appendix I, which addresses
12 transmission planned or under construction. You
13 will see in bold letters the word "NONE," N-0-N-E.
14 "NONE."

15 In the Duke Energy Carolinas IRP filed the
16 same date, six projects are listed, page 153,
17 Appendix I: two in 2016, two in 2018, one in 2019 -
18 excuse me, that's three in 2016. There is no
19 mention of this project, 45 miles of lines for
20 transmission and a substation, that will be - so
21 I'm told - the largest substation on their energy
22 grid.

23 The other thing that we're puzzled about - and
24 I speak for many - is the purchase of that
25 substation parcel. Duke paid a whopping \$4.963

1 million for 199 acres of cattle grazing land that
2 already had a 500 KV power line on it. Most
3 realtors will tell you that the average comp per
4 acre in that area is \$5400 per acre, and a power
5 line would tend to diminish the value of any given
6 parcel.

7 So, with that in mind, did they know? Did
8 they know, as of September 1, 2014, about this
9 project? And I'll tell you, they did. There's
10 evidence, and it's public record. Look at the deed
11 for the purchase of that parcel. We did not give
12 you a copy of our exhibits; we can provide it. The
13 deed talks about the survey for that property.
14 That survey for the purchase of that parcel is
15 dated September 12, 2014 – I'm sorry, September
16 13th. Twelve days after these IRPs were submitted.
17 Common sense tells you that the surveyor –

18 [Three-minute bell]

19 – if he's dating his survey September 12th,
20 they knew about it long before September 1.

21 In closing, in applying your criteria and
22 reviewing their Application, public convenience and
23 necessity, as you've heard and you'll continue to
24 hear, no one in South Carolina benefits from this
25 project. In applying your criteria, keep this in

1 mind. If the project does not fit, you must make
2 them quit. Thank you.

3 [Laughter; applause]

4 **CHAIRMAN HALL:** Thank you.

5 [WHEREUPON, the witness was excused.]

6 **MR. MELCHERS:** Dean Campbell. And after Mr.
7 Campbell, Roger Wolters, if you would come down.

8 [Witness affirmed]

9 THEREUPON came,

10 **D E A N C A M P B E L L ,**

11 who, having been first duly affirmed, testified as follows:

12 **WITNESS:** my name is Dean Campbell. I live at
13 300 Highway 11, Landrum, which is actually in
14 Gowensville, the oldest settlement in the Dark
15 Corner. You will hear that term mentioned tonight.
16 The Dark Corner is the northwestern portion of
17 upper Spartanburg County and the northeastern
18 corner of Greenville County, so that's the area
19 we're talking about.

20 I am a storyteller. My stories are true.
21 They are the legends and history of the people who
22 lived for many years here ago – many years ago,
23 right here, and whose lives still impact us all.
24 From our culture, to our history, to our heritage
25 tourism, to our appreciation of our natural beauty,

1 serenity, and the love of God's creation, I am the
2 squire of Dark Corner who has carried our message
3 across South Carolina, the nation, and throughout
4 the entire world for over 40 years. I sing a
5 national song of local people and place, a place
6 and people who lived and made a difference and
7 whose culture lives still in these hills, on these
8 byways, and in documentaries and reenactments, TV
9 specials and lectures, classrooms, Internet sites.

10 Our Dark Corner documentary premiered in 2008
11 at the Upcountry History Museum, made the Corner a
12 household name, and it's still airing nationally on
13 the Documentary Channel and statewide on ETV.
14 Fellow historians Anne McCuen and Mann Batson
15 joined with me to paint an authentic portrait of
16 this mountainous area, this very unique area. I've
17 taught the Corner's history for 12 years in Furman
18 University's Lifelong Living Curriculum. My series
19 of "Twice-Told Tales of the Dark Corner" for the
20 *Tryon Daily Bulletin* is ongoing. Many of them
21 convey the importance of moonshine in the Dark
22 Corner's health, social interaction, and economic
23 stability.

24 I've conducted heritage tours of this area for
25 23 years, for thousands of Americans, including

1 schoolchildren and visitors from 15 countries as
2 far away as New Zealand. Many have come because
3 they can no longer return to their own heritage, so
4 they choose to come and adopt ours.

5 Saluda Land & Lumber Company made us move for
6 our timber, back in 1904 – our virgin timber. In
7 1917, we had to leave because the Camp Wadsworth
8 soldiers had to come up and do their artillery
9 practice along our front range. In the late 1950s,
10 more than 37,000 acres of people had to move from
11 Glassy and Hogback Mountain area to create the
12 Poinsett Reservoir and its vast watershed for the
13 City of Greenville.

14 We only have left our front range. How much
15 more of what was once sacred, holy land can be
16 taken from us? This land and its many legends are
17 sacred to us still. The pristine beauty, the
18 legends, the graveyards, and their tranquility are
19 no match for 140-foot towers and access roads. It
20 is impossible to imagine history under mega-
21 monstrosities.

22 So please, don't let our stories end here.
23 Say no to Duke's hope of more profit at the cost of
24 our destruction, and honor the generations of souls
25 who have held – and still hold – this blessed spot

1 most dear.

2 **CHAIRMAN HALL:** Thank you, Mr. Campbell.

3 [Applause]

4 [WHEREUPON, the witness was excused.]

5 **MR. MELCHERS:** Mr. Wolters, if you would come
6 up? And after him, Mayor Bob Briggs, if you would
7 come down front?

8 [Witness affirmed]

9 THEREUPON came,

10 **R O G E R W O L T E R S ,**

11 who, having been first duly affirmed, testified as follows:

12 **WITNESS:** My name is Roger Wolters. I live at
13 45 Winston's Chase Court, in Gowensville. I'm not
14 a Duke customer. My son, who lives in Campobello,
15 is a Duke customer; he's unable to be here tonight
16 and he's asked me to read something for him.

17 I own the Red Horse Inn, and my wife and I
18 built it from the ground up. When you look up at
19 the Blue Ridge Escarpment from – actually, we see
20 from Table Rock all the way over to Tryon Peak.
21 This is my son's feelings, as he wishes to take
22 over our business. This is the next generation.

23 [Reading] My family owns the Red Horse Inn, in
24 Landrum, South Carolina. Our business is based on
25 the beauty of not just our land but of the

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surrounding land, our view of the Foothills, of the Blue Ridge Mountains, and our beautiful accommodations have gained national attention over the past 20 years. The construction purpose, expansion by Duke Energy, will destroy the view and cost us our business. That is not hyperbole.

My family and I settled in this area to take advantage of the natural beauty of this area and what it has to offer. We built a successful tourist-based business. It brings thousands of visitors to our area every year. Our guests, from as far away as the Midwest and Deep South and the Southwest come to our Inn to experience the beauty of the Blue Ridge. Once here, they eat in our restaurants, browse our shops, and visit our parks. They support our community. If Duke Power erects 14-story power lines, it will destroy our view. If our vista is gone, our customers will choose to visit places where the natural beauty still is intact. This rural landscape, consisting of rolling farms and mountainside homesteads, today is home to an unparalleled equestrian established economy. It is with toil and passion over the past hundred years that this has been built. The hard work and investment in that economy is just now

1 blossoming into a world class status. The advent
2 of the Tryon International Equestrian Center, a
3 \$100 million investment, is growing. It is
4 stimulating a unique economic boom. Amidst this
5 equestrian life, which preserves and enhances the
6 beauty, a significant upscale community, The Cliffs
7 communities – all three of them – have created a
8 diverse culture and a solid basis of business for
9 the region.

10 And by the way, retirees have sought out this
11 locale and lifestyle for decades. Tryon and Saluda
12 have been retirement communities for 100 years or
13 more.

14 [Reading] Places like this are rare in the
15 world today and need to be treasured and preserved,
16 for once lost they can never be restored. Duke
17 Energy's proposed Foothills transmission line, part
18 of its Western Carolinas Modernization Plan, would
19 have a tremendous impact on my family, my business,
20 and my community. But the economic losses,
21 potential environmental and real estate impact that
22 this transmission line would impose on my community
23 in the Carolina Foothills would be devastating and
24 will have a lasting effect on those who live here
25 and on the future generations to come.

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Thank you.

[Applause]

CHAIRMAN HALL: Thank you, Mr. Wolters.

[WHEREUPON, the witness was excused.]

MR. MELCHERS: Thank you, Mr. Wolters.

Mayor Briggs, if you would come to the podium?

And if Bill Mills would come down front.

[Witness affirmed]

THEREUPON came,

T H E H O N O R A B L E B O B B R I G G S ,

who, having been first duly affirmed, testified as follows:

WITNESS: Madam Chair, Commissioners, thank you for letting us speak to you tonight.

This area that we call home has always been special. The Native Americans, the Cherokee, were the first inhabitants of this area. They said that the area that we now know as the Blue Wall was a place where they came to restore and recharge their soul. Hunting was good, water was plentiful and clear, and the Blue Wall inspired them. The area was special to them.

This area played a special role in our history. Earl's Fort, Fort Gowen, and Fort Prince were established on the frontier and played a part in establishing this area and also played a part in

1 the War for Independence. Men from the mountains
2 of Western North Carolina marched over these
3 mountains and helped defeat the British at King's
4 Mountain, then the British were defeated at
5 Cowpens, and Chief Skyuka, of the Cherokee, helped
6 defeat the British here on our frontier. A
7 mountain close by bears his name. Upstate Forever
8 thought this area was special when they founded
9 their organization to preserve the natural beauty
10 and amenities of this area, and helped establish
11 the Mountains to the Sea Trail, which comes off the
12 ridge at Hogback and traverses our watershed, and
13 continues through Landrum and on across our State
14 to the ocean. Our watershed produces potable water
15 that consistently ranks as South Carolina's best.

16 We don't have an abundance of industry in this
17 area. Mostly small businesses. And so the one
18 thing that we do have and we do promote is the
19 beautiful area, the farmlands, the equestrian
20 farms, the riding and walking trails, waterfalls,
21 clear mountain streams, and spectacular mountain
22 views. The same awe-inspiring views that inspired
23 our forefathers, and the Native Americans before
24 them, still inspire us today.

25 Duke Energy's current plan is, in my opinion,

1 poorly planned. It appears that a piece of
2 property was purchased and then a plan was designed
3 to reach that piece of property. I think a better
4 plan would be to find the best route and then look
5 for property to build a substation. That would be
6 about 20 miles to the west of Campobello, around
7 Highway 25 and 11. From there, go north to Flat
8 Rock. This would be a more direct route, a shorter
9 route, and a less costly route, and new technology
10 and new innovations in burying of lines could be
11 employed along Highway 25 to reach Fletcher, North
12 Carolina.

13 My family immigrated to South Carolina in 1766
14 and moved to the Upper Spartan District in 1880.
15 This place was special to them and it's still
16 special to me today. I'm opposed to anything that
17 would compromise these priceless attributes. I
18 think Duke Energy should reconsider the plan in the
19 interest of efficiency, cost-effectiveness,
20 customer concerns, respect for our rich history,
21 and the environment and natural beauty of the area.
22 Thank you.

23 **CHAIRMAN HALL:** Thank you.

24 [WHEREUPON, the witness was excused.]

25 **MR. MELCHERS:** Let me ask – we had reports

1 that there were folks who were not able to come in
2 earlier, because we had reached capacity in here.
3 Does anyone know if there are folks still waiting
4 outside who don't know that there are seats
5 available?

6 **COUNCILMAN WALKER:** We've opened the door now.

7 **MR. MELCHERS:** Right. Okay, thank you.

8 Bill Mills, and then after Mr. Mills, Barbara
9 Mills is listed next. If Barbara would come down?

10 [Witness affirmed]

11 THEREUPON came,

12 **B I L L M I L L S ,**

13 who, having been first duly affirmed, testified as follows:

14 **WITNESS:** [Indicating.]

15 **MR. RICHARDSON:** [Indicating.]

16 [Document distributed]

17 **WITNESS:** I'm Bill Mills, a resident of
18 Caroland Farms, and president-elect of North
19 Pacolet Association, which is our homeowners'
20 association. I live at 80 Sandwich Lane,
21 Campobello. I am a Broad River Electric user at my
22 residence, but I've had Duke Energy at my business
23 in Spartanburg, South Carolina, since 1994.

24 The best solution for all the citizens in
25 North and South Carolina adversely affected by Duke

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Energy's Foothills Transmission and Substation Project is to have the project canceled. There's no other better solution. Having said that, if Duke presses forward and you all are a part of that, there may be a couple of other solutions.

If you'll turn to page two in my handout, this schematic shows the 44 proposed routes in South Carolina and North Carolina. The blue routes are proposed transmission lines that have no current, existing easements. The red routes are transmission line corridors and adjacent to the proposed new transmission lines. And if you'll notice the one going up the middle of that schematic, 26 miles out of the roughly 41 miles from the substation in Campobello to the Asheville Plant have existing easements already. So our feeling is that that's the route, if this thing has to go from the substation in Campobello, it should go.

Now if you will please turn to page four, this schematic compares the routes east and west of I-26 and shows that in South Carolina, if Duke Energy follows Routes 1, 3A, or 3B, they will essentially be using existing corridor easements in South Carolina all the way to the North Carolina border.

1 If they decide to use the western route, beginning
2 with Route 4, or the eastern route following 2 or
3 19, there are no easements in South Carolina or
4 North Carolina all the way to the Asheville Plant.
5 The western route is 49.53 miles, and the eastern
6 route is 41.04 – both longer than the central route
7 that follows the corridor easements.

8 Using the analogy on the cover of the brochure
9 you're holding, widening an existing road for the
10 purpose of accommodating increased traffic is far
11 less costly and damaging to the environment than
12 building an entirely new highway.

13 Now please turn to page nine. This schematic
14 gives a third option which may ultimately be the
15 best solution, but it was not proposed by Duke
16 Energy, and a big question is: Why not? The pink
17 line that you see on the left of that schematic
18 depicts an existing transmission line corridor that
19 originates at the Asheville Power Plant, passes
20 south through Pisgah National Forest, DuPont State
21 Park, and goes by Brevard on its way to just west
22 of Cleveland, South Carolina, where it crosses the
23 existing 525 kV transmission line which originates
24 at the Oconee Nuclear Power Plant and passes right
25 out our door here by Landrum High School, which the

1 new substation is supposed to connect to. A new
2 substation built at Marker A that you see there by
3 Cleveland could connect the existing 525 kV
4 transmission line with the new 325 kV transmission
5 line from Asheville, thus eliminating the need for
6 the substation in Campobello and the disruption and
7 desecration of this lovely Foothills region. The
8 total length of that route is 35.12 miles.

9 I want to thank all the members of the Public
10 Service Commission for allowing me the opportunity
11 to share my views in Duke Energy's - regarding Duke
12 Energy's Foothills transmission substation.

13 Thank you.

14 [Applause]

15 **CHAIRMAN HALL:** Thank you, so much, Mr. Mills.
16 Mr. Mills' exhibit will be Hearing Exhibit No. 8.

17 [WHEREUPON, Hearing Exhibit No. 8 was
18 marked and received in evidence.]

19 [WHEREUPON, the witness was excused.]

20 **MR. MELCHERS:** After Barbara Mills, it will be
21 Dean McKinne, if Dean McKinne would come down?
22 It's M-c-K-i-n-n-e?

23 **MR. McKINNE:** [Nodding head.]

24 [Witness affirmed]

25 <

1 THEREUPON came,

2 **B A R B A R A M I L L S ,**

3 who, having been first duly affirmed, testified as follows:

4 **WITNESS:** I'm Barbara Mills; I'm a longtime
5 resident of Caroland Farms. I live at 80 Sandwich
6 Lane in Campobello, South Carolina. Our family
7 business does use Duke Energy; at our home, we do
8 not.

9 Madam Chair, may I enter my presentation to be
10 included as a record of this meeting?

11 **CHAIRMAN HALL:** Yes, ma'am. Ms. Mills'
12 exhibit will be Hearing Exhibit No. 9.

13 [WHEREUPON, Hearing Exhibit No. 9 was
14 marked and received in evidence.]

15 **WITNESS:** Thank you, very much. It is
16 basically a picture book of this beautiful area
17 that we live in. My husband and I purchased our
18 property in 1993. The appeal was immediate, with
19 the scenic views and unique covenants governing
20 this neighborhood. All properties have some
21 acreage, and conservation home sites are placed
22 strategically so that they do not interfere with
23 anyone's view, and all property owners bury their
24 power line. And on the cover is the entryway;
25 that's Sandwich Lane right there. That's what

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greet us when we come home from work.

We all feel like we are stewards to this land and we work very hard to maintain that rural atmosphere. This philosophy applies to our budding neighbors in Jacksonboro, Golden Hills, and Fairview Farms. Tonight, I plan to highlight some of the historical and economic aspects of our Foothills community, which are impacted by Duke Energy's proposed routes of 2A, 2B, 2C, 19.

The map in our booklet will show you the location of three historical homes, two churches, three agribusinesses in our Foothills, and the yellow line on that map will show you where Duke's proposed power line will cross these important historic sites. Further detail will be presented by the next presenter, Mr. Dean McKinne. He will use the same presentation and add some more detail about these historic homes, churches, and cemeteries. He will go over the Bessie Jackson house, the Marsden Jackson house, Samuel Jackson house; the churches, the Jackson Grove United Methodist Church and the Union Grove Baptist Church.

For decades, all members of our community have worked towards building an economic niche for these

1 Foothills, something that would not mar the beauty
2 of this area. Tonight, I'll give you three
3 examples of businesses that met that test: These
4 agribusinesses are currently fueling our economy.
5 Still Creek Aqua Rehab Center, Tryon Equine
6 Hospital, and Caroland Farms. We now have the NFL
7 and superbowl of horses who are living, training,
8 and competing in our Foothills. the Still Creek
9 Aqua Rehab Center has saltwater treadmills for
10 these athletes that need rehab following surgery
11 and injury. Adjacent to that property at Still
12 Creek is a state-of-the-art hospital: Tryon Equine
13 Hospital. This building recently opened and is
14 staffed with seven veterinarians. Prior to this,
15 we had to – the nearest facility was in Athens,
16 Georgia.

17 Caroland Farms at the center of our community
18 has a cattle tradition that was started by the
19 Slater family years ago, and continues today with
20 quite a neat twist. Caroland Farms, three years
21 ago, was purchased by J. Alexander and Bob Jordan,
22 and they partnered to create a unique agribusiness.
23 They purchased the farm acreage and bought back the
24 Angus cattle from the original bloodlines. Thus,
25 they were able to continue the traditions. They

1 brought in Wahoo cattle and transplanted embryos
2 from the Wahoo into the Black Angus cattle. They
3 are raising prime-plus beef, Kobe beef, but yet
4 these cattle graze freely on beautiful hills and
5 are treated humanely. All the crops for these
6 animals are grown in these fields. They are non-
7 GMO, and everything is coming out nicely for this
8 business. It's taken three years and they really
9 have the momentum that they need.

10 [Three-minute bell]

11 In conclusion, Duke Energy's proposed project
12 will forever scar our efforts, both economically
13 and historically. The appeal of our area is in its
14 beauty. Please help us preserve it by encouraging
15 Duke Energy to use their existing easements for
16 high-power transmission lines. Thank you.

17 [Applause]

18 **CHAIRMAN HALL:** Thank you, Ms. Mills.

19 [WHEREUPON, the witness was excused.]

20 Please, hold your applause.

21 Mr. McKinne?

22 **MR. MELCHERS:** Yes, Mr. McKinne, please come
23 to the podium. And next is Polly Slater Glover, if
24 Ms. Glover would come down front?

25 [Witness affirmed]

1 THEREUPON came,

2 D E A N M c K I N N E ,

3 who, having been first duly affirmed, testified as follows:

4 **WITNESS:** my name is Dean McKinne. I live at
5 220 Sandwich – excuse me. I live at 20 Sandwich
6 Lane, Campobello. I am a Duke customer at work,
7 but not at home.

8 As I said, my address is 20 Sandwich Lane,
9 Campobello, which is part of the Caroland Farms
10 community. Half of my land is within 500 feet of
11 Route 19 on the Duke Power proposal. My house and
12 barn are 560 feet from the proposed line. The
13 picture on the front of the brochure that Ms. Mills
14 passed out was taken from the foot of my driveway.
15 If you'll look at the last picture in the brochure,
16 you can see what this view would look like with the
17 power line running through it.

18 But this is not about my home and view, but
19 about the historical nature of our community. In
20 the 1780s, Captain Thomas Jackson built what is now
21 the Sauer House, which the proposed line directly
22 impacts. He then built a larger home in the 1790s,
23 presently owned and resided in by the Von Bleukers.
24 Lastly, he built what is now known as the Bessie
25 Jackson House for James, one of his nine children.

1 This home recently celebrated a gala 200-year
2 anniversary put on by her owners, Mark and Jane.
3 The 2B proposed line would go through property
4 immediately adjacent to this home. All three of
5 these 200-year-old homes are actively inhabited and
6 beautifully maintained today.

7 Captain Thomas Jackson's grandfather, John
8 Jackson, received a large land grant in 1763 on
9 both sides of the North Pacolet River. Three
10 generations of Jackson family members founded and
11 built the original Jackson Grove Methodist Church,
12 and many family members are buried there, along
13 with a number of the slaves of the Jackson family.
14 The proposed power line is adjacent to this
15 historical site. Additionally, the 2A line route,
16 if chosen, will bisect the Union Grove Missionary
17 Baptist Church and Cemetery. This is a historical
18 black church that was founded pre-Civil War. The
19 2A route, if chosen, will put a permanent scar on
20 250 years of history.

21 If, indeed, it is proven by an agency other
22 than Duke Energy that more transmission capacity is
23 necessary, the Public Service Commission should
24 serve the public and require Duke Energy to use the
25 existing right-of-ways to expand capacity, rather

1 than to build a whole new electrical highway
2 through our beautiful and historic community. If
3 this beautiful and historic countryside is
4 destroyed, a very unique part of our State will be
5 gone and can never be restored. It will be the
6 equivalent of running a transmission line straight
7 down the beach.

8 Thank you for being here tonight.

9 **CHAIRMAN HALL:** Thank you, Mr. McKinne.

10 [Applause]

11 [WHEREUPON, the witness was excused.]

12 **MR. MELCHERS:** Thank you. And, Ms. Glover, if
13 you would come to the podium? And John White, if
14 you would come down front?

15 [Witness affirmed]

16 THEREUPON came,

17 **P O L L Y S L A T E R G L O V E R ,**

18 who, having been first duly affirmed, testified as follows:

19 **WITNESS:** My name is Polly Slater Glover. I
20 live in East Landrum, 2845 North Pacolet Road.

21 **MR. MELCHERS:** Can you excuse me just for a
22 moment? I'm sorry.

23 Sir?

24 **VOICE:** John White spoke earlier.

25 **MR. MELCHERS:** Thank you so much. I'm not

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sure why his name should – forgive me. Please go ahead.

WITNESS: Thank you, very much, for the opportunity to speak tonight. I live on historic Caroland Farms. Caroland Farms was assembled by my grandfather, Ellis D. Slater, in the late 1950s, where prize-winning Angus cattle were raised, a hobby which my grandfather shared with his good friend and golf partner, Dwight Eisenhower. My father, Bud Slater, developed the farm throughout his lifetime and it is one of the foundational properties in the area and in Spartanburg County. The 2200-acre property covers both South Carolina and North Carolina. My father, an avid conservationist, developed the property with one major objective in mind: to assure the community and the purchasers of home sites that the equestrian and other outdoor activities would continue, and that the historical, architectural, and natural heritage of our area would be preserved in perpetuity, through covenants and conservation easements.

A network of riding trails extend from one end of the farm to the other, providing direct routes between the two boundary subdivisions known as

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Picnic Hill and Jackson Grove. These trails and subdivisions will be adversely affected by the impacts of the high-wire line, as will the Tryon Riding & Hunt Club, one of the oldest active foxhunting organizations in the South.

Driving through Caroland Farms from east to west, along the Spartanburg County road, the view is still as scenic as it was 60 years ago. One enjoys the open fields, the rolling hills with cattle grazing, woodlands, and views of Hogback Mountain, Tryon Peak, and the Blue Ridge Mountains. Historic landmarks on the drive through Caroland Farms consist of the following: Picnic Hill residential development named by my grandmother, Priscilla Slater, who enjoyed picnicking there with her grandchildren; the iron bridge, which is one of two in Spartanburg County; the iconic red barn in the center of the farm; Jacksons Grove United Methodist Church and Cemetery, which remains an active congregation today; the traditional yearly blessing of the hounds at Thanksgiving Hill; three historic houses on the farm – my grandfather's house, an 1800s log cabin restored by Carter Brown; my parents' farm house, one of the oldest houses in Spartanburg County; and the Bessie Jackson House,

1 which Dean has spoken about the three houses.
2 Across from the Bessie Jackson House and towards
3 Scots Corner is Jackson Grove.

4 In closing, my parents worked hard to preserve
5 the integrity of the area. Their goal was to have
6 everyone in the community and the surrounding area
7 drive through and take in the unspoiled views of
8 the farm and the mountains. Fourteen-story power
9 lines and the buzz that goes with them through
10 Caroland Farms will quickly, once and for all,
11 destroy the aesthetic and ecological values, as
12 well as our property values. We, the people of the
13 beautiful South Carolina Foothills, appeal to the
14 Commission not to approve the construction of the
15 line and the substation, for the company of Duke
16 Power. Thank you.

17 **CHAIRMAN HALL:** Thank you so much.

18 [Applause]

19 [WHEREUPON, the witness was excused.]

20 **MR. MELCHERS:** D.C. Messmer, if you would
21 please come to the podium? D.C. Messmer? And
22 Joella Utley, if you'd come sit down front.

23 And, folks, if I'm calling any names of people
24 that you know are no longer here, please let me
25 know.

[Witness affirmed]

THEREUPON came,

D E B O R A H C . M E S S M E R ,

who, having been first duly affirmed, testified as follows:

WITNESS: Good evening. My name is Deborah Messmer. I live 1140 Tugaloo Road, in Landrum. I am a Blue Ridge Electric customer. I'm also the initiator of the Change.org petition that right now has almost 5000 people having signed it, and about 1590 of them are identifying themselves as South Carolinians; a number of them who are not South Carolinians have stated that they own property in the area, have relatives who live here. And not one of them supports this initiative.

It's unbelievable to me that this company could do – put together a plan that was as poorly laid out as the one that they've already submitted to the community. It is laughable, to tell you the truth, the way that they did the announcement, the way that they had their community meeting set up. I would think is meant to be dividing our community, but it's not working.

I don't know how to say it any better than to say either this company is really, really smart or really, really stupid – and I'm glad I'm not a

1 customer of theirs. My job has been painting and
2 interior design for over 35 years. I wouldn't have
3 a much better plan than this for my customers, if I
4 went to prepare a presentation and show them what I
5 had in mind, and want them to buy into it. They
6 haven't asked us to really buy into it; they just
7 said, "This is what we're doing, and we're going to
8 steamroll over you." It's unconscionable, and it's
9 not in the best interest of the public, and I
10 appeal to you to put it on hold, especially because
11 the natural gas that they intend to burn in
12 Asheville to power this line and work through this
13 transmission power line – and I'm getting a little
14 mixed up, because I'm so emotional about it –
15 that's on hold, because the Bureau of Land
16 Management up near Virginia has put it on hold.
17 They don't have anything to burn, so why do we need
18 lines and why do we need a substation?

19 During the time that they're doing the studies
20 that the BLM has requested, this project should be
21 put on hold and the environmental and economic
22 studies that Duke apparently has not done, need to
23 be done and they need to pay for them. And once we
24 know whether it's really needed or if this is just
25 a ploy for them to enhance the grid so that they

1 can sell this energy that's accessed to other
2 places, to make more money for their bottom line,
3 you know, let's see what the real plan is. Because
4 as Sally said earlier, there's no way they didn't
5 know they were going to do this when they should
6 have announced it. Ambushing the public is just
7 unconscionable, and I urge you to put a stop to it.
8 Again, there's nothing to burn. There's no need
9 for the line and no need for the substations.
10 Thank you, very much.

11 [WHEREUPON, the witness was excused.]

12 **MR. MELCHERS:** Ms. Utley? And after her, I've
13 got Glenn English?

14 **VOICE:** He testified earlier.

15 **MR. MELCHERS:** Sorry about that. I'm not sure
16 why, but several signed up twice. So forgive me
17 for calling your name again. Jim Blackstone, if
18 you'll come down front?

19 [Witness affirmed]

20 **THEREUPON** came,

21 **J O E L L A U T L E Y ,**

22 who, having been first duly affirmed, testified as follows:

23 **WITNESS:** My name is Joella Utley. I live at
24 1360 Skunk Hollow Road, one-half mile – my home is
25 about a half a mile from the substation. I do use

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Duke Energy.

We bought our farm about 25 years ago, and have enjoyed it for all of this time. My pastor is on Smith Chapel Road, directly across from the proposed substation. I did not receive any information or letter from Duke, saying this was going to happen, although I'm as close as you can get. Along Smith Chapel are beautiful homes. Some have been there for as long as 70 years. There's also the Smith Chapel Baptist Church with its cemetery, which is well over 150 years old. All of these would be right in the area of the substation.

There are – all these homes also are on well water, and there is a problem that I can see for that, because of clearing the land underneath the tall towers and using pesticides to keep the weeds down and control vegetation would possibly pollute other groundwater.

And I have two questions: Why does it need to start so far away from Asheville, if it's going to be needed only up there for increased energy? By shortening the line – and this has already been said tonight – that would decrease the cost, and also we've been told by Duke they're going to spend about \$320 million to put the overhead transmission

1 lines up. And then we've asked: Why don't you put
2 them belowground? And the answer is it's too
3 expensive, but we've never heard the cost of
4 putting it underground. That's not been published.

5 Thank you.

6 **MR. MELCHERS:** Thank you, ma'am.

7 [WHEREUPON, the witness was excused.]

8 Mr. Blackstone, if you'll come to the podium?
9 And after him is Dawne Howard, if you'll come down
10 front? And then, Ms. Donovan, if you would please
11 be ready to come after Ms. Howard. Thank you.

12 [Witness affirmed]

13 THEREUPON came,

14 **J I M B L A C K S T O N E ,**

15 who, having been first duly affirmed, testified as follows:

16 **WITNESS:** My name is Jim Blackstone. My home
17 is at 171 Christ Rock Camp Road, in Landrum. It's
18 part of the Route 4 proposal. And Blue Ridge
19 Electric provides power for everyone on my road,
20 but I do have a property in Spartanburg where I'm a
21 Duke customer.

22 First, I want to thank y'all for being here
23 and listening. This is important. I was blessed
24 enough to have a good year and be able to buy a
25 piece of property over on Glassy Mountain, and

1 bought a nice piece of property that I think is one
2 of the most beautiful pieces of land around here,
3 and built a home on it. When I drive up Highway
4 11, I see these beautiful mountains to the right of
5 me. When I pull up into my road, because of the
6 slope of the road going straight up the mountain, I
7 stare right at Glassy Mountain, right in front of
8 me. It's beautiful. And I don't know if y'all
9 ever drive on Highway 11, but I encourage you to do
10 so. When I get up to the top of the hill, I'm the
11 last house at the end of the road. When I get out
12 and open my gate, I hear the waterfalls. I've got
13 three to five waterfalls on my property. There are
14 about seven springs that feed these waterfalls, and
15 you've heard the testimony about the insecticides
16 that would be sprayed up there.

17 When I walk out behind my house where these
18 waterfalls are, there's a lot of history back
19 there. You heard Dean – the squire, you heard him
20 talk about that. Well, back there, there are rocks
21 stacked in keyhole shapes, and there are the rusty
22 barrels with axe marks in them, where the
23 moonshiners made moonshine in Dark Corner. You
24 walk out on the ground, you can find 30-0-6 bullets
25 where World War I soldiers used the side of the

1 mountain for target practice before they went over
2 to Europe. There's a tremendous amount of history
3 there. My neighbors are all Pittmans that live
4 there. They've lived there their whole life. All
5 their parents live there, their grandparents lived
6 there. And it just seems a shame that a power line
7 could potentially be put on this mountain.

8 The thing that really bothers me about it is
9 they're talking about putting it horizontally,
10 straight across the front of this beautiful
11 mountain. It just makes no sense to me. And when
12 I look at the maps – you heard one gentleman say
13 something about these Google Maps being three years
14 old. Well, what in the world are these people
15 doing using three-year-old maps to map this out?
16 Because when I look at it, there's several houses
17 that are there now, that aren't on Google Maps.
18 So, they're either going to have to bulldoze those
19 houses or they're going to have to change the
20 lines.

21 The bottom line is, their proposals are not
22 accurate, and I don't understand how we can judge
23 what they're proposing if it's not accurate. So I
24 would encourage you to go back to them, maybe get
25 aerial photographs – something that's accurate to

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propose.

I'll just close and say I haven't heard anything that convinces me that this is even necessary. And when I see the beauty of these mountains, this is a gift from God that we have here, these beautiful mountains. And to put power lines along the side of these mountains, it's like taking a Rembrandt painting and just spitting on it, in my opinion. And I hope that y'all will stand up and fight this, and cancel this project.

Thank you.

[Applause]

[WHEREUPON, the witness was excused.]

MR. MELCHERS: Ms. Howard? Already gone? Not here? Okay.

Ms. Donovan, if you'd please come forward?
Thank you.

And after Ms. Donovan, Beth Laughridge would be next, if you would come down.

[Witness affirmed]

THEREUPON came,

W E N D Y D O N O V A N ,

who, having been first duly affirmed, testified as follows:

WITNESS: My name is Wendy Donovan. I live at 210 Camelia Circle, in Landrum, South Carolina.

1 I'm nobody, to quote the poet Carl Sandburg,
2 and really in the eyes of Duke Energy, so is
3 everyone here. However, collectively, we are
4 somebody: a body of concerned citizens gathered for
5 a cause to protect what belongs to us – land,
6 houses, businesses – and what has been given freely
7 to us in this beautiful area of South Carolina. To
8 quote a local columnist, Ms. Bardos: Once it's
9 gone, it's gone.

10 May we join in singing, believe it or not,
11 *America the Beautiful?*

12 [Singing: *O beautiful for spacious skies,*
13 *For amber waves of grain,*
14 *For purple mountain majesties*
15 *Above the fruited plain!*
16 *America! America! God shed his grace on thee,*
17 *And crown thy good with brotherhood*
18 *From sea to shining sea!]*

19 Well, that was grand.

20 [Laughter]

21 God gave us this land, and we are a part of
22 it. Our little bit nearly stretches from sea to
23 shining sea. So, come labor on, folks; we have a
24 lot at stake. Little David was small, but oh,
25 my... We are small. DE is large – too large to

1 miss. Labor on.

2 [Applause]

3 [WHEREUPON, the witness was excused.]

4 **MR. MELCHERS:** Ms. Laughridge, if you would
5 come forward?

6 Folks, we've got a lot of names, a whole lot
7 of names left, and we've got to be out of here at
8 10. I'm seriously asking you to hold the applause.
9 Thank you.

10 After Ms. Laughridge, if we could please have
11 Kath- - no Don McDonald come down. Thank you.

12 [Witness affirmed]

13 THEREUPON came,

14 **B E T H L A U G H R I D G E ,**

15 who, having been first duly affirmed, testified as follows:

16 **WITNESS:** Good evening. Madam Chair,
17 Commissioners, my name is Beth Laughridge, and I
18 live at 390 Fairview Farms Road, in Campobello. My
19 family is one of approximately 4000 who received
20 letters from Duke Energy regarding the Western
21 Carolinas Modernization Project.

22 My husband and I have lived in this area for
23 over 43 years. We moved here right out of college.
24 We worked, raised our family, and are now retired
25 in this distinctive area, and appreciate the beauty

1 and culture of our Foothills. The impact of this
2 project is not only on the beauty and the culture
3 here, that many have spoken about tonight, but also
4 on the people. Families, and their lives and
5 futures. There's a domino effect here that's
6 permanent: permanent on those who will ultimately
7 be on that transmission line chosen by Duke Energy.

8 Let me take a moment to share with you our
9 family, our home, our future plans, which will be
10 impacted by this proposed Foothills transmission
11 line. Our 36-year-old son is multi-handicapped
12 with profound disabilities, including cerebral
13 palsy, blindness, and seizures, requiring 24/7
14 hands-on care every day. We chose to care for our
15 son, rather than place him in an institutional
16 setting – which by the way, saves the State and
17 federal government about \$100,000 a year. We built
18 our home, 20 years ago, to accommodate his special
19 needs. We are retired, and our future plans
20 include our daughter and her family moving into
21 this home to care for our son when we can no longer
22 do so.

23 High-voltage lines will be potentially within
24 300-400 feet of our house. The EMS coming off
25 those lines I understand to be proportional to the

1 voltage of the source. These are high-powered
2 lines. They will severely impact our son's health,
3 especially the seizures which could potentially be
4 fatal. I'm not sure that they can put these lines
5 up high enough not to impact him.

6 Now, the question of EMS has not been proven,
7 but then again, it hasn't been disproven. Early
8 studies with tobacco products and Agent Orange were
9 not proven to be health issues. We can't take that
10 chance. We'll have to move. And at our age and
11 financial resources, we're not going to be able to
12 replicate the handicap-accessible home that we have
13 now.

14 I haven't heard a true explanation of Duke
15 Energy's need for this transmission line. I have
16 heard the want. With the proposed new natural-gas
17 facility in Asheville having doubled the capacity
18 of the old coal facility, and having not seen any
19 documentation for increased energy need except for
20 the 15 percent -

21 [Three-minute bell]

22 - projected in Asheville, it's not obvious to
23 me, the need. There is a difference - as I used to
24 tell my children - between "need" and "want," and
25 it's very difficult for me and for the many others

1 who love this area to understand why families must
2 endure and sacrifice for something we feel is a
3 want.

4 Thank you for your time.

5 **MR. MELCHERS:** Thank you, ma'am.

6 [WHEREUPON, the witness was excused.]

7 Don McDonald, if you would please come
8 forward? And then Kathleen Jennings, if you would
9 come sit down front?

10 [Witness affirmed]

11 THEREUPON came,

12 **D O N M c D O N A L D ,**

13 who, having been first duly affirmed, testified as follows:

14 **WITNESS:** My name is Don McDonald. I live at
15 747 Smith Chapel Road, Campobello, South Carolina.

16 I married into the family, the Knuckles
17 family, which consisted of six girls and two young
18 men. The property was bought in 1950, on Smith
19 Chapel Road, and we've had five homes there ever
20 since.

21 This proposed substation, I could throw a rock
22 onto the property from either one of my sister-in-
23 law's houses. I've heard all the comments
24 concerning the Blue Ridge Mountains and the view
25 from everywhere, but I'm here to speak – and I'm

1 thankful that some of my neighbors have already
2 addressed it: Patrick Knie, Patty Schindler, which
3 you haven't heard from yet, Madelon from the real
4 estate office. Our concern is there are at least
5 10 homes that are impacted by this proposed
6 substation – not a line, but the actual end of the
7 line – and all of us live immediately around it. I
8 can't have you to view this [indicating], but I
9 have a smaller version that shows the substation is
10 going here [indicating] and exactly where our homes
11 are located adjacent to it.

12 I've experienced two or three catastrophes in
13 my lifetime. I'm 80 years old. I've worked for
14 the Governor of California, the Governor of New
15 Jersey, and 27 years with the Los Angeles County
16 Government in Human Resources. I understand the
17 government. I built a home here myself, in 2003,
18 after coming here 10 years in a row. This plant,
19 as I said, it's one thing to be near a line or
20 something, but those of us that live on Smith
21 Chapel Road are right at the end of line.

22 Seven years ago, I appeared in this room and
23 talked about septic tanks, 200 of them, that were
24 going to be proposed near our homes, and we had to
25 – I stood here and addressed this group and said

1 how much it would affect us because it would ruin
2 our well water. Thank God we were able to defeat
3 that particular proposal, and all my neighbors were
4 right here and we were able to defeat that. My
5 biggest concern is that we have families there who
6 are not near the line, we're right at the line.
7 The line is as far as from this stage to the back
8 of this building. Not a line, but the substation,
9 the proposed substation. The church is there. The
10 cemetery is there, where my mother-in-law and
11 father-in-law are buried. It's right on the fence
12 line of the property.

13 I have a concern that we were never notified.
14 The first meeting that I was able to attend was in
15 Gowensville, because one of my neighbors told me
16 about it.

17 I'm not going to try to burden you with the
18 statistics and how beautiful the scenery is and so
19 forth. I'm here to petition because our lives are
20 at stake. And you look at - I'm going to leave you
21 one little copy of this [indicating] that I got
22 from Spartanburg Assessors Office, and I've got my
23 name and phone number on the back of it, and it
24 shows very clearly where the proposed substation
25 is, and all of our addresses are on there. And

1 this was not something I put together; it's
2 something that's a matter of Spartanburg County
3 Government record. I will leave this to be
4 submitted [indicating].

5 **MR. MELCHERS:** Thank you. That will be
6 Exhibit –

7 **CHAIRMAN HALL:** 10. Thank you, Mr. McDonald.

8 [WHEREUPON, Hearing Exhibit No. 10 was
9 marked and received in evidence.]

10 [WHEREUPON, the witness was excused.]

11 **MR. MELCHERS:** Ms. Jennings, if you would come
12 forward? And after Ms. Jennings will be Jay
13 Gresham, if you'll come to the front?

14 [Witness affirmed]

15 THEREUPON came,

16 **KATHLEEN JENNINGS,**

17 who, having been first duly affirmed, testified as follows:

18 **WITNESS:** I'm Kathleen Jennings. I'm a
19 lifelong Greenville area resident and native South
20 Carolinian. I'm a long-term customer of Duke
21 Power. I brought one of my bills, just in case
22 anybody disputed that.

23 [Laughter]

24 I've been a customer of Duke Power since 1976.
25 I have multiple accounts with them now, because I

1 have various holdings. I'm probably one of the few
2 people – I'd say only person – who is affected by
3 this proposal in four ways: One, you'll hear about
4 my farm, which is directly on Highway 11; two,
5 because I have interest in The Cliffs property, and
6 also in Cliffs Valley; lastly, because I also have
7 interest in Flat Rock, North Carolina, where I've
8 served on the theater board at the Flat Rock
9 Playhouse, as the only South Carolinian, for 17
10 years. Married there, my children baptized there.
11 So I have a unique perspective, in that I'm hit
12 actually by four whammies.

13 Thank you for the opportunity to be here. And
14 my friends and neighbors, thank you for being here,
15 as well.

16 Let me go on record as saying that I agree
17 with Davy Crockett. When he was a United States
18 Congressman, he voted against hurting the American
19 Indians and stealing their lands and force-marching
20 them by military might down what became known as
21 the Trail of Tears. This hugely historic highway
22 is now known as our Scenic Highway 11. It cries,
23 as I do, to say no to Duke Power's outrageous
24 mercenary plan to invade this national treasure and
25 my home. We are current guardians of this iconic

1 trail. As a descendent of a Native American great-
2 great-grandmother, who managed to hide with her
3 family from the brutal American military who ripped
4 us from our lands in the name of profit, I honor my
5 ancestors. I've purchased over 300 acres of
6 Highway 11, undeveloped land, in the early 1980s,
7 as soon as my savings allowed me to do so from
8 earnings as the upstate of South Carolina's first
9 woman prosecuting attorney. My beloved farm lies
10 directly in Duke's No. 4 proposed route. I
11 received the obscure Duke letter of project eminent
12 domain taking by a private company, and our lives
13 have been in turmoil ever since. I equate it to
14 the news we received when our son David was
15 diagnosed with leukemia in 1992. He died in 2000,
16 always reminding us to not forsake his mountain
17 home.

18 My relative, Benjamin Franklin Perry, former
19 South Carolina Governor and State senator from this
20 district, was vested here just as we are. We had
21 no fire protection when I bought my land. We
22 started it. It was the largest fire safety
23 district in South Carolina. The area was lawless
24 then, with marijuana growers, thefts, and poachers,
25 using the lands for crime and illicit purposes. It

1 was a several-year concentrated effort that we
2 broke those criminals, and at my personal expense
3 of hiring a law firm, we convinced Greenville
4 County Council to close off Sinner Mountain Road,
5 depriving criminals from invasion, and the process
6 saved the county over \$1.3 million yearly, taking
7 care of that dirt road.

8 I buried my own power through Blue Ridge at
9 huge monetary cost, because I hate power poles. I
10 hate them so much, because they disfigure our
11 pristine mountain beauty. I planted 20,000 trees
12 to make up for the rape of my land from the former
13 owner. I built my own lake for fire protection and
14 wildlife. I used my property for helicopter
15 landings, and I plan to build a state-of-the-art
16 veterinarian center when my younger son – the
17 speaker behind me; he will yield to me – finishes
18 vet school. It's my legacy to him.

19 [Three-minute bell]

20 My extensive research does not even indicate
21 this expansion is needed. It would destroy our way
22 of life and many generations', destroy my life's
23 savings, and my vision when nobody wanted to
24 protect our Trail of Tears, and would ruin our land
25 planning with huge power poles – I told you my son

1 will yield to me; he's the next speaker after me –
2 from our front porch, and access roads to each pole
3 – access roads to each pole – that do nothing but
4 attract criminal trespass and crime. I know,
5 because I have prosecuted hundreds and hundreds of
6 them. Most fail to recognize that such areas
7 require extra patrols that fall on our sheriff's
8 department already spread way too thin. The cost
9 to South Carolinians is massive.

10 You have the power to stop this ill-considered
11 plan. Say no. Say no to invasion of our lands.
12 We plead for our homes, our communities, and the
13 heritage of Native Americans – over 4000 dying on
14 that tragic march. The enemy then is the same
15 enemy as now: greed. Say no. Stand up for South
16 Carolina. It will be among the most important
17 decisions you ever make in your God-given lifetime.
18 Thank you.

19 [Applause]

20 **MR. MELCHERS:** Ms. Jennings, do you want your
21 statement to be entered into the record?

22 **WITNESS:** Yes, please.

23 **MR. MELCHERS:** That would be Exhibit No. 11,
24 Madam Chair.

25 **CHAIRMAN HALL:** [Nodding head.]

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WITNESS: Thank you.

[WHEREUPON, Hearing Exhibit No. 11 was
marked and received in evidence.]

MR. MELCHERS: And I understand it, Jay
Gresham has yielded his time to you?

MR. GRESHAM: Yes, sir.

MR. MELCHERS: Okay. Thank you.

[WHEREUPON, the witness was excused.]

Frank Holleman, please come to the podium.
And Michael Hayes, if you would come down to the
front.

[Witness affirmed]

THEREUPON came,

F R A N K H O L L E M A N ,

who, having been first duly affirmed, testified as follows:

WITNESS: Good evening. My name is Frank
Holleman. And today, I am – this evening, I'm
speaking as the president of Naturaland Trust and
on behalf of it, the oldest land trust in the
upstate. Over 40 years, Naturaland Trust has
worked to protect treasured landscapes on every
route – on every route – that Duke's power line
would degrade.

But I'm not here tonight to speak about our
specific properties that we've protected. I want

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to make a few key, essential points. We're also submitting written comments to Duke and ultimately to the Commission. The first point is this: Every route – not any particular route, but every route – cuts through lands that are some of the most important natural lands on earth. They're the Blue Ridge Escarpment, or they're the Blue Wall, or they're striking areas of the Piedmont. These lands, on every route, not only define our quality of life; they are essential to our local economy.

Second point: On every route, families, land trusts, retirees, and farmers have worked for generations to protect these lands. The Duke proposal is based on the perverse notion that, because so much has been done by so many to protect these landscapes and keep them open, that they are open for Duke to cut through them with a large power line. But Duke is absolutely wrong; the reverse is true. So many have done so much to protect these lands, because they mean so much, and because their protection is so important. These lands, above all others, should be off-limits to a monopoly's exercise of eminent domain.

And a third point I want to address has been made here tonight, and I just want to provide this

1 counterpoint. Using or following the existing
2 right-of-way on any route is, in reality, no
3 answer. We understand the routes, if they follow
4 the existing power line routes, will be much larger
5 – we've been told even twice as large, at least in
6 some places – and dominated by towers that can
7 reach up to 190 feet in height. This is an impact
8 to the landscape different in kind, not just in
9 size, from what's there now. And the quantities of
10 herbicides – imagine this over a 45-mile-long track
11 – and pollution of watersheds will be of a far
12 greater magnitude. And on any route, using
13 existing lines or not, there will be a substation
14 in Campobello, or somewhere else that is also
15 sensitive lands.

16 Next point: Duke is hoping to divide and
17 conquer. In a few weeks, Duke Energy will select
18 its preferred route. Duke hopes that two-thirds of
19 us will go away. But we must stick together. If
20 it is wrong to do it to all of us, it's wrong to do
21 it to any of us.

22 [Applause]

23 Perhaps most important, Duke's proposal is a
24 blow at our hearts. As you have heard this
25 evening, these lands mean our parents, our

1 families, our values, and creation that we have a
2 privilege to preserve.

3 [Three-minute bell]

4 My final question is this: Duke's proposal has
5 broken many hearts. Why would Duke do this when
6 there are so many alternatives – which can be
7 explained to you later – and when Duke has never
8 identified a crisis that would justify such
9 destruction?

10 Thank you.

11 **MR. MELCHERS:** Thank you, Mr. Holleman.

12 [Applause]

13 [WHEREUPON, the witness was excused.]

14 Mr. Hayes, if you would please come to the
15 podium, and – folks, please – Michael McCoy, please
16 come to the front.

17 [Witness affirmed]

18 THEREUPON came,

19 **M I C H A E L H A Y E S ,**

20 who, having been first duly affirmed, testified as follows:

21 **WITNESS:** Good evening, Commissioners. My
22 name is Michael Hayes. I live at 2470 Landrum Mill
23 Road, in Campobello, in the subdivision – the
24 enclave of Fairview Farms, which is a very
25 prestigious equine subdivision. We have a 41-acre

1 farm that has two proposed towers slicing across it
2 in every direction, right in front of our house.

3 Duke Energy's infringement on our rights as
4 taxpayers, landowners, and residents of South
5 Carolina have become unacceptable. The nuclear
6 industry's claim their product is safe is a myth,
7 and the Nuclear Regulatory Commission's – the NRC –
8 cavalier attitude towards regulating the industry
9 protects the industry's interests while putting our
10 community at risk. The Oconee Nuclear Plant is a
11 poster child for unenforced NRC regulations. The
12 aging, 40-year-licensed plant has had its license
13 extended until year 2033, even though it failed,
14 again and again, to implement safety upgrades –
15 which NRC says it requires, but never enforces.
16 Decommissioned plants leave behind, in our
17 backyards, thousands of tons of nuclear waste in
18 dangerous cooling pools and aboveground dry casks.
19 No national repository exists, and existing
20 technology cannot destroy it.

21 Duke has continuously failed to install NRC's
22 – since 2010 – required fire-protection safety
23 system involving safety valves that control steam
24 releases in the case of natural disaster. Fire at
25 a nuclear plant can cause a shutdown and lead to

1 reactor core overheating, radiation leaks, a
2 cooling pool fire, and a meltdown. NRC now says,
3 after years of reckless oversight, that it will act
4 to ensure that Duke completes its imposed fire-
5 protection upgrades promptly and completely.
6 However, Duke says that needed intervention
7 strategy won't be completed until 2016. Their
8 excuse is that it would draw resources away from
9 their safety projects, such as flood protection if
10 the Lake Jocassee dam 11 miles upriver were to
11 fail. Internal memos indicate that they have known
12 about the threat to the public safety for years,
13 but now it's their excuse for not installing the
14 needed steam-release valves.

15 Their latest plan to build the series of 140-
16 foot towers every 1000 feet across our beautiful
17 area in order to string new power lines and
18 transmit more energy to Asheville from Oconee will
19 be economically debilitating to our property, as
20 many have said. In addition, our area will not
21 benefit from this proposed expansion of energy
22 transmission. The increased electricity is not
23 meant for us, or even South Carolina. It will be
24 sent across the State line to Asheville and Duke's
25 partner plant, where it can be further transmitted

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to buyers in other states.

In conclusion, since the NRC has not been able to resolve the problems that Duke injects into our community, Duke's license to operate the dangerous, aging Oconee Nuclear Plant – up for review in 2016 – should not be renewed

And I would like to submit this [indicating] as evidence.

MR. MELCHERS: So that statement would be No. 12?

CHAIRMAN HALL: [Nodding head.]

MR. MELCHERS: That would be Exhibit No. 12. Thank you, Mr. McCoy – I'm sorry – Mr. Hayes. Forgive me.

[WHEREUPON, Hearing Exhibit No. 12 was marked and received in evidence.]

[WHEREUPON, the witness was excused.]

MR. MELCHERS: Mr. McCoy – Michael T. McCoy – is listed as signing "Yes," but I have a later note that a Ted McCoy does not want to speak. So –

MR. McCOY: I'll cede my time. Thank you.

MR. MELCHERS: Thank you. Thank you, sir.

The next witness that I have listed is Brad Wyche, if you would come to the podium. And after him would be Carolyn Henry, if you would come to

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the front.

[Witness affirmed]

THEREUPON came,

B R A D W Y C H E ,

who, having been first duly affirmed, testified as follows:

WITNESS: Good evening. I'm Brad Wyche. I live at 21 Pinckney Street, in Greenville, and I am a Duke Energy customer.

I'm the executive director of Upstate Forever, a nonprofit, membership-based organization that focuses on land conservation, clean air and water, and sustainable development issues and projects in the ten-county upstate region of South Carolina. We have nearly 2000 members who support our work, and we are very honored to hold conservation easements on several special places in Northern Greenville, Northern Spartanburg County, and a few across the line in Polk County.

I'm not going to talk with you tonight about any of the proposed routes. Our basic position is that this project is not needed, at all. Duke has put the cart way in front of the horse. We don't need the project, so we do not need the transmission line anywhere, including on the existing right-of-way.

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According to a July 25 article in the *Asheville Citizen Times*, quote, "Duke officials say this project is needed to supplement the ever-rising power needs of the homes, businesses, and industry in the mountains of Western North Carolina," unquote.

So let's take a look at the numbers for Western North Carolina. Duke's current capacity is about 1100 megawatts. That is more than enough to satisfy Asheville's current needs. But Duke is proposing to double that capacity by building a gas plant that is twice the size of the coal plants that are being closed, and by proposing this massive transmission line to bring in another 800 megawatts, into this area. Duke says it has to do this to meet increasing demand for power in Western North Carolina. They predict that this amount will increase by 15 percent over the next decade. The Asheville data, however, which we will be submitting to you, shows that demand in Western North Carolina has basically been flat for the last 10 years.

But let's just accept Duke's assertion that it will increase by 15 percent. Okay, design a project that would increase the capacity by 15

1 percent, or even 30 percent. That could be done
2 without any transmission line ripping through South
3 Carolina. Don't propose a project that increases
4 the capacity by 100 percent and causes so much
5 economic and environmental damage to South
6 Carolina. The bottom line is this project is way
7 overbuild. Duke is ordering a double-cheese
8 Whopper, and all they need is a hamburger.

9 What is really going on here? Is this
10 project, this supersized project, really because
11 Duke wants to sell power outside of the Carolinas?
12 Is that what's going on? If so, that is grossly
13 unfair and plainly wrong. They should not be
14 allowed to wreck the economy and environment of
15 this wonderful area, condemn private properties
16 over a course of 40 miles, all to make a profit by
17 selling power in the Midwest and New England.

18 The final point I want to make is to make sure
19 that you know that Greenville County Council,
20 Spartanburg County Council, and the Polk County
21 Commission have unanimously passed resolutions in
22 opposition to this project. That is over 700,000
23 residents -

24 [Three-minute bell]

25 - who have said, through their elected

1 officials, "We don't want this."

2 Honorable Commissioners, I appreciate your
3 listening tonight, and I hope Duke Energy is also
4 listening. Thank you.

5 **MR. MELCHERS:** Thank you, Mr. Wyche.

6 [Applause]

7 [WHEREUPON, the witness was excused.]

8 Carolyn Henry, if you would please come to the
9 podium? And Cynthia Jenkins, if you would please
10 come down front?

11 [Witness affirmed]

12 THEREUPON came,

13 **C A R O L Y N H E N R Y ,**

14 who, having been first duly affirmed, testified as follows:

15 **WITNESS:** Hello. My name is Carolyn Henry.
16 My address is 23 East Montclair Avenue, in
17 Greenville, South Carolina. I'm excited to be
18 speaking in Landrum. It's named for my great-
19 great-great-grandfather, so my roots here run very
20 deep in the upstate.

21 Tonight I want to focus very quickly on some
22 historical information about our upstate mountains,
23 and I'm going to tell you a little story, and it
24 does run into Tryon and Polk County, but I think
25 all of us have already talked about that area. So,

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part of this whole picture of seeing it is looking a little into the other side of the state and coming back around.

A portion of Section 5, which connects from the substation on up, will run along Interstate 26 from Columbus, North Carolina, to the top of the mountain at Howard Gap. Construction for this section of I-26 began in 1968, almost 50 years ago. As soon as tree cover was removed for the construction, however, massive alluvial slides began to occur. In 1969, over 300,000 cubic yards of silt and rock had slid off of the mountain into the valley below, covering farms and residential properties. This epic environmental disaster led *Western Carolinas Tribune* to nickname this section of I-26 as the biggest goof in North Carolina roadbuilding history. Engineers for the project had conducted improper and inadequate soil sampling, prior to the start, and barely a year into the construction the project was halted. A more thorough test of the mountain soil in 1970 by geologists and engineers showed it to be composed – and these are our mountains and the surrounding area – of rock and granite, clay silt, mica, feldspar, and boulders, not solid rock as had been

1 expected for the mountainous terrain. It took
2 seven years for North Carolina DOT and their
3 contractors to stop the alluvial slides and
4 complete the section of I-26. The final solution
5 to hold the mountainside together included 100,000
6 feet of piping covered with thick blankets of sand
7 and rock. The mountainsides of Warrier and Miller
8 Mountain were also benched to prevent erosion.

9 Forty years later, mature tree growth provides
10 an interwoven web of roots to securely hold the
11 mountainside. Duke Energy's Section 5 transmission
12 lines would go directly across Miller Mountain,
13 which is where the worst slides were repaired with
14 piping, sand, and rock. If towers were to be
15 erected and right-of-ways cleared, they will
16 disturb the very items which keep alluvial soil
17 from once again coming off the mountain. I cannot
18 determine why North Carolina government officials
19 did not apprise Duke Energy of this history before
20 Duke proposed Section 5 of the Foothills Project.
21 Then again, probably no one in Raleigh wants to
22 remember the biggest goof in North Carolina
23 roadbuilding history again.

24 So please remember the environment and what
25 might happen when these mountains would get

1 destroyed by the power line. Thank you.

2 **MR. MELCHERS:** Thank you, Ms. Henry.

3 [WHEREUPON, the witness was excused.]

4 Cynthia Jenkins, if you would come forward?

5 And Lisa Magee, if you would please come sit at the
6 front.

7 **COUNCILMAN WALKER:** Do you still have that
8 credit card?

9 **MR. MELCHERS:** Oh, good. We have found the
10 credit card owner. You did check ID, right?

11 [Laughter]

12 **COUNCILMAN WALKER:** I did get some ID, yeah.

13 [Witness affirmed]

14 THEREUPON came,

15 **C Y N T H I A J E N K I N S ,**

16 who, having been first duly affirmed, testified as follows:

17 **WITNESS:** My name is Cynthia Cole Jenkins. I
18 live at 111 Moonshine Falls Trail, in Landrum,
19 which is The Cliffs of Glassy. We are a Blue Ridge
20 Electric customer, and we are an affected property
21 owner.

22 But I'm here tonight as an appointed member by
23 County Counsel of the Greenville County Historic
24 Preservation Commission, which met last week, and
25 was very concerned and was opposed to,

1 particularly, Route 4, which will have a very
2 negative impact and effect on a National-Register-
3 listed site, and one of the most important
4 transportation routes in the State of South
5 Carolina; it's the Old State Road and the Poinsett
6 Bridge, which was built in 1820. It may be one of
7 probably the 10 oldest bridges in one of the 13
8 original colonies. It was listed on the National
9 Register of Historic Places in 1970, which is, in
10 itself, fairly important, as the National Landmark
11 District in Charleston and Beaufort were also 1970,
12 as the National Register had only been created four
13 years prior to that.

14 One of the things that we have learned in the
15 last 10 years, by research by Greenville County
16 Historian Mann Batson, is that, in addition to that
17 bridge, which was built from July to October in
18 1820, there are 44 additional stone culverts that
19 still remain. The Poinsett Bridge is adjacent to
20 Camp Old Indian, the Boy Scout Camp, and the Old
21 State Road – as Dr. Walter Edgar has said – was one
22 of the most important economic factors in
23 generating development in Charleston in the early
24 19th century. It was this road that drovers drove
25 their cattle, their pigs, their ducks, their sheep,

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from the back country to Charleston. Prior to that, a lot of the economic traffic in this area came across the mountain and, believe it or not, went to Baltimore and Philadelphia, even though it was a shorter route to go to Charleston. The importance of that road which runs all the way to Charleston is very, very unusual today, because the Callahan Mountain Road, when you drive it today, looks almost exactly as it did 200 years ago. The natural environment and historic environment in that area is amazingly significant. It's off of Scenic National Highway, the Cherokee Foothills Highway 11, and because of these reasons, the Greenville County Historic Preservation Commission, which is charged with protecting and ensuring the future of historic sites, is opposed to this plan.

Thank you.

MR. MELCHERS: Thank you, so much.

[WHEREUPON, the witness was excused.]

Robert Horton?

MS. MAGEE: You said Lisa Magee?

MR. MELCHERS: Yes, please. I'm just calling Robert to come up front.

[Witness /affirmed]

<

1 THEREUPON came,

2 L I S A M A G E E ,

3 who, having been first duly affirmed, testified as follows:

4 WITNESS: my name is Lisa Magee, and my
5 address is 1075 Smith Chapel Road, in Campobello,
6 and I am a Duke Energy customer.

7 Let me first thank you, Commissioners, for
8 hearing the people of this area. I'm speaking
9 tonight to formally oppose the substation aspect of
10 this project, not just the local lines. The
11 proposed multimillion-dollar, almost-17-acre
12 substation is my family and neighbors' main
13 concern. With no new substation, the new
14 transmission lines will not even be an issue. My
15 property is less than half a mile from the location
16 of the proposed site pad.

17 I grew up in this area and, 11 years ago,
18 purchased property to relocate my family to this
19 area of the upstate. I'm proud to call Campobello
20 my home. The draw of peaceful, green, natural
21 beauty and beautiful mountain views are why I came
22 back. We have a 28-acre farm and for the past five
23 years are raising our own poultry, beef, pork, and
24 lamb. This is not a business but a means of
25 providing healthy, clean meat for us and in my

1 extended family. We enjoy beautiful mountain views
2 from the peak of our property, where my home sits.
3 It also overlooks the gorgeous, tranquil horse farm
4 that is located directly next to the proposed
5 location of the substation. From my house, I can
6 see the high-tension lines that already exist on
7 that 200-acre parcel.

8 I don't believe the data given supports a
9 trend in local power usage and projected need that
10 would require this magnitude of a power hotspot. I
11 wonder – and now that we know that everyone here
12 knows that the base of the substation in our area
13 is proposed to be almost 17 acres in size, that is
14 almost two-thirds the size of my entire property.

15 Duke purchased this property as a substation
16 and paid more than double market value per acre for
17 it. That's public record, and I'm a realtor, so I
18 can actually give you market value for this area.
19 The property is off Highway 11 and has other
20 frontage on West Frontage Road that comes up to the
21 back of the properties along Smith Chapel Road.
22 Instead of proposing to put the monstrosity
23 substation near the scenic highway for all to see,
24 the website of Duke Energy has it almost at the
25 back of the property, which is adjacent to a

1 working horse farm and the residential areas. Most
2 of these all have wells.

3 I say all that to address the substation is a
4 concern of ours because of the potential
5 environmental issues and radiation that a facility
6 of this magnitude would create. There's documented
7 radiation produced from smaller substations, as
8 well as high-tension lines. If the radiation were
9 to taint the soil and penetrate to the water table,
10 could local neighbors' wells be affected? We don't
11 know yet. While the immediate effects may not be
12 realized, 20 years down the road when it's
13 determined that cancer-causing radiation exists, I
14 personally do not want my family to be guiney pigs.

15 The local environment needs to be protected
16 from dangers, such as this. People have told me to
17 move, if I don't like it. Do you really think that
18 anyone near that substation will be able to sell
19 their properties at all, even if they wanted to?
20 Being in real estate, I can tell you that the
21 majority of people will not purchase a property
22 anywhere near high-tension lines. In fact, today,
23 with a government-backed loan, if a line could fall
24 on a house, it's not lendable, much less having a
25 substation nearby. So why put a substation like

1 that near a residential area? If power's truly
2 needed to supply the actual area, the majority, if
3 not all the people here, want it addressed in our
4 local area. There's no benefit to Campobello, and
5 this entire project is set to destroy what we've
6 worked so hard to protect and build. Property
7 values will plummet and this would be so that Duke
8 can get, what? What's the true purpose of this
9 project? More power than it really needs? Is that
10 power to sell to other area markets? Why the need
11 for a 17-acre-sized substation? Why not upgrade
12 the substation that's already located in
13 Campobello? Why purchase 200 acres? What else is
14 planned for that acreage down the road? Why not
15 put the substation in the middle of that 200 acres,
16 to protect it from the residences around the
17 property?

18 [Three-minute bell]

19 Another power plant?

20 As I said, I am a Duke Power customer. I
21 enjoy having my power. But I have power now,
22 without the substation.

23 Thank you for your time and your consideration
24 for my family.

25 **MR. MELCHERS:** Thank you, Ms. Magee.

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[WHEREUPON, the witness was excused.]

Mr. Horton, if you would please come forward?
Mr. Horton?

[No response]

Not here? Dorothy S. Landrum? Dorothy S.
Landrum? Thank you.

And after Ms. Landrum, if – I'm sorry, Robert
Lisa, or L-i-s-x – I'm not sure how to pronounce
this last name – of East Brookwood Drive, in
Landrum? Is Robert here?

[No response]

No? Okay, not here? All right. Thanks.
Ms. Landrum, please. Thank you.

[Witness affirmed]

THEREUPON came,

D O R O T H Y S . L A N D R U M ,

who, having been first duly affirmed, testified as follows:

WITNESS: My name is Dorothy Smith Landrum,
and I grew up on East Frontage Road, Campobello.

Briefly, I want to share with you some
important sentiments about two establishments that
are nestled in the beautiful and serene hills of
upper Spartanburg County. First, Smith Chapel
Baptist Church, located at 750 Smith Chapel Road,
where I have been a lifetime member; and second,

1 the Smith Chapel Elementary School, where I
2 attended first through fourth grade.

3 These two establishments have historical
4 significance. Smith Chapel Baptist Church, the
5 first and only Afro-American church established in
6 this area, was founded by John Henry 'Buck' Smith,
7 who was sold into slavery at nine years old. After
8 the abolition of slavery and subsequent years, he
9 moved to Redland Road where he resided with his
10 family. I am proud to say that I'm one of his
11 great-granddaughters. According to the information
12 that I've gathered, the Smith Chapel Church began
13 in Grandpa Buck's home, in his bedroom. He even
14 dismantled his bedroom furniture to accommodate the
15 worshipers. According also to my records, the
16 current church that exists now began in his home, a
17 brush arbor, and now the current church is the
18 sixth structure.

19 It is known that many deceased members, as
20 well as a few members that are in the church now,
21 attended Smith Chapel School, one of which was my
22 grandmother. Had she lived, she would be 119 years
23 old. This school stands and has braved the
24 harshness of nature's storms and brutal atrocities.
25 Figuratively speaking, it is a symbol of strength,

1 tenacity, and courage – and shall I say faith? It
2 is a place of so many precious memories: social
3 gatherings, community meetings, and even a place of
4 worship while we constructed a better place to
5 worship with more modern facilities.

6 Currently, we, along with several other
7 interested persons, are in the process of
8 researching and acquiring information that will
9 help us restore the school and give it its rightful
10 dignity and respect it so well deserves.

11 The proposed site for the Duke Energy
12 substation is to be constructed in close proximity
13 right behind these two buildings. I can actually
14 walk it in about 10 minutes from the cemetery. It
15 is believed that the construction of a tower that
16 is so massive, covering approximately 16 acres of
17 land and towering approximately 140 feet, will
18 distract and mar the beauty of such valuable and
19 monumental sites of history.

20 So, on behalf of the Smith Chapel Baptist
21 Church pastor and congregation, I appeal to
22 you: Please give unprejudiced and unselfish
23 attention to the admiration and love we have for
24 these two historical establishments. Select
25 another place that will not mar this beautiful

1 area.

2 Thank you for listening to me.

3 [Applause]

4 **MR. MELCHERS:** Thank you, Ms. Landrum.

5 [WHEREUPON, the witness was excused.]

6 It is now 9:20

7 **CHAIRMAN HALL:** Okay. We'll take a break.

8 We'll take a 10-minute break and come back in 9:30,
9 and we'll take as many people as we can until 10
10 o'clock.

11 [WHEREUPON, a recess was taken from 9:20
12 to 9:35 p.m.]

13 **CHAIRMAN HALL:** If everyone could take their
14 seats? Mr. Melcher, tell us our next witness.

15 **MR. MELCHERS:** Thank you.

16 James Grizzle. James Grizzle, please come to
17 the podium. James Grizzle.

18 And if Mike Bowers would please come sit up
19 front.

20 [Witness affirmed]

21 THEREUPON came,

22 **J A M E S G R I Z Z L E ,**

23 who, having been first duly affirmed, testified as follows:

24 **WITNESS:** My name is James Grizzle. I live on
25 1120 Hub Wilson Road, in Landrum, South Carolina.

1 Unlike much of the testimony you've heard here
2 tonight, I don't live on a big horse farm. I don't
3 live on a nice mansion on the side of the mountain.
4 I don't have great mountain views. I live on a
5 very modest two acres in Landrum, South Carolina,
6 that I love more than life itself. I moved to this
7 area with my wife three and a half years ago, and
8 we always dreamed of living near the mountains and
9 being able to enjoy the great landscape of this
10 land. So three and a half years ago, we were able
11 to make that happen. We poured everything that we
12 had into making that dream come true. This is our
13 retirement place, and we do not want to move or
14 leave.

15 One of the segments that Duke Energy proposes
16 will take half of the two acres that I have. It
17 will run within – one of the right-of-ways would
18 run within 38 feet of my back door. We have
19 limited cell phone service now; we would have none,
20 should those transmission towers come through.
21 Most likely, we would have interrupted, if not
22 total loss of satellite signal. The views from
23 three angles of my home would be of those
24 transmission towers and those lines. In only one
25 area could you look out the window of my home, on

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one side, and not see those towers.

I know my two acres is not much compared to a lot of what people have here, but we love it dearly. And I know that Duke Energy is a for-profit organization. And as a manager of a corporation here in Spartanburg County, I also know that they are profit-driven and they will do the least expensive thing and the thing that will be most profitable to them. The only thing that stands between Duke and ruining the pristine views that we all enjoy here in this community are the voices of these people that are here tonight and this Commission. I beg and I implore you – I'm pleading with you – please take in consideration everything said here tonight. Mountain land to mountain people is the main thing in their lives. It's the only thing in their lives. So please do not allow that to be destroyed by a project that is not needed, not required, not wanted, for all of us. None of us here are property owners; we are all stewards of this great land. This is the gateway to our great State. If we don't keep it pristine for our children and their children to come, then we have not done our jobs as stewards of this land. Please challenge this project with

1 everything that you have. Thank you, very much.

2 **VOICE:** Well said.

3 **MR. MELCHERS:** Thank you, Mr. Grizzle.

4 [WHEREUPON, the witness was excused.]

5 Mike Bowers, please come forward? And Ed Penn
6 would be next. Ed Penn?

7 [Witness affirmed]

8 THEREUPON came,

9 **M I K E B O W E R S ,**

10 who, having been first duly affirmed, testified as follows:

11 **WITNESS:** Madam Chairman and Commissioners, I
12 want to add my word of thanks to you for your
13 attention and your being available to be the ears
14 of a community that is hurting. I am Reverend Mike
15 Bowers, the pastor of Jacksons Grove United
16 Methodist Church. I am not a resident here, but I
17 represent that church. At my home in Wellford,
18 South Carolina, I am a Duke Energy user and
19 customer. Our church does not – is a Broad River
20 property.

21 In about a month, we will celebrate a 140-year
22 anniversary of the dedication of the building in
23 which we worship. It's our new sanctuary, built in
24 1875. It replaced a log structure, and probably
25 before that a brush arbor, and the church

1 represents a long history. We have the privilege
2 of having persons visit this area, and they seek
3 out places like our little church on Sunday to come
4 and worship, from California, Ohio, New Jersey,
5 Florida, Texas, all around this country – even some
6 foreign lands – and they are impressed by the
7 beauty not only of the church itself, but the
8 surroundings.

9 You've heard all the stories, and I can't add
10 to anything that has already been said, because
11 that story is repeated over and over. What you've
12 heard is our facts and figures, and the impacts of
13 – the potential impact of this project. But what
14 you've really heard are frightened and hurting
15 people, because of the damage that this kind of
16 project would do to their property and their
17 livelihoods and the beauty of their surroundings.

18 I stand tonight, along with all these others
19 who have spoken, in opposition to the entire
20 project. And if, in fact, there is an actual,
21 demonstrated need for such a substation and
22 transmission wires to be installed, I would urge
23 the Commission to approve only the most
24 environmentally responsible alternative to what has
25 been proposed.

1 Duke Energy has an opportunity, with this
2 supposedly need, to stand up and to claim their
3 role as the leading provider of energy in the
4 United States of America. They have an opportunity
5 to become a model for environmentally responsible
6 stewardship of our beautiful land.

7 Thank you.

8 **MR. MELCHERS:** Thank you, Reverend.

9 [WHEREUPON, the witness was excused.]

10 Mr. Penn has changed his mind. Elizabeth
11 Garniss, if I'm getting your last name right?

12 **MS. GARNISS:** I'll pass.

13 **MR. MELCHERS:** You'll pass? Thank you.

14 Sallie Page? Sallie Page?

15 [No response]

16 John Bearden. And after Mr. Bearden, Deb
17 Cureton Peabody is the next on the list. If she's
18 here, if she could come down?

19 [Witness affirmed]

20 THEREUPON came,

21 **J O H N B E A R D E N ,**

22 who, having been first duly affirmed, testified as follows:

23 **WITNESS:** Mr. Chairman, Commissioners, thank
24 you for being here tonight. I know y'all are tired
25 of listening to people.

1 I live at The Cliffs, in one of the
2 communities that will be affected by Route 4. And
3 I'm an unusual commodity in that Cliffs: I was born
4 and raised in South Carolina. I was born and
5 raised in Pickens County. And I have a unique
6 relationship with Duke Power. Back in 1967 - '65,
7 '66 '67 - they started the Keowee Project, the
8 nuclear station over in Oconee, but most of the
9 power lines come right through Pickens County. And
10 if you see them, I - we have family land that we
11 had as a tree farm, and they came across there.
12 That land has been in the family since before the
13 Revolutionary War, on my paternal grandmother's
14 side, the Claytons. And they took almost 30 acres
15 that I have in right-of-way. In fact, I was down
16 there the other day and seen they've got their
17 contractors in there right now. We've got a 200-
18 foot right-of-way, but the right-of-ways that they
19 give you say that they can go outside of the
20 grantor's property and cut trees that may one day
21 affect their power lines or their right-of-way.
22 We're losing trees right now, as large as my waist
23 - which has increased because I eat so much ice
24 cream with my grandkids this summer.

25 [Laughter]

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But that is the type – you know, they talk about being good neighbors, but that's what we had to do. And I feel like I've got a target on my back because, after serving the Air Force I came back to Greenville County and started a business here, and I always loved to look at the mountains. I love to go up 25. And so I decided to move to Cliffs Valley. And like I say, I'm one of the only – well, I think there are two of us in our community, in the Valley. But I watched from Greenville as The Cliffs – as Jim Anthony put The Cliffs together and the economic impact that it made on this area, from Greenville. I saw manufacturers move into this town that helped my business, which we were into selling to manufacturers. And we saw the community grow because what The Cliffs – the people that it brought in – I say I'm a South Carolinian. There are, in the two communities that are affected by Route 4, there are over 1700 home sites. Only about 800 have homes on them. And these are people not from South Carolina. And why did they come? They came because of the pristine nature of the mountains.

You've seen what happened to Pickens County.

1 I don't want them to follow me over to my residence
2 and do the same to us in Greenville County. Those
3 mountains mean a lot. I know people all over the
4 State that come here. I go to the coast; they come
5 up here. And to see those power lines coming
6 across in front of that pristine forest, natural
7 forest – and I think all the details are in the
8 letters, about the different plans and this type of
9 thing. But it's the beauty that we in South
10 Carolina enjoy, and it's one of our last treasures.
11 And I implore you not to let Duke destroy that.

12 Thank you, very much.

13 **MR. MELCHERS:** Thank you, Mr. Bearden.

14 **WITNESS:** And I am not a Duke Power; I'm with
15 Blue Ridge.

16 **MR. MELCHERS:** Thank you.

17 **WITNESS:** Okay.

18 [WHEREUPON, the witness was excused.]

19 **MS. SMITH:** Marshall Lawson, would you please
20 come to the podium? Marshall Lawson. And John
21 Petty would be next. Marshall Lawson, are you
22 here?

23 **MR. LAWSON:** Right here.

24 **MR. MELCHERS:** Great. Thank you. What about
25 John Petty?

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VOICE: He left.

MR. MELCHERS: Okay. Wendy Donovan? Already testified. Okay. Bruce Whelchel would be next – no, I'm sorry. Jeff Mitchell would be next.

[Witness affirmed]

THEREUPON came,

M A R S H A L L L A W S O N ,

who, having been first duly affirmed, testified as follows:

WITNESS: My name is Marshall Lawson. Thank y'all for this meeting. My wife and I reside in Columbia, 4239 Kilbourne Road. We routinely travel through the Piedmont to our cabin in lower Anderson County, North Carolina, and my job in Greenville. In fact, the first time I went through the watershed at night, in the dark, it was quite an experience. It's a little lonely.

A couple of comments regarding public need: According to North Carolina WARN, as late as 2013 a high-level Duke official called into question the need for building central-state generation on the ground that power demand would be flat to declining for the foreseeable future. So why the sudden need for this tremendous buildout of power? Also – and this has been mentioned before, but it looks like all the detriments go to the people of South

1 Carolina for the alleged benefit of population
2 growth in Asheville. I don't see how that fits the
3 test for public need. Assuming, for the sake of
4 argument, more power is needed for Asheville, it
5 would seem that Duke could build a smaller gas
6 plant to serve Asheville and make up any shortfall
7 in excess demand by utilizing solar power,
8 increased efficiency, and smaller combustion
9 turbines. Such reasonable alternatives would seem
10 to obviate the need to run any power lines through
11 South Carolina. And I've heard testimony here
12 today about 2 and 4 for being terrible. They're
13 all terrible. People's lives are going to be hurt,
14 whatever route is taken by this massive
15 development.

16 As I mentioned, my wife and I own property in
17 lower Anderson County. One of the extensions of
18 Route 3 from this proposed substation in
19 Campobello, pursuant to the map of the study area,
20 Duke plans to divert power from the existing right-
21 of-way in North Carolina directly in front of our
22 house. I'm talking 200-300 yards, right in front
23 of our house: 140-foot towers, 230 kV power. It's
24 going to destroy our view of the mountains.
25 Likewise, my employers, who were here earlier

1 tonight, Mr. and Mrs. Hawkins, will have their view
2 severely impacted along Route 4, with power lines
3 in close proximity to their front porch, literally
4 as far as the eye can see.

5 There is an extensive right-of-way – I don't
6 claim to be an expert on electrical power, but
7 there is an existing 525 kV line running south of
8 Scenic Highway 11 from Oconee Nuclear, I believe to
9 McGuire. I'm not sure. That line intersects a 230
10 kV line, which supposedly is the paradigm for this
11 whole development, in the vicinity of Cleveland,
12 South Carolina. So if this thing is really needed,
13 surely the public interest compels a less
14 destructive alternative to this development.

15 [Three-minute bell]

16 Thank you.

17 **MR. MELCHERS:** Thank you, sir, perfect timing.

18 [WHEREUPON, the witness was excused.]

19 Now, I'm sorry, I'm getting mixed up with
20 names. I called out Jeff Mitchell, and Jeff
21 Mitchell is gone? Okay. And Bruce Whelchel?

22 [No response]

23 Okay. Judy Klapholz? K-l-a-p-h-o-l-z?

24 [No response]

25 I believe John Boyle has already indicated

1 he's not testifying. Walker Montgomery?

2 **VOICE:** He's gone.

3 **MR. MELCHERS:** Gone? Hannah Rogers Metcalfe.

4 Hannah Metcalfe.

5 [Witness affirmed]

6 THEREUPON came,

7 **H A N N A H R O G E R S M E T C A L F E ,**

8 who, having been first duly affirmed, testified as follows:

9 **WITNESS:** Good evening. My name is Hannah
10 Rogers Metcalfe. I'm an attorney in Greenville,
11 South Carolina. My address is 202 East Avondale
12 Drive, Greenville, South Carolina 29609. I am a
13 disappointed Duke customer. I'm also a native of
14 Dark Corner. There are not many lawyers from Dark
15 Corner.

16 And I am here today to talk to you very
17 briefly about Route 3B, as well as -

18 [Applause]

19 - about my overall opposition to this project,
20 as a whole, and why you, as the South Carolina
21 Public Service Commission, should also oppose it.

22 Madam Chairwoman, Commissioners, you are here
23 today as the South Carolina Public Service
24 Commission to assess whether or not this project
25 needs to happen at all. You've heard from

1 wonderful people. You've heard about this magical
2 place of arrowheads, moonshine stills, bear,
3 bobcats, deer, wild turkeys, pure streams, and
4 honest people who love this land. They want it
5 conserved, they want it protected for the future
6 generations. Some of those people include my
7 family, who have property along Route 3B. I grew
8 up on that property. It is magical. I invite you
9 all to come and hike and to see its beauty. Read
10 the novels of Ron Rash and hear about the cultural
11 significance of this area. Learn about the history
12 and people, who are wonderful.

13 This Route 3B will be a blight on my family's
14 property. It will also be a blight on this
15 community and a stain on this wonderful corner of
16 South Carolina. Only 2 percent of South Carolina
17 is made up of mountain property, and every route
18 proposed by Duke will destroy this two percent of
19 South Carolina.

20 3B runs through an area that has been
21 designated an important bird area by the Audubon
22 Society, with over 100 species of birds that come
23 through or make it their home. The biodiversity of
24 this area of South Carolina is unparalleled and
25 needs to be protected.

1 An area of 3B has been protected by Naturaland
2 Trust and is now in the care of the Nature
3 Conservancy. This area, the Blue Wall Preserve, is
4 world renowned. I urge you all to look for the
5 book that is out on the Blue Wall Preserve and to
6 come hike it and see its beauty.

7 South Carolina does not need this project.
8 South Carolina does not need this energy. I've
9 read Duke's 2014 IRP. I've read all 180 pages of
10 it. I didn't print it, to help save the
11 environment. But it's 180 pages, and nowhere in
12 there is this project referenced. And I would urge
13 this Commission to take judicial notice of Duke
14 Energy's September 1, 2014, IRP. Read it
15 carefully. Take a special look at Table I-1 where
16 it says no projects or transmission lines are
17 proposed. Take a special look at the energy plan
18 for South Carolina, and see that the estimate of
19 growth is only about 1 percent for the whole State
20 until 2029. We don't need this project. This is a
21 way for Duke to make money. Duke does not need
22 this project.

23 [Three-minute bell]

24 Duke wants this project. Duke wants this
25 project on the backs of South Carolinians, on the

1 backs of the people of Dark Corner, on the backs of
2 these mountains. I don't want to be a beast of
3 burden for Duke Power. And as the Commissioners
4 for the South Carolina Public Service Commission,
5 please don't let South Carolina and South
6 Carolinians continue to be the beast of burden so
7 that Duke can make a profit.

8 **MR. MELCHERS:** Thank you, Ms. Metcalfe.

9 [WHEREUPON, the witness was excused.]

10 Jack DePriester? Jack DePriester.

11 [No response]

12 It's two minutes till, folks. Jack
13 DePriester? Edith Calhoun or Cahoon? Forgive me.

14 [No response]

15 Paul Ramsey? All right. Mr. Ramsey. We
16 didn't think we'd get to you.

17 This is the last witness.

18 [Witness affirmed]

19 THEREUPON came,

20 **S . P A U L R A M S E Y ,**

21 who, having been first duly affirmed, testified as follows:

22 **WITNESS:** I'll be brief. I was one of a
23 number of volunteer laborers that formed the
24 Cherokee Foothills Scenic Highway Association 15
25 years ago, and our job was to protect and enhance

1 the assets on the scenic highway which runs through
2 South Carolina. We call it Highway 11.

3 We'd very much like to see the Duke Power
4 transmission line kept away from the scenic
5 highway, and certainly not put more towers between
6 the scenic highway and the mountains, which are
7 particularly beautiful and apparent in Greenville
8 County and Pickens County. So what we're saying
9 is, either turn down Duke's request or make them
10 bury the cable, so as not to obscure what brings a
11 lot of nice people and good money to this part of
12 the State.

13 Thank you for hearing me.

14 **MR. MELCHERS:** Thank you, Mr. Ramsey.

15 [WHEREUPON, the witness was excused.]

16 It is 10 o'clock. We need to exit the
17 building. Thank you so much for being here
18 tonight.

19 Madam Chair?

20 [Applause]

21 **CHAIRMAN HALL:** Thank you very much for being
22 here. We heard from as many people as we could,
23 for the length of time.

24 Again, we thank Mr. Walker, and I think he has
25 a few words to say.

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[WHEREUPON, at 10:00 p.m., the hearing in
the above-entitled matter was adjourned.]


[WHEREUPON, Late-Filed Hearing Exhibit 13
was marked and received in evidence,
without objection: 9/14/15]

C E R T I F I C A T E

I, Jo Elizabeth M. Wheat, CVR-CM-GNSC, Notary Public in and for the State of South Carolina, do hereby certify that the foregoing is, to the best of my skill and ability, a true and correct transcript of all the proceedings had and testimony adduced in a hearing held in the above-captioned matter before the PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA;

That the witnesses appearing during said hearing were sworn or affirmed to state the truth, the whole truth, and nothing but the truth;

IN WITNESS WHEREOF, I have hereunto set my hand and seal, on this the 14th day of September, 2015.


Jo Elizabeth M. Wheat, CVR-CM/M-GNSC
Hearings Reporter, PSC/SC