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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
CASE NO. PUR-2024-00184

IN RE: PETITION OF VIRGINIA ELECTRIC
AND POWER COMPANY

Integrated Resource Plan
filing pursuant to
Virginia Code Section
56-597 et seq.

TRANSCRIPT OF PROCEEDINGS BEFORE
THE HONORABLE SAMUEL T. TOWELL
THE HONORABLE JEHMAL T. HUDSON
THE HONORABLE KELSEY A. BAGOT

DAY 2

Tuesday, April 15, 2025

10:00 a.m. to 4:44 p.m.

Job No: 559215

Pages: 121 - 395

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Transcript of Hearing - Day 2
Conducted on April 15, 2025

124

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I N D E X

COMPANY WITNESSES: Page

S. Compton

Direct Examination by Ms. Nielsen..... 140

Cross-Examination by Mr. Benforado..... 142

By Ms. Jaffe..... 153

By Mr. Reisinger..... 176

By Ms. Grundmann..... 199

By Mr. Grema..... 227

By Ms. Pierce..... 233

Redirect Examination by Ms. Nielsen..... 234

M. Hubbard

Direct Examination by Mr. Dantonio..... 242

Cross-Examination by Mr. Reisinger..... 245

By Ms. Grundmann..... 247

By Mr. Winston..... 267

K. Vance

Direct Examination by Ms. Link..... 279

Cross-Examination by Ms. Grundmann..... 281

By Mr. Zielinski..... 291

////

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I N D E X C O N T I N U E D

COMPANY WITNESSES: Page

H. Potter

Direct Examination by Ms. Link..... 301

Cross-Examination by Ms. Jaffe..... 303

T. Flowers

Direct Examination by Mr. Dantonio..... 309

Cross-Examination by Ms. Grundmann..... 312

By Ms. Pierce..... 321

K. Sunkins

Direct Examination by Ms. Nielsen..... 330

Cross-Examination by Ms. Jaffe..... 332

By Ms. Grundmann..... 336

K. MacCormick

Direct Examination by Ms. Nielsen..... 338

Cross-Examination by Ms. James..... 340

By Mr. Winston..... 378

Redirect Examination by Ms. Nielsen..... 387

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Transcript of Hearing - Day 2
Conducted on April 15, 2025

128

1	E X H I B I T S		
2	No.	Marked for ID	Rec'd
3	1	137	138
4	2	138	138
5	3	139	139
6	4	142	142
7	5	158	175
8	6	202	227
9	7	219	227
10	8	231	233
11	9	231	233
12	10	231	233
13	11	231	233
14	12	242	242
15	13	244	244
16	14	280	281
17	15	293	300
18	16	302	302
19	17	305	307
20	18	309	309
21	19	311	311
22	20	326	329
23	21	332	332
24	22	339	340
25	23	360	377

Transcript of Hearing - Day 2
Conducted on April 15, 2025

129

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
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24
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E X H I B I T S C O N T I N U E D

No.	Marked for ID	Rec'd
24	363	--
25	368	--

Transcript of Hearing - Day 2
Conducted on April 15, 2025

130

1 P R O C E E D I N G S

2 THE BAILIFF: Today's docket consists of
3 Case No. PUR-2024-00184, Commonwealth of Virginia,
4 ex rel, State Corporation Commission, In re:
5 Virginia Electric and Power Company's Integrated
6 Resource Plan filing pursuant to Virginia Code
7 Section 56-597, et seq.

8 The Honorable Jehmal T. Hudson, presiding.

9 COMMISSIONER HUDSON: Good morning. Good
10 morning everyone.

11 All right. Before we begin with
12 Dominion's direct case, I would like to take this
13 time to allow the City of Alexandria to provide
14 any opening statements that they would like.

15 MR. WINSTON: Good morning.

16 COMMISSIONER HUDSON: Good morning.

17 MR. WINSTON: May it please the
18 Commission. My name is Adam Winston from the law
19 firm Sands Anderson PC, and I'm here representing
20 the City of Alexandria, Virginia, in these IRP
21 proceedings.

22 The City has joined these proceedings as a
23 customer of Dominion and as a municipal
24 corporation and body politic, representing more
25 than 155,000 Virginians.

1 In the latter capacity, the City and its
2 city council are responsible for the public
3 health, safety, and general welfare of its
4 residents, the responsibility that includes the
5 adoption and execution of policies that improve
6 energy efficiency for city residents, thereby
7 directly lowering the bills they pay for
8 electricity and, ultimately, reducing
9 environmental harm and impacts that result from
10 unclean electrical generation.

11 In pursuit of these goals, the city
12 council adopted the City's Environmental Action
13 Plan 2040 and the Energy and Climate Change Action
14 Plan. These actions, and many similar actions
15 taken by local governments all over the
16 Commonwealth, took their cue from the General
17 Assembly's adoption of the Virginia Clean Economy
18 Act, which is meant to require that Dominion
19 transition to 100 percent clean energy by 2045.

20 The VCEA, the Commonwealth Clean Energy
21 Policy, and local actions like the City's
22 environmental action plan represent a vertically
23 unified statement of policy that Virginia's energy
24 future must be clean.

25 And while the proliferation of data

1 centers in the pending load forecast may present
2 challenges at the point of execution, that cannot
3 absolve the Company of its statutory duty to
4 submit an IRP that, at the very least, presents a
5 pathway to compliance so that the Commission and
6 the ratepayers of Virginia can see what their
7 elected officials' policies would look like if
8 dutifully planned.

9 The City supports those respondents who
10 have raised concerns about the Company's modeling
11 of new natural gas generation facilities just
12 before the VCEA calls for them to be
13 decommissioned. But for its case in chief, the
14 City focuses on the IRP filing shortcomings as
15 they pertain to demand-side management and energy
16 efficiency, aspects of the IRP that the City and
17 other local governments are uniquely positioned to
18 assist with.

19 The City has submitted the prefiled
20 testimony of climate action officer Ryan Freed, an
21 experienced regulatory expert with years of
22 experience working for the Kansas Corporation
23 Commission and extensive energy efficiency
24 regulatory experience in that state.

25 Mr. Freed's testimony will explain that

1 Dominion's IRP overwhelmingly favors supply side
2 to demand-side resources. In fact, Dominion has
3 not modeled demand side or energy efficiency
4 options as selectable resources at all in direct
5 contravention of Virginia Code Section 56-599B-5.

6 It therefore necessarily admits any
7 proposed method to acquire demand resources
8 because none are modeled. These emissions are
9 unreasonable and not in the public interest.

10 Dominion's own energy efficiency potential
11 study identifies up to 17 percent economically
12 achievable energy efficiency savings when costs
13 compared to supply-side alternatives.

14 Under the IRP statutes and the VCEA, these
15 economically achievable savings should be
16 considered mandatory to pursue, especially at the
17 30,000-foot planning stage represented by the IRP.

18 Additionally, Mr. Freed's testimony will
19 further emphasize that Dominion's simplified
20 assumptions modeling their downward adjustment to
21 the load forecast, which include only existing
22 programs and forecasted growth to meet energy
23 efficiency targets to prove by the Commission,
24 signify that Dominion has delegated its statutory
25 energy efficiency responsibilities to third-party

1 vendors and organic customer participation growth.

2 These efforts fail to satisfy the
3 statutory requirement that Dominion's IRP, quote,
4 Reflect a diversity of electric generation supply
5 and cost-effective demand reduction contracts and
6 services.

7 The IRP does not include the necessary
8 diversity of demand reduction contracts with the
9 result that the IRP is not, quote, consistent with
10 the Commonwealth's energy policies as set forth in
11 Section 45.2-1706.1.

12 Mr. Freed will then propose that local
13 governments, like the City, are uniquely situated
14 to assist the Company in correcting some of these
15 emissions. Local governments have many legal
16 statutory and contractual touch points with the
17 Company that can and, with the Commission's
18 guidance, will lead to discovery and execution of
19 new and diverse demand reduction contracts.

20 Local governments are in possession of
21 building-specific data that can identify building
22 optimization projects that can be contracted for
23 and modeled in future IRPs.

24 Local energy efficiency policies like the
25 environmental action plan are public statements of

1 willingness by the adopting localities to enter
2 into these types of discussions with Dominion to
3 fulfill the spirit and letter of the IRP statutes
4 and the VCEA.

5 Dominion's spurning of demand-side options
6 also goes against the extensive stakeholder
7 interest in seeking diverse demand-side offerings
8 in Dominion's future IRPs.

9 Electrification and other granular data in
10 the possession of local governments, combined with
11 Dominion's energy consumption data, are the
12 perfect stuff for robust data analysis to develop
13 targeted, modelable, and selectable demand-side
14 resources in localities all over Virginia.

15 The City, therefore, respectfully requests
16 that the Commission order Dominion, prior to its
17 next IRP filing, to form a local government
18 stakeholder group to discuss how the sorts of
19 data-sharing programs and demand reduction
20 contracts described above can be executed and
21 modeled in future IRPs to bring those filings into
22 conformity with the IRP statutes and the VCEA.

23 While Mr. Freed's testimony proposes
24 language for an ordering paragraph to be included
25 in the Commission's final order, which details one

1 potential form that this stakeholder group could
2 take, the City would be grateful for any order
3 from the Commission that requires Dominion to
4 engage with interested localities in formulating
5 strategies for modeling demand-side options as
6 selectable resources and that begins the process
7 of incorporating local energy efficiency targets
8 and data into future IRPs.

9 Other localities, including Loudoun
10 County, Arlington County, and the City of
11 Charlottesville have submitted comments in these
12 proceedings, either expressly supporting the
13 City's proposal or suggesting similar levels of
14 engagement on the same issues.

15 Commission action here is appropriate
16 because the economic and business incentives do
17 not exist for Dominion to favor demand-side
18 options in meeting its load demand.

19 Ever since Alfred Kahn wrote the book on
20 economics and regulation, the purpose of
21 regulatory action in highly regulated industries
22 is to offset business incentives that threaten the
23 public interests.

24 But the size and scale of the load
25 forecast filed by Dominion in this case seeking

Transcript of Hearing - Day 2
Conducted on April 15, 2025

137

1 diverse ways to lower peak and overall demand is
2 not just an environmental issue. It's a national
3 security issue. It's an economic issue for
4 Virginia ratepayers, and it's a public safety
5 issue where brown and blackouts are the natural
6 result of insufficient energy supply.

7 The City has joined this case as a clarion
8 call for innovation in the way Dominion models its
9 demand-side options. And the City, for one, is
10 here to offer its assistance if the Commission
11 will facilitate.

12 Thank you.

13 COMMISSIONER HUDSON: Thank you.

14 I think we're ready to hear Dominion's
15 direct case.

16 MS. NIELSEN: Good afternoon, Your Honor.
17 Sarah Nielsen, and I represent the Company.

18 First, I would ask that the Company's
19 proof of notice filed on January 10, 2025, be
20 marked for identification and admitted into the
21 record.

22 THE CLERK: The proof of service and
23 notice as described will be marked as Exhibit 1.

24 (Exhibit No. 1 was marked for
25 identification.)

Transcript of Hearing - Day 2
Conducted on April 15, 2025

138

1 COMMISSIONER HUDSON: The proof of notice
2 identified and marked as Exhibit 1 is entered into
3 the record.

4 (Exhibit No. 1 was admitted into
5 evidence.)

6 MS. NIELSEN: Next, I ask that the
7 Company's 2024 Integrated Resource Plan,
8 consisting of 81 pages and appendices, which was
9 filed in public version only in this proceeding on
10 October 15, 2024, and corrected on October 24,
11 November 26, and December 23rd, 2024, be marked
12 for identification and admitted into the record.

13 THE BAILIFF: The 2024 Integrated Resource
14 Plan with stated corrections will be marked as
15 Exhibit 2.

16 (Exhibit No. 2 was marked for
17 identification.)

18 COMMISSIONER HUDSON: The 2024 Integrated
19 Resource Plan with corrections is identified and
20 marked as Exhibit No. 2 and is admitted into the
21 record.

22 (Exhibit No. 2 was admitted into
23 evidence.)

24 MS. NIELSEN: Your Honor, I ask that the
25 Company's SCC Directed 2024 IRP Supplement,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

139

1 consisting of seven pages and appendices, which
2 was filed in public version only in this
3 proceeding on November 15, 2024, be marked for
4 identification and entered into the record.

5 THE BAILIFF: The SCC Directed IRP
6 Supplement will be marked as Exhibit 3.

7 (Exhibit No. 3 was marked for
8 identification.)

9 COMMISSIONER HUDSON: The SCC Directed IRP
10 Supplement is identified and marked as
11 Exhibit No. 3 and is admitted for the record.

12 (Exhibit No. 3 was admitted into
13 evidence.)

14 MS. NIELSEN: Thank you, Your Honor.

15 The Company also has two stipulated
16 witnesses in its direct case. Would the
17 Commission prefer that the Company enter that
18 direct testimony at this point in time or in the
19 order in which they appear on the order of
20 presentation?

21 COMMISSIONER HUDSON: Let's do it in the
22 order of presentation.

23 MS. NIELSEN: Thank you, Your Honor.

24 At this time, the Company calls
25 Shane T. Compton.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

140

1 SHANE T. COMPTON, called as a witness,
2 having been first duly sworn, was examined and
3 testified as follows:

4 DIRECT EXAMINATION

5 BY MS. NIELSEN:

6 Q Good morning, Mr. Compton.

7 A Good morning.

8 Q Can you please state your name, position
9 of employment, and business address.

10 A My name is Shane T. Compton. I'm the
11 director of strategic planning for the Dominion
12 Energy Services, Inc., testifying on behalf of
13 Virginia Electric and Power Company. My business
14 address is 600 East Canal Street, Richmond,
15 Virginia 23219.

16 Q Thank you, Mr. Compton.

17 If you can pull the mic just a little bit
18 closer to you.

19 A Yep.

20 Q Perfect. Thank you.

21 Do you have with you a document entitled
22 Direct Testimony of Shane T. Compton, consisting
23 of a one-page summary, two typed pages of
24 questions and answers, and an Appendix A, which
25 was filed in public version only on December 6th,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

141

1 2024?

2 A Yes.

3 Q Was that document prepared by you or under
4 your supervision?

5 A Yes.

6 Q Do you have any additions or corrections
7 to those documents?

8 A No.

9 Q If you were asked those questions
10 appearing in the documents today, would you
11 provide the same or substantially -- sorry.
12 Scratch that question.

13 Are your answers and sponsored portions
14 true and correct, to the best of your knowledge,
15 for when the IRP snapshot was taken and based on
16 the October 15, 2024, filing date?

17 A Yes, subject to my rebuttal testimony.

18 Q Do you wish to sponsor those documents as
19 your direct testimony in this proceeding?

20 A Yes.

21 MS. NIELSEN: At this time I would ask
22 that Mr. Compton's direct testimony be marked for
23 identification and admitted into the record.

24 THE BAILIFF: The direct testimony of
25 Shane T. Compton will be marked as Exhibit 4.

1 (Exhibit No. 4 was marked for
2 identification.)

3 COMMISSIONER HUDSON: The testimony
4 identified and marked as Exhibit No. 4 is admitted
5 into the record.

6 (Exhibit No. 4 was admitted into
7 evidence.)

8 MS. NIELSEN: And the witness is available
9 for cross-examination.

10 COMMISSIONER HUDSON: Thank you.

11 CROSS-EXAMINATION

12 BY MR. BENFORADO:

13 Q Good morning, Mr. Compton. Nate
14 Benforado, representing Appalachian Voices.

15 How are you this morning?

16 A Good. How are you?

17 Q Good.

18 I just have a few areas I just want to
19 clarify on direct about the Company's modeling.

20 Now, in rebuttal, you actually offered
21 some clarification on how the Company modeled some
22 solar resources, and I think it would just be good
23 to get it clear at the outset.

24 So am I correct that in the two VCEA
25 portfolios, the VCEA with EPA regulations and

1 without, the Company forced a certain amount of
2 solar resources into the model; is that right?

3 A That's correct.

4 Q And so what the Company forced in, is that
5 based on the overall 16,100-megawatt petition
6 requirement in the law; is that right?

7 A That's correct.

8 Q And so just to understand how you guys did
9 that, that petition requirement also includes --
10 as part of that 16,100, it includes
11 1,100 megawatts of distributed solar resources; is
12 that right?

13 A Correct.

14 Q And then there's also the 65 percent
15 utility-owned versus 35 percent PPA; is that
16 correct?

17 A Correct.

18 Q And then there's also a few benchmarks
19 along the way in the law in terms of when those
20 petition requirements kind of trigger, 2027, 2030,
21 and 2035; is that right?

22 A Yes.

23 Q So I just want to understand, kind of, how
24 that forced part worked.

25 So you backed out what had already been

Transcript of Hearing - Day 2
Conducted on April 15, 2025

144

1 petitioned for in previous RPS dockets, right? So
2 is that about, roughly, 3,600 megawatts that have
3 already been petitioned for?

4 A Yes.

5 Q And so what's left is about
6 12,000 megawatts, give or take?

7 A Yeah.

8 Q And then some of that is going to be --
9 you know, some of the petition -- remaining
10 petition requirement will be distributed solar,
11 and then you also have the 65/35 percent split; is
12 that right?

13 A Yep.

14 Q And the same process was also used in the
15 Staff-directed supplement as well, for those VCEA
16 portfolios?

17 A That's correct.

18 Q And just to kind of just clarify this
19 point one more -- one more time, so they are in
20 the VCEA portfolios with and without EPA. They
21 are not in the REC RPS-only portfolios, correct?

22 A That's correct.

23 Q And is it accurate to say in those REC
24 RPS-only portfolios no resources were forced into
25 the model, correct?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

145

1 A That's correct.

2 Q Now, turning to storage for a second,
3 there's also a petition requirement under the VCEA
4 for storage; is that right?

5 A That's correct.

6 Q And I believe it's 2007 -- 700 megawatts
7 by 2035; does that sound right?

8 A It sounds right.

9 Q Did the Company also force the model to
10 select a certain amount of storage to reflect the
11 VCEA's petition requirement for storage in the
12 VCEA portfolios?

13 A Are you referring to the -- like the base
14 IRP plans or the supplemental filing?

15 Q Back to the original IRP filing.

16 A Yes.

17 Q Okay. So the petition requirement for
18 storage was also forced into the model?

19 A That's correct.

20 Q Now, turning to page 61 of the IRP, and I
21 believe it's the -- I want to point you towards
22 the second -- this is discussing one of the
23 portfolios we were just talking about, the VCEA
24 with the EPA portfolio; is that right?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

146

1 Q So then turning -- focusing on the second
2 sentence:

3 Furthermore, this portfolio builds
4 additional solar and storage resources in the form
5 of PPAs beyond what is required in the VCEA,
6 building a total of 12.2 gigawatts of solar and
7 4.1 gigawatts of storage resources.

8 Did I read that correctly?

9 A Yes.

10 Q So I just want to understand how the model
11 was allowed to select the additional solar and
12 storage resources.

13 For example, you know, was the model
14 allowed to select additional solar and storage on
15 an economic basis in any year within the
16 applicable build limits or was it only allowed to
17 select them after the 2035 petition requirements?
18 If you can just help me understand, kind of, how
19 those additional resources were allowed to be
20 selected by the model.

21 A Sure. So, first, we forced in the VCEA
22 development targets, the 16,100 megawatts of solar
23 and 2,700 megawatts of storage. We forced those
24 in to meet the interim targets as well as the
25 cumulative target and forced those in at a

1 65/35 percent split between Company-owned and
2 PPAs.

3 After we did that, we allowed the model to
4 select additional solar and storage on a
5 least-cost optimization basis by year. So
6 starting in -- I think it started building in
7 2029, solar -- additional solar and storage.

8 Q Understood. Thank you for that
9 clarification.

10 A Uh-huh.

11 Q And last question on this subject.

12 Besides storage and solar in those VCEA
13 portfolios, did the Company force the model to
14 select any other resources in those portfolios
15 besides solar and storage?

16 A No, there were no other resources forced.

17 Q Thank you, Mr. Compton.

18 Next, I'd like to turn to page 31 of the
19 IRP.

20 And do you see the blue stakeholder
21 process highlight box on that page?

22 A Yes.

23 Q And it says there:

24 During the stakeholder process, we
25 received input to include information on carbon

Transcript of Hearing - Day 2
Conducted on April 15, 2025

148

1 emissions. As a result, the Company included more
2 information on carbon emissions and carbon
3 intensity in the 2024 IRP.

4 Do you see that?

5 A Yes.

6 Q Now, on this page and in this section, the
7 Company -- for example, the figure is about carbon
8 intensity; is that correct?

9 A That's correct.

10 Q And carbon intensity is a measure of sort
11 of a, you know, weight or mass of CO2 emissions
12 divided by the energy production so you get sort
13 of a relative amount; is that right?

14 A That's correct.

15 Q And this chart, for example, is
16 historical, it's looking back at actual customer
17 CO2 intensity; is that right -- sorry -- actual
18 Company CO2 intensity; is that right?

19 A That's correct.

20 Q And I want to flip forward to page 69 of
21 the IRP -- no, I'm sorry -- 56, we'll start there.
22 This is page 56. And this is a -- Table 5.1.2,
23 Modeling Results Summary.

24 And I believe there was an errata filed,
25 and I marked it in red here, that there was a date

1 in 2029, and I think it was supposed to be 2039;
2 is that correct?

3 A That's correct.

4 Q And so this shows basically the
5 approximate CO2 emissions just on that -- in that
6 one year, 2039, across the four primary
7 portfolios; is that correct?

8 A Yes.

9 Q Now let's flip ahead to page 69 there.
10 And this is a Figure 5.3.1. This is a similar
11 chart again with the approximate CO2 emissions in
12 2039 looking at some of the plan sensitivities; is
13 that correct?

14 A Yes.

15 Q And so for both of those charts we just
16 looked at, the summary results for the primary
17 portfolios, the other summary chart for the
18 sensitivities, CO2 emissions, the actual sort of
19 tons or weight of emissions are only presented for
20 a single year; is that correct?

21 A That's correct.

22 Q And am I correct that the CO2 emissions
23 from the Company's four primary portfolios on an
24 annual basis, those aren't provided in the IRP or
25 in the IRP's appendices, are they?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

150

1 A I don't believe so.

2 Q So I'm just going to put up a figure from
3 the 2023 IRP. So this is the Company's 2023 IRP
4 report, and I'm going to start on page 81. So
5 this is the customer impact CO2 intensity.

6 This is essentially the same chart that we
7 looked at a few moments ago, looking at carbon
8 intensity on a historical basis, with the
9 difference being there's a few more years added in
10 the 2024 version we just looked at; is that right?

11 A Yes.

12 Q And then going backwards, this is page 31
13 of the 2023 IRP, and this is a different chart,
14 correct, that I could not find in the 2024 IRP?

15 This is actual CO2 output, and it's
16 showing, for each of the five plans the Company
17 presented in 2023, it's showing the actual -- you
18 know, the approximate CO2 emissions for each of
19 the plans through every year of the entire study
20 period; is that accurate?

21 A Yes.

22 Q So comparing what we saw in the 2024 IRP,
23 which was a CO2 intensity chart on a historical
24 basis, versus what we saw -- what we just looked
25 at in the 2023 IRP, do you stand by your statement

Transcript of Hearing - Day 2
Conducted on April 15, 2025

151

1 that the Company included more information on
2 carbon emissions and carbon intensity in the 2024
3 IRP?

4 A I do.

5 Q And could you explain the -- could you
6 explain your reasoning for that?

7 A Yes. So we had the table that we looked
8 at, the couple of tables we looked at earlier that
9 were filed this year, as well as, you know, when
10 we provided summaries of each of the plans and we
11 provided a CO2 intensity chart for each plan as
12 well. We also provided the same charts again in
13 the hydrogen blending analysis.

14 So, you know, I feel like we did have more
15 information on carbon and carbon intensity in this
16 plan, yeah.

17 Q And just to be clear, though, I think you
18 just agreed with me that this chart -- this
19 information was not provided in the 2024 IRP, this
20 chart being the actual CO2 output from the
21 Company's portfolios was not presented in the 2024
22 IRP, nor was this information included in the
23 appendices for the 2024 IRP; is that correct?

24 A I believe that's correct.

25 Q Okay. I just have one last set of

1 questions on the supplement that was filed this
2 year. So I'm going to turn to page 5 of the
3 supplement.

4 And this was a chart that provides some
5 comparisons among the four -- among several of the
6 primary portfolios, and you're comparing, you
7 know, with and without data center load; is that
8 accurate?

9 A Yes.

10 Q And so I just want to point to your
11 narrative description in the second paragraph
12 here. And in the second paragraph it says:

13 When compared with the 2024 IRP VCEA with
14 EPA portfolio, the VCEA with EPA sensitivity with
15 no data center load growth resulted in
16 significantly less nuclear and wind resources
17 being built. The same amount of solar was chosen
18 by the model in the 2024 IRP portfolio and the
19 sensitivity, and approximately 1,800 megawatts, or
20 44 percent, less storage resources were built.
21 The model still chose to build approximately 2,600
22 megawatts of gas-fired generation starting in
23 2030.

24 Did I read that paragraph correctly?

25 A You did.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

153

1 Q So the thing I just want to look at is the
2 differences for the gas build-out. And so I
3 believe that paragraph we were just talking about
4 was the -- comparing the VCEA with EPA with data
5 center load and the VCEA with EPA without data
6 center load; is that right?

7 A Yes.

8 Q And so for the gas with the data center
9 load, 5,934 megawatts, and then without, 2,580
10 megawatts; is that right?

11 A Yes.

12 Q And so the difference there was without
13 data center load roughly 3,300 megawatts or so of
14 less gas built without data center load; is that
15 right?

16 A Yes.

17 Q And would you agree that -- would you also
18 agree that that is significantly less gas being
19 built without data center load?

20 A I would.

21 MR. BENFORADO: No further questions.
22 Thank you.

23 CROSS-EXAMINATION

24 BY MS. JAFFE:

25 Q Good morning, Commissioners and

Transcript of Hearing - Day 2
Conducted on April 15, 2025

154

1 Mr. Compton. My name is Dorothy Jaffe, on behalf
2 of Sierra Club and the NRDC.

3 How are you, Mr. Compton?

4 A Good. How are you?

5 Q Good. Thank you.

6 So let's start on page 40 of the IRP. And
7 in that second paragraph, it states that:

8 The Company is evaluating its sites and
9 equipment for the construction of new gas-fired
10 units that will be dual fuel capable with on-site
11 backup fuel as well as capable of blending
12 hydrogen; is that correct?

13 A Yes.

14 Q And all four of the modeling portfolios
15 have a 944-megawatt combustion turbine coming
16 online in 2030 or 2031; is that also correct?

17 That would be Figures 5.1.3 through 5.1.6.

18 A Yes. I just want to make sure I got the
19 year right.

20 Yes, all in 2030 or 2031.

21 Q And the Company also recently filed a CPCN
22 on March 4th in Docket PUR-2025-00037 for a
23 944-megawatt CT, which is called the Chesterfield
24 Energy Reliability Center, which will also be dual
25 fuel capable with on-site backup fuel and capable

Transcript of Hearing - Day 2
Conducted on April 15, 2025

155

1 of blending hydrogen; is that correct?

2 A Yes.

3 Q How long has Dominion been planning the
4 Chesterfield Energy Reliability Center?

5 A That might be a better question for
6 Witness Martin.

7 Q Okay. Would you know if or could you
8 confirm, subject to check, that Dominion filed for
9 an air permit for the Chesterfield reliability
10 center back in August of 2023?

11 A That might be better for Witness Martin as
12 well.

13 Q Okay. Would Witness Martin also be a
14 better witness to ask about whether or not an RFP
15 was issued in September of 2024 for baseload,
16 intermediate, peaking resources with respect to a
17 possible gas plant?

18 A I could answer that yes.

19 Q Okay. So, yes, an RFP was issued in
20 September of 2024?

21 And how long does it usually take to draft
22 and compile all the materials for an RFP of that
23 magnitude?

24 A That's going to be better for Witness --

25 MS. NIELSEN: Objection, Your Honor. The

Transcript of Hearing - Day 2
Conducted on April 15, 2025

156

1 CPCN proceeding that's being discussed is part of
2 an entirely separate proceeding and would be
3 outside the scope of this IRP.

4 COMMISSIONER HUDSON: Response?

5 MS. JAFFE: Well, we would disagree that
6 it's outside the scope simply because, as
7 Mr. Compton has just testified, that the exact
8 size and scope and scale of the Chesterfield
9 Energy Reliability Center gas plant is exactly the
10 same size and scope and scale of what was modeled
11 in all four of their portfolios.

12 COMMISSIONER HUDSON: So what I'll do is
13 I'll allow it, but I'll give it its proper due
14 weight.

15 BY MS. JAFFE:

16 Q So the question was -- is about how long
17 does it take to put together those materials to
18 issue an RFP?

19 A That's going to be better for Witness
20 Martin.

21 Q Mr. Martin. Okay.

22 So as you just testified, you believe that
23 the RFP was issued in September of 2024; is that
24 correct?

25 A Subject to check on the date, but last

Transcript of Hearing - Day 2
Conducted on April 15, 2025

157

1 half of 2024.

2 Q Okay. And this IRP was filed on
3 October 15th?

4 A Yes.

5 Q So give or take a month after the RFP was
6 issued?

7 A If September is correct.

8 Q Okay. So then the Company knew before it
9 filed the IRP that it issued this RFP for that
10 particular baseload, intermediate, or peaking
11 resource?

12 A If the dates are correct, I would agree
13 with that.

14 Q Okay.

15 A My focus is really on the IRP.

16 Q I'm sorry?

17 A My focus is really on the IRP, not as much
18 on the RFP.

19 Q Okay. That's fair.

20 MS. GRUNDMANN: Your Honor, could you ask
21 the witness to just pull the microphone a little
22 closer. He fades in and out for me, and I'm
23 having a little difficulty hearing. Thank you.

24 COMMISSIONER HUDSON: Thank you.

25 MS. JAFFE: Your Honor, we'd like to hand

Transcript of Hearing - Day 2
Conducted on April 15, 2025

158

1 out an exhibit, please.

2 COMMISSIONER HUDSON: Counsel, are you
3 planning on marking this for identification
4 purposes at this time?

5 MS. JAFFE: Yes, I'd like to go ahead and
6 mark this as Sierra Club and NRDC Exhibit 1,
7 please.

8 THE BAILIFF: Okay. The Dominion response
9 to Sierra Club Interrogatory Request 106 will be
10 marked as Exhibit 5.

11 (Exhibit No. 5 was marked for
12 identification.)

13 COMMISSIONER HUDSON: Please proceed.

14 BY MS. JAFFE:

15 Q So, Mr. Compton, you had just testified
16 that you believe the RFP for the baseload,
17 intermediate, peaking resource was issued, you
18 know, on or about September of 2024. This IRP,
19 the 2024 IRP, was filed on October 15th. And this
20 particular exhibit is the response to Staff's
21 3-106.

22 So three months after the Company issued
23 the RFP, Staff asked on December 10th about
24 whether an RFP had been issued for a generic
25 combustion turbine.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

159

1 What was the Company's response?

2 A The response written here is:

3 The Company objects to this request as not
4 relevant or reasonably calculated to lead to the
5 discovery of admissible evidence. The Company is
6 not proposing or requesting approval of any
7 specific resource as part of this proceeding.

8 Q Okay. So the Company did not disclose
9 that it issued any sort of RFP back in September;
10 is that correct?

11 A I mean, I guess the question here is
12 asking about an RFP in connection with a
13 large-scale generation of a generic CT. That's
14 different than what we discussed earlier about
15 baseload.

16 Q Okay. And there's no mention in the 2024
17 IRP of any discussion of the issuance of that
18 September 2024 RFP; is that correct?

19 A I don't believe so.

20 Q Okay. And are you familiar at all with
21 the Senior Hearing Examiner's report in the 2023
22 IRP?

23 A Yes.

24 Q So just to put on the overhead for ease of
25 reference. That's just of the cover page

Transcript of Hearing - Day 2
Conducted on April 15, 2025

160

1 indicating that this came from the report of the
2 Senior Hearing Examiner back on December 8, 2023.

3 And this is page 131. In the top
4 paragraph, the Senior Hearing Examiner had stated
5 that:

6 By way of example, the 2023 IRP lacks the
7 information reflecting that Dominion has fully
8 considered all in-state, regional resources as an
9 alternative to the CTs.

10 And then goes on to say:

11 The Company acknowledged it has not yet
12 conducted an evaluation to determine if there
13 could be third-party alternatives to the CTs, even
14 though it already intends to file for a CPCN.

15 Do you see that?

16 A I do.

17 Q So the information that the Hearing
18 Examiner was referring to in this 2023 IRP, the
19 Company has not provided that information about
20 third-party alternatives in the 2024 IRP; is that
21 correct?

22 MS. NIELSEN: Objection, Your Honor. The
23 2023 IRP Hearing Examiner's ruling was not adopted
24 by the Commission.

25 COMMISSIONER HUDSON: Response?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

161

1 MS. JAFFE: Well, the Hearing Examiner's
2 report can be taken at face value for what her
3 recommendations and findings were with regard to
4 the sufficiency of the IRP, and it is a matter of
5 public record for this Commission.

6 So if Dominion had reviewed any of this
7 information prior to filing its 2024 IRP, we're
8 curious as to whether they took this information
9 into consideration when drafting their current
10 pending IRP.

11 MS. NIELSEN: Your Honor, we would add
12 that to the extent that she is suggesting that
13 it's somehow binding on the Company, that that is
14 an incorrect premise on which to base her
15 question.

16 COMMISSIONER HUDSON: And I would agree.

17 So please continue.

18 If you're unable to answer the question,
19 you may say so.

20 THE WITNESS: Okay. I'm sorry, can you
21 repeat the question.

22 BY MS. JAFFE:

23 Q I was wondering if the Company had
24 considered the information that the Hearing
25 Examiner had included in the -- her findings and

Transcript of Hearing - Day 2
Conducted on April 15, 2025

162

1 recommendations regarding providing an evaluation
2 or even identification of third-party alternatives
3 to a combustion turbine that it intended to seek
4 for a CPCN.

5 Have you considered any of that
6 information when you were putting together your
7 current pending IRP?

8 A I don't recall that specifically.

9 Q Okay. Thank you.

10 Now, if I could have you turn to
11 Appendix 5A of the IRP.

12 A Okay. I'm there.

13 Q So Appendix 5A are a list of environmental
14 regulations; is that correct?

15 A Yes.

16 Q And would you agree with me that you
17 included the -- with EPA regulations in your
18 modeling because it's prudent to model existing
19 applicable laws, both state and federal?

20 A We always intend to model current law, so
21 that's why we modeled the EPA rules. At the time
22 that we were modeling, I believe all of the new
23 EPA rules that came out in April or May of last
24 year were all being challenged at some -- in some
25 fashion, so we elected to model plans that

Transcript of Hearing - Day 2
Conducted on April 15, 2025

163

1 included all the rules and then plans that
2 included none of the rules to kind of give
3 bookends, nobody knowing where these rules would
4 end up.

5 Q Would you agree, then, that modeling
6 existing law could also serve as a proxy for other
7 future environmental regulations that could come
8 during the pendency of the planning period?

9 A I'm not sure I fully understand the
10 question.

11 Q So if you were to model, say, the current
12 Section 111 rule on greenhouse gases, would that
13 serve as a proxy for maybe a potential other type
14 of air regulation that might happen with the
15 change in administration?

16 A I guess I would answer that that, you
17 know, we would always model current law. If laws
18 are challenged, we would likely want to model that
19 as a sensitivity or an alternative. So we try
20 to -- you know, if the law is law and not being
21 challenged or anything, it's a lot more
22 straightforward for planning purposes. But when
23 they are challenged, we want to show those
24 different scenarios for all different outcomes.

25 Q Okay. And so speaking of Section 111

Transcript of Hearing - Day 2
Conducted on April 15, 2025

164

1 rule, so that very last -- that last row addresses
2 the Section 111(g) rule regarding impacts to
3 existing coal-fired generation plants; is that
4 right?

5 A Correct.

6 Q And that rule would impact Mt. Storm,
7 Clover, and VCHEC?

8 A Yes.

9 Q And under that regulation, there are four
10 compliance options: you can retire by January
11 of 2032; you can co-fire at 40 percent gas by
12 January 1 of 2030, and then retire the unit by the
13 beginning of 2039; if you want to operate beyond
14 2039, you would have to install carbon capture at
15 a 90 percent capture rate by January 2032; and
16 then, lastly, you could choose to convert the
17 entire coal plant to 100 percent gas by January
18 of 2030.

19 Are those accurate representations of your
20 compliance options?

21 A Yes.

22 Q Okay. And Dominion chose to model this
23 particular rule by converting all three coal
24 plants to a hundred percent gas; is that correct?

25 A That's correct.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

165

1 Q And on page 54 of the IRP, it states that
2 Dominion has made no official decision on how it
3 will comply with the 111 rule; is that right?

4 A That's correct.

5 Q And you will agree that this is a final
6 rule, and it was published almost a year ago in
7 May of 2024, correct?

8 A Yes.

9 Q So as of today, almost a year since the
10 rule became final, has the Company made a decision
11 as to how it's going to comply with this rule?

12 A It's probably a little bit outside of my
13 area of responsibility, I guess, but I know that
14 the rules are still being studied.

15 I believe, subject to check, that the
16 compliance deadline originally as filed was -- as
17 the rule is filed was, I believe, mid-2026. So
18 there are, you know, some time for utilities to
19 develop how they would comply with the rules.

20 Q Okay. But that being said, so if you do
21 decide to choose to move forward with a hundred
22 percent conversion to gas for all three coal
23 plants, that has to be completed and done by
24 January of 2030, right?

25 MS. NIELSEN: Objection; it's

Transcript of Hearing - Day 2
Conducted on April 15, 2025

166

1 hypothetical.

2 MS. JAFFE: Based on how they modeled this
3 in their current IRP, I think it's a clarifying
4 question that they would have to make those
5 conversions by a certain date.

6 COMMISSIONER HUDSON: So the witness, you
7 can answer the question, but if you can just
8 clarify a little bit more specific, that would be
9 helpful.

10 MS. JAFFE: Okay. Sure.

11 BY MS. JAFFE:

12 Q So if Dominion chooses the path that it's
13 already decided in its current modeling, which is
14 to convert all three coal plants to gas, hundred
15 percent gas, the compliance deadline to do so is
16 January 1 of 2030; is that right?

17 A That's my understanding.

18 Q Okay. So in order to complete that
19 conversion by January 1 of 2030, when would you
20 have to start?

21 A Again, that's a lot -- you know, a lot
22 that goes into that fuel supply, conversion of the
23 actual units involving multiple departments, so I
24 don't have an exact date of when you would have to
25 start.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

167

1 Q Roughly a couple of years, at least?

2 A I would think so.

3 Q Okay. And January 1 of 2030 is less than
4 five years away?

5 A Yes.

6 Q Okay. And I think you just mentioned this
7 also, you'd have to address fuel supply.

8 So that time it takes in order to come
9 into compliance with this rule by January 2030
10 would have to also include the time to build and
11 permit any necessary lateral gas pipelines?

12 A If one needed to be built.

13 Q Okay. So does the Company have any sort
14 of internal deadline as to when it's going to make
15 this decision?

16 A I would say we will comply with the law,
17 which I believe is currently written -- would be
18 mid-2026.

19 Q To make a final decision?

20 A I believe that's the date.

21 Q Okay. And do you happen to know how much
22 it will cost to convert all three of these gas
23 plants and run any potential lateral pipelines?

24 A I do not offhand. What we modeled was we
25 used the EPA's assumptions, the EPA-published

Transcript of Hearing - Day 2
Conducted on April 15, 2025

168

1 assumptions for gas conversion -- cost assumptions
2 for gas conversion as well as carbon capture.

3 So we -- you know, with the rules just
4 coming out in April, May of last year, when we
5 needed to start modeling, we elected to use the
6 EPA's assumptions.

7 Q Do you have a ballpark estimate of what
8 that would cost? Are we talking \$10,000 versus a
9 hundred million?

10 A I would say it would be closer to a
11 hundred million.

12 Q Okay. And so one of the other rules that
13 you took into consideration with your modeling is
14 on the second row, and it's the Mercury and Air
15 Toxics Rule that became effective May 7th, 2024;
16 is that correct?

17 A Yes.

18 Q And this requires a lower particulate
19 matter limit, and it has a compliance deadline of
20 July 8, 2027; is that correct?

21 A Yes, with a possible extension of
22 July 2028.

23 Q Okay. And there are only two compliance
24 pathways for the MATS Rule, you can either retire
25 or you can install the controls by July 2027 or,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

169

1 with the one-year extension, July of 2028; is that
2 correct?

3 A Yes.

4 Q And which coal plants does this new MATS
5 Rule apply to?

6 A Incrementally, really just Mt. Storm.
7 Mt. Storm is the one coal station that would
8 require significant equipment upgrades.

9 Q Okay. But Clover and VCHEC are also
10 listed on here?

11 A Yes. Those, I believe with the current
12 equipment installed, are within compliance.

13 Q Okay. So they wouldn't require any
14 additional investments?

15 A Not significant that I'm -- that I'm aware
16 of.

17 Q Okay. And compliance with the MATS Rule
18 for Mt. Storm is going to cost approximately
19 \$1.5 billion; is that correct?

20 A That's what we estimated in the IRP.

21 Q Okay. And then also similar to the
22 111 rule on page 54 of the IRP, the Company has
23 said it's not yet made a decision on how it will
24 comply with the rule.

25 Is that still true today, no final

Transcript of Hearing - Day 2
Conducted on April 15, 2025

170

1 decision has been made?

2 A Not that I'm aware of.

3 Q Okay. And this one and a half billion
4 dollars that you would need to invest in Mt. Storm
5 to comply with the MATS Rule by either July of '27
6 or July of 2028, that would be in addition to any
7 ongoing operation and maintenance costs or capital
8 investment to keep Mt. Storm running?

9 A Yes.

10 Q And isn't it true that, in the pending
11 Company's base rate case, which was just recently
12 filed, that there are significant capital
13 investments that are going to have to be made to
14 Mt. Storm to keep it operating?

15 MS. NIELSEN: Objection, Your Honor;
16 outside the scope.

17 MS. JAFFE: It goes to the overall costs
18 that have been incorporated into this IRP for what
19 it would take to keep Mt. Storm operating at least
20 until 2039, as identified in the IRP.

21 COMMISSIONER HUDSON: Again, I'll ask the
22 witness if you can answer the question, you can
23 answer it. If you're unable to, you may say so as
24 well.

25 THE WITNESS: I'm not as familiar with the

Transcript of Hearing - Day 2
Conducted on April 15, 2025

171

1 details of the base rate case.

2 BY MS. JAFFE:

3 Q Okay. And one -- let's see. Well, maybe
4 not. Maybe two additional sections.

5 Looking at, let's see, Appendix 3B-4. So
6 Appendix 3B-4 identifies net capacity factors
7 between 2021 and 2039; is that correct?

8 A Yes.

9 Q Okay. And for the coal plants on this
10 appendix, does it assume that Clover, VCHEC, and
11 Mt. Storm are going to convert to gas in 2030?

12 A Yes, it does.

13 Q Okay. And as highlighted on the one that
14 I have on the screen, starting in the early 2030s,
15 the coal plants, which by 2030 will be converted
16 to gas, see a significant drop in how often they
17 are running.

18 So Mt. Storm is seeing capacity factors
19 under about 7 percent, VCHEC is holding steady at
20 around 8 percent, and Clover does run the most, at
21 about 24 percent capacity factor, but then kind of
22 drops off and hovers in the teens.

23 Is that an accurate summary of the
24 capacity factors?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

172

1 Q And why is it that these particular coal
2 plants are dropping and dropping significantly?

3 A It's likely driven by change in the
4 dispatch economics between coal and gas.

5 Q Okay. And so as we just discussed for the
6 MATS Rule, you're estimating that customers will
7 have to pay about \$1.5 billion to retrofit
8 Mt. Storm to comply with that rule. And then by
9 the 2030s, its capacity factor is dropping
10 significantly.

11 So they're going to have to pay these
12 costs, and, yet, the coal plant is not going to be
13 running that often; is that correct?

14 A While the capacity factors are low, you
15 know, as part of this IRP, we also filed the
16 retirement analysis for existing fossil units.
17 And, you know, that analysis shows significant
18 value for all existing fossil units to the tune
19 of, you know, collectively 12, \$14 billion,
20 depending on which plan you're looking at.

21 So these resources, while capacity factors
22 are lower than historical, they are significantly
23 valuable as capacity resources.

24 Q Okay. So would it be safe to say that
25 you're keeping these coal plants open in order to

1 serve a capacity need to support the data center
2 load growth?

3 A I would not say that's accurate.

4 Q In order to support load growth in
5 general?

6 A Yes.

7 Q Okay. And then, lastly, if I could have
8 you look at Figure 3.1 on page 5 of the directed
9 supplement.

10 A Okay. I'm there.

11 Q That's not a great copy. Sorry about
12 that.

13 So for looking at this table, when you
14 remove the data center load growth, the net
15 present value of the two portfolios without data
16 centers decreases by about \$20 billion; is that
17 correct?

18 A Yes.

19 Q So if the load projections stay on course,
20 will that \$20 billion to serve data center load
21 growth be parsed out to just the data centers or
22 will it be subsidized across all customers?

23 MS. NIELSEN: Objection, Your Honor. The
24 cost allocation is not a part of the IRP. It's a
25 part of another proceeding. For that reason, we

Transcript of Hearing - Day 2
Conducted on April 15, 2025

174

1 don't believe it's relevant here.

2 COMMISSIONER HUDSON: We do have the
3 biennial, and that's filed before us.

4 MS. JAFFE: That is correct, but I would
5 posit that due to the impact of the data centers
6 on the IRP and the portfolios it's choosing as
7 well as the impact to residential customers and
8 the ratepayer bill impact analysis, that it is
9 relevant to know how these costs or
10 whether that -- how these costs are going to be
11 attributed across all customer classes because it
12 would impact what type of portfolio would be
13 reasonable in the public interest.

14 MS. ROBB: Your Honor, I would join in the
15 objection. I believe that the amount of cost is
16 relevant; I don't believe that the cost to
17 allocation is relevant. That's going to be
18 decided in the biennial review proceeding.

19 COMMISSIONER HUDSON: Yes. If you can
20 focus on the bill impacts, that's fine. Cost
21 allocation -- if you can rephrase that, that would
22 be helpful.

23 MS. JAFFE: Okay.

24 BY MS. JAFFE:

25 Q Would the \$20 billion difference in the --

Transcript of Hearing - Day 2
Conducted on April 15, 2025

175

1 without data center load growth, does that impact
2 the residential ratepayer bill impact analysis?

3 A That's probably a better question for
4 Witness Sunkins.

5 Q Okay. Great. Thank you.

6 MS. JAFFE: No further questions.

7 COMMISSIONER HUDSON: Counsel, for
8 Exhibit No. 5, would you like that to be entered
9 into the record?

10 MS. JAFFE: Yes, I would, please.

11 COMMISSIONER HUDSON: Any objection?

12 THE BAILIFF: And, Your Honor, may I amend
13 it? Because I believe I misspoke when I gave the
14 description. It should be the Dominion Response
15 to Staff Request 3-106.

16 COMMISSIONER HUDSON: Absolutely. So
17 Dominion's Response to Staff's Request, which was
18 identified and marked as Exhibit No. 5, is entered
19 into the record.

20 (Exhibit No. 5 was admitted into
21 evidence.)

22 COMMISSIONER HUDSON: Thank you.

23 MS. JAFFE: Thank you.

24 COMMISSIONER HUDSON: United?

25 MS. POLLARD: No questions.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

176

1 COMMISSIONER HUDSON: I'm sorry, your
2 name?

3 MS. POLLARD: Katherine Pollard.

4 COMMISSIONER HUDSON: Clean Virginia.

5 CROSS-EXAMINATION

6 BY MR. REISINGER:

7 Q Good morning, Mr. Compton. I'm Will
8 Reisinger, speaking on behalf of Clean Virginia.

9 A Good morning.

10 Q Mr. Compton, you serve as the director of
11 strategic planning for Dominion Energy Services,
12 Inc.; is that correct?

13 A That's correct.

14 Q And DES provides services to different
15 Dominion Energy operating companies; is that
16 correct?

17 A That's correct.

18 Q Okay. And in that role, you oversee
19 Dominion Energy Virginia's Integrated Resource
20 planning process; is that right?

21 A That's correct.

22 Q And I believe you have held that position
23 since 2023; is that right?

24 A Yes.

25 Q Mr. Compton, I want to ask you about a

Transcript of Hearing - Day 2
Conducted on April 15, 2025

177

1 statement that appears on page 4 of the IRP. And
2 specifically, it says:

3 This 2024 IRP is meant for use as a
4 long-term planning document based on a snapshot of
5 time of current technologies, market information,
6 and projections.

7 I want to ask you about that phrase
8 "snapshot in time."

9 What does that mean to you?

10 A To me, it means, you know, the IRP process
11 is a lengthy process, very -- lots of inputs. I
12 mean, you can see through the filing how many
13 pages and pages of literature is there, lots of
14 modeling inputs. It would depend on a load
15 forecast, a commodity forecast, environmental
16 regulations and policy. All of these things go in
17 and you have to get them right.

18 So, you know, we file -- this IRP was
19 filed on October 15th. Back up from there, you're
20 putting the document -- the appendices together
21 after you've modeled, after a lot of input and a
22 stakeholder process.

23 So what that means to me is really, like,
24 that snapshot in time, like, there's some point in
25 time throughout that process where you have to

1 lock down all of your inputs and assumptions and
2 move on and start modeling and putting together
3 the filing and come back next year and you get to
4 do it again.

5 Q Okay. And the phrase "snapshot in time,"
6 that doesn't appear in the statute anywhere, does
7 it?

8 A I'm not sure.

9 Q Okay. In the next sentence on page 4,
10 Mr. Compton says that IRPs are not a request to
11 approve any specific resource or portfolio but,
12 rather, to assess their reasonableness for
13 long-term planning purposes.

14 And I've heard your counsel say that this
15 IRP is not a request for any particular resource.

16 My question is: How does the Company use
17 this IRP?

18 A Sure. So the IRP will, you know, give us
19 a look at a snapshot in time of the load growth,
20 what are the demands, you know, 15 years out from
21 now and 15 years out in the future based on
22 current law, policy, regulations, based on current
23 commodity forecasts, like what -- what does a
24 reasonable plan look like. And, you know, we try
25 to provide multiple views of what that could look

Transcript of Hearing - Day 2
Conducted on April 15, 2025

179

1 like with and without EPA rules, et cetera.

2 Q Okay. And how is this IRP used in
3 connection with the Company's certificate filings
4 for new generation facilities?

5 A I would say in the most -- at the most
6 basic level, you know, a picture of the need. So,
7 you know, by 2028 or 2030, you know, based on the
8 current IRP, what does that need look like.
9 Because, obviously, it takes time to get resources
10 in place to meet the need.

11 Q Mr. Compton, next, I have some questions
12 about the Company's five-year reliability plan on
13 page 44 of the IRP.

14 And the five-year reliability plan is
15 described here as -- or the IRP states that:

16 Dominion Energy plans to proactively
17 position itself to meet its commitment to provide
18 reliable, affordable, and increasingly clean
19 energy for the benefit of all customers over the
20 long term.

21 The five-year reliability plan is a
22 component of all of the modeled portfolios,
23 correct?

24 A That's correct.

25 Q Okay. So the five-year reliability plan

Transcript of Hearing - Day 2
Conducted on April 15, 2025

180

1 is what the Company is actually doing now and
2 planning to do over the next five years, correct?

3 A Yes, yep.

4 Q And when I say it's what the Company is
5 actually doing now, I mean, you would agree that
6 the Company is doing things like continuing the
7 development of gas-fired generation, including,
8 but not limited to, brownfield sites, to take
9 advantage of capacity injection rights? The
10 Company is doing those things, correct?

11 A Yes.

12 Q And over on 45, page 45 of the IRP, you
13 continued to describe some things that the Company
14 is doing as part of this five-year reliability
15 plan, which would include pursuing regulatory
16 approvals for an LNG storage facility, correct?

17 A Yes.

18 Q And the Company already did that and got
19 Commission approval to pursue that storage
20 facility, correct?

21 A That's correct.

22 Q And the Company is continuing to advance
23 the development of SMRs; is that right?

24 A Yes.

25 Q And the Company has already filed an

Transcript of Hearing - Day 2
Conducted on April 15, 2025

181

1 application for a Rider for SMR development costs,
2 correct?

3 A I believe that's correct.

4 Q So the Company is not waiting for
5 Commission approval of this IRP to continue
6 executing its five-year reliability plan; is that
7 fair to say?

8 A Yes.

9 Q So the five-year reliability plan is not
10 really a snapshot in time, it's what the Company
11 is actually doing right now, correct?

12 A Yes, I would say it is what the Company is
13 doing right now at this snapshot in time.

14 Q Okay. And you would agree that, if the
15 Commission determines that aspects of the
16 Company's five-year reliability plan were not
17 reasonable, the Commission should say so in this
18 case?

19 A Yes.

20 Q Okay. And, Mr. Compton, you testified in
21 the Company's 2023 IRP; is that correct?

22 A Yes.

23 Q And I believe in past IRPs, the Company
24 used a term called a "Short-Term Action Plan"; is
25 that correct?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

182

1 A I believe so.

2 Q Okay. And the Short-Term Action Plan was
3 also a five-year plan of what the Company intended
4 to do; is that right?

5 A Yes.

6 Q Okay. But it was the same concept as the
7 five-year reliability plan?

8 A I would agree with that.

9 Q Okay. Mr. Compton, you had some
10 discussion earlier about the Senior Hearing
11 Examiner's reports in the Company's 2023 IRP,
12 which was Case No. PUR-2023-00066, and I believe
13 you just said you were a witness in that case,
14 correct?

15 A Correct.

16 Q So you reviewed this report?

17 A Yes.

18 Q Okay. And I want to ask you about a
19 statement that the Hearing Examiner makes on
20 page 130 of her report and recommendation.

21 And specifically, she says that she was
22 concerned regarding the 2023 IRP's legal
23 sufficiency relative to Dominion's inclusion of
24 960 megawatts of natural gas CTs in its Short-Term
25 Action Plan and in alternative plans B and D, with

Transcript of Hearing - Day 2
Conducted on April 15, 2025

183

1 the associated expectation that the CTs will come
2 online in 2028.

3 Do you recall seeing that analysis in the
4 Hearing Examiner's report?

5 A Yes.

6 Q And do you recall that the Hearing
7 Examiner also stated that the Company forced its
8 model to choose gas generation in 2028 in its
9 alternative plans B and D?

10 A Yes.

11 Q And, Mr. Compton, are you familiar with
12 this Code section that the Hearing Examiner cited,
13 Code Section 56-585.1 A 5 of the Code of Virginia?

14 A Yes.

15 Q And the Hearing Examiner, in her
16 interpretation, this Code section established
17 additional requirements for the new -- for the
18 approval of new carbon-emitting generation.

19 You're generally familiar with that Code
20 section?

21 A I am.

22 MS. NIELSEN: And, Your Honor, I would
23 have to object again before we go too far down
24 this road that, to the extent that this is setting
25 up some sort of premise that the Company was

Transcript of Hearing - Day 2
Conducted on April 15, 2025

184

1 required to implement any of the recommendations
2 in the Hearing Examiner's report, we would object
3 to that line of questioning.

4 MR. REISINGER: Your Honor, that's not
5 going to be my question.

6 I would like to ask the witness if -- if
7 the witness is aware of this Code section, I would
8 ask -- like to ask the witness whether the Company
9 referenced or discussed this Code section in its
10 2024 IRP.

11 COMMISSIONER HUDSON: Please proceed.

12 THE WITNESS: I'm sorry, could you repeat
13 the question?

14 BY MR. REISINGER:

15 Q Yeah. Mr. Compton, you said you are aware
16 of this provision of the Code Section 585.1 A 5.

17 My question to you is, does the 2024 IRP
18 reference or discuss this Code section?

19 A Not that I'm aware of. My understanding
20 of this section of the Code -- and I'm not an
21 attorney, but that this is -- it reads to me more
22 like it's for CPCN filings rather than IRP
23 planning.

24 Q Okay. And, Mr. Compton, I wanted to ask
25 you one more question, if you are aware.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

185

1 You stated you are aware of Code Section
2 56-585.1 A 5. I want to ask you if you're aware
3 of another provision in the same statute, which is
4 56-585.1 A 6. And I'm going to read it for you.

5 That provision states that:

6 A utility seeking approval to construct or
7 purchase a generating facility that emits carbon
8 dioxide shall demonstrate that it has already met
9 the energy savings goals identified in
10 Section 56-596.2 and that the identified need
11 cannot be met more affordably through the
12 deployment or utilization of demand-side resources
13 or energy storage resources and that it has
14 considered and weighed alternative options,
15 including third-party market alternatives, in its
16 selection process.

17 Are you familiar with that provision of
18 the Code of Virginia?

19 A Yes.

20 Q Okay. And is this provision referenced or
21 discussed in the 2024 IRP?

22 A Not that I'm aware of. It reads to me
23 more like a CPCN filing than IRP does. We're not
24 seeking approval to construct or purchase a
25 facility in this case.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

186

1 Q Okay. So it's fair to say that the
2 Company did not consider and was not influenced by
3 this Code section when developing its 2024 IRP?

4 A I would say that it was. You know, the
5 IRP and the modeling really does this, you know,
6 looking at demand-side energy storage, different
7 alternatives.

8 Q Okay. This provision, you would agree,
9 the Company would have to satisfy this -- the
10 requirements of this provision in order to receive
11 approval for new carbon-emitting resources; is
12 that correct?

13 MS. NIELSEN: I would object, Your Honor.
14 It's asking for a legal conclusion, and
15 Mr. Compton has already testified twice that he's
16 not a lawyer.

17 MR. REISINGER: Your Honor, I can move on
18 here.

19 BY MR. REISINGER:

20 Q And, Mr. Compton, this IRP was developed
21 following a stakeholder process; is that correct?

22 A That's correct.

23 Q And were you a part of that process?

24 A I was.

25 Q Okay. Did you oversee that process in

1 your role as director of strategic planning?

2 A I was not -- I would say I did not oversee
3 it. I was very involved.

4 Q And you attended most or all of the
5 stakeholder meetings?

6 A Yes.

7 Q And you received and considered feedback
8 from different stakeholders in your role?

9 A Yes.

10 Q Okay. And the Company presented a
11 stakeholder input case as part of its IRP; is that
12 correct?

13 A That's correct.

14 Q And I will put it on the screen here, if I
15 can find it. The stakeholder process is discussed
16 at Appendix 1 of the IRP.

17 And on page 12 of Appendix 1, the Company
18 actually presents the stakeholder input case; is
19 that correct?

20 A That's correct.

21 Q And I understand the Company doesn't
22 believe that this presents a viable path forward,
23 so it's not a recommendation of the Company; is
24 that right?

25 A That's correct.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

188

1 Q Okay. Now, were the stakeholders given an
2 opportunity to review and comment on the
3 stakeholder input case before it was filed?

4 A Are you asking the inputs or the outputs?

5 Q The outputs, the final Figure 1
6 Stakeholder Input Case, were the stakeholders
7 given an opportunity to review this and provide
8 feedback before the Company filed its IRP?

9 A I don't recall. We had a lot of meetings,
10 15, I believe, in total, with a couple right
11 around the time that we filed, so I don't recall.

12 Q Do you recall that -- or do you recall
13 whether stakeholders repeatedly asked the Company
14 to provide a draft of its final modeling results
15 so that they could provide specific feedback
16 before the filing?

17 A I do not recall that.

18 Q Going forward, would the Company agree to
19 allow stakeholders to review and provide comments
20 on the stakeholder input case before it is filed
21 with the Commission?

22 A I think we would make every best effort to
23 do so.

24 Q Did the stakeholders have access to the
25 same modeling software used by Dominion to prepare

Transcript of Hearing - Day 2
Conducted on April 15, 2025

189

1 the Integrated Resource Plan?

2 A I'm sure that some likely did. There were
3 approximately 200 participants throughout the
4 process. I don't know specifically -- I'm sure
5 not all of them did, but I wouldn't be surprised
6 if some did.

7 Q Okay. Would the Company agree to provide
8 stakeholders with access to the same modeling
9 software used by the Company in future stakeholder
10 processes?

11 A That's probably outside of my
12 decision-making capability, but it's very -- I
13 would say that's a very complicated -- you know,
14 we had 200 this year. It's hard to tell how many
15 we'll have in the future.

16 But I can tell you that PLEXOS, the
17 modeling software we use, the licenses are quite
18 expensive, and then, you know, that brings into
19 question cost recovery of that. So that's a very
20 complicated question.

21 Q And PLEXOS is an expensive software, but
22 it is a software that the Company itself has
23 chosen, correct?

24 A Yes.

25 Q Mr. Compton, I want to ask you if you are

Transcript of Hearing - Day 2
Conducted on April 15, 2025

190

1 aware of an IRP -- a provision of an IRP that
2 Dominion Energy South Carolina filed before the
3 South Carolina Public Service Commission on
4 August 4th of 2023.

5 I want to ask you about one of the order
6 requirements that Dominion Energy discusses on
7 page 96 of that document.

8 And, specifically, the Company is
9 referencing the orders from the South Carolina
10 PSC, and one of those orders was that Dominion
11 Energy South Carolina shall negotiate a
12 discounted, project-based licensing fee that
13 permits intervenors the ability to perform their
14 own modeling runs in the same software package as
15 the utility and directs the utility to absorb the
16 costs of these licensing fees.

17 Are you aware of that requirement from the
18 South Carolina Public Service Commission?

19 A Generally, yes.

20 Q So the Company could do the same thing in
21 Virginia, correct?

22 A Again, I mean, I think that would be
23 possible. I'm concerned -- I would be concerned
24 about the cost of such. I think 200-plus -- if
25 that's 200-plus licenses, rough estimate, it's

1 millions of dollars.

2 Q Okay. And, of course, the Company was
3 able to and did comply with the South Carolina PSC
4 order and negotiated a discounted licensing fee;
5 is that correct?

6 A I'm not aware of the negotiations or the
7 cost of this arrangement. You know, I guess also
8 this is a much -- DESC is a much smaller system.
9 I'm not sure how many stakeholders participate in
10 their process, but I imagine, you know, our system
11 is four to five times the size of theirs. I would
12 imagine we likely have quite a few more
13 stakeholders, if I were just guessing.

14 Q Okay. So do you have an estimate -- if
15 Dominion Energy Virginia were to absorb these
16 licensing fees, do you have any estimate of what
17 that would mean in terms of cost recovery for
18 customers?

19 A I'm not sure how the cost recovery would
20 work. You know, this to me reads that DESC
21 absorbed the cost. I'm not sure if that
22 ultimately was paid for by ratepayers, but, you
23 know, at 200 -- theoretical -- 200 licenses, my
24 guess would be in the millions of dollars.

25 Q Okay.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

192

1 MR. REISINGER: And, Your Honor, I don't
2 intend to move this into evidence, but for the
3 record, I do just want to say, if I didn't
4 already, that I'm referring to an August 4th -- an
5 August 4th, 2023, filing before the South Carolina
6 Public Service Commission in Docket No. 2023-9-E.

7 BY MR. REISINGER:

8 Q And one more question on the stakeholder
9 process, Mr. Compton.

10 You're familiar with House Bill 2413 that
11 passed the House of Delegates in the Senate
12 earlier this year?

13 A Generally.

14 Q And I believe you reference it in your
15 rebuttal testimony; is that correct?

16 A Yes.

17 Q I want to ask if you're familiar with an
18 amendment to Code Section 56-599D that would have
19 changed some of the requirements for the
20 stakeholder process.

21 And, specifically, a portion of that bill
22 would have required that, as part of the
23 stakeholder review process, the utility shall
24 provide stakeholders with reasonable access to the
25 same modeling software, modeling assumptions,

1 modeling inputs, and data used by the utility to
2 evaluate supply and demand resources in its
3 Integrated Resource Plan and that such access
4 shall enable stakeholders to create modeling
5 scenarios for the utility's consideration during
6 the development of its Integrated Resource Plan.

7 Do you recall seeing that aspect of the
8 legislation?

9 MS. NIELSEN: Objection, Your Honor. This
10 is a similar objection as to the premise of the
11 question. The bill that's being discussed was
12 vetoed by the governor, and in the notes, he
13 stated that the State Corporation Commission has
14 the expertise and authority to make requirements
15 and changes to the IRP process.

16 So to the extent that there's a suggestion
17 here that this is a requirement of the existing
18 law, we would object.

19 MS. GRUNDMANN: May I please be heard?

20 With respect to the question as asked,
21 there was no question that said, did you comply
22 with this requirement? The question was simply,
23 were you aware of the existence of this
24 legislation?

25 So there is no question for the Commission

Transcript of Hearing - Day 2
Conducted on April 15, 2025

194

1 to which an objection would be proper because he
2 wasn't asking if this witness was going to comply
3 with the requirement. It was simply, were you
4 aware that this passed the house? He didn't
5 represent that it became law. He didn't represent
6 that it was a requirement that they must comply.

7 So, overall, Your Honor, I think -- my
8 issue is there's been multiple objections before
9 any question is asked that is objectionable. And
10 so I think it's creating an issue in terms of the
11 questions and answers between intervenor parties
12 and the witnesses.

13 COMMISSIONER HUDSON: Thank you, Counsel.

14 MR. REISINGER: I'll just state,
15 Your Honor, I haven't asked my question yet. I
16 think, if I asked my question, I don't know that
17 there will be an objection.

18 COMMISSIONER HUDSON: Please proceed.

19 BY MR. REISINGER:

20 Q Okay. Mr. Compton, you said earlier that
21 you are generally familiar with this legislation
22 you cited in your rebuttal testimony, and are you
23 generally familiar with this proposed amendment to
24 the Code?

25 A Generally.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

195

1 Q Okay. And if the General Assembly
2 directed the Company to do this, to provide access
3 to the same modeling software, the Company could
4 do that, correct?

5 A We would make every reasonable effort to
6 comply with the law.

7 Q Okay. The Company would make a reasonable
8 effort to comply with the law or you would comply
9 with the law?

10 A We would.

11 Q Okay. And, Mr. Compton, your counsel
12 referenced the governor's veto message. So even
13 though the bill passed both houses of the General
14 Assembly, it was not signed by the governor.

15 As your counsel stated, though, that the
16 State Corporation Commission -- the governor
17 concluded that the State Corporation Commission
18 has the expertise and the authority to make
19 requirements and changes to the Integrated
20 Resource Plan process.

21 Do you agree with that?

22 A I see that.

23 Q And do you see also that the governor, in
24 his veto message, cited the Virginia Clean Economy
25 Act? He expressed his opinion that the Virginia

Transcript of Hearing - Day 2
Conducted on April 15, 2025

196

1 Clean Economy Act is failing Virginia and those
2 that champion it should stop trying to buttress
3 this failing policy.

4 Do you see that statement?

5 A I do.

6 Q So did the governor, in your opinion, veto
7 this bill because he thinks the Virginia Clean
8 Economy Act is not good policy?

9 MS. NIELSEN: Objection, Your Honor. The
10 witness has absolutely no understanding of why the
11 governor did or did not veto this bill. He's not
12 in the governor's mind.

13 COMMISSIONER HUDSON: Thank you.

14 MR. REISINGER: Your Honor, I'll move on.

15 COMMISSIONER HUDSON: Thank you.

16 BY MR. REISINGER:

17 Q Mr. Compton, a couple more questions about
18 the stakeholder process.

19 Isn't it true that the stakeholders
20 recommended that the Company include long-duration
21 energy storage in the stakeholder input case?

22 A Some did. As I mentioned earlier, I think
23 there were approximately 200 participants, a very
24 diverse group, lots of opinions.

25 I believe at least one party recommended

1 modeling long-duration storage, but part of the
2 process is we couldn't have 200 different
3 stakeholder input plans like that. It would just
4 take forever to model. So what we did was we
5 tried to take a majority or, like, where we heard
6 the same thing a lot and build that into the
7 stakeholder input case.

8 Q And isn't it also true that stakeholders
9 suggested that the Company should model various
10 energy efficiency scenarios, including greater
11 deployments of demand-side resources?

12 A They did, and we did. So as maybe a
13 clarifying point, we had the stakeholder input
14 case, which had a lot of -- things that we heard
15 a lot, you know, no new gas units, things like
16 that.

17 But we took other -- we took some of the
18 other feedback, like the energy efficiency
19 feedback that you mentioned, and actually built
20 those into some of the primary portfolios. So
21 some of that feedback is in the primary
22 portfolios, not necessarily just in the
23 stakeholder input case.

24 Q The primary portfolios, do the primary
25 portfolios assume that the Company complies with

1 the Virginia Clean Economy Act energy savings
2 targets?

3 A Yes.

4 Q And isn't it true that the stakeholders
5 asked the Company to incorporate higher levels of
6 energy efficiency, even higher -- above and beyond
7 the Virginia Clean Economy Act minimum
8 requirements?

9 A That's correct. And the way that we did
10 that was through the sensitivities labeled as
11 high- and low-load forecast. So in those
12 sensitivities for, like, the high-load forecast,
13 it assumed stakeholder feedback on data center
14 growth, higher data center growth, and lower
15 energy efficiency targets.

16 The low-load sensitivity did the opposite.
17 So you had lower data center growth and higher
18 energy efficiency. So we tried to capture all of
19 that feedback on data center load growth and
20 energy efficiency savings through those
21 sensitivities.

22 Q Okay. Mr. Compton, isn't it true that the
23 Company received multiple requests from
24 stakeholders to include a social cost of carbon in
25 its modeling?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

199

1 A There were multiple requests. I don't
2 recall how many, but there were a few.

3 Q Okay. And a carbon cost or a dispatch
4 adder for carbon was not included in the
5 stakeholder input case or in any of the modeled
6 scenarios?

7 A That's correct.

8 MR. REISINGER: Thank you, sir. That's
9 all the questions I have.

10 THE WITNESS: All right. Thank you.

11 MR. MURPHEY: DCC has no questions,
12 Your Honor.

13 COMMISSIONER HUDSON: Thank you.

14 Ms. Grundmann, would you like to go now or
15 maybe take a ten-minute break?

16 MS. GRUNDMANN: Your Honor, I would love
17 to take a ten-minute break.

18 COMMISSIONER HUDSON: I thought so.

19 Let's reconvene at 11:40. We are now in
20 recess.

21 (A recess was taken.)

22 COMMISSIONER HUDSON: You may proceed.

23 MS. GRUNDMANN: Thank you.

24 CROSS-EXAMINATION

25 BY MS. GRUNDMANN:

Transcript of Hearing - Day 2
Conducted on April 15, 2025

200

1 Q Welcome back, Mr. Compton. My name is
2 Carrie Grundmann. I'm an attorney here on behalf
3 of Walmart.

4 I want to start by going back over a
5 couple questions that I had based upon some
6 questions you got from some other intervener
7 parties because I want to make sure that I
8 understand.

9 So in response to some questions from
10 Mr. Benforado, you-all discussed some of the
11 resources, specifically solar and storage, that
12 were forced into the model.

13 Do you recall that discussion?

14 A Yes.

15 Q Okay. And I think that the sort of
16 question was, once you forced in the requirements
17 of the VCEA, what happened next?

18 And according to my notes, you sort of
19 indicated that, at that point, the model was
20 allowed to optimize, I think, additional solar or
21 storage on a least-cost basis; is that correct?

22 A Yes.

23 Q But that ability to optimize was subject
24 to a ceiling based upon build limits that the
25 Company imposed on the model; is that correct?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

201

1 A That's correct.

2 MS. GRUNDMANN: Your Honor, I'd like to
3 mark an exhibit. And I will represent for the
4 record where it came from.

5 I will represent to the record that the
6 document reflects an "extraordinarily sensitive"
7 marking on the top, but in consultation with the
8 Company, we have agreed that the document being
9 mentioned can be shared publicly on the record.

10 COMMISSIONER HUDSON: Thank you.

11 MS. GRUNDMANN: And for reference -- once
12 Mr. Robinson comes back, I will describe the
13 document.

14 For purposes of the record, I'm going to
15 describe where this document comes from, and then
16 I will separately provide a description of the
17 exhibit. But this comes from attachment Sierra
18 Club, Set 1-2, parens, confidential, underscore,
19 ES, comma, PLEXOS inputs, parens, confidential,
20 underscore, ES, comma, green sheets, parens, CJR,
21 end parens, ES.

22 For purposes of the record, I'd like to
23 mark this as an exhibit and describe it as the IRP
24 Build Limits.

25 THE BAILIFF: The IRP Build Limits as

Transcript of Hearing - Day 2
Conducted on April 15, 2025

202

1 described will be marked as Exhibit 6.

2 (Exhibit No. 6 was marked for
3 identification.)

4 COMMISSIONER HUDSON: Thank you. Please
5 proceed.

6 BY MS. GRUNDMANN:

7 Q And, Mr. Compton, are you familiar with
8 the document?

9 MS. NIELSEN: Ms. Grundmann, I'm sorry. I
10 don't mean to interrupt your cross. We would just
11 ask that the "extraordinarily sensitive"
12 designation be stricken before it gets admitted
13 into the record.

14 MS. GRUNDMANN: That's fine by me. I
15 didn't mark it, so I'm happy to strike it. I just
16 didn't want to take anything off of their original
17 Excel file.

18 COMMISSIONER HUDSON: Thank you.

19 BY MS. GRUNDMANN:

20 Q Mr. Compton, are you familiar with this
21 data here that I have pulled out of the green
22 sheets tab?

23 A Yes.

24 Q And this reflects -- first, starting in
25 the far left column under the column Asset, that

Transcript of Hearing - Day 2
Conducted on April 15, 2025

203

1 is the full panoply of resources that the Company
2 started with for purposes of consideration in the
3 IRP; is that correct?

4 A Yes.

5 Q And then if we go over to the far column
6 on the right that says Comment, where it reflects
7 "not modeled," that reflects that that resource
8 was not available for selection by the model; is
9 that correct?

10 A That's correct.

11 Q And I would note -- I apologize to jump
12 back and forth, but going back to that Asset
13 column, you have listed there under Nuclear
14 Technologies, you have two entries for SMR; is
15 that correct?

16 A Yes.

17 Q But you do not have any entry to consider
18 what I would call traditional large-scale nuclear
19 or AP1000?

20 A That's correct.

21 Q So did the Company assess large-scale
22 nuclear in any way as part of this IRP?

23 A That would probably be best answered by
24 Company Witness Flowers.

25 Q Flowers. Okay.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

204

1 All right. So then going back to this
2 question and the back-and-forth that you had with
3 Mr. Benforado, when you say that you forced into
4 the model the limits set forth under the VCEA for
5 solar and storage and allowed it to then select
6 additional megawatts of those resources on a
7 least-cost basis, that selection of additional
8 megawatts would be limited by the annual limits
9 set forth in Column 2 for those various resources;
10 is that correct?

11 A That's correct.

12 Q Okay. So let's just use an example to
13 make sure the record is clear.

14 Let's use battery storage eight-hour,
15 which the Company elected to impose a 300-megawatt
16 total annual limit; is that correct?

17 A Yes.

18 Q When you ran PLEXOS, you never ran an
19 unconstrained scenario whereby the model could
20 optimally select the total number of megawatts of
21 storage, whether it's the four or eight or any
22 other number of hours of storage, that the model
23 would have selected on a full least-cost basis?

24 A So the model was allowed to build up to
25 the annual limits shown in Column 2.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

205

1 Q All right. Then I'd like to go back -- I
2 want to clarify the discussion that you had about
3 the Commission-directed supplement on page 6. I
4 think it's page 6. Give me a second. It may be
5 page 5.

6 It's page 5.

7 And I apologize for the glare on the
8 center of this.

9 Specifically, I'm looking here at the VCEA
10 with EPA scenario here in the purple column, the
11 2,250, and then, on the far right, the 2,250.

12 That number is less than the 2,700
13 megawatts of storage required by the VCEA,
14 correct?

15 A That's correct.

16 Q When you determine these numbers, are you
17 including or excluding the megawatts of storage
18 that have previously been proposed to the
19 Commission for approval?

20 A So as reflected in this table, it would be
21 incremental to proposed or approved projects.

22 Q Thank you for that clarification.

23 Now, in response to some questions from
24 Mr. Reisinger, you discussed providing PLEXOS
25 licenses to interested parties.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

206

1 Do you recall that discussion?

2 A Yes.

3 Q Based on that back and forth, it was sort
4 of my understanding that in the event the
5 Commission were to order you to make those
6 licenses available, that the Company's default
7 position would be to seek cost recovery of those
8 licenses from ratepayers; is that correct?

9 A I'm not sure that I could answer that from
10 the Company's perspective, but, yeah, I'm sure
11 that would be an issue for debate.

12 Q I'd like to put forward another proposal
13 for your consideration with respect to the PLEXOS
14 licenses.

15 In contrast to the concept of providing
16 any stakeholder a PLEXOS license, in the event the
17 Commission did not order you to undertake some
18 sort of an open-source-type program, does the
19 Company have any objection to making available
20 licenses to the Commission -- to the public's
21 Commission staff in the event that Commission
22 staff wanted to perform its own modeling?

23 A We would follow a Commission order on
24 that. I mean, similar cost concerns.

25 Q But, obviously, the costs are

Transcript of Hearing - Day 2
Conducted on April 15, 2025

207

1 significantly less between a license for staff
2 versus 200 stakeholders, correct?

3 A I would think so.

4 Q And as part of your position as the
5 director of strategic planning, you are required,
6 as a result of having some load in the eastern
7 part of North Carolina, to also interact with
8 public staff in North Carolina; is that correct?

9 A Yes.

10 Q And so are you aware as to whether or not
11 public staff in North Carolina performs its own
12 modeling in IRP-type proceedings?

13 A My understanding is that they do some.

14 Q And what -- how do you have that
15 understanding?

16 A Through discussions with the public staff.

17 Q And do some of those discussions involve
18 what it is that they do as a result of Duke Energy
19 Carolinas and Duke Energy Progress in North
20 Carolina?

21 A No, not specifically.

22 Q And do you, as a result of your position
23 as the director of resource planning, do you level
24 set with your colleagues in other jurisdictions
25 about IRP planning and best practices?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

208

1 A We do.

2 Q Does that include the team at Duke Energy
3 in North Carolina?

4 A Not the team. I would say, you know,
5 personally, I have one contact at Duke. We -- you
6 know, my team does attend conferences, IRP
7 conferences. So besides that, you know, I only
8 have one contact at Duke.

9 Q Do you follow the proceedings before the
10 North Carolina Utilities Commission as it relates
11 to Duke Energy's carbon plan proceedings in North
12 Carolina?

13 A Not closely.

14 Q But you do follow them some?

15 A I don't really follow the proceedings as
16 much as, you know, I'm more familiar with their
17 IRP document.

18 Q With Duke's IRP document?

19 A Uh-huh.

20 Q Are you aware -- and I'm just going to put
21 it up on the screen for you.

22 Are you aware that the North Carolina
23 Utilities Commission has published Commission
24 rules that govern certain filings before the
25 Commission?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

209

1 A Yes.

2 Q And there are sometimes different rules
3 for Dominion versus Duke Energy.

4 Are you aware of that as well?

5 A Yes.

6 Q So I'm going to put up on the screen what
7 is referred to by the North Carolina Utilities
8 Commission as Rule R8-60A. And I'll represent
9 that this rule applies specifically to Duke
10 Energy, but I just want to ask if you have any
11 familiarity with this provision.

12 So I'm looking at here at the bottom of
13 the page, and it deals with -- this has to do with
14 the filing of the carbon plan. And I'm going to
15 try to get it here so you can read it.

16 Just here on the bottom of Subsection E1,
17 it just talks about by September 1st, 2023, and
18 every two years thereafter, they will file -- and
19 I really want to get to what's on the next page,
20 specifically the language that's up here at the
21 top.

22 Now, under the North Carolina Commission's
23 rules, do you see here that the utility is
24 required to make available all modeling input and
25 output data files as well as the method underlying

1 the use of all modeling software and process steps
2 utilized in what they call -- it's called the
3 Carbon Plan IRP -- and to make that available to
4 public staff, interveners, subject to appropriate
5 confidentiality?

6 Do you see that language?

7 A I do.

8 Q And so reading that, do you agree with me
9 that what this provision says is that,
10 essentially, Duke has to make available,
11 contemporaneous with its filing, the
12 modeling -- the raw modeling data for parties who
13 have signed appropriate confidentiality
14 protections?

15 A Yes.

16 Q Does the Company have any objection to
17 undertaking similar contemporaneous disclosure of
18 input and output data to parties and
19 proceedings -- IRP proceedings before this
20 Commission?

21 A I guess sort of a loaded question.

22 You know, taking into account all of the
23 input, output files, confidentiality, it -- you
24 know, I think if all those things were in -- all
25 the correct confidentiality things were in place,

1 you know, I don't see a huge objection to that.

2 You know, we do very similar already in --
3 throughout the discovery process, usually in the
4 first set of discovery questions that we get, will
5 be for all input, output files. So that doesn't
6 concern me too much.

7 You know, the part that probably concerns
8 me more when we're talking about like PLEXOS
9 licenses outside of the Company is that, you know,
10 I think it was mentioned in that paragraph about,
11 you know, like you have your inputs and
12 assumptions, but there's -- the model is super
13 complicated, PLEXOS is, lots of dials, I would
14 say -- call them, that you turn.

15 I think the part about method underlying
16 the use, it's a very complicated model. There's
17 a lot of dials that you put in. If, then,
18 statements -- if the model does this, then do
19 that. Like, that doesn't really come across like
20 an input or an output file. I guess it's like the
21 proprietary portions of the model.

22 You know, even within my team, two
23 different people can run the same model, get a
24 different result, run it on a different server,
25 get a different result.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

212

1 So I think, you know, we're talking about
2 PLEXOS licenses. I'm not sure that I understand
3 the value of that. You know, we've also had
4 parties in this case model using different
5 software, and, you know, like on the base plans,
6 coming fairly close.

7 So I don't know that I understand the
8 value of providing PLEXOS licenses and all of the
9 input, output because it will never be exactly the
10 same.

11 Q Did you read the testimony from Ap Voices'
12 witness with the idea Smith proposed methodology?

13 A I did.

14 Q And did you see in that testimony where
15 they discussed how difficult and time consuming it
16 was for them to recreate your underlying modeling
17 to allow them to perform that modeling?

18 A I did.

19 Q And you're aware that this docket is
20 subject to a statutory nine-month timeline from
21 filing to decision from this Commission; is that
22 correct?

23 A Yes.

24 Q And so would you agree that in not
25 providing modeling files, requiring parties to

Transcript of Hearing - Day 2
Conducted on April 15, 2025

213

1 take time to issue discovery, to wait for weeks
2 for them to receive your responses, assuming they
3 get everything, that that decreases the amount of
4 time the intervener parties may have to assess
5 whether or not they'd like to put forward some
6 sort of an alternative model for the Commission's
7 consideration?

8 A I would. I would just caution the parties
9 outside of the Company, even within the Company,
10 having PLEXOS licenses running the same model are
11 going to get different -- very likely going to get
12 different results anyway, so I question the value
13 of that.

14 Q And you could certainly, as a result of
15 the ongoing obligations that you have providing
16 service in North Carolina, you could certainly
17 touch base with public staff in North Carolina to
18 understand how public staff has been able to take
19 advantage of having access to that raw data and
20 the ability to use it as part of their modeling
21 efforts; isn't that true?

22 A I would think so. I'm not sure exactly
23 which modeling software Duke uses, but I know the
24 staff uses EnCompass, which is different software.
25 So, you know, I cannot imagine having to be an

Transcript of Hearing - Day 2
Conducted on April 15, 2025

214

1 expert on two different modeling softwares. It's
2 hard enough to be -- become an expert on one --

3 Q Well, without being -- sorry. I
4 apologize.

5 But without being a specific expert, in
6 terms of your concerns about there being
7 proprietary information, you could certainly
8 discuss or the Commission could order you to
9 discuss with the North Carolina public staff how
10 they have been able to resolve any of those
11 concerns or issues with Duke as part of the Carbon
12 Plan IRP process, which I agree uses the EnCompass
13 software?

14 A Yeah, again, I don't know EnCompass. I
15 just know that PLEXOS is very complicated. You
16 know, we consider it the best in class, that's why
17 we use it.

18 Q So then I want to go back to another
19 discussion that you had with Mr. Reisinger. And
20 I'm going to put back up Subsection A6 of
21 56-585.1. And you discuss this language, and it's
22 very similar to the language that was cited in the
23 Hearing Examiner's report from the 2023 IRP.

24 And, again, I'm not attempting to ask you
25 any questions about a CPCN or approval of a

Transcript of Hearing - Day 2
Conducted on April 15, 2025

215

1 specific resource. What I want to explore with
2 you is the statement that I think you made, which
3 is that you believe that you took into account the
4 concepts set forth in this language here at the
5 bottom of the page as part of this IRP; is that
6 correct?

7 A Yes.

8 Q Now, let's go back to what's been marked
9 as Exhibit 6.

10 Now, these, again, are the -- what I'll
11 call -- do you agree these are sort of the
12 supply-side resources that could have been
13 selected by the model?

14 A Yes.

15 Q Do you see any mention of "energy
16 efficiency" or "demand response" in any of these
17 assets on the far left column?

18 A I do not.

19 Q And that's because you-all did not model
20 energy efficiency or demand response as a
21 selectable resource, correct?

22 A We also call this build limits, and you
23 don't typically build energy efficiency.

24 Q Okay. Well, then let's disregard the
25 build limits.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

216

1 Did you allow PLEXOS -- when selecting
2 what to build or do in order to meet the
3 15-year planning horizon, was PLEXOS allowed to
4 select energy efficiency or demand response?

5 A It was not.

6 Q Because you used it to reduce load?

7 A That's correct.

8 Q So going back to this statutory provision
9 here, in terms of assessing whether the natural
10 gas that was selected in your plan, where can the
11 Commission go in the IRP to determine whether
12 demand response or energy efficiency was or was
13 not a better option than the natural gas that you
14 have proposed for approval in this proceeding?

15 A The -- I would say the demand-side energy
16 efficiency analysis is done outside of the model,
17 and that's probably a better question for Witness
18 Hubbard.

19 Q I'm certainly happy to discuss what
20 Witness Hubbard did with respect to the
21 out-of-the-model energy efficiency DSM demand
22 response.

23 What I'm trying to understand is, from
24 your perspective, in putting together the plan, of
25 what resources the Commission should find as

Transcript of Hearing - Day 2
Conducted on April 15, 2025

217

1 reasonable and in the public interest.

2 There is no comparison in any of the four
3 plans that you've put forward as to whether or not
4 demand response or energy efficiency would have
5 been a resource that could be selected and been
6 economic as compared to some of the thousands of
7 megawatts of natural gas that are proposed?

8 A Again, I think Witness Hubbard can speak
9 much more eloquently to the DSM process.

10 Q Can Mr. Hubbard speak about the modeling
11 that was done?

12 A No. That would be me.

13 Q Okay. So my question is purely modeling.

14 So the answer to my question, from a
15 modeling perspective is, it does not exist in the
16 IRP; is that correct?

17 A It's not a selectable resource.

18 Q Give me just one second.

19 Can we go to -- I'm hoping I'm going to
20 get to the right place. Give me just a second to
21 find the page. It's the table that reflects the
22 3,300 megawatts of import that was considered over
23 the plans. It's page 55 of the IRP.

24 There is a fairly large project involving
25 multiple utilities to upgrade transmission to the

Transcript of Hearing - Day 2
Conducted on April 15, 2025

218

1 benefit of Dominion, isn't there?

2 A There is.

3 Q And you have some assumptions in your IRP
4 about the impact of that particular project; is
5 that correct?

6 A That specific project -- I know there are
7 multiple projects. I'm not sure about that
8 specific project, but Witness Vance is our
9 transmission expert.

10 Q Let me just ask a quick question.

11 Is it also Witness Vance that I would ask
12 about the date upon which you assumed in your
13 modeling that that project would be -- that that
14 transmission upgrade would be available for
15 selection by the model to select energy imports?

16 MS. NIELSEN: Your Honor, I would object.
17 That's assuming facts that are not in evidence.

18 COMMISSIONER HUDSON: Response, Counsel?

19 MS. GRUNDMANN: Sure. Let's mark for the
20 record the Company's response to Walmart 4-15.

21 BY MS. GRUNDMANN:

22 Q Just real briefly, before we turn to that
23 exhibit, can we look at page 3 of Appendix 2D to
24 the IRP.

25 I don't believe that you have sponsored

Transcript of Hearing - Day 2
Conducted on April 15, 2025

219

1 Appendix 2D, so understand that I'm not asking you
2 to become an expert on it. I believe Witness
3 Vance sponsored that, but I just want to take a
4 look at it real quick.

5 And I apologize, it will take me a minute
6 to get there because of the way that they are
7 numbered, so...

8 Now, with respect to it being in the
9 evidentiary record, if you see here at the bottom
10 of page 3 of Appendix 2D, Dominion's IRP indicates
11 that: The increased import capability was not
12 implemented in the alternative portfolios until
13 2033.

14 Do you see that?

15 A Yes.

16 MS. GRUNDMANN: Your Honor, can we mark
17 Walmart 4-15 as Exhibit 7?

18 THE BAILIFF: Dominion's response to
19 Walmart request 4-15 will be marked as Exhibit 7.

20 (Exhibit No. 7 was marked for
21 identification.)

22 MS. NIELSEN: Your Honor, the Company
23 would note for the record that Walmart 4-15 is a
24 transmission question, and just to acknowledge,
25 Mr. Compton did not sponsor the response or the

Transcript of Hearing - Day 2
Conducted on April 15, 2025

220

1 Appendix 2D of the IRP.

2 COMMISSIONER HUDSON: Thank you.

3 BY MS. GRUNDMANN:

4 Q So looking there, you see the question at
5 subpart B, it references that page 3 of Appendix D
6 about the assumption about making it available in
7 2033, and it asks: Why did you do that when the
8 projects are expected to be online by no later
9 than June 1st, 2030?

10 Do you see that?

11 A Yes.

12 MS. GRUNDMANN: And then there's a
13 demonstrative response, and I would note, just for
14 the record, Your Honor, that throughout this case
15 and in multiple responses, there is some level of
16 confusion created because the Company often has
17 parties answer discovery who then do not appear as
18 witnesses. And they don't identify a witness who
19 has sponsored testimony in the record to make it
20 easy to determine who you might cross at a hearing
21 on a given subject matter.

22 So totally happy to ask these questions of
23 Mr. Vance, but Nathaniel Rice is not a witness in
24 this proceeding where it would have been easy to
25 deduce that he would have been the person to have

Transcript of Hearing - Day 2
Conducted on April 15, 2025

221

1 asked this question to.

2 COMMISSIONER HUDSON: Duly noted.

3 BY MS. GRUNDMANN:

4 Q But in purposes of my question, did you
5 have any role in the decision as to when to make
6 these increased import capabilities available to
7 the model for selection?

8 A Could you restate that?

9 Q I can.

10 So for purposes of the model -- and I'm
11 going to flip back and forth here -- and I'm never
12 going to put my notebook back together again --
13 but you see here that, for purposes of the various
14 portfolios, the Company assumed 3,300 megawatts of
15 import.

16 And I hope you can read that. I can see
17 that it's small.

18 A Yes.

19 Q Do you see that?

20 A Uh-huh.

21 Q And in my understanding as part of this is
22 that there was an assumption about these increased
23 import capabilities, but they weren't made
24 available to the model until 2033.

25 But the data, including what's up here,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

222

1 which is a slide from PJM and their TEAC process,
2 all reflects projected in-service dates of 2030.

3 And I'm just trying to understand what, if
4 any, role you or your team played in determining
5 whether to make these import capabilities
6 available in 2030, 2031, 2032, or 2033 as you did
7 in the IRP?

8 A Really no role. This was a transmission
9 planning decision, which is outside of my
10 expertise.

11 Q So is it your testimony that someone from
12 another team in Dominion told you that we
13 shouldn't assume this is available until 2033?

14 A My recollection of this is similar to the
15 response here in subpart B about the --

16 Q Okay. Let's look at that.

17 A -- 80 percent derate factor from 2028
18 through 2033 based on engineering judgment.

19 Q And "derate" means, for purposes of this
20 answer, essentially a delay?

21 A I'm not sure.

22 Q If you look at the final sentence, it
23 says:

24 By assuming a later availability date, the
25 Company aims to mitigate the risk of overreliance

1 on these import capabilities.

2 And I should have read the sentence before
3 that:

4 This approach accounts for potential
5 delays and ensures that the grid can operate
6 reliably even if the projects are not completed on
7 time.

8 Do you see that sentence there?

9 A Yes.

10 Q And so what I'm trying to understand is
11 how the decision was made to delay the project
12 36 months as opposed to 24 or 12.

13 MS. NIELSEN: Your Honor, the Company
14 would stipulate to have a transmission witness
15 appear and answer these questions for
16 Ms. Grundmann.

17 MS. GRUNDMANN: Your Honor, my questions
18 are modeling questions, and ultimately, these are
19 foundational to the IRP because, ultimately, when
20 you assume build limits, what you assume they are,
21 and when you assume they are available has a
22 direct impact on the outputs that come out for the
23 various IRPs that have -- plans that have been
24 produced here.

25 And so I'm happy for this witness to say,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

224

1 I am not the right witness and I do not
2 understand. But that is not what has happened; he
3 has answered all of my questions. And I think I'm
4 entitled to pursue with this witness any questions
5 I have until I have exhausted his knowledge, and
6 then I'm happy to then cover any of those issues
7 with Witness Vance.

8 MS. NIELSEN: Your Honor, if I may, I do
9 believe Mr. Compton was clear that the import
10 limits came from transmission.

11 MS. GRUNDMANN: We'll let the record speak
12 for itself because I think there's a difference
13 between the 3,300-megawatt import limits and the
14 date.

15 BY MS. GRUNDMANN:

16 Q So my question to you again is: Did you
17 play any role in determining whether the date upon
18 which the increased import would be available was
19 2033 or some other date?

20 A No.

21 Q Who would I ask those questions?

22 A Again, Witness Vance.

23 Q You agree with me, do you not, that had
24 the model been told that that increased import
25 capability was available earlier than 2033, it

Transcript of Hearing - Day 2
Conducted on April 15, 2025

225

1 could have impacted the model results?

2 A Could have.

3 Q Final question that I have for you goes
4 back to a concept of DSM.

5 When modeling DSM -- and, again, if this
6 is Mr. Hubbard, please let me know. But, again,
7 I'm trying to focus on the actual modeling
8 assumption.

9 You're aware under the Virginia Clean
10 Economy Act that the Company is obligated to
11 retire RECs in proportion to total electric energy
12 as calculated for the prior calendar year.

13 Are you aware of that?

14 A Yes.

15 Q And so the more energy that ratepayers
16 use, the more RECs that need to be retired
17 regardless of the percentage year of compliance.

18 Do you agree with that?

19 A All else equal, yes.

20 Q And so when modeling DSM broadly, energy
21 efficiency, or demand response, is there anything
22 in the calculation that reflects the secondary
23 benefit that less energy usage has on the
24 requirements under the VCEA?

25 A I'm sorry. Can you restate that?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

226

1 Q Yeah. Let me try to ask it a different
2 way.

3 If you build 944 megawatts of gas to serve
4 peaking energy needs, if customers then use that
5 energy, you then also have to procure RECs that
6 relate to that energy usage, correct?

7 A Yes.

8 Q By contrast, if customers were to use
9 944 megawatts clean -- I understand it's a little
10 different, but if they were to use less energy,
11 then not only does that decrease what you might
12 have to spend on another unit, but it also has the
13 benefit of avoiding potentially the need for the
14 Company to procure some RECs.

15 Do you agree with that?

16 A Generally, I think so.

17 Q Do you know if anywhere in the Company's
18 analysis that trade-off sort of -- is there
19 anywhere that I can look to, to your knowledge --
20 or should I speak to Mr. Hubbard about that? --
21 sort of what I would call the secondary benefit as
22 to compliance under the VCEA, a discussion of that
23 can be found?

24 A That might be best for Witness Hubbard.

25 MS. GRUNDMANN: Thank you, Mr. Compton.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

227

1 THE WITNESS: Thank you.

2 MS. GRUNDMANN: I don't have any other
3 questions.

4 Your Honor, I would ask that Exhibits 6
5 and 7 be admitted into the record.

6 COMMISSIONER HUDSON: So the IRP Build
7 Limits document identified and marked as Exhibit
8 No. 6 is entered into the record.

9 And the Company's response to Walmart's
10 request identified and marked as Exhibit No. 7 is
11 admitted into the record.

12 MS. GRUNDMANN: Thank you, Your Honor.

13 (Exhibits No. 6 and 7 were admitted into
14 evidence.)

15 MS. GRUNDMANN: Thank you, Your Honor.

16 COMMISSIONER HUDSON: Thank you.

17 Piedmont.

18 CROSS-EXAMINATION

19 BY MR. GREMA:

20 Q Good morning --

21 A Good morning.

22 Q -- Mr. Compton. I'm Peter Grema,
23 representing Piedmont Environmental Council.

24 MR. GREMA: Your Honor, we just have some
25 documents we'd like to get authenticated and moved

Transcript of Hearing - Day 2
Conducted on April 15, 2025

228

1 as evidence.

2 BY MR. GREMA:

3 Q So the first one, I take it, Mr. Compton,
4 that you're familiar with the JLARC data center
5 report?

6 COMMISSIONER HUDSON: Counsel, you have an
7 objection?

8 MS. ROBB: Not to this one, but to the
9 other, so I'll stand at the appropriate time.

10 CHAIRMAN TOWELL: And before we go any
11 further, for the record, Mr. Grema, you're
12 participating in this hearing under your
13 third-year practice certificate under the auspices
14 of Mr. Jaffe at the University of Virginia; is
15 that correct?

16 MR. GREMA: That's correct, I am.

17 CHAIRMAN TOWELL: Thank you.

18 Welcome.

19 MR. GREMA: Thank you. I appreciate it.

20 BY MR. GREMA:

21 Q Are you familiar with the report,
22 Mr. Compton?

23 A Generally.

24 Q Got it.

25 Does the document I've placed before you

Transcript of Hearing - Day 2
Conducted on April 15, 2025

229

1 look to be a true and accurate copy?

2 A To the best of my knowledge.

3 Q Got it. Thank you.

4 MR. GREMA: Your Honor, I'd like to have
5 the report marked as an exhibit titled JLARC
6 Report on Data Centers, Exhibit 8.

7 THE BAILIFF: Thank you.

8 COMMISSIONER HUDSON: Please proceed.

9 MR. GREMA: Thank you.

10 BY MR. GREMA:

11 Q Mr. Compton, I have right here Set 3,
12 Question 25 of Appalachian Power. It is
13 referencing the substation engineering letters of
14 authorization.

15 Does this look to be an accurate copy of
16 that?

17 A To the best of my knowledge.

18 Q Got it. Thank you.

19 MR. GREMA: I'd like to do the same, so I
20 move this as evidence. And I'll mark it an
21 exhibit titled Substation --

22 BY MR. GREMA:

23 Q And, Mr. Compton, I have Appalachian
24 Voices, third set, number question 26, referencing
25 the construction letters of authorization.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

230

1 Does this look to be an accurate copy to
2 you?

3 A Yes.

4 MR. GREMA: I'd like to do the same and
5 have the report marked as an exhibit.

6 MS. GRUNDMANN: Your Honor, did we mark
7 the JLARC as Exhibit 8?

8 COMMISSIONER HUDSON: I'm sorry?

9 MS. GRUNDMANN: Did you mark these?

10 COMMISSIONER HUDSON: We haven't marked
11 it, not as of yet. We're going to mark it and
12 identify all the documents once the bailiff is
13 finished --

14 MS. GRUNDMANN: Okay.

15 COMMISSIONER HUDSON: -- getting all the
16 documents.

17 BY MR. GREMA:

18 Q Likewise, Mr. Compton, this is Appalachian
19 Voices, third set, number question 27, referencing
20 the electric service agreements.

21 Does this seem to be an accurate copy of
22 the electric service agreement to you?

23 A Yes.

24 Q Thank you.

25 MR. GREMA: I'd like to mark this as an

Transcript of Hearing - Day 2
Conducted on April 15, 2025

231

1 exhibit.

2 THE BAILIFF: The JLARC Report on Data
3 Centers will be marked as Exhibit 8.

4 (Exhibit No. 8 was marked for
5 identification.)

6 THE BAILIFF: Dominion's Response to
7 Appalachian Voices' Request 3-25 will be marked as
8 Exhibit 9.

9 (Exhibit No. 9 was marked for
10 identification.)

11 THE BAILIFF: And the Dominion Response to
12 Appalachian Voices' Request 3-26 will be marked as
13 Exhibit 10.

14 (Exhibit No. 10 was marked for
15 identification.)

16 MR. GREMA: One more.

17 COMMISSIONER HUDSON: Thank you.

18 MR. GREMA: I'd like to move the admission
19 of all those documents, so 8, 9, 10, and 11.

20 THE BAILIFF: And the Dominion's Response
21 to Appalachian Voices' Request -- excuse me --
22 3-27 will be marked as Exhibit 11.

23 (Exhibit No. 11 was marked for
24 identification.)

25 COMMISSIONER HUDSON: Counsel, did you say

Transcript of Hearing - Day 2
Conducted on April 15, 2025

232

1 you wanted to admit these into the record at this
2 time?

3 MR. GREMA: That's correct.

4 COMMISSIONER HUDSON: Any objection?

5 MS. NIELSEN: Your Honor, no objection
6 from the Company, but we would note that the
7 exhibits marked 9, 10, and 11 are sponsored by
8 Company Witness Blackwell, who will be available
9 as a rebuttal witness and would be the appropriate
10 witness to answer any questions about those
11 responses.

12 COMMISSIONER HUDSON: Thank you. Duly
13 noted.

14 Let me just admit these into the record.

15 MR. GREMA: Thanks.

16 COMMISSIONER HUDSON: All right. So the
17 JLARC report identified and marked as Exhibit
18 No. 8 is admitted into the record.

19 The document marked and identified as
20 Exhibit No. 9 is admitted into the record.

21 The document that is marked and described
22 as Exhibit No. 10 is admitted into the record.

23 And the last one, the document marked and
24 described as Exhibit No. 11, is admitted into the
25 record.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

233

1 (Exhibits No. 8 - 11 were admitted into
2 evidence.)

3 COMMISSIONER HUDSON: Please proceed.

4 MR. GREMA: Thank you. No further
5 questions. Thank you.

6 MR. JAFFE: Thank you, Your Honor. No
7 questions.

8 COMMISSIONER HUDSON: Microsoft?

9 MS. ROBB: No questions, Your Honor.

10 COMMISSIONER HUDSON: Thank you.

11 City of Alexandria?

12 MR. WINSTON: No questions, Your Honor.

13 COMMISSIONER HUDSON: Consumer Counsel?

14 MR. FARMER: No questions, Your Honor.

15 COMMISSIONER HUDSON: Commission Staff?

16 MS. PIERCE: Just briefly, Your Honor.

17 COMMISSIONER HUDSON: Thank you.

18 CROSS-EXAMINATION

19 BY MS. PIERCE:

20 Q Good afternoon, Mr. Compton. Kiva Pierce,
21 on behalf of Commission Staff.

22 When you were having a conversation with
23 Mr. Reisinger and you were talking about the
24 snapshot in time, you indicated that, you know, at
25 some point in the process you lock it down, you

Transcript of Hearing - Day 2
Conducted on April 15, 2025

234

1 move on, and you do it again the next year.

2 Do you recall that conversation?

3 A Yes.

4 Q I just want to clarify for the record, in
5 Virginia, what will be filed later this year is
6 just an update to the IRP; is that correct? Is
7 that your understanding?

8 A Uh-huh.

9 Q And that will not be a litigated case like
10 we are in right now; is that correct?

11 A That's correct.

12 Q So the next litigated IRP will be two
13 years after this one was filed in 2026; is that
14 your understanding?

15 A Yes.

16 Q All right. Thank you.

17 MS. PIERCE: No further questions,
18 Your Honor.

19 COMMISSIONER HUDSON: Thank you.

20 Dominion, any redirect?

21 MS. NIELSEN: Briefly, Your Honor.

22 COMMISSIONER HUDSON: I'm sorry. Please
23 proceed.

24 MS. NIELSEN: Thank you.

25 REDIRECT EXAMINATION

Transcript of Hearing - Day 2
Conducted on April 15, 2025

235

1 BY MS. NIELSEN:

2 Q Hello, Mr. Compton. How are you?

3 A Good. Good.

4 Q Good. I just have a few questions for
5 you.

6 Do you recall when Mr. Benforado was
7 asking you about the 2023 IRP, specifically page
8 81, and there was a chart related to carbon? Do
9 you remember that?

10 A Yes.

11 Q Okay. And if you would flip to the 2024
12 IRP before -- if you have a copy in front of you,
13 would you, please, do that?

14 A Yes.

15 Q Okay. Can you -- you sponsored Chapter 5
16 of the 2025 -- 2024 IRP, correct?

17 A Correct.

18 Q Okay. So that includes all of the charts
19 and figures that are included in that section?

20 A That's correct.

21 Q Okay. If you could flip to page 58 for
22 me. And I'm going to try to get this balanced and
23 speak at the same time here.

24 Okay. Are you with me on this chart?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

236

1 Q Okay. On this page -- can you explain to
2 me what appears on this page?

3 A Yes. We call these dashboards. They're
4 meant to be a high-level overview of each of the
5 portfolios, trying to put it more in pictures
6 rather than words.

7 So, first, we have the energy mix for 2025
8 and every five years after. And then below that,
9 capacity mix. Bottom left is how that plan meets
10 the RPS requirement. And the bottom right is the
11 CO2 intensity of that plan.

12 Q Okay. And that's the CO2 intensity of
13 that plan by year; is that correct?

14 A Correct.

15 Q Okay. And if we were to flip to page 60
16 of the 2024 IRP, does that same CO2 intensity
17 chart by year appear for the REC RPS only without
18 EPA portfolio dashboard?

19 A Yes.

20 Q And if you would flip to page 62.

21 This is the VCEA with EPA portfolio
22 dashboard, and we see the same charts, including
23 the CO2 intensity by year here as well --

24 A Correct.

25 Q -- is that right?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

237

1 Okay. And last one, page 64, VCEA without
2 EPA portfolio dashboard, same charts, also CO2
3 intensity by year for that portfolio; is that
4 correct?

5 A Yes.

6 Q Okay. So would you say, then, that
7 between the four portfolios, each portfolio
8 includes the CO2 intensity by year?

9 A Yes.

10 Q Okay. So if you were to combine these
11 charts into one chart, would it then appear
12 similar to the type of chart that was shown to you
13 in relation to the 2023 IRP?

14 A Yes.

15 Q Mr. Compton, there was also some questions
16 about providing inputs and outputs, and I think
17 you received that from several different
18 respondents.

19 Do you recall those discussions?

20 A Yes.

21 Q Okay. So in one instance, there was some
22 discussion about the PLEXOS inputs and outputs and
23 the date on which they were provided in this case.

24 Does that sound familiar?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

238

1 Q Okay. Can you tell me what date the
2 Company filed its 2024 IRP?

3 A October 15th.

4 Q Okay. I'm going to show you what is
5 Sierra Club Set 1-2, which is attached to Witness
6 Roumpani's testimony in rebuttal. So I will not
7 mark it.

8 Are you familiar with this question and
9 response?

10 A Yes.

11 Q Okay. And it asks for all PLEXOS inputs
12 and outputs in electronic spreadsheet format; is
13 that correct?

14 A It does.

15 Q And can you tell me the date that the
16 Company received this request?

17 A October 21st, 2024.

18 Q So that would be six days after the filing
19 of the IRP.

20 Does that sound right?

21 A Yes.

22 Q Okay. Are you familiar with the
23 attachment Sierra Club Set 02-0 -- I mean 0 --
24 excuse me -- Sierra Club Set 02 --

25 A Vaguely.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

239

1 Q -- correct again.

2 A Yes.

3 Q Sierra Club Set 01-02 confidential ES,
4 which includes inputs and outputs PLEXOS
5 subfolders?

6 A Yes.

7 Q Okay. Subject to check, would you agree
8 that the PLEXOS output files for all portfolios
9 provided CO2 emissions by a generator by year?

10 A Yes.

11 Q Final line of questioning, Mr. Compton.
12 Would you agree that, subject to check,
13 the Company has applied for a presidential
14 exemption for Mt. Storm for a MATS extension?

15 A Yes.

16 Q And subject to check, would you agree that
17 that was granted -- that extension was granted on
18 April 14th, 2025?

19 A Yes.

20 MS. NIELSEN: No further questions.

21 COMMISSIONER HUDSON: Thank you.

22 You're now excused.

23 THE WITNESS: Thank you.

24 COMMISSIONER HUDSON: So it's now around
25 12:30. Counsel, would you like to break for lunch

Transcript of Hearing - Day 2
Conducted on April 15, 2025

240

1 and then come back and take care of the stipulated
2 testimony and call your next witness?

3 MS. LINK: After lunch, Your Honor?

4 COMMISSIONER HUDSON: If that works for
5 you.

6 MS. LINK: Yes, thank you.

7 COMMISSIONER HUDSON: Any objection?

8 Okay. So what we'll do is we'll recess
9 until 1:30 and reconvene in courtroom C.

10 We're now in recess.

11 (A luncheon recess was taken.)

12 COMMISSIONER HUDSON: Dominion, before we
13 begin, I just want to take care of one preliminary
14 matter regarding the remote testimony request.

15 So we are mindful of the request from
16 Appalachian Voices concerning Mr. Wilson, who you
17 have represented is available in person on
18 Thursday only, I believe.

19 So we'll remind all participants that, in
20 cases before the Commission, your witnesses should
21 be available to testify in person for the
22 scheduled hearing days.

23 While we will entertain requests to
24 testify remotely on a case-by-case basis,
25 participants should not rely upon the availability

Transcript of Hearing - Day 2
Conducted on April 15, 2025

241

1 of remote testimony. Participants should also be
2 mindful that the Commission will always afford due
3 process any opportunity for cross-examination of
4 testimony.

5 So if there is a technical malfunction and
6 a witness is scheduled to testify remotely becomes
7 unavailable, there is a risk that the prefiled
8 testimony will be stricken.

9 So with that in mind, we will allow
10 Mr. Wilson to testify remotely as necessary for
11 the purposes of this case.

12 Thank you.

13 MR. BENFORADO: Thank you, Your Honor.
14 And I do apologize for that scheduling issue, but
15 thank you very much for that request.

16 COMMISSIONER HUDSON: Thank you.

17 Dominion, please proceed.

18 MS. LINK: Thank you, Your Honor. Our
19 next witness, the testimony of Abhijit Rajan as
20 adopted by Joseph Bocanegra, is stipulated, so we
21 would ask that the document entitled, Direct
22 Testimony of Abhijit Rajan as adopted by
23 Joseph L. Bocanegra, consisting of a one-page
24 summary, one page of typed pages of questions and
25 answers, and an Appendix A filed in public version

Transcript of Hearing - Day 2
Conducted on April 15, 2025

242

1 only in this proceeding on December 6, 2024, be
2 marked for identification and admitted into the
3 record.

4 THE BAILIFF: The Direct Testimony of
5 Abhijit Rajan as adopted by Joseph Bocanegra will
6 be marked as Exhibit 12.

7 (Exhibit No. 12 was marked for
8 identification.)

9 COMMISSIONER HUDSON: The document marked
10 and described as Exhibit No. 12 is admitted into
11 the record.

12 (Exhibit No. 12 was admitted into
13 evidence.)

14 COMMISSIONER HUDSON: Thank you.

15 MS. LINK: Thank you.

16 MR. DANTONIO: Good afternoon,
17 Your Honors. Nick Dantonio on behalf of the
18 Company.

19 The Company would call witness Michael
20 Hubbard to the stand.

21 MICHAEL T. HUBBARD, called as a witness,
22 having been first duly sworn, was examined and
23 testified as follows:

24 DIRECT EXAMINATION

25 BY MR. DANTONIO:

Transcript of Hearing - Day 2
Conducted on April 15, 2025

243

1 Q Good afternoon.

2 A Good afternoon.

3 Q What is your name, position of employment,
4 and business address?

5 A My name is Michael Hubbard. I'm the
6 manager of energy conservation at Dominion Energy.
7 My business address is 600 East Canal Street,
8 Richmond, Virginia 23219.

9 Q Do you have with you a document entitled
10 Direct Testimony of Michael T. Hubbard, consisting
11 of a one-page summary, one typed page of questions
12 and answers, and an Appendix A, which was filed in
13 public version only in the proceeding on
14 December 6, 2024?

15 A Yes.

16 Q Was that document prepared by you or under
17 your supervision?

18 A Yes.

19 Q Do you have any additions or corrections
20 to those documents?

21 A No.

22 Q Are your answers and sponsored portions
23 true and correct to the best of your knowledge for
24 when the IRP snapshot was taken and based on the
25 October 15th, 2024, filing date?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

244

1 A Yes, and subject to my rebuttal testimony.

2 Q Do you wish to sponsor those documents as
3 your direct testimony in your proceeding?

4 A I do.

5 MR. DANTONIO: At this time, I would ask
6 that Mr. Hubbard's direct testimony be marked for
7 identification and admitted into the record.

8 THE BAILIFF: The Direct Testimony of
9 Michael T. Hubbard will be marked as Exhibit 13.

10 (Exhibit No. 13 was marked for
11 identification.)

12 COMMISSIONER HUDSON: The document, which
13 is Mr. Hubbard's testimony, identified and marked
14 as Exhibit No. 13, is admitted into the record.

15 (Exhibit No. 13 was admitted into
16 evidence.)

17 MR. DANTONIO: Thank you. The witness is
18 available for cross-examination.

19 COMMISSIONER HUDSON: Thank you.

20 MR. BENFORADO: No questions, Your Honor.

21 COMMISSIONER HUDSON: NRDC?

22 MS. JAFFE: No questions, Your Honor.

23 COMMISSIONER HUDSON: United?

24 MS. POLLARD: No questions, Your Honor.

25 COMMISSIONER HUDSON: Clean Virginia?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

245

1 MR. REISINGER: Thank you, Your Honor.

2 CROSS-EXAMINATION

3 BY MR. REISINGER:

4 Q Good afternoon, Mr. Hubbard.

5 A Good afternoon.

6 Q I want to ask you a question about the
7 summary page that appears on page 55 of the IRP,
8 and that's a summary of the primary portfolios
9 sensitivities for the NCUC and stakeholder input
10 case.

11 And I have a question about the very
12 bottom. The row labeled EE says that with regard
13 to EE: That is aligned with goals established in
14 the SCC's pending target-setting proceeding.

15 Do you see that statement in very small
16 letters?

17 A I do see that.

18 Q So can you tell me what that means?

19 A I would take that to mean there's a
20 target-setting proceeding that the Commission just
21 went through and just issued a final order here
22 very recently.

23 Q Okay. So does the amounts of EE that was
24 assumed in all of these portfolios and in the
25 stakeholder input case, those EE amounts were

Transcript of Hearing - Day 2
Conducted on April 15, 2025

246

1 based on what the Company proposed in this
2 target-setting proceeding?

3 A As it pertains to each of those modeling
4 scenarios, that's part of the IRP group. And
5 Witness Joseph Bocanegra would be most appropriate
6 to speak to.

7 Q And you are familiar with that
8 target-setting proceeding, correct?

9 A Yes, I am.

10 Q And the Company proposed certain EE
11 targets in that case?

12 A We did, which were based on potential
13 study and actual surveyed information of our
14 residential and commercial customers.

15 Q And the Commission ultimately approved
16 higher targets for the Company; is that correct?

17 A They seem to have listened to, yes, the
18 Hearing Examiner's recommendation, but seems to be
19 kind of an in-between between the other parties
20 and the Company's position, setting 3, 4, and
21 5 percent, 26 through 28, respectively.

22 Q Okay. Thank you, sir.

23 MR. REISINGER: That's all I have.

24 COMMISSIONER HUDSON: DCC?

25 MR. MURPHEY: No questions, Your Honor.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

247

1 COMMISSIONER HUDSON: Walmart?

2 MS. GRUNDMANN: Yes, Your Honor.

3 CROSS-EXAMINATION

4 BY MS. GRUNDMANN:

5 Q Good afternoon, Mr. Hubbard. How are you?

6 A Good afternoon. I'm doing well.

7 Q Good. My name is Carrie Grundmann. I'm
8 counsel on behalf of Walmart.

9 I want to kind of start with -- were you
10 in the room when I was asking questions of Company
11 Witness Compton?

12 A I believe I was in the room most of the
13 time.

14 Q Okay. And you agree that, for purposes of
15 this IRP, the Company modeled both demand response
16 and energy efficiency as load reducers before
17 going into the PLEXOS model; is that correct?

18 A That's my understanding, yes, that's
19 correct.

20 Q Well, when you say it's your
21 understanding, were you the person responsible for
22 calculating and determining -- or your team for
23 calculating and determining what level of energy
24 efficiency and demand response would be used as
25 load reducers?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

248

1 A Myself and my team are part of that chain.
2 We work in a stakeholder process that is
3 identified in the Code which collects programmatic
4 ideas. My team takes those ideas and goes to the
5 market to see if they can be delivered. We get
6 back very specific information in a specific
7 format of measures, by load shape, energy, demand,
8 and cost information, which we work with the
9 demand-side planning group, which is a subpart of
10 the IRP team. And that team models the cost
11 effectiveness of those programs.

12 And, ultimately, under today's standard,
13 if it passes three of the four tests, we bring
14 those before the Commission for approval.

15 Q Okay. Well, I want to make sure that you
16 and I are distinguishing between the IRP planning
17 process and the approval of individual, specific
18 programs. Okay?

19 So let me make sure I clarify.

20 The process that you just described to me,
21 is that the process that you go through to select
22 specific energy efficiency or demand response
23 programs that then are put before the Commission
24 for approval?

25 A That's correct, what you just said, yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

249

1 Q Okay. Do you view that program-specific
2 process as the same thing that gets assessed as
3 part of the IRP or different?

4 A Well, again, you can speak to Witness
5 Joseph Bocanegra, but at the end of the day, the
6 information that we file and is used to reduce the
7 load ends up in the IRP plan, both the approved
8 and our proposed program.

9 So that information that is found in the
10 appendix of the IRP regarding the DSM programs
11 comes directly from input from those bids and what
12 we take to the Commission for approval.

13 Q So is there anything in the IRP that
14 includes aspirational savings from demand response
15 or energy efficiency?

16 A Again, I know there's been variations
17 through the years of various filings. I think
18 it's probably -- as it's -- I know there were
19 things called generic in the past to get towards
20 the VCEA targets and so forth. But I think those
21 questions are best for the modelers that take care
22 of the load forecast.

23 Q Well, it shouldn't surprise you if you
24 were in the room when I was questioning
25 Mr. Compton that one of the reasons I've deferred

Transcript of Hearing - Day 2
Conducted on April 15, 2025

250

1 some of these very specific energy efficiency and
2 demand response questions to you is because that
3 was both what was represented by questions from
4 Mr. Compton.

5 So are you saying that those questions
6 were best directed for Mr. Compton and I should
7 address them with him on rebuttal, or is there
8 some other witness I should ask those questions
9 of?

10 A No. I think I just stated that there is a
11 modeling team who is responsible for that process,
12 and we are a part of inputs into that process.

13 Q Okay. So the inputs are what I want to
14 understand.

15 So when you provide inputs on demand
16 response and energy efficiency, are those inputs
17 only based on current programs or are they based
18 on this is what we hope to achieve over the
19 15 years of the planning horizon?

20 A I think I also answered they are also
21 based on proposed programs. For instance, we have
22 a portfolio of programs in our current DSM case
23 that are before the Commission, so it includes
24 current programs as well as proposed programs.

25 But, again, how those are put into the

Transcript of Hearing - Day 2
Conducted on April 15, 2025

251

1 forecast and model, Witness Joseph Bocanegra as
2 well as Shane Compton explain the modeling, so
3 they can handle those questions.

4 Q Okay. So in terms of cadence for
5 proposing DSM programs, on what cadence does the
6 Company propose DSM programs for approval by this
7 Commission?

8 A It is my understanding -- I'm not a
9 lawyer, but one time per year we can change the
10 rider that's associated with that. So there is a
11 process where we work with stakeholders, get
12 input, have an RFP process, analyze what we've
13 gotten back from the market, work with the
14 demand-side planning IRP group to model those
15 programs. We determine what's cost effective, we
16 develop our filing, keep the stakeholders
17 up-to-date as to what will be filed, we prepare
18 anything that's cost effective under the current
19 standards, meeting three of the four cost
20 effectiveness tests, we file with the Commission
21 for approval.

22 Q I appreciate that very long response,
23 Mr. Hubbard, but it sounds like the answer is,
24 once every year, you're able to update and
25 potentially propose new programs; is that correct?

1 A We can go in, my understanding, to change
2 the rider one time.

3 Q So, hypothetically, over the 15-year
4 planning horizon, you could propose a suite of new
5 demand response or energy efficiency programs 15
6 times?

7 A I don't follow your question.

8 Q Well, if you're able to change the rider
9 every year and the IRP is a 15-year
10 forward-looking planning process, that means it
11 covers a 15-year period.

12 So if you can make a filing once every
13 year for 15 years, hypothetically, you can propose
14 new programs 15 times over the course of the
15 planning horizon for the IRP.

16 Does that make sense?

17 A I guess hypothetically you can do
18 anything. But I think we take it very serious
19 going to the market and actually seeing what can
20 be delivered.

21 Q And have you done anything in terms of
22 what can be delivered and assessed, whether there
23 are any barriers to approval of programs in terms
24 of whether it's the Commission's approval process,
25 the cost effectiveness test that those programs

1 are subjected to?

2 Have you done anything to assess what
3 could be done, whether at a statutory level or in
4 front of the Commission, to enable greater amounts
5 of demand response or energy efficiency?

6 A Yes, there's been multiple things. I
7 mean, number one, the stakeholder process where we
8 receive input -- which also, by the way, has
9 subgroups that focus on different specialty areas
10 like commercial programs, income-qualifying
11 programs.

12 But we also undertook a long-term plan a
13 number of years ago to look at the targets and how
14 to achieve those targets. And part of that plan
15 was greater communications and presentment to
16 customers.

17 Q And so when you say a number of years ago,
18 what does that mean?

19 A Subject to check, it was in the 2021
20 time frame-ish. We looked at how we might be able
21 to pursue the VCEA target goals.

22 And then Cadmus, who was the entity that
23 was retained to do that study with us, put forth
24 short-term, mid-term, and longer-term
25 recommendations in that report.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

254

1 And then in our DSM case, we provide
2 updates on each one of those recommendations.

3 Q Thank you for that, Mr. Hubbard.

4 MS. GRUNDMANN: Your Honor, it would be
5 helpful -- I am trying to move somewhat quickly,
6 and I'm asking fairly direct questions, like do
7 you know what year that was done. I didn't ask
8 anything about the context or who was involved.

9 And I think it would be a little bit more
10 helpful for purposes of my cross if you could
11 direct the witness to answer the questions asked
12 and allow them to do any responses to those
13 questions on cross from their own counsel once all
14 intervenors have had a chance to ask their
15 questions.

16 COMMISSIONER HUDSON: Thank you.

17 MR. DANTONIO: Your Honor, if I may, I
18 think the witness is entitled to respond to the
19 questions however he chooses, and I think he is
20 being very responsive.

21 COMMISSIONER HUDSON: Well, my response is
22 the witness may answer the question to the best of
23 your ability. And if you're unable to answer --

24 THE WITNESS: Yes, sir.

25 COMMISSIONER HUDSON: Thank you.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

255

1 BY MS. GRUNDMANN:

2 Q Mr. Hubbard, just so that we're clear, my
3 first question was: When did you do that?

4 Your answer was: 2021.

5 My follow-up question would have been:
6 Was this done after passage of the VCEA?

7 And I believe, based upon the longer
8 answer that you provided, that the answer is yes;
9 is that correct?

10 A That's correct.

11 Q So since 2021, have you done anything --
12 have you updated the study that was done in
13 approximately 2021 in conjunction with Cadmus?

14 A Yes. As I just mentioned a second ago,
15 we're updating each of those recommendations, the
16 status of those, as part of our annual DSM filing.

17 Q And so will that updated filing, is that
18 presently pending before the Commission?

19 A That's correct.

20 Q Is this the market potential study, or is
21 this something else?

22 A That's something else. The market
23 potential study is a more lengthy process where we
24 assess the measures in the market and what is the
25 potential possibility if a utility incentive is

Transcript of Hearing - Day 2
Conducted on April 15, 2025

256

1 applied, so that's different than the long-term
2 plan.

3 Q But market potential study is confined to
4 energy efficiency. It does not address demand
5 response; is that correct?

6 A Yeah. The potential study that we
7 conducted, that's correct.

8 Q Okay. So all your team does is provide
9 information to the modeling team for purposes of
10 the IRP about current programs in existence, both
11 energy efficiency and demand response, and those
12 that are currently pending in this year's DSM
13 filing with the Commission?

14 A I wouldn't agree with that.

15 Q Okay. Well, what role do you play in how
16 they model DSM and EE over the 15-year planning
17 horizon other than providing them information
18 about current programs and those proposed in the
19 current DSM filing before the Commission?

20 A Well, if there's questions about
21 submittals in any of the proposals on load shape
22 information or different things of that nature, my
23 team interfaces with the bidders, the vendors.

24 There's also ongoing requirements of
25 reporting as well as cost effectiveness tests on

Transcript of Hearing - Day 2
Conducted on April 15, 2025

257

1 existing programs that have to be submitted each
2 year and the annual update and the EM&V filing.

3 Q But my question had to do with the IRP
4 modeling, not with EM&V.

5 A Yes.

6 Q So --

7 A That's right. So I would maintain that
8 inputs, along the way, you know, we're constantly
9 working with the demand-side planning group. They
10 are responsible for the modeling, but inputs,
11 potential program improvements, and things of that
12 nature, we work closely with that group and stay
13 in constant communication.

14 Q But for purposes of what this Commission
15 is faced with, it is a snapshot-in-time IRP,
16 correct?

17 A That's my understanding, yes.

18 Q So what I'm trying to now understand --
19 because earlier I was deferred to you for certain
20 issues, and now I'm being deferred back to the
21 modeling team. So I'm trying to walk away from
22 this podium with a very, very clear understanding
23 as to what questions fall within your and your
24 team and what I probably need to address with the
25 modeling team on rebuttal. So that's -- that's

1 what I'm trying to understand.

2 So for purposes of putting together this
3 IRP, what did your team provide to the modeling
4 team?

5 A Again, I would classify in the most simple
6 words, inputs, so that they could model programs.
7 Those inputs, if cost effective, get filed,
8 approved, and are reflected in the forward-looking
9 tables for DSM programs, both current and
10 proposed.

11 Q Okay. But proposed are proposed as of
12 2025. It does not include anything that could be
13 proposed in 2026 or 2027 or 2028 or any other --
14 through the 2039 of this IRP.

15 When you say "proposed," you mean not yet
16 approved but currently pending before the
17 Commission?

18 A That's correct. The ones that are
19 currently on file we filed that December of '24.

20 Q And other than in-existence approved or
21 in-existence proposed demand response and energy
22 efficiency programs, what role did you play in
23 assumptions regarding future opportunities for
24 demand response or energy efficiency over the
25 remaining planning period of the IRP?

1 A Again, I think the demand-side planning
2 group works with those assumptions and how that
3 impacts the future forecast. Witness
4 Joseph Bocanegra would be the best witness to
5 speak to that.

6 Q Okay. So just to clarify the record, when
7 you bring up the demand-side planning, that is not
8 your team?

9 A That's not correct. I sponsored sections
10 within the IRP that are -- give verbiage on what
11 the Company has done. It talks about the process
12 I laid out on obtaining input information and how
13 that flows into modeling.

14 So there are sections within that report
15 that I sponsored that we have direct input on.
16 And, again, as part of the inputs in this process,
17 we work very closely with the IRP team.

18 Q Again, by inputs, you mean
19 currently-approved programs and currently-proposed
20 programs?

21 MR. DANTONIO: Objection. This has been
22 asked and answered several times. I understand
23 Ms. Grundmann is trying to get clarity on which
24 witness's cover different scopes.

25 The direct testimony lines out the

Transcript of Hearing - Day 2
Conducted on April 15, 2025

260

1 specific sections that each witness covers or
2 sponsors in the IRP document itself. Mr. Hubbard
3 has explained what his team is providing to the
4 IRP modeling team, and I'm not sure if he can say
5 it in a different way.

6 MS. GRUNDMANN: Your Honor, that's
7 precisely the problem. As counsel just said, he
8 said he explains what was provided to the modeling
9 team, the IRP modeling team.

10 But then I said, well, are you not a
11 member of the demand response modeling?

12 And he says, no, no, no, that's not
13 accurate.

14 I'm not creating confusion. I'm
15 responding to confusion in the questions because
16 I'm literally just -- I'm trying to understand how
17 did they extrapolate demand response and energy
18 efficiency over the planning period. And I cannot
19 figure out who to ask that question to because I
20 feel like I'm getting different answers about what
21 the inputs are and what the forward-looking
22 process is and who is responsible for doing those
23 calculations and that information.

24 COMMISSIONER BAGOT: I have a clarifying
25 question which may or may not make the issue

Transcript of Hearing - Day 2
Conducted on April 15, 2025

261

1 better or worse. But I think there may be a
2 little bit of confusion between the word "program"
3 and "input."

4 So can I -- I'm going to ask a question to
5 see if I can understand what you're saying
6 correctly.

7 So your team provides inputs to the
8 modeling team, which uses those inputs to model
9 existing and pending energy efficiency in DSM
10 programs and extrapolate what those programs --
11 what efficiencies may be gained in terms of load
12 forecasting through the entire IRP study period?

13 THE WITNESS: Yes. Just one slight
14 clarification to that.

15 So when bidders bid on programs, the
16 inputs within each of those programs are many.
17 There are energy and demand savings, cost
18 information. But also, if it's a multimeasure
19 program, such as an audit program where you've got
20 insulation or door seals or heat pumps and things
21 of that nature, there will be with each of those
22 measures energy demand and load shape information
23 to show when we're going to get the benefits.

24 We get that information back in a very
25 specific format from bidders, and that input

Transcript of Hearing - Day 2
Conducted on April 15, 2025

262

1 information is what's sent to the modeling team.

2 COMMISSIONER BAGOT: Okay. So that input
3 information, going back to the snapshot of time,
4 for purposes of this IRP and projecting out during
5 the IRP period, you're using the information that
6 you currently have with respect to that bid
7 information, right? You're not updating -- it
8 doesn't -- you're using existing, current
9 information. You're not projecting what you think
10 that bid information will be for each year going
11 forward and then providing those projections as
12 inputs to the modeling team?

13 THE WITNESS: I will say that those bids
14 are multiyear bids, so it does go out into the
15 future. And a lot of times the individual
16 measures within a program. For instance, a
17 lighting measure may have an 8 or 10-year life
18 versus another measure that might have a 10 or
19 15-year life.

20 So that's the type of information that the
21 load-forecasting modelers are looking at and when
22 those associated benefits are hitting the system.

23 If it passes three of the four tests --
24 and I won't get into the details of those tests
25 right now unless people are interested, but we

Transcript of Hearing - Day 2
Conducted on April 15, 2025

263

1 file those tests with the Commission for approval.

2 COMMISSIONER BAGOT: Okay.

3 THE WITNESS: Yeah.

4 BY MS. GRUNDMANN:

5 Q So my question follows on top of that.
6 What I'm trying to understand is whether the plan
7 incorporates any assumptions about potential
8 savings from programs that have not yet been
9 approved or proposed.

10 A And that's outside the scope of my
11 testimony.

12 Q Who would I ask those questions to?

13 A Again, I've indicated that forecasting and
14 modeling, Witness Joseph Bocanegra and
15 Shane Compton would be the best witnesses on that,
16 yeah.

17 Q So that is not within the subject of
18 anything that you have sponsored here in your
19 testimony?

20 A Other than the input information and our
21 play in that process.

22 Q I don't want us to get hung back up on
23 this input piece. I feel like I understand
24 through your questions with the Commissioner that
25 the input you're focusing on are existing and

Transcript of Hearing - Day 2
Conducted on April 15, 2025

264

1 proposed and all of the input pieces that go into
2 that.

3 I'm trying to differentiate between that
4 and the future. And so it sounds like it's a
5 question to ask on rebuttal.

6 A Yes, and particularly with the
7 requirements that have changed through the years
8 on modeling.

9 Q And to go back, you indicated briefly --
10 and I do not want a summary of the four cost
11 effectiveness tests or what would be necessary to
12 pass them, but do you believe that greater demand
13 response and energy efficiency, that more programs
14 would pass if, for example, the Commission were to
15 determine that it was only necessary that they
16 pass two of the four tests or one specific test?

17 A No, I do not. Because one of the
18 primary -- there's so many factors that go into
19 cost effectiveness, changing market conditions
20 every year.

21 And, you know, when the law changed in
22 2018 to require that three of the four tests pass,
23 it was really aimed at -- many of the programs
24 were failing the RIM test, the rate impact measure
25 test, which rarely passes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

265

1 And so, yes, I think -- you know, ever
2 since 2018, we've had a hundred percent approval
3 of the programs we brought forth before the
4 Commission because of the clarity the law offered.

5 Q Does that hundred percent approval not
6 reflect that there's a real need for demand-side
7 management programs in Virginia, particularly in
8 2025, as we face such exponential load growth?

9 A I think we understand the need because we
10 have brought forward all possible programs that
11 are cost effective. I mean, just as an example,
12 in 2017 before changing the law, we had seven,
13 roughly, programs.

14 You know, we're up between 40 to 50
15 approved programs, depending on timing, how we've
16 looked at it. So we've brought everything
17 possible cost effective.

18 Q And of those 40 to 50, can you just high
19 level give me a breakdown between how many are
20 energy efficiency and how many are demand
21 response?

22 A Yeah, I would say the bulk of them are
23 energy efficiency; namely, because the value of
24 capacity that we value off of the PJM-based
25 residual auction was suppressed for so many years.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

266

1 Just as a way, as an example, the annual RFP
2 process I mentioned, when we were in the middle of
3 the RFP process and we issued a supplemental RFP
4 because of the change in the bid prices just to
5 see what more we could get from the market.

6 So we have a handful of DR programs,
7 demand response programs, right now. Actually,
8 those are typically filed under the peak shaving,
9 which is a little bit different delineation under
10 Virginia law, the definition of that.

11 But we do have -- because of the price
12 changes with the auction, we do have a number of
13 demand response programs on file with the
14 Commission.

15 Q You mean that are proposed currently?

16 A That are proposed right now, that's
17 correct.

18 Q And you agree, like, that demand response
19 does -- generally can be used to peak shave,
20 correct?

21 A Most of them, yes.

22 Q And that can have the effect of
23 potentially reducing or eliminating the need for a
24 peaking resource in some circumstances?

25 A In some circumstances. We -- you know,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

267

1 again, we just went back to the market. We were
2 able to bring two programs: one, an expansion of
3 our current, Nonresidential Distributed Generation
4 Program, over five years that's going to be
5 slightly over 60 additional megawatts; and a
6 curtailment program on the nonresidential, over
7 five years will be about another 60-plus
8 megawatts.

9 Q But you're aware -- and we can address it
10 more on rebuttal, but you're aware that a number
11 of parties have indicated that they think that far
12 more is possible with DSM?

13 A I've heard that. And we also are going to
14 the market to see what they think is -- able to be
15 brought.

16 MS. GRUNDMANN: Thank you.

17 THE WITNESS: Thank you.

18 COMMISSIONER HUDSON: PEC?

19 MR. GREMA: No questions, Your Honor.

20 COMMISSIONER HUDSON: Microsoft?

21 MS. ROBB: No questions, Your Honor.

22 COMMISSIONER HUDSON: City of Alexandria?

23 MR. WINSTON: Thank you, Your Honor.

24 CROSS-EXAMINATION

25 BY MR. WINSTON:

Transcript of Hearing - Day 2
Conducted on April 15, 2025

268

1 Q Good afternoon, Mr. Hubbard.

2 A Good afternoon.

3 Q I'm going to try to avoid some of the land
4 mines that have been triggered heretofore.

5 A Thank you.

6 Q I'm putting up here -- this is from page 8
7 of the IRP.

8 And here, if you read the highlighted
9 language, would you agree that this corroborates
10 some of the responses that you gave a moment ago,
11 that the energy efficiency downward adjustment to
12 the load forecast is comprised, in general, of two
13 categories of inputs: one is the previously
14 SCC-approved programs that are -- remain effective
15 and are currently providing savings; and the
16 second category is forecasted savings growth,
17 which is geared towards meeting the targets that
18 are mandated by the Commission?

19 A Yes, that's what that says, yes.
20 Thank you.

21 Q Just turning the page to page 9 of the
22 IRP.

23 And at the top of the page, the IRP admits
24 that the approach is a simplifying assumption used
25 for modeling purposes and that the actual costs

Transcript of Hearing - Day 2
Conducted on April 15, 2025

269

1 and benefits of future energy efficiency will be
2 dependent upon factors, including the ability of
3 vendors to deliver the program savings at the
4 fixed price, rate of customer participation and
5 penetration, and the effectiveness of the
6 programs.

7 Do you agree with that?

8 MR. DANTONIO: Mr. Winston, if I may, did
9 you say this was in the IRP document, page 9, the
10 October 15th?

11 MR. WINSTON: It's -- I admit I'm looking
12 at a segment. It's section -- oh, it's
13 Appendix 2.5, yeah, that's right. I apologize.
14 Thank you.

15 So it's page 8 of Appendix 2. Thank you.

16 MR. DANTONIO: And this appendix is not
17 sponsored by Mr. Hubbard, just for clarity.

18 MR. WINSTON: Thank you.

19 BY MR. WINSTON:

20 Q But would you agree in general,
21 Mr. Hubbard, that the effectiveness of energy
22 efficiency in DSM programs does depend on these
23 other factors, including customer participation
24 rates and penetration rates?

25 A I would agree they're definitely voluntary

Transcript of Hearing - Day 2
Conducted on April 15, 2025

270

1 in nature, yes.

2 Q So I have here Appendix 3E-4. And I
3 apologize, Mr. Hubbard, for the size, but this is
4 your filing.

5 And, Mr. Hubbard, in the category --

6 MR. WINSTON: And just for the record's
7 clarity, Mr. Hubbard did, I believe, sponsor this
8 appendix.

9 So 2-5, he did not sponsor, but this one
10 he did?

11 MR. DANTONIO: That's correct.

12 BY MR. WINSTON:

13 Q Mr. Hubbard, do you see the list of
14 programs on the left side of the screen?

15 A Yes.

16 Q And is it correct -- is it a correct
17 description of what this table is depicting, that
18 in each year that is depicted, this is the number
19 of penetrations, i.e., the number of customers
20 that are adopting the listed program by year?

21 A Yes.

22 Q Okay. And I'm just going to take a couple
23 examples of some of the programs.

24 So the first program -- and I apologize,
25 it actually is quite difficult to read --

Transcript of Hearing - Day 2
Conducted on April 15, 2025

271

1 commercial-distributed cooperation program?

2 A The very first one is the
3 commercial-distributed generation --

4 Q Generation program, okay. So we'll skip
5 that one.

6 If you go to No. 2, nonresidential EE
7 products, in 2024, it says that there are 200
8 either 82 or 32 penetrations; is that correct?

9 A That's what the projections were, that's
10 correct.

11 Q And then in 2025, it says 564. And then
12 it says 564 again all the way through with 2028;
13 is that correct?

14 A That's correct.

15 Q And if you go one down to the
16 nonresidential multifamily program; is that right?

17 In 2025, it has 3,242 or seven
18 penetrations; is that correct?

19 And the same is true going all the way
20 forward until 2033 when it drops to zero; is that
21 correct?

22 A That's correct.

23 Q And if you go down one more, you see a
24 similar phenomenon. The number of penetrations is
25 150, and that 150 stays constant throughout the

1 study period; is that correct?

2 A That's right.

3 Are you talking about the Nonresidential
4 New Construction Program --

5 Q Yes, sir.

6 A -- on about the fourth line?

7 Q Yes, sir.

8 A That's correct.

9 Q Okay. And if you go down one more, you
10 see some fluctuation in the first few years. And
11 then in 2027, it says 2,739 penetrations, and that
12 number largely remains constant; is that correct?

13 A That's right. It gets up to a certain
14 level and then it stays there.

15 Q So can you describe for us what -- what
16 the phenomenon that we're seeing here is, that the
17 number and level of penetrations for these
18 programs seems to remain static in many, many of
19 the -- especially the nonresidential programs?

20 A It grows to -- some of these programs are,
21 you know, continuations and improved in different
22 phases. But the phenomenon is you're getting to
23 the max penetration anticipated in the program,
24 and then those participants are still reflected
25 going forward.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

273

1 Q So when you said -- you say that this
2 represents the maximum penetration level for the
3 program?

4 A I didn't -- we -- some instances we may go
5 beyond or some instances it may be less. I think
6 these are the anticipated as-modeled projections
7 that we originally got back from vendors in the
8 bid.

9 And when you take that with the other
10 tables that are in there, the energy and demand,
11 you know, sometimes different measure mixes are
12 realized than what was originally anticipated.
13 But these are the best projections from the vendor
14 that ended up into the filings.

15 Q So it's your testimony that the best
16 estimates for the penetration levels for all of
17 the programs that I mentioned and other programs
18 that we haven't mentioned, like the residential
19 Smart Thermostat program, the nonresidential small
20 business improvement enhanced program, all of
21 these -- the nonresidential building automation
22 program, the nonresidential building optimization
23 program, all of which level off fairly early in
24 the study period, is it your testimony that there
25 is no anticipated increase in the level of

Transcript of Hearing - Day 2
Conducted on April 15, 2025

274

1 penetration for any of these programs throughout
2 the study period? And if so, why is that?

3 A Yeah, I would, again, ask, from a modeling
4 perspective, how it was entered with the load
5 forecast witness Joseph Bocanegra.

6 But I will say, like, for instance, that
7 residential Smart Thermostat, the first one you
8 just noted, right now that program is, you know,
9 right there projected to hit about 38,000. We do
10 have a replacement program on file right now
11 before the Commission for approval.

12 So that, if approved, will continue to
13 grow.

14 Q You're referring to the DR program and I
15 was referencing the energy efficiency program two
16 lines below that.

17 A Okay.

18 Q But your point is taken.

19 A Sure.

20 Q But you would agree that for these various
21 programs that seem to have no expected increase in
22 the level of penetration, that either the program
23 has maxed out its penetration or the model is not
24 capturing efforts to increase the level of
25 penetration; is that correct?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

275

1 A I think we're modeling these through their
2 approval periods right now. And you can get
3 additional clarification from the load forecaster.

4 Q Mr. Hubbard, in your professional
5 experience, are -- what are some of the factors
6 that go into maximizing performance when it comes
7 to customer participation and penetration?

8 A It's going to be awareness is critical.
9 We've, you know, recently done a survey that has
10 shown that our general awareness has gone up
11 substantially. That was one of the items
12 identified in the long-term plan. So that's a
13 criticality.

14 You know, the size of rebates, but that's
15 also influenced by, you know, different factors
16 such as rates and a whole bunch of other things
17 that come into play when running the cost
18 effectiveness test.

19 But I would say, for these voluntary
20 programs, awareness of the programs, and realizing
21 customers oftentimes, unless it's an income-based
22 program, have some out-of-pocket expenditures as
23 well.

24 Q So essentially what you're saying is that
25 marketing is the touchstone, the bedrock of

Transcript of Hearing - Day 2
Conducted on April 15, 2025

276

1 customer participation, correct?

2 A I think it's -- that's key. And then how
3 much a customer -- a residential customer or a
4 business is willing to take action from
5 expenditures from their own pocket, you know,
6 often it depends on the measure and the payback
7 period. Lighting measures have a shorter payback
8 period and often are more prone to be undertaken.

9 Q And who handles the marketing for the
10 energy efficiency programs that the Company
11 offers?

12 A So we have an individual on my team who is
13 a lead communication consultant, we also work very
14 closely with our corporate communications
15 department at Dominion Energy. We have an
16 overarching awareness vendor that we work with
17 specifically on programs, and they help all
18 coordinate a similar feel and touch that includes
19 on the web as well as printed materials.

20 And we also have, with over 10-plus
21 implementation vendors, we have very specific
22 targeted program communications from those
23 implementation vendors as well.

24 Q And your efforts to increase market
25 penetration, are those exerted to support all of

Transcript of Hearing - Day 2
Conducted on April 15, 2025

277

1 the DSM and energy efficiency programs that the
2 Company offers?

3 A That's correct. And, you know, that can
4 vary by program, I mean, the way that's
5 administered. For instance, low-income programs
6 working with the social service agencies and the
7 intake agencies and word of mouth within these
8 communities is often the more effective versus
9 other mechanisms that may be effective in the
10 other residential programs.

11 Q And so it sounds -- I get the impression
12 that you -- your opinion is that the marketing
13 team that you work with does good work that does
14 increase awareness.

15 So would you agree with the statement, if
16 that's the case, that all of those programs that
17 show flat-lined penetration are simply not
18 capturing the Company's marketing efforts in the
19 model?

20 A No, I wouldn't agree that that's what that
21 chart shows. It just shows that if a program --
22 life, those are the number of penetrations that we
23 expect to get in that program approval period. We
24 have demonstrated repeatedly, if a program remains
25 cost effective, we'll bring the next generation of

Transcript of Hearing - Day 2
Conducted on April 15, 2025

278

1 program.

2 For instance, right now we've got an
3 enhanced small business improvement program as
4 well as a significantly growing data center
5 energy efficiency program.

6 Q Do you or your team have any input on
7 whether the DSM and EE programs are modeled as
8 selectable resources or only as a downward
9 adjustment outside the load forecast?

10 A Yeah, my understanding is it's not as a
11 selectable resource, yes.

12 Q Sorry, maybe I wasn't clear or I didn't
13 articulate well enough.

14 Does your team or you have any set part in
15 the decision not to model these programs as
16 selectable resources?

17 A Yeah, that's outside the scope of our
18 responsibilities.

19 MR. WINSTON: Okay. No further questions,
20 Your Honor.

21 COMMISSIONER HUDSON: Consumer Counsel?

22 MR. FARMER: No questions, Your Honor.

23 COMMISSIONER HUDSON: Commission Staff?

24 MS. PIERCE: No questions, Your Honor.

25 COMMISSIONER HUDSON: Dominion, any

1 redirect?

2 MR. DANTONIO: No redirect.

3 COMMISSIONER HUDSON: Thank you.

4 Mr. Hubbard, you're now excused.

5 THE WITNESS: Thank you.

6 MS. LINK: The Company calls Dr. Katelynn
7 Vance.

8 KATELYNN A. VANCE, called as a witness,
9 having been first duly sworn, was examined and
10 testified as follows:

11 DIRECT EXAMINATION

12 BY MS. LINK:

13 Q Good afternoon, Dr. Vance. What is your
14 name, position of employment, and business
15 address?

16 A My name is Katelynn A. Vance, and I am a
17 manager of electric transmission planning and
18 strategic initiatives for Virginia Electric and
19 Power Company. My business address is
20 5000 Dominion Boulevard, Glen Allen,
21 Virginia 23060.

22 Q Do you have with you a document entitled
23 Direct Testimony of Katelynn A. Vance, consisting
24 of a one-page summary, one typed page of questions
25 and answers, and an Appendix A, which was filed in

Transcript of Hearing - Day 2
Conducted on April 15, 2025

280

1 public version only in this proceeding on
2 December 6th, 2024?

3 A Yes.

4 Q Was that document prepared by you or under
5 your supervision?

6 A Yes.

7 Q Do you have any additions or corrections
8 to that document?

9 A No.

10 Q Are your answers and sponsored portions
11 true and correct to the best of your knowledge for
12 when the IRP snapshot was taken and based on the
13 October 15th, 2024, filing date?

14 A Yes, subject to my rebuttal testimony.

15 Q And do you wish to sponsor those documents
16 as your direct testimony in this proceeding?

17 A Yes.

18 MS. LINK: Your Honor, at this time, I'd
19 ask that Dr. Vance's direct testimony be marked
20 for identification and admitted into the record.

21 THE BAILIFF: Direct testimony of
22 Dr. Katelynn Vance will be marked as Exhibit 14.

23 (Exhibit No. 14 was marked for
24 identification.)

25 COMMISSIONER HUDSON: The testimony

Transcript of Hearing - Day 2
Conducted on April 15, 2025

281

1 described and marked as Exhibit No. 14 is admitted
2 into the record.

3 (Exhibit No. 14 was admitted into
4 evidence.)

5 MS. LINK: Thank you, Your Honor. And the
6 witness is available for cross-examination.

7 COMMISSIONER HUDSON: Thank you.

8 MR. BENFORADO: No questions, Your Honor.

9 COMMISSIONER HUDSON: NRDC?

10 MS. JAFFE: No questions.

11 COMMISSIONER HUDSON: United?

12 MS. POLLARD: No questions, Your Honor.

13 COMMISSIONER HUDSON: Clean Virginia?

14 MR. REISINGER: No questions, Your Honor.

15 COMMISSIONER HUDSON: DCC?

16 MR. MURPHEY: No questions, Your Honor.

17 COMMISSIONER HUDSON: Walmart?

18 MS. GRUNDMANN: Very briefly, Your Honor.

19 CROSS-EXAMINATION

20 BY MS. GRUNDMANN:

21 Q Good afternoon, Dr. Vance. How are you?

22 A Good. How are you?

23 Q I'm doing well.

24 Carrie Grundmann from Walmart. Please
25 keep me honest if I don't say Dr. Vance. I'll do

Transcript of Hearing - Day 2
Conducted on April 15, 2025

282

1 my very best to give you your title.

2 A Thank you.

3 Q I've just been saying "Vance" because
4 Witness Compton referred a few items to you that I
5 just wanted to address with you.

6 Do you have in front of you what's been
7 marked as Exhibit 7? It's the Company's response
8 to Walmart 4-15?

9 MS. LINK: I don't believe she does,
10 Counsel.

11 BY MS. GRUNDMANN:

12 Q I think all of my copies have been passed
13 out, so I'll put it up here on the thing.

14 It really is the discussion about when the
15 increased build limits were assumed for purposes
16 of the modeling.

17 MS. LINK: And, Your Honor, may I approach
18 the witness with a copy?

19 MS. GRUNDMANN: If you have a copy,
20 absolutely.

21 COMMISSIONER HUDSON: Please do.

22 BY MS. GRUNDMANN:

23 Q Dr. Vance, were you involved in the
24 decision as to when these increased build limits
25 were assumed to be available for purposes of

Transcript of Hearing - Day 2
Conducted on April 15, 2025

283

1 model -- for the model to select import
2 capabilities?

3 A Yes.

4 Q Okay. So can you walk me through -- you
5 know, as is reflected here on this TEAC
6 presentation, it reflects a projected in-service
7 date of June 1, 2030. But as I understand the
8 model, it wasn't made available until 2033.

9 So help me understand why the decision was
10 made to delay the availability of that import
11 capability by three years.

12 A Yes. So the import capability was delayed
13 partially because we wanted to make sure that with
14 the amount of uncertainty surrounding the -- with
15 the amount of uncertainty surrounding such a large
16 project and large set of projects, because the
17 increase and import capability was due to several
18 major 500 kV build-outs in both our system and
19 adjacent systems, by both us and NextEra, and so
20 we really wanted to make sure that we safeguarded
21 against assuming that those projects would be done
22 in light of an understanding of what permitting
23 risks there are and supply chain risks that there
24 are associated with that type of equipment.

25 Q I totally understand.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

284

1 What I'm trying to understand is why was
2 three years selected as opposed to one or two
3 years or some lesser period of time or larger
4 period of time. Why three years, in particular?

5 A So, first, let me clarify that we did --
6 and to go back to what -- you had asked Shane
7 about the derate.

8 So what we meant by derate there was we
9 scaled from the amount that we had calculated with
10 the case that we had to 80 percent of that that we
11 started to apply in 2028.

12 So we did still increase the amount that
13 we expected to be able to import between 2028
14 and -- well, starting in 2029, January 1st, 2029,
15 to 2033. And so that does account for some amount
16 of these builds to occur.

17 Q So is it fair to say that you sort of --
18 taking what you just said, you sort of phased in
19 the increased import capabilities as a result of
20 the total project?

21 A Yes, and set of projects. There are
22 multiple.

23 Q Right.

24 And so -- but then help me understand --
25 because was it 80 percent -- well, let's put it

Transcript of Hearing - Day 2
Conducted on April 15, 2025

285

1 back up.

2 When you say "80 percent," was the
3 80 percent held firm for the time period of 2028
4 to 2033?

5 A Yes, it was held firm between 2020 --
6 January 1st, 2029, and 2033.

7 Q Is it January 1st, 2033, or December --
8 like, what's the date on the 2033?

9 A I believe, subject to check, it is
10 December 31st, 2033.

11 Q Okay. So you assumed 80 percent. You
12 didn't ratchet it up any. So go -- why not
13 ratchet up beginning from the projected in-service
14 date through 2033?

15 Why hold firm at 80 percent?

16 A So in addition to the 500 kV projects that
17 are necessary for the import limit to be able to
18 increase as expected once those are in service,
19 you also have a slew of 230 kV projects which also
20 have to be completed to be able to allow for those
21 ratings to be -- to be able to be used.

22 And so at a certain point, you just have
23 a lot of uncertainty surrounding what you will --
24 what you would expect to be done or not to be done
25 in that period of time.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

286

1 And we felt that in order to help
2 ourselves ensure that we don't consider short-term
3 reliability, that we -- it would be the safe
4 assumption, based on engineering judgment, to
5 leave it at 80 percent for that period of time and
6 then implement the full ratings after 2033.

7 Q So did the Company undertake any sort of a
8 study of other transmission projects that had been
9 delayed or any sort of a formal process to assess
10 how much of a delay to impose from the projected
11 in-service date at PJM through the 2033
12 assumption?

13 A So from the time that the NextEra project
14 was actually filed with PJM to the time that --
15 the final -- I will go ahead and say that there
16 are -- these projects, from the time they are
17 proposed to the time that they are actually
18 executed, have some fluidity.

19 And so with that in mind -- like, from the
20 time that the project was originally proposed in
21 May of 2023, the NextEra line, to the time that
22 the TEAC slides were published in December
23 of 2023, the routing for that line had already
24 changed more than once.

25 And so we had -- the line -- the NextEra

1 line is 160 miles approximately and crosses four
2 states. And so that is a lot of uncertainty
3 across a large number of constituents across a
4 large number of permits that need to be acquired.
5 And so it made sense for us to want to take some
6 conservatism there.

7 Q I'm just trying to understand. So the
8 decision about the conservatism, it sounds like it
9 was just your best guess based upon judgment, not
10 based on any sort of specific test or anything
11 like that. You could have easily determined, you
12 know what, we're going to do two years instead of
13 three.

14 A There are instances where projects have
15 been delayed very significantly. And so it made
16 sense to us that, in the interest of
17 understanding, like, what reliability should look
18 like for the Company across that period of time,
19 that it made sense to be conservative.

20 Q That's fair. I understand.

21 But you also agree with me that maybe now
22 more than ever PJM is pretty focused on
23 reliability issues on its system; wouldn't you
24 agree?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

288

1 Q And that they have been taking steps to
2 focus on baseload reliability and shovel-ready
3 projects as well, correct?

4 A Yes.

5 Q And you understand that -- did you hear
6 Mr. Compton say that delaying until 2033 the full
7 availability of that import capability could have
8 had an effect on the modeling?

9 A I did hear Mr. -- or Witness Compton say
10 that.

11 Q And you -- are you aware of sort of
12 approximately how much time it takes to bring a
13 large sort of baseload, like a CT or a CC, how
14 long it takes to bring one of those resources
15 online?

16 A That is not my area of expertise.

17 Q Would you agree, subject to check, that
18 it's several years?

19 A Yes.

20 Q Okay. I want -- I have a question, and I
21 just want to make sure that I understand it as
22 we're going on.

23 There's a number of discovery responses in
24 this case from Nathaniel Rice, supervisor,
25 electric transmission strategic initiatives.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

289

1 A Yes.

2 Q Does that individual report to you?

3 A Yes.

4 Q So if I had any questions about discovery
5 that he authored, those questions would be best
6 directed --

7 A Yes.

8 Q -- to you?

9 Okay. Are you aware that in the context
10 of this IRP, that the Company has made certain
11 statements about looking -- I'm probably going to
12 get this wrong in the phraseology, but within all
13 the LSEs within the DOM Zone, not just
14 Dominion-specific load obligations to meet the
15 growing electric demand? Are you aware of that
16 sort of statement?

17 A Could you please rephrase that?

18 Q Well, let me just try to put up a
19 discovery request. It does reference a Staff
20 discovery request, but what I'm concerned about
21 here is that there's a statement about how the
22 Company is looking at strategies, projects, and
23 pathways with other LSEs within the DOM Zone to
24 meet the growing electric demand.

25 Are you familiar with those sort of what I

Transcript of Hearing - Day 2
Conducted on April 15, 2025

290

1 assume are discussions with other LSEs within the
2 DOM Zone?

3 A Yes. I have been tangentially a part of
4 some of that.

5 Q Now -- and you see in the response -- and
6 again, this is from Mr. Rice, but you see here
7 that those discussions are limited to the
8 transmission function of the Company and occur
9 through the PJM RTEP process?

10 A Yes.

11 Q Okay. And so in that context, when it
12 comes to discussing sort of meeting the growing
13 electric demand and it occurring within the PJM
14 RTEP, does that mean that those potential
15 discussions are limited to transmission solutions
16 since it's PJM's planning process?

17 A Could you please rephrase?

18 Q What I'm trying to understand is, are you
19 talking about other LSEs about generation
20 solutions that might exist, or are those
21 discussions limited to transmission solutions?

22 A I'm personally not speaking with them
23 about generation.

24 Q Do you know anybody who is?

25 A I do not, but that does not mean that it's

Transcript of Hearing - Day 2
Conducted on April 15, 2025

291

1 not happening.

2 MS. GRUNDMANN: Okay. Thank you. Those
3 are all the questions that I have.

4 COMMISSIONER HUDSON: PEC?

5 MR. GREMA: No questions, Your Honor.

6 COMMISSIONER HUDSON: Microsoft?

7 MS. ROBB: No questions, Your Honor.

8 COMMISSIONER HUDSON: City of Alexandria?

9 MR. WINSTON: No questions, Your Honor.

10 COMMISSIONER HUDSON: Consumer Counsel?

11 MR. FARMER: No questions, Your Honor.

12 COMMISSIONER HUDSON: Commission Staff?

13 MS. PIERCE: Yes, Your Honor.

14 CROSS-EXAMINATION

15 BY MR. ZIELINSKI:

16 Q Hi, Dr. Vance. I'm Mike Zielinski, for
17 Commission Staff. I just have a few questions for
18 you.

19 I'm correct that you sponsor Section 2.3
20 of the IRP, transmission considerations?

21 A Yes.

22 Q And Chapter 2 of the IRP is titled Current
23 Challenges to Reliability; is that correct?

24 A Subject to check. I can't find my page
25 right now, but I think so.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

292

1 Q Okay. You also sponsor Appendix 2D,
2 Transmission System Reliability Analyses, correct?

3 A Yes.

4 Q Okay. So I wanted to ask you something
5 about -- that relates to reliability challenges.

6 MR. ZIELINSKI: Your Honors, if I could
7 have an exhibit marked. This is Incident
8 Review -- a document entitled Incident Review
9 Considerations, Simultaneous Voltage-Sensitive
10 Load Reductions, which was posted by North
11 American Electric Reliability Corporation on
12 January 8, 2025.

13 BY MR. ZIELINSKI:

14 Q Dr. Vance, are you familiar with this
15 document?

16 A Yes.

17 Q Are you familiar with the event that NERC
18 discusses throughout this document that occurred
19 around 7:00 p.m. on July 10, 2024?

20 A Yes.

21 MS. LINK: Mr. Zielinski, apologies for
22 the interruption. Is that -- are there copies?

23 MR. ZIELINSKI: I'm so sorry. Yes.
24 They're right here.

25 MS. LINK: That would be great.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

293

1 Thank you.

2 If we can get one to the witness, that
3 would be great. Thank you.

4 BY MR. ZIELINSKI:

5 Q Dr. Vance, feel free to fill in any
6 details you think are necessary, but essentially,
7 there's a fault on a 230 -- sorry.

8 COMMISSIONER HUDSON: Counsel, would you
9 like to mark this for identification purposes now?

10 MR. ZIELINSKI: If we could, please.

11 THE BAILIFF: The NERC Incident Review
12 document will be marked as Exhibit 15.

13 (Exhibit No. 15 was marked for
14 identification.)

15 COMMISSIONER HUDSON: Please proceed.

16 BY MR. ZIELINSKI:

17 Q Okay. Dr. Vance, so, again, feel free to
18 correct, fill in as necessary. But essentially,
19 with this incident, there was a 230 kV
20 transmission line somewhere in the Company's
21 service territory, and the Company's equipment
22 cleared the fault, as would be expected, correct?

23 A Yes.

24 Q Okay. And then subsequent to the fault
25 event, the Company and the grid operator observed

Transcript of Hearing - Day 2
Conducted on April 15, 2025

294

1 approximately 1,500 megawatts worth of data center
2 customers drop off the system, yes?

3 A Yes. The grid operator being PJM.

4 Q Yes.

5 And my understanding is that those data
6 centers switched to their backup generation; is
7 that correct?

8 A Yes.

9 Q Okay. And for the nonengineers in the
10 room, can you explain what happens to the
11 Company's transmission system when this amount of
12 load drops off the grid unexpectedly?

13 A Yes. So at any given point in time, load
14 and generation are balanced. The amount of
15 generation -- and they have to be to maintain the
16 frequency of the power system.

17 And so as a result of the load dropping
18 off, there are two main things that change: One,
19 the voltage profile of the system across all
20 different kV levels is maintained in what is
21 commonly called a per-unit voltage. That voltage
22 then ends up going quite high when you end up
23 losing load like this.

24 Similarly, if a generator were to trip off
25 of -- offline, the voltage would go low because

Transcript of Hearing - Day 2
Conducted on April 15, 2025

295

1 they set the voltage of the system.

2 And so in this incident what happened was
3 we had 1,500 megawatts of load transferred to
4 their backup power. And that looks like -- to the
5 system, that looks like a load loss. And the
6 voltage in the area increased significantly.
7 Operators took action to remove reactive devices
8 that help support the system voltage across all
9 different kV levels and maintain -- moving back
10 towards their nominal values and allowing for --
11 so that equipment isn't damaged and so the system
12 is operated at its intended state.

13 Additionally, the frequency changes as a
14 result of load or generation loss of this size --

15 Q Okay. Thank you.

16 A -- before returning to a steady state.

17 Q Okay. Thank you.

18 Was the Company's transmission team
19 previously aware that what would otherwise be a
20 normal fault event could create this 1500-megawatt
21 customer load shed?

22 A Subject to check, I would say no.

23 Q Okay. Is this the only type of situation
24 where the Company has observed this kind of load
25 shedding event?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

296

1 A No. There was an event on the morning of
2 February 17th where we also had a load transfer
3 event.

4 I should clarify that we in no way
5 service -- electrical service to our customers was
6 not impacted by either of these events. They
7 chose to take themselves offline.

8 Q This is February 17th of this year?

9 A 2025, yes.

10 Q Okay. Thank you.

11 From a transmission-planning perspective,
12 would this type of situation be considered a risk
13 to system reliability?

14 A Yes.

15 Q Can you explain how so?

16 A Yes. So, as I said, the power system
17 generally operates in what we would consider a
18 steady state. It moves slowly. Events like this
19 are kind of like a hammer knocking on a gong, if
20 you could think about it that way.

21 And so they are not -- the events of this
22 size, when you think about them in the context of
23 the stability studies that are run via normal PJM
24 processes, are not necessarily so far off base
25 that they're not kind of covered in, like, what

Transcript of Hearing - Day 2
Conducted on April 15, 2025

297

1 would happen if you lost a generator of a similar
2 size. So that you can kind of think about it
3 equivalently.

4 But, yes, they are a concern. We are
5 working with PJM and we worked with NERC on this,
6 on understanding how load models -- we're also
7 meeting with customers to understand better their
8 systems and needs, but then on our end, to make
9 sure that we, like, do our due diligence in some
10 of the modeling and understanding of what the
11 equipment would do.

12 Especially because that's such a large
13 scale, it really has a much greater impact on the
14 system than it would if it was just, I don't know,
15 a paper factory somewhere and there were no other
16 paper factories nearby. Like it's a much more
17 aggregated space.

18 Q Okay. And even though this event occurred
19 last July and even though the Company has done all
20 this work with PJM and other stakeholders, there's
21 no mention of this type of reliability risk
22 anywhere in Chapter 2, is there, in the IRP?

23 A No.

24 Q Okay. You didn't analyze these types of
25 events as part of Appendix 2D either, correct?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

298

1 A Correct.

2 Q Okay. Do you know if the Commission or
3 the Commission Staff was notified that these
4 events had occurred?

5 A I do not.

6 Q Okay. Are you aware that the Company
7 projects that it will interconnect thousands of
8 megawatts worth of data center load over the next
9 15 years?

10 A Yes.

11 Q Okay. What steps is the Company taking --
12 well, you've kind of described that -- in light of
13 these events to protect the reliability of
14 customers.

15 Is there anything in addition to what --

16 A Yes. I realize I forgot one of the major
17 pieces is that NERC actually released, I'd say,
18 somewhere in Q2 of 2024, subject to check, a
19 reliability at -- a large load interconnect -- so
20 not specific to data centers, but just any large
21 load -- interconnection form that we then
22 incorporated as a part of our facility
23 interconnection requirements for any new load that
24 is interconnecting into our system.

25 And so we integrated that, like, full

Transcript of Hearing - Day 2
Conducted on April 15, 2025

299

1 stop. It's what NERC recommended, and it requires
2 information about what types of loads are in -- or
3 at a particular facility, what motor loads, what
4 their ramp rates are, what their low voltage set
5 points are for tripping offline, the number of
6 instances where you'd have to hit them to be able
7 to trip them offline, what their ramp rate return
8 is after an event. And so that is like one of the
9 most material things that we've done since then.

10 We've also implemented a delivery point
11 exchange for customers of any kind to be able to
12 place requests for interconnection service. And
13 so that allows for us to do that in a more orderly
14 and trackable fashion.

15 Q And all of these steps are currently
16 implemented or they've already been implemented,
17 there's nothing still on the horizon that is yet
18 to happen?

19 A No. The facility interconnection
20 requirements went live later last year, so that is
21 in there. Any new customers that are being signed
22 up since then are having to require -- or are
23 being required to give us that information.

24 And the delivery point system went live in
25 October of 2024.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

300

1 Q Okay.

2 A We will continue to evaluate the needs of
3 our -- the needed information from large-load
4 customers in our facility interconnection
5 requirements to move forward as well.

6 Q Okay. And do you plan on updating the
7 current challenges reliability chapter or the
8 Appendix 2B in the next IRP to reflect everything
9 that this Company is doing in light of these
10 events?

11 A I don't -- yes, we can include information
12 on this.

13 MR. ZIELINSKI: Okay. No further
14 questions.

15 COMMISSIONER HUDSON: And, Counsel, for
16 Exhibit No. 15, would you like that to be entered
17 into the record?

18 MR. ZIELINSKI: Yes, please.

19 COMMISSIONER HUDSON: So Exhibit No. 15
20 marked and described is admitted into the record.

21 (Exhibit No. 15 was admitted into
22 evidence.)

23 MR. ZIELINSKI: Thank you.

24 COMMISSIONER HUDSON: Dominion, any
25 redirect?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

301

1 MS. LINK: No redirect for Dr. Vance.

2 COMMISSIONER HUDSON: Dr. Vance, you're
3 now excused.

4 MS. LINK: The Company calls Harrison
5 Potter.

6 HARRISON S. POTTER, called as a witness,
7 having been first duly sworn, was examined and
8 testified as follows:

9 DIRECT EXAMINATION

10 BY MS. LINK:

11 Q What is your name, position of employment,
12 and business address?

13 A My name is Harrison S. Potter. I'm the
14 manager of electric transmission planning and
15 strategic initiatives at Virginia Electric and
16 Power Company. My business address is
17 5000 Dominion Boulevard, Glen Allen,
18 Virginia 23060.

19 Q Do you have with you a document entitled
20 Direct Testimony of Harrison S. Potter, consisting
21 of a one-page summary, one typed page of questions
22 and answers, and an Appendix A, which was filed in
23 public version only in this proceeding on
24 December 6th, 2024?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

302

1 Q Was that document prepared by you or under
2 your supervision?

3 A Yes.

4 Q Do you have any additions or corrections
5 to that document?

6 A No.

7 Q Are your answers and sponsored portions
8 true and correct to the best of your knowledge for
9 when the IRP snapshot was taken and based on the
10 October 15th, 2024, filing date?

11 A Yes.

12 Q Do you wish to sponsor those documents as
13 your direct testimony in this proceeding?

14 A Yes.

15 MS. LINK: Your Honor, at this time, I'd
16 ask that Mr. Potter's direct testimony be marked
17 for identification and admitted into the record.

18 THE BAILIFF: The direct testimony of
19 Harrison S. Potter will be marked as Exhibit 16.

20 (Exhibit No. 16 was marked for
21 identification.)

22 COMMISSIONER HUDSON: The testimony
23 described and marked as Exhibit No. 16 is entered
24 into the record, subject to cross-examination.

25 (Exhibit No. 16 was admitted into

Transcript of Hearing - Day 2
Conducted on April 15, 2025

303

1 evidence.)

2 MS. LINK: Thank you, Your Honor. And
3 Mr. Potter is available for cross-examination.

4 COMMISSIONER HUDSON: Thank you.

5 MR. BENFORADO: No questions, Your Honor.

6 COMMISSIONER HUDSON: The City?

7 CROSS-EXAMINATION

8 BY MS. JAFFE:

9 Q Good afternoon, Mr. Potter. My name is
10 Dorothy Jaffe, on behalf of Sierra Club and NRDC.
11 If I could direct your attention to Supplemental
12 Appendix 2C-2.

13 Are you ready?

14 A Uh-huh.

15 Q And so Supplemental Appendix 2C-2 is a
16 list of plan transmission projects during the
17 planning period, is what the title says.

18 Is this a list of all the projects for the
19 entire planning period, so through 2039? Because
20 I only see projects listed through 2031.

21 A These are all the projects that have gone
22 through the PJM process and been assigned a
23 supplemental or a baseline number.

24 Q I'm sorry, could you speak up?

25 A Sorry. They are all the projects that

Transcript of Hearing - Day 2
Conducted on April 15, 2025

304

1 have gone through the PJM process and we have an
2 assigned supplemental or baseline number. So all
3 open window projects and/or supplemental projects
4 that the Company takes to PJM.

5 Q Okay. Thank you. And so the far right
6 column, which is highlighted on the screen, says
7 data center Y, N, or M. And it's my understanding
8 that the Y stands for yes, the project is needed
9 for data centers; the N is for no, it is not
10 needed for data centers; and the M is a mixed-use
11 project, meaning some of it might be needed for
12 data centers.

13 Is that accurate?

14 A Yes.

15 Q Okay. So if the column has a Y in it,
16 would I understand that to mean that you would not
17 need to build that project but for the data
18 center?

19 A That's correct. It's a supplemental
20 project directly related to that data center
21 facility or that data center campus.

22 Q Okay. Thank you.

23 MS. JAFFE: And I'd like to go ahead and
24 hand out an exhibit, please. And I'd like to have
25 this marked as an exhibit.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

305

1 THE BAILIFF: Dominion's Response to the
2 Sierra Club and NRDC's Interrogatory Request 7-7
3 will be marked as Exhibit 17.

4 (Exhibit No. 17 was marked for
5 identification.)

6 COMMISSIONER HUDSON: Thank you.

7 Please proceed.

8 BY MS. JAFFE:

9 Q And do you recognize this discovery
10 response, Mr. Potter?

11 A Yes.

12 Q And so the question that we were asking
13 was whether the projects that were identified as
14 data center driven, or the ones that were
15 identified with a Y in the far right column, who
16 pays, you know, for those projects and what
17 mechanism does Dominion use to recover.

18 What was Dominion's response?

19 A Rider T1.

20 Q Rider T1 applies to all customers?

21 A Yes, I think so.

22 Q Yes?

23 A I'm no expert on the Rider T1.

24 Q To the best of your knowledge?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

306

1 Q Okay. And would the same be true of the
2 projects that were either a no or a mixed use?

3 A Yes.

4 Q Yes? Okay.

5 And going back to the Supplemental
6 Appendix 2C-2, am I correct that there's no -- let
7 me see. Very last page on page 4. There's no
8 final total for how much these projects cost --
9 well, I'm going to repeat myself.

10 There is no compilation of how much these
11 projects cost, correct, in this --

12 A Not in this --

13 Q -- table?

14 A -- table.

15 Q Okay. Would you agree with me that the
16 total for all of the projects identified in this
17 table is approximately \$7.595 billion?

18 Does that sound right?

19 A Subject to check, but, yes, I believe
20 that's the number.

21 Q And I believe the data center-driven
22 projects, the ones with the Y, added up to
23 approximately \$2.435 billion?

24 A Subject to check your math, I believe
25 that's right.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

307

1 Q Well, I'm also an engineer, so hopefully
2 my math is okay.

3 Let's see. And do you know how many
4 additional data center-driven projects have been
5 filed with the Commission since the filing of this
6 particular supplemental appendix?

7 A Off the top of my head, no.

8 Q Okay.

9 A There's been several, I'm assuming, but...

10 Q So maybe half a dozen or so?

11 A I don't know --

12 Q Okay.

13 A -- to answer that.

14 Q Thank you.

15 MS. JAFFE: No further questions.

16 COMMISSIONER HUDSON: Thank you.

17 Counsel, I guess before we -- Counsel, do
18 we want Exhibit No. 17 admitted into the record?

19 MS. JAFFE: Yes.

20 COMMISSIONER HUDSON: Any objection?

21 So the Dominion response marked and
22 described as Exhibit No. 17 is admitted into the
23 record.

24 (Exhibit No. 17 was admitted into
25 evidence.)

Transcript of Hearing - Day 2
Conducted on April 15, 2025

308

1 COMMISSIONER HUDSON: United?
2 MS. POLLARD: No questions, Your Honor.
3 COMMISSIONER HUDSON: Clean Virginia?
4 MR. REISINGER: No questions, Your Honor.
5 COMMISSIONER HUDSON: DCC?
6 MR. MURPHEY: No questions, Your Honor.
7 COMMISSIONER HUDSON: Walmart?
8 MS. GRUNDMANN: No questions.
9 COMMISSIONER HUDSON: PEC?
10 MR. GREMA: No questions, Your Honor.
11 COMMISSIONER HUDSON: Microsoft?
12 MS. ROBB: No questions, Your Honor.
13 COMMISSIONER HUDSON: City of Alexandria?
14 MR. WINSTON: No questions, Your Honor.
15 COMMISSIONER HUDSON: Consumer Counsel?
16 MR. FARMER: No questions, Your Honor.
17 COMMISSIONER HUDSON: Commission Staff?
18 MS. PIERCE: No questions, Your Honor.
19 COMMISSIONER HUDSON: I assume Dominion
20 has no redirect?
21 MS. LINK: Correct, Your Honor.
22 COMMISSIONER HUDSON: Thank you very much.
23 You're now excused.
24 MS. LINK: Your Honor, I'm pleased to
25 report our next witness is stipulated. We would

Transcript of Hearing - Day 2
Conducted on April 15, 2025

309

1 ask that the document entitled Direct Testimony of
2 Mohammed Alfayyumi, consisting of a one-page
3 summary, one typed page of questions and answers,
4 and Appendix A, filed in public version only in
5 this proceeding on December 6th, 2024, be marked
6 for identification and admitted into the record.

7 THE BAILIFF: The direct testimony of
8 Mohammed Alfayyumi will be marked as Exhibit 18.

9 (Exhibit No. 18 was marked for
10 identification.)

11 COMMISSIONER HUDSON: The direct testimony
12 marked and described as Exhibit No. 18 is admitted
13 into the record.

14 (Exhibit No. 18 was admitted into
15 evidence.)

16 MS. LINK: Thank you.

17 MR. DANTONIO: The Company calls Todd
18 Flowers.

19 TODD FLOWERS, called as a witness, having
20 been first duly sworn, was examined and testified
21 as follows:

22 DIRECT EXAMINATION

23 BY MR. DANTONIO:

24 Q Good afternoon.

25 A Good afternoon.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

310

1 Q What is your name, position of employment,
2 and business address?

3 A My name is Todd Flowers, and I am the
4 director of power generation business development
5 for Virginia Electric and Power Company. My
6 business address is 600 East Canal Street in
7 Richmond, Virginia 23219.

8 Q Do you have with you a document entitled
9 Direct Testimony of Todd Flowers, consisting of a
10 one-page summary, one typed page of questions and
11 answers, and an Appendix A, which was filed in
12 public version only in the proceeding on
13 December 6, 2024?

14 A Yes, I do.

15 Q Was that document prepared by you or under
16 your supervision?

17 A Yes.

18 Q Do you have any additions or corrections
19 to those documents?

20 A No.

21 Q Are your answers and sponsored portions
22 true and correct to the best of your knowledge for
23 when the IRP snapshot was taken and based on the
24 October 15th, 2024, filing date?

25 A Yes, subject to my rebuttal testimony.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

311

1 Q Do you wish to sponsor those documents as
2 your direct testimony in this proceeding?

3 A Yes, I do.

4 MR. DANTONIO: At this time, I would ask
5 that Mr. Flowers' direct testimony be marked for
6 identification and admitted into the record.

7 THE BAILIFF: The direct testimony of Todd
8 Flowers will be marked as Exhibit 19.

9 (Exhibit No. 19 was marked for
10 identification.)

11 COMMISSIONER HUDSON: Mr. Flowers'
12 testimony marked and described as Exhibit 19 is
13 admitted into the record.

14 (Exhibit No. 19 was admitted into
15 evidence.)

16 MR. DANTONIO: Thank you.

17 The witness is available for
18 cross-examination.

19 COMMISSIONER HUDSON: Thank you.

20 MR. BENFORADO: No questions, Your Honor.

21 COMMISSIONER HUDSON: NRDC?

22 MS. JAFFE: No questions.

23 COMMISSIONER HUDSON: United?

24 MS. POLLARD: No questions, Your Honor.

25 COMMISSIONER HUDSON: Clean Virginia?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

312

1 MR. REISINGER: No questions, Your Honor.

2 COMMISSIONER HUDSON: DCC?

3 MR. MURPHEY: No questions, Your Honor.

4 COMMISSIONER HUDSON: Walmart?

5 MS. GRUNDMANN: Yes, Your Honor.

6 CROSS-EXAMINATION

7 BY MS. GRUNDMANN:

8 Q Good afternoon, Mr. Flowers. My name is
9 Carrie Grundmann. I'm here on behalf of Walmart.

10 Can I have you turn to page 37 of the IRP,
11 the discussion at 3.5 in Nuclear.

12 You agree with me that the Company has
13 responsibly operated what I'm referring to as
14 large-scale nuclear plants like those at
15 North Anna for multiple decades?

16 A Yes, for more than half a century. Our
17 Surry Nuclear plant just hit its 53rd birthday, I
18 believe.

19 Q And you note there on the bottom of
20 page 37 that, for over half a century, nuclear has
21 provided reliable, affordable, and zero carbon
22 electricity?

23 A Yes.

24 Q Despite that, the Company did not seek to
25 model additional large-scale nuclear in the IRP;

1 is that correct?

2 A That's correct. For a myriad of reasons,
3 we did not select -- or have as a modeling option
4 as a supply-side resource traditional scale
5 nuclear. But we do evaluate the potential
6 inclusion of that resource every year we put
7 together those modeling inputs.

8 Q But did you see the build limits that were
9 there, and did you hear my questions to
10 Mr. Compton earlier?

11 A I saw the -- generally the build limits in
12 your questions to Mr. Compton.

13 Q And did you see that in that particular
14 exhibit that it listed a number of resource, some
15 of which were identified as not modeled?

16 A Correct.

17 Q And that nowhere in that list was
18 large-scale nuclear?

19 A I agreed with you that we did not include
20 nuclear as a modeling option in this year's IRP.
21 But what I stated was every year we evaluate
22 various supply-side resources. One of those that
23 we consider including is traditional scale
24 nuclear, but we did not include that as a modeling
25 option for a myriad of reasons.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

314

1 Q But just because I know you were in the
2 room, but you see here that there are a number of
3 resources, probably 15 to 20, listed here in
4 Exhibit 6, and that over here in this column,
5 there are six resources that were not modeled at
6 all?

7 A Correct.

8 Q And -- but you notice that nowhere even in
9 the list of potential assets that were considered
10 is large-scale nuclear? It's not even included
11 within a comment that says, not modeled?

12 A It's not included in that row as with
13 other power generation resources that we evaluate.

14 Q And as part of explaining why you have
15 elected to only look at SMRs as the only nuclear
16 option, you mention the 2024 Virginia General
17 Assembly-enacted Senate Bill 454?

18 A Yeah. And I did say we -- we keep a pulse
19 on the nuclear industry and track
20 traditional-scale nuclear, so we do evaluate it.
21 We did not include it as a modeling option.

22 Q So then you're aware that the
23 North Carolina Utility's Commission, I believe,
24 ordered Duke Energy to specifically model
25 large-scale nuclear as part of its next carbon

Transcript of Hearing - Day 2
Conducted on April 15, 2025

315

1 plant proceeding to be filed later this year?

2 A I don't track every regulatory action at
3 Duke Energy. It's my understanding they were
4 required to submit a report. On traditional-scale
5 nuclear, I do not know whether or not they were
6 directed to include it as a modeling option.

7 Q So Senate Bill 454 is a law that
8 guarantees the Company recovery of up-front costs
9 for the development of SMRs; is that correct?

10 A No, I do not agree with that presumption.
11 It does not guarantee cost recovery. It permits
12 the Company to petition the State Corporation
13 Commission for early development costs associated
14 with small modular reactors at one site. That one
15 site could include one or more SMRs, and there are
16 customer protections that were enacted as part of
17 Senate Bill 454.

18 Q But it allows you to recover those costs
19 prior to the asset being placed in service and
20 useful?

21 A It allows the Company to recover a portion
22 of those costs. It's 80 percent of the eligible
23 costs could be recovered as part of that
24 legislation --

25 Q And so --

Transcript of Hearing - Day 2
Conducted on April 15, 2025

316

1 A -- should it be approved by the
2 Commission.

3 Q And so by contrast, if you were to propose
4 to build a large-scale nuclear, Senate Bill 454
5 would not authorize you to seek any up-front
6 recovery of costs, would it?

7 A The legislation defines small modular
8 reactor, and traditional-scale nuclear is not
9 included in that definition of the legislation.

10 Q Is there any SMR actively providing power
11 to the grid in the United States?

12 A There are no commercial or civilian small
13 modular reactors in operation today in the
14 United States, but there are some that are under
15 construction.

16 Q And so -- but you felt like the SMR
17 technology was sufficiently developed enough to
18 include it as a resource with a plan for it to be
19 available to provide power to customers in the --
20 is it mid-2030s?

21 A Yes, by the end of 2033. And I absolutely
22 stand by that.

23 The data we've been working with, small
24 modular reactor vendors, for over five years,
25 we've been tracking the industry. There are a

1 couple of facilities under construction today. I
2 deem that that technology is a viable resource to
3 model as a supply-side resource in the IRP.

4 Q But you don't think that over the course
5 of the next decade, that long-duration energy
6 storage is going to also be a viable resource for
7 potential selection?

8 A Small modular reactors are a derivative of
9 existing technology. As I mentioned, our Surry
10 Nuclear plant has been operating for over half a
11 century.

12 Even some of the advanced SMRs, there is a
13 tremendous amount of data. Advanced designs have
14 been operating since the 1960s. They do not
15 involve new chemistries that have not been
16 demonstrated.

17 We spend a great deal of time evaluating
18 the supply chain of SMRs, the nuclear industry,
19 the regulatory licensing associated with SMRs.

20 We issued an RFP last July to the leading
21 SMR vendors and are well in that process. So I
22 feel very confident in the data we have collected
23 across the industry and reviewing the supply
24 chain.

25 Energy storage does not fall under my

1 division, but it's my understanding that a lot of
2 those new chemistries have not been tested. We
3 don't have operational data. The supply chain is
4 not mature.

5 And that's one of the reasons why we
6 petition the Commission for a pilot project at our
7 Darbytown Station is to get that kind of data to
8 understand how they operate. And then, you know,
9 we look forward to that project being constructed,
10 and we look forward to, at some point in the
11 future, being able to model long-duration energy
12 storage, because I believe it would add a valuable
13 resource to our system.

14 Q Mr. Flowers, I'm a little confused. My
15 notes reflect that you sponsored Section 3.7 of
16 the IRP, which includes the discussion of
17 long-duration energy storage at page 41.

18 A I do sponsor that section. As I
19 mentioned, that team does not report up to me, but
20 I'm familiar with long-duration energy storage and
21 sponsor that paragraph in the IRP.

22 Q Is there -- is there anybody else that's
23 either here or sponsoring testimony that sort of
24 is the expert in long-duration energy storage?

25 A Yeah. Brandon Martin, that division falls

Transcript of Hearing - Day 2
Conducted on April 15, 2025

319

1 up through him. And he's a rebuttal witness.

2 Q Okay.

3 A Like, I sponsor that entire section of
4 supply -- you know, future supply-side resources,
5 even though those specific teams may not report up
6 through me.

7 Q So you don't have any independent
8 knowledge other than what you've been told by
9 others as to the potential viability of
10 long-duration energy storage by the 2030s?

11 A I have -- I'm an engineer. I have studied
12 energy storage for nearly a decade. So I do think
13 I'm pretty knowledgeable on the subject, but that
14 team does not report up through me.

15 Q Okay. So based upon your -- your research
16 of energy storage and your role as an engineer, is
17 it your opinion that long-duration energy storage
18 won't be viable in the mid-2030s?

19 A That is not my opinion. My opinion is we
20 don't have information today sufficient to model
21 it as a resource that's available. So we don't
22 have operational data; we don't have sufficient
23 information to rely upon the supply chain.

24 There are new chemistries that have not
25 been tested. So based on the information today,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

320

1 we don't have enough detail to include it as a
2 viable resource that's commercially available.

3 That perception could change next year
4 when additional information is available. When
5 our Darbytown project becomes operational,
6 certainly it could be an available supply-side
7 option, you know, by the end of this decade.

8 Q Are you aware of other long-duration
9 energy storage other than Darbytown that are being
10 piloted or in use around the country?

11 A There are other utilities that have
12 similar pilot projects.

13 Q And are those actively providing power to
14 the grid?

15 A I do not know the status of them.

16 Q Do you think that Mr. Martin would know
17 the status of those?

18 A He likely does.

19 MS. GRUNDMANN: Thank you, sir.

20 COMMISSIONER HUDSON: PEC?

21 MR. GREMA: No questions, Your Honor.

22 COMMISSIONER HUDSON: Microsoft?

23 MS. ROBB: No questions, Your Honor.

24 COMMISSIONER HUDSON: City of Alexandria?

25 MR. WINSTON: No questions, Your Honor.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

321

1 COMMISSIONER HUDSON: Consumer Counsel?

2 MR. FARMER: No questions, Your Honor.

3 COMMISSIONER HUDSON: Commission Staff.

4 MS. PIERCE: Yes, Your Honor.

5 CROSS-EXAMINATION

6 BY MS. PIERCE:

7 Q Good afternoon, Mr. Flowers. Kiva Pierce
8 with the Commission Staff.

9 How are you doing?

10 A I'm well. Good afternoon.

11 Q All right. I have got a couple of
12 questions for you today.

13 And as your summary indicates, you
14 cosponsor Appendix 2E with Dr. Vance; is that
15 correct?

16 A That's correct.

17 Q All right. Thank you.

18 So I am going to place -- this is
19 Appendix 2E, page 1 on the screen.

20 Can you see that?

21 A I do.

22 Q All right. So looking at page 1 -- and if
23 we look to paren 1, transmission integration
24 costs, it says:

25 These costs represent physical

1 enhancements to the transmission system needed to
2 resolve low voltage and thermal conditions caused
3 by integrating significant volumes of solar
4 generation.

5 Is that correct?

6 A That's correct.

7 Q Does this essentially mean that, due to
8 the nature of solar generation, there can be
9 additional cost considerations when you add solar
10 to the grid or when you connect it to the grid?

11 A And I'm not a transmission engineer.
12 Based on my knowledge, it's stating that there
13 could be other system costs that are required when
14 you introduce large amounts of intermittent
15 resources into the transmission system to maintain
16 things like system voltage.

17 Q Okay. And I'm going to flip to page 2.
18 At the top is Figure 1, Total Solar Integration
19 Costs.

20 Do you see that?

21 A I do.

22 Q And Figure 1, it shows that the total cost
23 calculated per solar megawatt is between \$105.66
24 and \$108.68 per kilowatt; is that correct?

25 A That's correct.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

323

1 Q So just trying to get an understanding of
2 the math on this, and I'm not an engineer, so
3 subject to check always, but if we -- if there was
4 a hundred-megawatt solar project, it would be --
5 which would be approximately 100,000 kilowatts,
6 and you would multiply that, say, times 108, then
7 would that be approximately \$10.8 million for that
8 solar facility to interconnect with the system?

9 A Can you repeat that? I'm not intimately
10 familiar with this figure. I just want to make
11 sure I understand.

12 Q Okay. Well, this figure purports to be
13 the total solar integration cost on a solar
14 megawatt, and I'm trying to -- well, solar
15 megawatts here and the total cost per kilowatt.
16 So I'm trying to -- if you have a hundred-megawatt
17 solar system, and I'm trying to figure out what
18 the interconnection costs would be on that, would
19 that be roughly \$10.8 million?

20 A Subject to check, that's my general
21 understanding, but Dr. Vance may be in a better
22 position to explain that data.

23 Q Okay. Fair enough.

24 Is it your understanding that Figure 1
25 represents a blended national average based on

Transcript of Hearing - Day 2
Conducted on April 15, 2025

324

1 interconnection, location, sizes, and behaviors of
2 the solar developers?

3 A I don't know the -- whether it's national
4 or within our system. That would be a question
5 better answered by Dr. Vance.

6 Q Okay. Do you know if it's essentially a
7 blended number, though, an average?

8 A I believe it's a blended number based on
9 impacts to the system.

10 Q And what that means, essentially, is that
11 for any particular project, the actual cost --
12 integration cost could be more or less depending
13 on -- more or less than what's displayed here
14 depending on where that is actually located; is
15 that fair to say?

16 A That's my understanding.

17 Q Okay. All right. I'll put the first page
18 back on. Apologies, I'm jumping around a bit.

19 All right. In the middle of the first
20 paragraph, do you see "as increasing" right there?

21 That language is:

22 As increasing volumes of renewable energy
23 generation are interconnected to the grid,
24 additional system-level upgrades must be made by
25 the Company to integrate new resources and address

Transcript of Hearing - Day 2
Conducted on April 15, 2025

325

1 grid stability and reliability issues caused by
2 the intermittent nature of these resources.

3 Do you see that?

4 A Yes, I do.

5 Q And it goes on to say:

6 All of these costs are incorporated into
7 the NPV for a total system costs as shown on
8 Table 5.2.2 in the 2024 IRP.

9 Can you see that?

10 A I do.

11 Q Okay. Is it your understanding that the
12 way the IRP works, that these total system costs
13 are added after the resources are selected by the
14 model?

15 A I don't -- I don't know the answer to
16 that.

17 Q Okay. So can you tell me if these costs
18 were incorporated into the model so that it was
19 part of what the model selected?

20 A I'm not the modeling expert.

21 Q Okay.

22 A I supply a lot of inputs on technologies
23 and inputs to the model, but I don't -- I'm not
24 involved in the modeling itself.

25 Q Okay. And would that be Dr. Vance or

Transcript of Hearing - Day 2
Conducted on April 15, 2025

326

1 would that --

2 A Either Dr. Vance or perhaps Mr. Compton.

3 Q Okay.

4 MR. DANTONIO: Dr. Vance would be a great
5 witness for some of these questions.

6 MS. PIERCE: Okay. I guess they did
7 cosponsor it, so I -- I just picked the wrong
8 cosponsor.

9 All right. Let me see if this helps.

10 Actually, Your Honor, I am going to hand
11 out a document. And, Your Honor, I would ask that
12 this be marked as an exhibit.

13 It is the Company's response to the
14 Staff's 12th set, Question No. 219.

15 THE BAILIFF: Dominion's Response to Staff
16 Request 12-219 will be marked as Exhibit 20.
17 Exhibit 20.

18 (Exhibit No. 20 was marked for
19 identification.)

20 COMMISSIONER HUDSON: Thank you. Please
21 proceed.

22 BY MS. PIERCE:

23 Q All right. Mr. Flowers, do you see this
24 discovery response?

25 A I do.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

327

1 Q Okay. And I'll direct your attention to
2 Question A. And the question asks -- says:

3 Please confirm or deny the additional
4 total system costs associated with inverter-based
5 intermittent resources are calculated based on the
6 new resources selected in the model and do not
7 affect the model choices.

8 Do you see that?

9 A I do.

10 Q And can you read the Company's response to
11 that question?

12 A Confirm the total system costs associated
13 with the inverter-based resources are added after
14 the model selects those resources, and the costs
15 do not affect the model selection.

16 Q All right. And we were just -- this is
17 what we were just talking about, right, those
18 integration costs?

19 A Yes.

20 Q Okay. All right. Now I'm going to put up
21 page 61 of the IRP. And this shows the Company's
22 build plan for the VCEA with EPA portfolio.

23 Do you see that?

24 A I do.

25 Q And if you look under Wind, which is this

Transcript of Hearing - Day 2
Conducted on April 15, 2025

328

1 column, it shows a 60-megawatt onshore wind
2 facility and 800-megawatt offshore wind facility
3 and a 2,600-megawatt offshore wind facility.

4 Do you see that?

5 A I do.

6 Q Can you walk us through how the Company
7 calculated interconnection -- incremental
8 interconnection costs for wind facilities?

9 A I wasn't involved in that process.

10 Q Were you involved -- you were involved
11 with it on the solar, which we were just
12 discussing; is that right?

13 A No. That - I'm not -- I know I sponsored
14 that section, but I'm -- that's not an area of
15 expertise that I'm involved in.

16 Q Okay. Can you explain, since you
17 cosponsored that area --

18 A Dr. Vance is likely a better witness for
19 that section.

20 Q Okay. All right. Will you agree with me,
21 though, that Appendix 2A goes on and talks quite a
22 bit about solar, but wind isn't referenced in that
23 particular section; is that right?

24 A I do not recall wind being referenced in
25 Appendix 2E, but it's an intermittent resource

Transcript of Hearing - Day 2
Conducted on April 15, 2025

329

1 similar to solar.

2 Q Okay. So because it's an intermittent
3 resource like solar, would you anticipate that
4 there could be those intermittent -- that
5 interconnection costs with wind as there is in
6 solar?

7 A I think it would be -- that would be a
8 reasonable assumption to make.

9 Q Okay. All right. And Dr. Vance would be
10 the better person to ask about the wind -- the
11 interconnection charges?

12 A About the system integration costs, yes.

13 Q Okay.

14 MS. PIERCE: I have no further questions.

15 COMMISSIONER HUDSON: And, Counsel, would
16 you like exhibit --

17 MS. PIERCE: Yes, yes, Your Honor, I
18 would like --

19 COMMISSIONER HUDSON: The document marked
20 and described as Exhibit 20 is admitted into the
21 record.

22 (Exhibit No. 20 was admitted into
23 evidence.)

24 MS. PIERCE: Thank you.

25 COMMISSIONER HUDSON: Any redirect?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

330

1 MR. DANTONIO: No redirect.

2 COMMISSIONER HUDSON: The witness is now
3 excused.

4 THE WITNESS: Thank you.

5 COMMISSIONER HUDSON: Let's take a
6 15-minute break and come back at 3:30. So we'll
7 reconvene at 3:30.

8 We are now in recess.

9 (A recess was taken.)

10 COMMISSIONER HUDSON: Dominion, whenever
11 you're ready.

12 MS. NIELSEN: Thank you, Your Honor. The
13 Company calls Kourtnie E. Sunkins.

14 KOURTNIE E. SUNKINS, called as a witness,
15 having been first duly sworn, was examined and
16 testified as follows:

17 DIRECT EXAMINATION

18 BY MS. NIELSEN:

19 Q Good afternoon. Can you please state your
20 name, position of employment, and business
21 address?

22 A Yes. My name is Kourtnie E. Sunkins, and
23 I am a Regulatory Analyst 3 with Virginia Electric
24 and Power Company. My address -- business address
25 is 120 Tredegar Street, Richmond, Virginia 23219.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

331

1 Q Thank you.

2 Do you have with you a document entitled
3 Direct Testimony of Kourtnie E. Sunkins,
4 consisting of a one-page summary, one typed page
5 of questions and answers, and an Appendix A, which
6 was filed in public version only in this
7 proceeding on December 6, 2024?

8 A Yes.

9 Q Was that document prepared by you or under
10 your supervision?

11 A Yes.

12 Q Do you have any additions or corrections
13 to those documents?

14 A No, I do not.

15 Q Are your answers and sponsored portions
16 true and correct to the best of your knowledge for
17 when the IRP snapshot was taken and based on the
18 October 15, 2024, filing date?

19 A Yes, subject to my rebuttal testimony.

20 Q Do you wish to sponsor those documents as
21 your direct testimony in this proceeding?

22 A Yes, I do.

23 MS. NIELSEN: At this time, I would ask
24 Your Honor that Ms. Sunkins' direct testimony be
25 marked for identification and admitted into the

Transcript of Hearing - Day 2
Conducted on April 15, 2025

332

1 record.

2 THE BAILIFF: The Direct Testimony of
3 Kourtnie E. Sunkins will be marked as Exhibit 21.

4 (Exhibit No. 21 was marked for
5 identification.)

6 COMMISSIONER HUDSON: Ms. Sunkins'
7 testimony marked and described as Exhibit No. 21
8 is admitted into the record.

9 (Exhibit No. 21 was admitted into
10 evidence.)

11 MS. NIELSEN: And the witness is available
12 for cross-examination.

13 COMMISSIONER HUDSON: Thank you.
14 Appalachian Voices?

15 MS. JAMES: No questions, Your Honor.

16 COMMISSIONER HUDSON: NRDC?

17 CROSS-EXAMINATION

18 BY MS. JAFFE:

19 Q Good afternoon, Ms. Sunkins. My name is
20 Dorothy Jaffe, on behalf of Sierra Club and the
21 NRDC.

22 How are you?

23 A I'm doing well. How are you?

24 Q I'm good, thank you.

25 So one of my questions was punted to you

1 that I had for Mr. Compton, so I'm going to direct
2 you to, let's see, the Directed 2024 IRP
3 Supplement, Figure 3.1.

4 And so the question that I had asked for
5 him, so just to kind of set the stage a little
6 bit. So the two portfolios in the middle that are
7 purple indicate that when you remove the data
8 center load growth, that the net present value of
9 those portfolios decreases by about \$20 billion.

10 Do you see that?

11 A I do.

12 Q Okay. Now, if that \$20 billion was --
13 let's hypothetically say apportioned to the
14 large-load customers or the data centers as this
15 portfolio indicates, would that have an impact on
16 the residential bill analysis?

17 A Yes, it would have an impact on the
18 residential bill analysis. But keep in mind, it's
19 a hypothetical analysis, and any cost difference
20 that was done in that analysis will have an impact
21 on all the classes.

22 You had a price change which also changed
23 the sales, which in turn changed your allocations,
24 which was allocations across all the classes. And
25 so all of them would have a price impact due to

Transcript of Hearing - Day 2
Conducted on April 15, 2025

334

1 the no data center hypothetical analysis.

2 Q Okay. And then one more question. If I
3 could refer you to -- let's see. This is
4 Supplemental Appendix 2C-2, which I was just
5 talking to Mr. Potter about.

6 And he had agreed with me that the costs
7 for the projects listed on here that were data
8 center-specific, so the ones that show up with a
9 Y, that the total for those projects was about
10 2.43 billion.

11 Did you hear him testify to that?

12 A Yes, I did hear that.

13 Q Okay. And he also testified that those
14 costs are currently recovered through Rider T1.

15 Did you hear that also?

16 A Yes, I heard that.

17 Q Okay. So if those costs were not
18 recovered through Rider T1 and they were recovered
19 through another mechanism that does not apply to
20 residential customers, would that impact the
21 residential bill analysis?

22 A Say that again? State it again?

23 Q So if the 2.43 billion was collected
24 through another mechanism that does not impact
25 residential customers, let's say it just impacts

Transcript of Hearing - Day 2
Conducted on April 15, 2025

335

1 the data centers, would that change of
2 2.43 billion have an impact -- by removing it,
3 would it have an impact on the residential bill
4 analysis?

5 A That analysis hasn't been done, at least
6 not by me. We -- the Company has cost allocations
7 pertaining to high-load customers in which the
8 data centers are a part of.

9 The Company has recently presented a
10 proposal in the biennial review which was recently
11 filed, but that wouldn't be part of this case and
12 I believe would be better discussed there.

13 Q Right. I don't disagree with that.

14 I'm just saying that for purposes of your
15 analysis for the residential bill impacts, if you
16 were to take out almost \$2.5 billion worth of
17 costs, does that have an impact on a residential
18 customer's monthly bill if they are not paying for
19 those costs?

20 A Well, as I stated before, if you change
21 the cost out -- if you change the costs that I
22 receive -- so I receive the inputs, you know, the
23 revenue requirements. If you change those revenue
24 requirements, it's going to change the costs for
25 all of the classes, including the residential

Transcript of Hearing - Day 2
Conducted on April 15, 2025

336

1 class.

2 MS. JAFFE: Okay. Thank you. No further
3 questions.

4 COMMISSIONER HUDSON: United?

5 MS. POLLARD: No questions, Your Honor.

6 COMMISSIONER HUDSON: Clean Virginia?

7 MR. REISINGER: No questions, Your Honor.

8 COMMISSIONER HUDSON: DCC?

9 MR. MURPHEY: No questions, Your Honor.

10 COMMISSIONER HUDSON: Walmart?

11 MS. GRUNDMANN: I have one question. Can
12 I ask it from here?

13 COMMISSIONER HUDSON: Sure.

14 CROSS-EXAMINATION

15 BY MS. GRUNDMANN:

16 Q Good afternoon, Ms. Sunkins. My name is
17 Carrie Grundmann.

18 You said there at the very end in response
19 to with Ms. Jaffe's question that changing the
20 inputs would have an impact on all rate classes.

21 For purposes of this IRP, did you do an
22 estimated bill impact for the GS-2 and GS-3 rate
23 classes?

24 A No, I did not.

25 Q Does the Company oppose providing bill

Transcript of Hearing - Day 2
Conducted on April 15, 2025

337

1 impacts for those rate classes in a future IRP?

2 A We don't oppose it. If we're ordered to
3 do one for those classes, we would do so.

4 Q And then when it came to the inputs that
5 you received that included data center load, would
6 I be correct in assuming that you would have been
7 allocating costs as if those data center customers
8 were a member of GS-4?

9 A Or it could be GS-3 or GS-4, yes.

10 MS. GRUNDMANN: Thank you. Those are all
11 the questions.

12 COMMISSIONER HUDSON: PEC?

13 MR. GREMA: No questions, Your Honor.

14 COMMISSIONER HUDSON: Microsoft?

15 MS. ROBB: No questions, Your Honor.

16 COMMISSIONER HUDSON: City of Alexandria?

17 MR. WINSTON: No questions, Your Honor.

18 COMMISSIONER HUDSON: Consumer Counsel?

19 MR. BARTLEY: No questions, Your Honor.

20 COMMISSIONER HUDSON: Commission Staff?

21 MS. PIERCE: No questions, Your Honor.

22 COMMISSIONER HUDSON: I'm assuming no
23 direct from Dominion?

24 MS. NIELSEN: That's correct, Your Honor.

25 COMMISSIONER HUDSON: Thank you very much.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

338

1 You're now excused.

2 MS. NIELSEN: The Company now calls
3 Kathryn E. MacCormick.

4 KATHRYN E. MacCORMICK, called as a
5 witness, having been first duly sworn, was
6 examined and testified as follows:

7 DIRECT EXAMINATION

8 BY MS. NIELSEN:

9 Q Good afternoon.

10 A Hello.

11 Q Please state your name, position of
12 employment, and business address.

13 A My name is Kathryn E. MacCormick. I am a
14 manager of environmental for Dominion Energy
15 Services. And I'm here testifying on behalf of
16 Virginia Electric and Power Company. My business
17 address is 120 Tredegar Street, Richmond,
18 Virginia 23219.

19 Q Do you have with you a document entitled
20 Direct Testimony of Kathryn E. MacCormick,
21 consisting of a one-page summary, two typed pages
22 of questions and answers, and Appendix A, which
23 was filed in public version only in this
24 proceeding on December 6th, 2024?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

339

1 Q Was that document prepared by you or under
2 your supervision?

3 A Yes.

4 Q Do you have any additions or corrections
5 to those documents?

6 A I do not.

7 Q Are your answers and sponsored portions
8 true and correct to the best of your knowledge for
9 when the IRP snapshot was taken and based on the
10 October 15th, 2024, filing date?

11 A Yes.

12 Q Do you wish to sponsor those documents as
13 your direct testimony in this proceeding?

14 A Yes.

15 MS. NIELSEN: At this time, I would ask
16 that Ms. MacCormick's direct testimony be marked
17 for identification and admitted into the record.

18 THE BAILIFF: The direct testimony of
19 Kathryn E. MacCormick will be marked as
20 Exhibit 22.

21 (Exhibit No. 22 was marked for
22 identification.)

23 COMMISSIONER HUDSON: The testimony marked
24 and described as Exhibit No. 22 is entered into
25 the record.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

340

1 (Exhibit No. 22 was admitted into
2 evidence.)

3 MS. NIELSEN: And the witness is available
4 for cross-examination.

5 COMMISSIONER HUDSON: Thank you.
6 Appalachian Voices?

7 MS. JAMES: Yes, Your Honor.

8 CROSS-EXAMINATION

9 BY MS. JAMES:

10 Q Good afternoon, Ms. MacCormick. My name
11 is Rachel James, on behalf of Appalachian Voices.

12 How are you?

13 A Good. Good to see you.

14 Q Good to see you as well. Thank you.

15 I have a few questions, and I'd like to
16 get started just understanding your current
17 position here at the Company.

18 So here in Exhibit 22, your current
19 position is as manager of environmental; is that
20 correct?

21 A Yes.

22 Q Okay. And it looks like you've been in
23 this role since about 2024; is that correct?

24 A Yes.

25 Q Okay. And when -- excuse me.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

341

1 It looks like you also started at the
2 Company in 2019; is that correct?

3 A Yes.

4 Q Okay. And from then to now, how many of
5 the Company's IRP filings have you contributed to?

6 A I believe this is the second.

7 Q Okay. And so the 2024 IRP looks like it's
8 the first IRP to which you've contributed as a
9 manager; is that correct?

10 A Well, I took the manager role in
11 September 1st of 2024, which was really right in
12 the midst of preparing the IRP, so I guess the
13 technically accurate statement would be I worked
14 on it on both ends of that role change.

15 Q Okay. Are there any differences in the
16 level of access or opportunities for input in the
17 development of the IRP that are associated with
18 your change of position?

19 A No.

20 Q Okay. And here also on this page there's
21 an identification in your qualifications, and it
22 notes that you are a citizen member of the
23 Virginia Council of Environmental Justice from
24 July 2020 through June 2022; is that correct?

25 A Yes.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

342

1 Q And the inclusion here, is that to
2 indicate that your participation in that council
3 also informs the work that you're doing here at
4 the Company in this position as manager of
5 environmental?

6 A Sure, yeah, absolutely.

7 Q Okay. And I note here there's also some
8 identification of the project-specific nature of
9 your responsibilities here in the second sentence:

10 In this role, she, Ms. MacCormick, is
11 responsible for overseeing staff who complete
12 environmental justice reviews for projects and
13 working on certain projects.

14 Is the bulk of your responsibilities
15 focused on projects in this manager position?

16 A Yeah, I would say that the bulk of the
17 work that I do as well as the entire -- the staff
18 that I oversee, the other two members of the
19 Environmental Justice team, is focused on
20 screening projects. It's not the absolute
21 entirety of all that we do, but that is the
22 majority.

23 Q Okay. And is there a person responsible
24 for overseeing environmental justice analysis in a
25 more broad or comprehensive context outside of

1 just projects?

2 A Our team is the dedicated environmental
3 justice resource for the whole company. So like I
4 just said, we do work on projects. That's not the
5 only thing we do. Working on the IRP is another
6 example of things that we do that would be more
7 broad.

8 Q I see. Okay. Well, we'll jump into the
9 IRP itself.

10 Do you have that available?

11 A I'm not holding a printed copy, but I'm
12 sure I can work with you on the screen.

13 Q Okay. Sounds good.

14 This is page -- it's listed as page 7 of
15 9. It's in the beginning of the IRP. It's where
16 all the requirements are listed.

17 It's quite small, but hopefully you can
18 see it.

19 Can you read what's there?

20 A Yep.

21 Q So you're familiar with the requirements
22 section of the IRP. That includes a list of
23 orders or guideline requirements and identifies
24 where in the IRP the requirement is addressed; is
25 that correct?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

344

1 A I am.

2 Q And here on page 7, under the Order Or
3 Guidance section, the Company identifies the final
4 order from Case No. PUR-2020-0035 and it lists the
5 following under the requirement column:

6 The Commission finds that the Company
7 should address environmental justice in future
8 IRPs and updates, as appropriate. As one example,
9 the Company may consider the impact of unit
10 retirement decisions on environmental justice
11 communities or fence-line communities.

12 And then the Company offers that this
13 requirement was fulfilled by Chapter 6.1 in that
14 far right column.

15 Is that correct?

16 A Yes.

17 Q Okay. And did you conduct or supervise
18 the development of any other sections of the IRP,
19 or is it just the Section 6.1?

20 A Just 6.1.

21 Q Okay. I believe -- I believe Exhibit 22
22 also noted that there's an appendix that you
23 sponsored as well; is that right?

24 A Yes, pardon, and I was just about to jump
25 in and say 6.1 and the appendices.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

345

1 Q Okay. And that's Appendix 6A; is that
2 correct?

3 A That's correct.

4 Q Okay. But would it be correct to say that
5 you're familiar with the full IRP filing?

6 A Yes, generally.

7 Q Okay. And then here in Chapter 6.1, there
8 are four sections that span about four pages. I'm
9 just showing the first here. But those sections
10 include Dominion Energy's EJ Policy, The Virginia
11 Environmental Justice Act, Considering
12 Environmental Justice, and A Just Transition to
13 Clean Energy.

14 And one of those sections includes a map
15 of the Company's generation resources by type; is
16 that correct?

17 A That's right.

18 Q Okay. So it is these four sections that
19 the Company is presenting as satisfying the
20 requirement to address environmental justice in
21 future IRPs and updates as the Commission ordered;
22 is that correct?

23 A That is our intention, and that is my
24 understanding.

25 Q Okay. So is it the Company's position

Transcript of Hearing - Day 2
Conducted on April 15, 2025

346

1 that it is indeed appropriate to address
2 environmental justice in the 2024 IRP?

3 A Well, it depends on what you mean by
4 "address," right?

5 So we have addressed it the way that we
6 felt was appropriate, which is, as it says and you
7 know, we don't feel that you can do much in terms
8 of specific debate over environmental justice and,
9 in particular, the impacts to any specific group
10 of people if you're only dealing with it in the
11 abstract.

12 So we have addressed it, you know, by
13 providing high-level information that talks about
14 different ways that we look at environmental
15 justice, the process that we have in place for
16 individual projects and so on, the maps, our
17 analysis of the policy, if you will.

18 And that -- yeah, so that's how we have
19 addressed environmental justice.

20 Q Okay. So what I understood from that is
21 that you deem it is as appropriate to address
22 environmental justice; is that correct?

23 A Sure. Yeah.

24 Q Okay.

25 A If by address you agree with, you know,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

347

1 what I just described as meaning to address.

2 Q Thank you.

3 So we'll stay here in Chapter 6.1. And
4 this is actually the end of the first section.

5 I have a few questions about this
6 statement toward the end of that section
7 indicating the comparison of the environmental
8 justice consequences of constructing and/or
9 operating different types of power generation
10 resources contemplated by the 2024 IRP modeling
11 exercises, which you've noted is in Appendix 6A.
12 So I'm going to show Appendix 6A.

13 So here, on page 1 of that appendix, in
14 the second paragraph, could you please read that
15 first sentence I've bracketed there in red?

16 A It says:

17 The Company believes that evaluating
18 potential effects from generic resources has
19 limited value and that environmental justice is
20 best evaluated on a case-by-case basis, informed
21 by the location of the facility or project in
22 question and project-specific characteristics.

23 Q Thank you.

24 And then this paragraph goes on to mention
25 the table provided later, which is the last page

1 of that section.

2 And to be clear, this chart is not an
3 evaluation of potential adverse environmental
4 impacts of any of the Company's portfolios; is
5 that correct?

6 A That's correct.

7 Q And it does not compare adverse health
8 effects associated with different generation
9 resources; is that correct?

10 A That's correct.

11 Q And it looks like, based on this color
12 chart, the darkest color correlates to the highest
13 likelihood of environmental impacts; is that
14 correct?

15 A Yes.

16 Q And it looks like the natural gas simple
17 cycle and the natural gas combined cycle, coal,
18 and biomass have the highest air quality, climate,
19 and water impacts.

20 Is that correct?

21 A I would agree that resources that burn
22 fuels that involve carbon emissions, right, are
23 going to always show up as having a higher
24 quality -- or higher impact on air quality than
25 renewables, and that is what the table shows us,

Transcript of Hearing - Day 2
Conducted on April 15, 2025

349

1 yes.

2 Q Okay. Specifically, though, the table
3 seems to also show water and climate impacts as
4 high likelihood.

5 A Sure. There's a -- you see there's a list
6 of different impacts there, and we did our best
7 to, in the generic, assign likelihood, right.

8 Yes, I see what you're pointing at. There
9 are those several columns there on the far right
10 that have dark blue circles for the water row.

11 Q And it looks like the battery storage and
12 distributed solar have only lowest or medium
13 effects in those columns; is that correct?

14 A Which columns?

15 Q In the columns for battery storage and
16 distributed solar.

17 A And we're speaking about the water row
18 again?

19 Q I'm speaking of the column. It looks like
20 only lowest or medium effects are listed in the
21 columns under each of those.

22 A I understand. Thank you.

23 Yes, the Battery Storage column only has
24 low likelihood and one medium likelihood
25 indicated.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

350

1 Q And that is the same for distributed solar
2 as well?

3 A Yes.

4 Q And would you agree that the Company has a
5 number of all of these unit types currently in
6 operation in its generating fleet?

7 A Yes.

8 Q Okay. Turning back to the narrative
9 section of Appendix 6A, on page 2, the Company
10 summarizes its ideas about the limitations of
11 reviewing generic resources.

12 Could you read the bracketed area, please?

13 A It says:

14 In sum, evaluating the potential adverse
15 environmental consequences of generation resources
16 in the abstract without crucial site information
17 and community feedback greatly limits any
18 comparative exercise.

19 Q Thank you.

20 So is it the Company's position that site
21 information and community feedback would enhance
22 an evaluation of potential adverse environmental
23 consequences of specific generation resources?

24 A Yes, once there is sufficient design in
25 place to present facts and specifics to the local

Transcript of Hearing - Day 2
Conducted on April 15, 2025

351

1 community.

2 Q Okay. So it sounded like, yes, if these
3 two elements were included, if site-specific
4 information and community feedback, that would
5 indeed make the comparative analysis less
6 limiting; is that fair?

7 A Yes. I think I'm just trying to add kind
8 of one more layer or factor to that, right. You
9 can't go to a community and ask them how they are
10 going to be affected until you have a design of
11 something to show them, right. And then that is
12 what kicks off the conversation about effects.

13 So the first step is project design. Then
14 you go and you can talk about how does the
15 specific site combined with this design create
16 effects, and you can speak to the community about
17 those issues.

18 Q And does that design component, is that
19 specific to projects, or would that be inclusive
20 of programs as well?

21 A Well, I'm struggling to think of how the
22 design of a program would cause environmental
23 effects to a specific local area. You know, that
24 gets into the abstract again, I think, a little
25 bit.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

352

1 Q So your comment is specifically about
2 project-specific information?

3 A Yes.

4 Q Okay. And doesn't the Company have
5 site-specific and unit-specific pollution
6 information on all of its existing generating
7 facilities?

8 A We certainly have information about our
9 facilities, you know, how they operate and all
10 sorts of different measures related to compliance
11 reporting, et cetera. I struggle a little bit on
12 the site-specific side. I mean, certainly, if
13 it's in a location, you could gather site-specific
14 information, but I can't say for sure we have
15 every piece of site-specific data that one might
16 ever want to ask these sorts of questions already.

17 Q Okay. And is it your understanding that
18 the Company is required to conduct outreach to
19 engage the public in developing its IRP?

20 A Can you repeat that? I'm sorry.

21 Q Sure. Is it your understanding that the
22 Company is required to engage in outreach to
23 engage the public in developing its IRP?

24 A Yes.

25 Q So for its next IRP, couldn't the Company

Transcript of Hearing - Day 2
Conducted on April 15, 2025

353

1 enhance its comparative exercise by evaluating
2 site-specific information and seeking
3 representatives from communities living near the
4 carbon-emitting units in its current generation
5 fleet?

6 A In terms of is it feasible? You know, I
7 think so. I can't -- I hesitate to say that too
8 strongly without, you know, knowing more specifics
9 about what it would take, but sure.

10 I will add, though, one concern that I
11 have when we start talking about, let's go out and
12 talk to the community who live near
13 carbon-emitting resources, is that there are also
14 plenty of other people that live near
15 noncarbon-emitting resources.

16 And so, you know, I've come to this stand
17 as a scientist as my background, and the
18 scientific method would require that you sample
19 evenly.

20 So if we were going to go out, start
21 asking questions of the community, or gathering
22 information about environmental impacts, I would
23 think the only unbiased way to do that would be to
24 look at both carbon-emitting, noncarbon-emitting
25 and any other categories of resources that you

Transcript of Hearing - Day 2
Conducted on April 15, 2025

354

1 have.

2 And when you start to get into that, then
3 it becomes less feasible, right, because now you
4 have more facilities and so on.

5 Q It sounds like that's something that could
6 be brought to the stakeholder engagement process,
7 perhaps, for inputs on how that could be best
8 done.

9 Is that a fair assessment of what you just
10 shared, that it's possible to discuss this content
11 in the stakeholder process?

12 A You know, I am open to discussion,
13 absolutely.

14 Q Okay. Before we move on, I'd like to go
15 back to the environmental justice requirement we
16 discussed earlier. If you'd like me to put it on
17 the screen, I can.

18 A Yes, please. That would be helpful.

19 Q Are you able to see that?

20 A Pretty much. A little bit closer would
21 make it a little less blurry.

22 That's great. Thank you.

23 Q Sure. Okay. Let's see.

24 So here, that second sentence of the
25 requirement identifies an example that the Company

Transcript of Hearing - Day 2
Conducted on April 15, 2025

355

1 may consider the impact of unit retirement
2 decisions on environmental justice communities or
3 fence-line communities?

4 And you just confirmed that the Company
5 does have some site-specific information and unit
6 information about its existing generation
7 facilities.

8 So would it be possible, as the Company
9 suggests -- or rather, as the Commission suggests,
10 for the Company to evaluate the impact of unit
11 retirement decisions on environmental justice
12 communities or fence-line communities?

13 A It may be possible, but I feel like I
14 should probably point out, when you're looking at
15 a retirement, you're typically talking about
16 closing down a facility.

17 The analysis would probably be less about
18 environmental effects in that case and more
19 focused on the kind of social and economic aspects
20 of the closure in terms of employment, you know,
21 moving workers, you know, around, avoiding firing
22 them, those sorts of things. And also replacing
23 the lost tax revenues that the locality, you know,
24 would be concerned about.

25 So it's not to say that there's absolutely

Transcript of Hearing - Day 2
Conducted on April 15, 2025

356

1 zero environmental effect from a demolition.
2 There certainly could be minor stuff. But, you
3 know, the point is you're removing the resource
4 and the ongoing effect. So it would be a less
5 environmental analysis and more social and
6 workforce analysis.

7 Q Would you agree that the environmental
8 impact that the units were having as they
9 operated, like, the retirement of those units
10 would likely change the environmental impacts
11 associated with those units?

12 A Are you saying, if you stop operating
13 them, their environmental effects would decrease?

14 Q I am asking if --

15 A You're asking me that?

16 Q -- retiring a unit that used to have
17 environmental impacts, retiring them would change
18 those impacts?

19 A I think I can agree that if you stop
20 operating or decrease the operation of any
21 facility, generally, that would decrease or
22 eliminate the impacts.

23 Q And so understanding those potential
24 eliminations, is that something that the Company
25 could undertake in a retirement study in a future

Transcript of Hearing - Day 2
Conducted on April 15, 2025

357

1 IRP?

2 A I don't know that it's a question about is
3 it technically possible. I think it's more a
4 question of what's the benefit of that.

5 You know, you have to -- when you're
6 talking about environmental justice or, more
7 broadly, about the IRP, what we're doing here is
8 we're balancing things, right? We're saying we
9 want cleaner energy, but we also need a reliable
10 energy grid, and we're also trying to find a
11 balance.

12 So, you know, thinking about we don't have
13 any retirements included in this year, right, and
14 we start thinking about down the road, those
15 decisions haven't been made yet, at least to my
16 knowledge, and the piece that's missing is what's
17 the public need at the moment of retirement or the
18 decision point, right?

19 The public need to have a reliable energy
20 grid always has to be balanced against whatever
21 the local benefit to closing that facility would
22 be.

23 So it can be difficult to understand a
24 future public need in the moment, especially
25 before the actual timeline and plan for closure

1 has been created.

2 So that's where I would question what
3 benefit it would give us to kind of spin our
4 wheels and ask a lot of hypothetical, you know,
5 questions about these, if we did this, what would
6 happen.

7 You're asking how can we benefit the local
8 community, but, again, the IRP proceeding is about
9 all, you know, 2.7 million customers, right? So
10 again, the public need has to be balanced against
11 the local issue.

12 There's only a limited benefit to
13 considering that when you don't have a timeline
14 and a decision point.

15 Q Is part of the calculation that you just
16 mentioned in balancing, is there a consideration
17 of human health improvement as associated with
18 emissions from a polluting resource in the
19 generation fleet of the Company?

20 A Is there a consideration by the Company of
21 that?

22 Q You mentioned balancing of public need and
23 reliability, and I'm curious if there's another
24 component that the Company is also balancing, and
25 I'm asking if human health impacts is part of that

Transcript of Hearing - Day 2
Conducted on April 15, 2025

359

1 balancing consideration.

2 A So from the Company's perspective, when we
3 talk about environmental protection, human health
4 is included in that concept. We don't often talk
5 directly about human health because we don't
6 directly impact it in many instances, right.

7 We work through the existing national,
8 state, and local standards that our company, every
9 other company in the energy industry, and every
10 other industry in the country operates under.

11 Those are different regulations,
12 permitting, rules, and other kinds of laws that
13 are specifically designed to protect the
14 environment and human health at the standard that
15 is acceptable by our nation and our state at this
16 time. So that's how we look at it.

17 Q Okay. I think that actually helps explain
18 the response to one of our questions.

19 MS. JAMES: So I'm going to ask that an
20 exhibit be marked, please.

21 Excuse me, Your Honor, my apologies.

22 THE BAILIFF: Dominion's Response to
23 Appalachian Voice Request 13-6 will be marked as
24 exhibit --

25 COMMISSIONER HUDSON: I believe it's 23.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

360

1 THE BAILIFF: -- Exhibit 23.

2 (Exhibit No. 23 was marked for
3 identification.)

4 COMMISSIONER HUDSON: Please proceed.

5 MS. JAMES: Thank you, Your Honor.

6 BY MS. JAMES:

7 Q This is the Company's response to
8 Appalachian Voices' Set 13, Question 6.

9 And did you sponsor this response,
10 Ms. MacCormick?

11 A I did.

12 Q And here in the response to being asked to
13 identify the section of the IRP that addresses
14 potential human health effects of the Company's
15 proposed portfolios, your response begins with:
16 See Section 6.1 and Appendix 6A, and goes on to
17 explain what's contained there are communication
18 of environmental effects.

19 Is this what you were speaking to in your
20 prior comments about where environmental sort of
21 includes health from your perspective?

22 A Sure, yeah, this is getting at that same
23 topic.

24 Q Then is it the Company's intention to
25 suggest that the generic environmental effects

1 information provided in the identified sections
2 should be considered the sections that address
3 potential human health effects of the Company's
4 portfolios in the IRP?

5 A Yes.

6 Q And did the Company address in any way the
7 potential adverse health effects related to
8 specific portfolios?

9 A No. As you asked earlier and I think we
10 clarified, the Appendix 6A does not address
11 individual portfolios. It's just looking widely
12 across the generation fleet.

13 Q And there wasn't some other section that
14 made that evaluation; is that correct?

15 A Correct.

16 Q Okay. And let's see. So I'm going to
17 turn back to Chapter 6.1, and it's going to be in
18 Section 3.

19 And here, in paragraph 2, could you please
20 read the bracketed section.

21 A It says:

22 Under the current federal and state-level
23 standards of environmental protection, a fully
24 permitted power generation or delivery facility of
25 any kind operating in compliance with all

Transcript of Hearing - Day 2
Conducted on April 15, 2025

362

1 applicable permitting conditions, regulations, and
2 laws will not cause significant adverse health
3 effects to any community, including EJ
4 populations.

5 Q And the Company offers this as a factual
6 statement; is that correct?

7 A Yes. I believe we clarified that in
8 discovery.

9 Q And the compliance that's mentioned here,
10 by whom is that determined -- or that compliance
11 determined?

12 A Well, since the IRP is not specific and
13 we're speaking very broadly and at a high level
14 about kind of all of the Company's operations,
15 what we're speaking about here are just the bevy
16 of government agencies at all levels, all the
17 laws, all the regulations, all the policies that
18 we follow. I couldn't even start to put a number
19 on it. It's thousands.

20 Q Not a number, but might you identify any
21 of the regulatory entities you're referring to
22 here in terms of compliance?

23 A Oh, sure. EPA, we're all familiar with;
24 Virginia DEQ, Bureau of Ocean Energy Management,
25 you know, et cetera.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

363

1 Q Okay. Thank you.

2 And although your statement here speaks
3 somewhat broadly about power generation and
4 delivery facilities of any kind, I'd like to
5 narrow your focus to generation units just in the
6 Company's existing fleet.

7 MS. JAMES: And I have an exhibit that I'd
8 like to be marked, please. This is a printout of
9 a page from the enforcement website of the
10 Environmental Protection Agency titled Virginia
11 Electric and Power Company d/b/a, or doing
12 business as, Dominion Energy Virginia Settlement
13 Information Sheet.

14 THE BAILIFF: The EPA-VEPCO document will
15 be marked as Exhibit 24.

16 (Exhibit No. 24 was marked for
17 identification.)

18 COMMISSIONER HUDSON: Please proceed.

19 MS. JAMES: Thank you.

20 BY MS. JAMES:

21 Q Ms. MacCormick, are you aware of whether
22 all the generation resources in the Company's
23 fleet are fully permitted?

24 A I could not say that I've put my eyes on
25 every document, but in my role, I would assume

Transcript of Hearing - Day 2
Conducted on April 15, 2025

364

1 that all of our facilities, yes, are fully
2 permitted. They have all the -- which means they
3 have all the permits that they are required by law
4 to have in order to operate.

5 Q You're saying that you haven't put your
6 eye on it, but you do believe that they all are
7 fully permitted; is that correct?

8 A Yes. And just to be clear, there's
9 thousands of facilities. So, you know, in my
10 role, I wouldn't know one person has seen every
11 single permit, but that is our -- the job of our
12 entire department is to ensure that those permits
13 are in place, yes.

14 Q Okay. Well, then, I would like to
15 redirect us to the Company's response to Question
16 6, that Exhibit 23. The second sentence
17 indicates:

18 The Company's facilities are operating in
19 compliance with all applicable laws and
20 regulations and there's no expectation of
21 significant risk to human health from their
22 operations.

23 So you have some awareness, it seems, from
24 the statement that all of the Company's operating
25 facilities are permitted and operating in

Transcript of Hearing - Day 2
Conducted on April 15, 2025

365

1 compliance; is that correct?

2 A Yes.

3 Q Okay. So is it the Company's position
4 that significant risk to human health is only
5 associated with facility operations if the
6 facility is not operating in compliance with all
7 applicable laws and regulations?

8 A I hate to make really large blanket
9 statements like that, but, yes, that -- I think in
10 this context, that's fair.

11 MS. JAMES: Your Honor, this printout,
12 Exhibit 24, is referencing a settlement that was
13 in response to violations listed on the second
14 page, and the settlement was -- the settlement was
15 a consent decree that was issued in July of 2020.

16 And the fullness of that can be found at
17 the EPA's website. I'm not going to get into the
18 details of the consent decree.

19 BY MS. JAMES:

20 Q But I just want to ask, Ms. MacCormick, if
21 you're aware of the 14 violations that EPA
22 identified here at a number -- rather, the 14
23 facilities where violations were identified by the
24 EPA.

25 Are you familiar with these?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

366

1 A I don't know the particulars of the cases
2 that led to these consent decrees, but I
3 understand conceptually what we're discussing,
4 yeah.

5 Q You understand that we're conceptually
6 discussing violations at 14 of the Company's
7 facilities?

8 A If that's what the document says the
9 number is, then yes.

10 Q Does the Company's environmental justice
11 analysis check for permit violations at or near
12 its operating facilities?

13 A Are EJ analysis -- no, it does not include
14 any review of current compliance status.

15 Q Of its facilities or others in the
16 vicinity?

17 A You mean non-Company operated?

18 Q Correct.

19 A No.

20 Q Okay. On the exhibit identifying your
21 experiences, you noted your participation on the
22 Virginia Council on Environmental Justice.

23 Was a portion of that time also as a
24 company representative or was it entirely as a
25 citizen representative?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

367

1 A My role on the Virginia Council for
2 Environmental Justice was to represent
3 Native American communities across the state as a
4 citizen. It had no direct relationship to my work
5 at the Company.

6 Q So throughout the full participation in
7 the Council, you are just participating as a
8 member of the Pamunkey Tribe?

9 A That is correct, although I was
10 representing Native people across the entire
11 Commonwealth, not just for my own tribe.

12 Q I just want to ask a clarifying question.
13 This is -- I don't want to have this marked; I
14 just want to inquire if I'm understanding
15 something here correctly.

16 This is the cover page of the 2023 Annual
17 Report of Virginia Council on Environmental
18 Justice. And this is just an excerpt showing the
19 notes from a meeting in January and then another
20 meeting in May. And in both of those, it looks
21 like your name is listed, and the affiliation is
22 Dominion Energy.

23 So I want to understand if the entity
24 you're representing changed at some point while
25 you were on the Council.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

368

1 A Sure. I appreciate the question. It
2 gives me an opportunity to clarify.

3 So the members of the Council were very
4 focused on the fact that I worked for Dominion
5 Energy. And after multiple direct requests, both
6 writing and verbally, to remove Dominion Energy
7 from my name, as you can see, those were ignored.

8 Q I see.

9 Well, in your time on the Council, then --

10 MS. JAMES: I'd like to have an exhibit
11 marked. It's the Virginia Council on
12 Environmental Justice 2021 Annual Report.

13 And I will say that this is not the full
14 report. It's just the cover page. It's then also
15 the list of Council members, a table of contents,
16 and then the introductory letters to the report,
17 and then Appendix I.

18 THE BAILIFF: The Virginia Council on
19 Environmental Justice 2021 Annual Report excerpt
20 will be marked as Exhibit 25.

21 (Exhibit No. 25 was marked for
22 identification.)

23 COMMISSIONER HUDSON: Please proceed.

24 MS. JAMES: Thank you, Your Honor.

25 BY MS. JAMES:

Transcript of Hearing - Day 2
Conducted on April 15, 2025

369

1 Q Here on the bottom of the cover page, I've
2 highlighted that the report was prepared by
3 members of the Virginia Council on Environmental
4 Justice.

5 And as I mentioned, there's an excerpted
6 Appendix I in the report.

7 Are you familiar with this report,
8 Ms. MacCormick?

9 A Honestly, I think I have to say no. I
10 don't mean that I'm a hundred percent unfamiliar
11 with it, but without going too deep into a lot of
12 details that are very much not relevant here,
13 there was a lot of difficulty and realignment and
14 draft and new draft and who signed off on what,
15 all those sorts of problems with publishing these
16 reports amongst the Council, so I really can't
17 say, having not seen this before now, if this is
18 the version that I was involved in or signed off
19 on.

20 Q This is the version that's been selected
21 from the Secretary of Natural Resources web page
22 where it lists the various reports that the
23 Council has submitted.

24 So are you familiar with that version?
25 That version is this version.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

370

1 A No. In fact, when I left the Council, I
2 think it wasn't -- it says in my thing -- I'm
3 sorry, my dates are messed up.

4 But when I left the Council, this report
5 had not even been published yet, even though it
6 had been well past a year when it should have
7 been.

8 So, no, I'm not familiar with what
9 eventually was publicly posted. I did not even
10 know until now that they ever actually made this
11 public.

12 Q It looks like the dates of your
13 participation as listed here in Exhibit 22 are
14 from July 2020 through June 2023; is that correct?

15 A Thank you. Yes.

16 Q Okay. And this report was published --
17 you can see on page 4 the letter to the Governor
18 is on January 13th, 2022?

19 A I have no doubt that is the date that
20 letter was sent to the Governor, but what I can
21 assure you is that when I resigned my position on
22 the Council in June of 2023, this report had not
23 been finalized and had not been made public and
24 had not been posted to any websites.

25 Q The 2021 report?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

371

1 A Correct, in June of 2023, and that goes to
2 my point that there was much difficulty and
3 confusion with the Council achieving the
4 publication of this report.

5 Q Okay. There's some content in the report
6 that I'd like to direct you to and answer what
7 you're able, given the circumstances, if you
8 could, please.

9 A Sure.

10 Q Okay. So on page 53, the Council details
11 the EPA, or Environmental Protection Agency's,
12 External Civil Rights Compliance Office Toolkit.
13 And that toolkit explicitly abandoned what was
14 known as the rebuttable presumption that applied
15 to permitting activities when the activity sought
16 to be permitted -- when the activity sought to be
17 permitted complied with applicable environmental
18 standards. And the EPA explicitly did away with
19 the presumption that compliance with environmental
20 standards is, by itself, sufficient to conclude
21 that no adverse impacts exist for the purposes of
22 Title VI and other civil rights laws.

23 Does that sound like content that's
24 familiar that you reviewed perhaps in the many
25 revisions?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

372

1 A No. I'm sorry.

2 Q Okay. And then I've highlighted the
3 section later on where the Council is referring to
4 a court -- the Fourth Circuit's decision relying
5 on that rebuttable presumption being done away
6 with.

7 And the court's ruling held that even if
8 all pollutants within the county remain below
9 state and national air quality standards, that the
10 board, in this case Virginia DEQ, or Department of
11 Environmental Quality's board, failed to grapple
12 with the likelihood that those living closest to
13 the compressor station -- an overwhelmingly
14 minority population according to the Friends of
15 Buckingham Survey -- will be affected more than
16 those living in other parts of the same county.

17 Are you familiar with this conclusion?

18 A Not in a way that would make me
19 comfortable to speak about it here. I will just
20 say that the Company has a very different view of
21 the characterization of the local community and
22 the whole situation from Friends of Buckingham.
23 So what they have stated here is just their
24 opinion.

25 Q Is just the Fourth Circuit's opinion?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

373

1 A Friends of Buckingham's opinion of
2 characterizing the community in that way.

3 I do know that the community living near
4 that area within so many -- you know, such a
5 distance included seven people, three of whom were
6 not minority and four who were. So to
7 characterize four out of seven people as you just
8 did is not accurate, in my mind.

9 Q To be clear, I'm just referring to the
10 court's ruling, not my characterization. So this
11 is represented in the report as what the Fourth
12 Circuit found.

13 So to be clear, you are disagreeing with
14 the Fourth Circuit's characterization that I just
15 read?

16 MS. NIELSEN: Your Honor, I would object.
17 I mean, Ms. McCormick has testified that she's
18 not familiar with this document, and there's --
19 I've yet to see relevance here to what's stated in
20 the IRP. And we would --

21 CHAIRMAN TOWELL: For what it's worth,
22 according to the highlighted language, I assume
23 that the witness is referring to the language that
24 says: An overwhelmingly minority population
25 according to the Friends of Buckingham Survey, not

Transcript of Hearing - Day 2
Conducted on April 15, 2025

374

1 to the language of the Fourth Circuit opinion
2 itself.

3 Is that correct?

4 THE WITNESS: Yes.

5 CHAIRMAN TOWELL: Just to clarify.

6 THE WITNESS: Thank you.

7 CHAIRMAN TOWELL: Thank you.

8 MS. JAMES: Thank you for the
9 clarification, Your Honor.

10 BY MS. JAMES:

11 Q Thank you, Ms. MacCormick.

12 The relevance to your counsel's statement
13 of this is this statement seems to be in
14 contradiction to your assertion that a facility
15 operating in compliance and permitted -- fully
16 permitted and operating in compliance will not
17 cause any harm to specific communities, even
18 including environmental justice communities.

19 So I'm curious if you could square what
20 seems to be contradictory in these two
21 conclusions.

22 A I think the best that I can offer is to
23 simply say that I'm not familiar with nor do I
24 endorse anything in this report. And with my
25 experience with the Council and all the difficulty

Transcript of Hearing - Day 2
Conducted on April 15, 2025

375

1 in publishing it, I don't think that anybody
2 should.

3 Q Okay. So is it fair to say that this
4 report -- let's put aside the report.

5 The federal references made in this report
6 to both the EPA and to the Fourth Circuit's
7 decision, were either of those used in informing
8 your inputs into the IRP this year -- rather,
9 2024?

10 A We did not specifically look at that case
11 or revisit any of the wording in it in preparing
12 the 2024 IRP.

13 MS. JAMES: No further questions, Your
14 Honor. Thank you.

15 COMMISSIONER HUDSON: Counsel, before we
16 move forward, would you like those to be admitted
17 into the record?

18 MS. JAMES: Yes, if I may, please.

19 COMMISSIONER HUDSON: If there's no
20 objection, Dominion's Response --

21 MS. NIELSEN: Your Honor, I'm sorry. The
22 Company does object to the admission of 24 and 25
23 on the basis that Ms. MacCormick was not able to
24 authenticate either document. Specifically, she
25 did state that she does not know the particulars

Transcript of Hearing - Day 2
Conducted on April 15, 2025

376

1 of the cases that led to the consent decree.

2 She also testified that EJ does not cover
3 environmental rules by facility, so we believe
4 it's also not relevant.

5 And it's the -- Exhibit 24 is a summary
6 document that appears to be from the EPA website
7 and not a copy of the actual consent decree
8 itself.

9 And for all of those reasons, we believe
10 it's not been properly authenticated and not
11 relevant to this proceeding, and therefore, both
12 documents should be excluded.

13 COMMISSIONER HUDSON: Any response,
14 Counsel?

15 MS. JAMES: Yes, Your Honor. Thank you.

16 As to the report, I understand not
17 admitting that. That's fine.

18 As to the EPA information sheet, I
19 specifically indicated that I was not referring to
20 the underlying consent decree and I was just
21 indicating the list of facilities that showed
22 violations. And Ms. MacCormick confirmed that she
23 could see those and didn't dispute those.

24 So, indeed, I would like that inputted
25 into the record. I believe it's relevant to her

Transcript of Hearing - Day 2
Conducted on April 15, 2025

377

1 questions -- or her comments, rather, about fully
2 permitted facilities and how the Company reviews
3 them.

4 MS. NIELSEN: Your Honor -- we would just
5 reiterate, Your Honor, that regardless, she could
6 not authenticate the source of the information,
7 and specifically underlying that source appears to
8 be the consent decree itself.

9 COMMISSIONER HUDSON: So what I'll do for
10 a document -- Exhibit No. 23, I'll certainly admit
11 that into the record.

12 (Exhibit No. 23 was admitted into
13 evidence.)

14 COMMISSIONER HUDSON: For 24 and 25, I'll
15 certainly take that under advisement and come up
16 with a decision reasonably -- in a reasonable
17 amount of time.

18 MS. JAMES: Thank you, Your Honor.

19 COMMISSIONER HUDSON: So Exhibit No. 23 is
20 admitted into the record, and 24 and 25 I'll take
21 under advisement.

22 MS. JAMES: Thank you, Your Honor.

23 COMMISSIONER HUDSON: Thank you.

24 NRDC?

25 MS. JAFFE: No questions for Sierra Club

Transcript of Hearing - Day 2
Conducted on April 15, 2025

378

1 and NRDC.

2 COMMISSIONER HUDSON: United?

3 MS. POLLARD: No questions, Your Honor.

4 COMMISSIONER HUDSON: Clean Virginia?

5 MR. REISINGER: No questions, Your Honor.

6 COMMISSIONER HUDSON: DCC?

7 MR. MURPHEY: No questions, Your Honor.

8 COMMISSIONER HUDSON: Walmart?

9 MS. GRUNDMANN: No questions, Your Honor.

10 COMMISSIONER HUDSON: PEC?

11 MR. GREMA: No questions, Your Honor.

12 COMMISSIONER HUDSON: Microsoft?

13 MS. ROBB: No questions, Your Honor.

14 COMMISSIONER HUDSON: City of Alexandria?

15 MR. WINSTON: Just a couple, Your Honor.

16 CROSS-EXAMINATION

17 BY MR. WINSTON:

18 Q Good afternoon, Ms. MacCormick.

19 You stated that predicated on your
20 background as a biologist that the scientific
21 method requires the establishment of a control
22 group so that -- and the implication was that it
23 would be difficult to conduct environmental
24 justice interviews because the Company would have
25 to also produce control groups that were not

1 living under similar circumstances; is that
2 correct?

3 A Not quite. What I really was saying was
4 that in any sampling effort, you have to be sure
5 not to incorporate sampling bias. But I wasn't
6 really speaking to the concept of the control,
7 which would be an untreated group. I'm not sure
8 what that would be in the context of energy
9 infrastructure and environmental impacts since all
10 people are exposed to environmental impacts.

11 Q But isn't the scientific method that
12 you're describing designed to find correlation
13 between variables, which is a feature of
14 quantitative analysis? But aren't we speaking
15 about qualitative analysis, interviewing live
16 people about their experiences? Wouldn't you
17 agree that the purpose of that analysis is to
18 determine how and why and not a correlation
19 between variables?

20 A I think I'm following you. Yeah, I mean,
21 I wasn't trying to make too fine a point on the
22 control issue. It's just, yes, it is advisable to
23 not just speak to one group of people, right, but
24 to seek out a diverse, you know, population of
25 people with different perspectives on an issue.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

380

1 That's the best way to do any kind of survey or
2 feedback effort.

3 Q Can you identify any constraint that would
4 prevent the Company from doing just that?

5 A In regard to what?

6 Q Identifying those disparate groups and
7 being able to compare their responses to identify
8 causation?

9 I'm assuming that's why you would want to
10 speak to a variety of people, so that you don't
11 misassign causation based on a small sample group?

12 A Sure. Yeah, that's the concept I was
13 explaining, yep.

14 Q So the Company could undertake an
15 environmental justice analysis that involves the
16 quantity of interviews and the quality of
17 interviews that would satisfy your criteria,
18 correct?

19 A For an IRP proceeding? Like in that
20 context, right? You're saying --

21 Q Sure.

22 A -- could we do that for the IRP?

23 Q Yes.

24 A The answer is, no, that would not be
25 feasible. The reason is because the IRP is a

Transcript of Hearing - Day 2
Conducted on April 15, 2025

381

1 planning document that, you know, we should assume
2 affects all the citizens of the Commonwealth.

3 So what you're saying is that we'd have to
4 go and interview pretty much all the citizens of
5 the Commonwealth, right, or some sampling of all
6 7 million of them.

7 That's where, you know, how much
8 sampling -- and then, of course, you get into, if
9 you have a small sample size, is it really
10 representative?

11 So we could talk about what is the right
12 amount of effort, but there certainly is a limit
13 to what is feasible in terms of how many people
14 you're going to survey and engage. And you also
15 have to consider that some people, frankly, aren't
16 interested in being surveyed or engaged.

17 Q So your position is that the Company
18 didn't interview anyone about environmental
19 justice because they would have had to interview
20 the entire Commonwealth in order to achieve some
21 sort of scientific stasis?

22 A That's not what I've said. I said that
23 there are inherent challenges in creating an
24 unbiased sampling of a community this large, if
25 we're talking about the entire Commonwealth, in

1 addressing all the different topics of the IRP.

2 Yeah, there would be some challenges there.

3 Q Did the Company conduct any of these types
4 of community interviews in pursuit of its
5 environmental justice analysis for this IRP?

6 A So we did conduct a stakeholder engagement
7 effort that included, you know, focused discussion
8 around environmental justice.

9 Q And did the IRP's analysis and
10 environmental justice take energy efficiency and
11 demand-side management programs into consideration
12 at all and the impacts that those programs and
13 resources would have on environmental justice more
14 broadly?

15 A Well, I think the IRP itself is the
16 vehicle that does that, frankly. You know, we
17 talk a lot about the section of the IRP that's
18 labeled Environmental Justice, but I would also
19 put forth that any honest, open, public discussion
20 around how do we find the most affordable way to a
21 reliable and cleaner energy grid, that that
22 process is a process that is aligned with the
23 principles of environmental justice.

24 I think that's what we're doing here,
25 that's what the modeling is doing, that's what the

Transcript of Hearing - Day 2
Conducted on April 15, 2025

383

1 IRP is. The IRP is justice.

2 Q Do you believe that a reduction in the
3 load forecast and, thus, a reduction in the need
4 for supply-side generation would overall have a
5 beneficial impact on environmental justice?

6 A I think, in theory, it sounds good. I
7 think what I -- I can't speak in great detail, but
8 what I hear from the Company side is that it can
9 be difficult to implement these in a successful
10 way.

11 So in theory, sure. But can it happen in
12 real life, I think that's the question.

13 Q You testified that by statute the Company
14 is required to conduct an environmental justice
15 analysis in its IRP, right?

16 A Not exactly. The statute states that it
17 shall be the policy of the Commonwealth to promote
18 environmental justice. There is no statutory
19 requirement for the Company to do anything under
20 the Virginia Environmental Justice Act.

21 Q But the statute did require the Company to
22 conduct that stakeholder engagement meeting
23 regarding environmental justice; is that right?

24 A I believe the requirement for stakeholder
25 engagement came through a Commission order.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

384

1 Q Okay.

2 A Is it a statute?

3 Q I'm not trying to say, gotcha. I just --
4 for the clarity of the record.

5 A Okay. Yeah, I'm not familiar. Maybe we
6 should look at it together.

7 Q Yeah, sure. This is Appendix 6A, and
8 Roman numeral I says that:

9 Leading up to the submittal of the 2024
10 IRP, the Company conducted a stakeholder
11 engagement process as directed by Chapter 753 and
12 793 of the 2023 Virginia Acts of Assembly.

13 A Thank you. Yep.

14 Q So given that it was a statutory mandate
15 to conduct a stakeholder engagement process that
16 included a discussion about environmental justice,
17 specifically leading up to the submittal of the
18 2024 IRP, do you think that it would be more in
19 line with the spirit and letter of that statutory
20 directive to actually conduct some of these
21 interviews even if the vehicle is imperfect and
22 the methodology will be strained?

23 A I remain suspicious about the value of
24 that activity, but I don't think that there's
25 anything absolutely wrong about it.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

385

1 So, yes, to your point, could it be
2 potentially helpful? Possibly. But I also think
3 there's a lot of risk in it. What you're going to
4 hear is what we hear every day. Because, you
5 know, we do talk to stakeholders on a regular
6 basis, so it's not going to be a complete surprise
7 to us.

8 You're going to hear a lot of the
9 antisolar from people who live near solar. And
10 you're going to, you know, have people who don't
11 like living near other -- you know, it's whoever
12 lives near it, they don't like it is usually how
13 it goes.

14 So that's what I would expect to see. If
15 we just go out and start asking people who live
16 nearby infrastructure, how do you feel about the
17 infrastructure next door, generally they don't
18 have great opinions of it because they have to
19 live next door to it.

20 But we all know here that that
21 infrastructure -- we live under a social contract,
22 right, where that infrastructure is present in
23 places that sometimes people don't want it,
24 because by placing it there is the only way to
25 allow it to be accessible to everybody.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

386

1 Q Is the implication of your response,
2 Ms. MacCormick, that because not-in-my-backyard
3 reactions are common that they are unreliable?

4 In other words, I -- would you agree that
5 a qualitative analysis would say that a frequent
6 almost universal response in your testimony has
7 more salience, not less, but your suggestion is
8 otherwise?

9 A I won't speak to whether or not it's
10 salient. I think that's a little bit on the
11 person who's interpreting it. But I am agreeing
12 that, yeah, I think there's a pretty universal
13 not-in-my-backyard response that you would get.

14 I do also think the stakeholder engagement
15 process that we did endeavor to take last year was
16 well conducted, right. We advertised it in ways
17 that anyone who really was interested in
18 participating could access the information.

19 As some of those who participated will
20 tell you, there's a steep technical learning curve
21 to engage on Integrated Resource Planning topics.
22 It's not a topic area that you can just walk and
23 pick somebody off of a sidewalk and dip them into,
24 right. There's a lot of background and
25 technicality to it.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

387

1 So, yeah, I mean, I know -- I see that
2 there are people here that want us to engage more;
3 that seems like that's always the answer, just
4 engage more. But I think also the effort that we
5 did make was sufficient and that we did get good
6 feedback and that we responded to that feedback
7 where we could.

8 Q If directed by the Commission, would the
9 Company conduct a robust qualitative analysis for
10 environmental justice purposes?

11 A The Company will do what the Commission
12 asks, yes.

13 MR. WINSTON: Thank you.

14 No further questions, Your Honor.

15 COMMISSIONER HUDSON: Consumer Counsel?

16 MR. BARTLEY: No questions, Your Honor.

17 COMMISSIONER HUDSON: Commission Staff?

18 MS. PIERCE: No questions, Your Honor.

19 COMMISSIONER HUDSON: Dominion, any
20 redirect?

21 MS. NIELSEN: Very briefly, Your Honor.

22 REDIRECT EXAMINATION

23 BY MS. NIELSEN:

24 Q Good afternoon, Ms. MacCormick. How are
25 you?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

388

1 A Just fine.

2 Q Holding up. I'll try to be brief.

3 You were just testifying about the
4 required stakeholder process versus the required
5 EJ analysis for purposes of the 2024 IRP.

6 Do you remember that?

7 A Yes.

8 Q Okay. And you correctly testified that
9 the requirement to perform an EJ analysis does not
10 come through statute.

11 Did I hear that correctly?

12 A Yes.

13 Q Okay. It comes through Commission order?

14 A I'm not even sure there's a Commission
15 order requiring any EJ analysis at this point. I
16 think it's more of a voluntary thing that the
17 Company is doing and that the Staff have indicated
18 they appreciate.

19 Q And I believe that you were shown a chart
20 that had certain requirements when counsel for APV
21 was up earlier, and it directed your attention to
22 a Commission order where certain EJ analysis had
23 to be performed as part of the 2024 IRP as -- I
24 believe it says, as appropriate.

25 Does that sound familiar?

Transcript of Hearing - Day 2
Conducted on April 15, 2025

389

1 A Yes.

2 Q Okay. And Mr. Winston asked you a
3 question that seemed to imply that the EJ analysis
4 is somehow linked to or required by the statutory
5 stakeholder process.

6 Does that sound familiar?

7 A Well, that was why I think I got a little
8 confused in that moment, because the Virginia EJ
9 Act does not have any requirement of that nature.

10 Q Okay. And I'm going to show you now what
11 is the statute that required the Company in the
12 2024 IRP to complete the stakeholder review
13 process.

14 Can you read that or do you need me to
15 make it a little bit bigger? We're going to be
16 looking at subpart D.

17 A That looks good. Thank you.

18 Q Looks good? Okay.

19 Okay. So this is Virginia Code 56-599,
20 subpart D. And I'm going to give you a moment
21 just to review that section for me, please, and
22 you give me the green light when you're ready.

23 A Okay. I think I'm ready.

24 Q Okay. So nowhere in subpart D does it say
25 that the stakeholder review process must

Transcript of Hearing - Day 2
Conducted on April 15, 2025

390

1 incorporate an EJ analysis or EJ discussion
2 session, does it?

3 A Correct.

4 Q So it's not required by the statute; is
5 that correct?

6 A What -- by what statute?

7 Q By 56-599 D. Thank you for making me
8 clarify that point.

9 EJ review is not required as a topic of
10 discussion for 56-599, Subpart D?

11 A Thank you. No.

12 Q Okay. And you -- I'm going to refer you
13 now to what is Appendix 1 of the 2024 IRP, which
14 is the stakeholder process report.

15 Are you familiar with that --

16 A Generally --

17 Q -- appendix?

18 A -- yes.

19 Q And this section identifies certain
20 workshops that were completed as part of the
21 stakeholder review process, and it says, workshop
22 two is environmental justice.

23 Does that sound familiar?

24 A Yes.

25 Q Okay. So despite not being required by

Transcript of Hearing - Day 2
Conducted on April 15, 2025

391

1 the statute, the Company did, in fact, have a
2 workshop specific to environmental justice as part
3 of the 2024 IRP stakeholder review process; is
4 that right?

5 A That is correct. The Company not only did
6 that, we have a company policy which is completely
7 voluntary and not required. We screen all of our
8 major projects completely voluntary, not required,
9 and we report, you know, I think in more detail
10 than most. In our IRPs and other proceedings, in
11 many cases, that is also not required.

12 Q Thank you, Ms. MacCormick. I appreciate
13 your time.

14 MS. NIELSEN: I have no further questions.

15 COMMISSIONER HUDSON: Ms. MacCormick,
16 you're now excused.

17 THE WITNESS: Thank you.

18 MS. LINK: Your Honor, that concludes the
19 Company's direct case.

20 COMMISSIONER HUDSON: Thank you.

21 MR. BENFORADO: Your Honor, Nate
22 Benforado, for Appalachian Voices. I'm not sure
23 what you guys are thinking for timing. We have
24 two witnesses with surrebuttal. Happy to do both
25 of them. I would say the surrebuttal for

Transcript of Hearing - Day 2
Conducted on April 15, 2025

392

1 Mr. Goggin is probably a little bit shorter, maybe
2 in the five to 10 minutes' range, and I'm not sure
3 about cross the other parties have.

4 Dr. Laws would probably be more in the 10
5 to 15-minute time range. My guess is he would be
6 a little bit of a longer witness, but defer to the
7 Commission, how you'd like to proceed.

8 COMMISSIONER HUDSON: Let see if we can
9 get to the first two witnesses and, if so, then
10 we'll adjourn and start Wednesday with Mr. Wilson.

11 MR. BENFORADO: Excellent. Then we will
12 call Dr. Laws.

13 COMMISSIONER HUDSON: Thank you.

14 MS. GRUNDMANN: Your Honor, just to be
15 clear about the schedule, my understanding is I
16 thought you said Mr. Wilson Wednesday morning. I
17 thought he wasn't available until Wednesday
18 afternoon.

19 MR. BENFORADO: Mr. Wilson is available
20 tomorrow afternoon. Sorry. I apologize if the
21 request was confusing. He has a hearing that he
22 is still in. He should be done no later than
23 2:00 p.m. Eastern tomorrow.

24 So we were planning to put on our
25 in-person witnesses now and have him out of turn.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

393

1 COMMISSIONER HUDSON: So then maybe we
2 should do it the other way, just come in tomorrow
3 morning and have Dr. Laws and Mr. Goggin go
4 Wednesday morning and then have Mr. Wilson be
5 available for the afternoon, if that works.

6 MR. BENFORADO: That would be acceptable
7 to us. So I guess other respondents would proceed
8 this afternoon?

9 COMMISSIONER HUDSON: Ms. Grundmann, did
10 you have anything you wanted to say?

11 MS. GRUNDMANN: I just -- when you said
12 it, I thought I made clear that my
13 understanding --

14 COMMISSIONER HUDSON: No.

15 MS. GRUNDMANN: -- was that when you said
16 -- you said --

17 COMMISSIONER HUDSON: Sure. Maybe it's
18 better just to adjourn now, recess now, I mean.

19 MS. GRUNDMANN: I would be happy to do
20 whatever the Commission wants so that we are
21 potentially not here on Friday, but I also defer
22 to the Commission in terms of managing its
23 schedule.

24 COMMISSIONER HUDSON: Yeah, that would be
25 nice.

Transcript of Hearing - Day 2
Conducted on April 15, 2025

394

1 Let's recess now and then have you come
2 and have the witnesses start tomorrow morning.

3 MR. BENFORADO: Thank you, Your Honor.

4 COMMISSIONER HUDSON: So what we'll do is
5 we'll recess until 10:00 a.m. tomorrow and
6 reconvene at that time.

7 We'll now stand in recess.

8 (The proceedings adjourned at 4:44 p.m.,
9 to be reconvened on April 16, 2025, at 10:00 a.m.)

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1 COURT REPORTER'S CERTIFICATE

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3
4 I, Scott D. Gregg, Registered
5 Professional Reporter, certify that I recorded
6 verbatim by stenotype the proceedings in the
7 captioned cause before the HONORABLE COMMISSIONERS
8 of the State Corporation Commission, Richmond,
9 Virginia, on the 15th day of April 2025.

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

14 Given under my hand this 20th day of
15 April, 2025, at Norfolk, Virginia.

16
17 Scott D. Gregg / RPR
18

19 Scott D. Gregg, RPR

20 Notary Public

21 Notary Registration No. 215323
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