

1 PLACE: Watauga County Courthouse  
 2 Boone, North Carolina  
 3 DATE: Tuesday, May 23, 2023  
 4 TIME: 7:00 p.m. - 8:10 p.m.  
 5 DOCKET NO: E-34, Sub 54  
 6 E-34, Sub 55  
 7 BEFORE: Commissioner Karen M. Kemerait

8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24

IN THE MATTER OF:  
 Appalachian State University d/b/a  
 New River Light and Power Company  
 E-34, Sub 54  
 Application for General Rate Case  
 and  
 E-34, Sub 55  
 Petition for an Accounting Order to Defer Certain  
 Capital Costs and New Tax Expenses

VOLUME 1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

A P P E A R A N C E S:  
FOR APPALACHIAN STATE UNIVERSITY d/b/a  
NEW RIVER LIGHT AND POWER COMPANY:  
David Drooz, Esq.  
Fox Rothschild LLP  
430 Fayetteville Street  
Raleigh, North Carolina 27601  
  
FOR THE USING AND CONSUMING PUBLIC:  
William E.H. Creech, Esq.  
Public Staff - North Carolina Utilities Commission  
4326 Mail Service Center  
Raleigh, North Carolina 27699-4300

OFFICIAL COPY  
Jun 08 2023

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

T A B L E O F C O N T E N T S  
E X A M I N A T I O N S

	PAGE
RICHARD GRAY	
Direct Statement .....	15
Examination by Mr. Creech .....	17
DAVID JACKSON	
Direct Statement .....	19
Examination by Mr. Creech .....	21
CHRIS THAXTON	
Direct Statement .....	22
Examination by Mr. Drooz .....	24
PERRY YATES	
Direct Statement .....	25
Examination by Mr. Drooz .....	29
Examination by Mr. Creech .....	29
DOUGLAS JAMES	
Direct Statement .....	31
Examination by Mr. Creech .....	33
JEFF DEAL	
Direct Statement .....	35
Examination by Mr. Creech .....	40

1	E X A M I N A T I O N S (Cont'd.):	
2		PAGE
3	NANCY LAPLACA	
4	Direct Statement .....	42
5	Examination by Mr. Drooz .....	45
6	Examination by Mr. Creech .....	45
7	STEVE OWEN	
8	Direct Statement .....	48
9	Examination by Mr. Creech .....	52
10	KAREN BROWN	
11	Direct Statement .....	54
12	AMBER MELLON	
13	Direct Statement .....	57
14	Examination by Mr. Creech .....	59
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

E X H I B I T S

IDENTIFIED/ADMITTED

No exhibits of record

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

1  
2 COMMISSIONER KEMERAIT: Good evening. Let  
3 us come to order and go on the record. I am  
4 Commissioner Karen M. Kemeraït and I am the Presiding  
5 Commissioner for these proceedings.

6 I now call for hearing two proceedings that  
7 have been consolidated, and those proceedings are  
8 Docket Number E-34, Sub 54, which is the Application  
9 of Appalachian State University d/b/a New River Light  
10 and Power Company for Adjustment of General Base Rates  
11 and Charges for Electric Service, and, also, Docket  
12 Number E-34, Sub 55, which is In The Matter of  
13 Application by New River Light and Power Company for  
14 an Accounting Order to Defer Certain Capital Costs and  
15 New Tax Expenses. I will refer to New River Light and  
16 Power Company as the Applicant going forward.

17 On June 29, 2022, the Applicant filed a  
18 Notice of Intention to file an Application for a  
19 General Rate Case.

20 On November 18, 2022, the Applicant filed a  
21 Petition seeking an Accounting Order to allow it to  
22 defer certain expenses to a regulatory asset.

23 On December 22, 2022, the Applicant filed an  
24 Application with the Commission seeking authority to

1 increase its rates for electric service in its service  
2 territory in Watauga County, North Carolina, which I  
3 will refer to going forward as the "Application for a  
4 Rate Case".

5 On January 11, 2023, the Commission issued  
6 an Order Establishing a General Rate Case and  
7 Suspending Rates.

8 On January 18, 2023, the Applicant filed a  
9 Motion to Consolidate Dockets E-34, Subs 54 and 55.

10 On February 1, 2023, the Commission issued  
11 an Order Granting the Motion to Consolidate Dockets.

12 On January 18, 2023, Petitions to Intervene  
13 by Appalachian Voices were filed in both Dockets, and  
14 those Dockets were E-34, Subs 54 and 55.

15 On February 1st, 2023, the Commission  
16 allowed Appalachian Voices to intervene.

17 On March 20th, 2023, the Commission issued  
18 an Order Scheduling Hearing, Establishing Procedural  
19 and Filing Requirements and Requiring Customer Notice.  
20 The Order scheduled today's hearing for the purpose of  
21 taking public witness testimony.

22 On March 28, 2023, the Commission issued an  
23 Order Requiring Corrected Customer Notice and  
24 Requiring Amended Application Schedules to be Filed.

1 Also on March 28, 2023, the Commission (sic) filed  
2 Amended Exhibits B and C to the Application.

3 On April 10, 2023, the Applicant filed the  
4 Updated Costs and Amended Exhibits of Witness Randall  
5 E. Halley's direct testimony.

6 On April 24, 2023, the Applicant filed an  
7 Affidavit of Publication of Customer Notice.

8 On April 25, 2023, Appalachian Voices filed  
9 a Motion to Adjust Schedule of the Expert Witness  
10 Hearing.

11 On May 2nd, 2023, the Commission issued an  
12 Order Denying that Motion.

13 On May 2nd, 2023, the Applicant filed a  
14 Certificate of Service showing that the corrected  
15 customer notice has been provided, and also filed  
16 amended Exhibits A, B, and C of the Application.

17 And that procedural history brings us to  
18 today.

19 Pursuant to the State Government Ethics Act,  
20 members of the Commission have a duty to avoid  
21 conflicts of interest. And let the record reflect  
22 that I have no such conflict.

23 I now call upon counsel for the parties to  
24 announce their appearance for the record, beginning



1 with the Applicant.

2 MR. DROOZ: Commissioner Kemerait and  
3 customers of New River, my name is David Drooz with  
4 the Fox Rothschild Law Firm and I am appearing on  
5 behalf of New River Light and Power.

6 MR. CREECH: Commissioner Kemerait, my name  
7 is William Creech, a Staff Attorney with the Public  
8 Staff Utilities Commission and I am representing the  
9 Using and Consuming Public. At the appropriate time,  
10 I will have a brief opposing statement.

11 COMMISSIONER KEMERAIT: And before we get  
12 started, do the parties have any preliminary matters  
13 that need to be addressed?

14 MR. DROOZ: None from New River.

15 MR. CREECH: None from the Public Staff.

16 COMMISSIONER KEMERAIT: And would you like  
17 to go ahead and provide an opening statement, if you  
18 wish to do so.

19 MR. DROOZ: The Applicant does not have an  
20 opening statement.

21 MR. CREECH: Commissioner Kemerait, again,  
22 William Creech with the Public Staff. I simply wanted  
23 to administratively give welcome to every one here  
24 this evening.

1           As I indicated I am a Staff Attorney with  
2 the Public Staff. The Public Staff is an independent  
3 state agency that represents the Using and Consuming  
4 Public in matters before the Utilities Commission.

5           The Public Staff has been auditing the New  
6 River Light and Power operations and its rate increase  
7 Application. We have a team of engineers, accountants  
8 and economists, and attorneys investigating the  
9 request and are reviewing the records and operations.  
10 We are scheduled to file our testimony and exhibits  
11 setting our position regarding the requested increase  
12 in early June.

13           The Company's Application, and our  
14 testimony, and other party's filings are available for  
15 your review on the Commission's website along with  
16 other documents related to the case. That's NCUC.gov.  
17 You can just put in the docket number, E-34, Sub 54  
18 and E-34, Sub 55.

19           The purpose of the hearing this evening is  
20 to hear from customers regarding the requested rate  
21 increase. We'll call each of you who have indicated  
22 on the sign-up sheet that you wish to make a statement  
23 and when your name is called, you'll be sworn or  
24 affirmed. Next, you will be asked your name, address

1 and whether you are a New River Light and Power  
2 customer. We ask that you speak clearly so that the  
3 court reporter may make an accurate record of your  
4 statement. And, of course, we do appreciate your  
5 being here tonight.

6 Members of the Public Staff will remain here  
7 after the hearing tonight to speak with you if you'd  
8 like, as I imagine perhaps the Utility will as well.

9 I'm joined this evening by several highly  
10 experienced colleagues of mine. Two engineers, James  
11 McLawhorn who is the Director of our Energy Division,  
12 as well as another senior leader in the Energy  
13 Division, Jack Floyd; and then the head of our  
14 Economic Research Division, Bob Hinton. Thank you.

15 COMMISSIONER KEMERAIT: Thank you,  
16 Mr. Creech. And since there are no preliminary  
17 matters we'll go ahead and proceed with the hearing.  
18 And I have some additional information to provide in  
19 addition to what Mr. Creech has just provided.

20 First, I'd like to say that we appreciate  
21 you coming here tonight to voice your views on this  
22 important matter. We welcome your testimony and we  
23 want to hear from you.

24 In conducting this hearing, the Commission

1 functions in a judicial capacity as we are required to  
2 do by North Carolina Law. Because the Commission  
3 functions as a court, we cannot respond to your  
4 questions. Instead, we are here to receive evidence  
5 from you in the form of your testimony.

6 The Public Staff which represents the Using  
7 and Consuming Public is made a party to this  
8 proceeding pursuant to North Carolina General Statute  
9 § 62-15(d). In this proceeding, the Public Staff  
10 represents you, the Using and Consuming Public, and  
11 the Public Staff will assist you in providing your  
12 testimony this evening.

13 In order to facilitate a full and fair  
14 opportunity for all speakers to participate, we will  
15 use the following procedures. First, witnesses who  
16 wish to testify must sign up with the Public Staff.  
17 The Public Staff will call each witness in the order  
18 listed on the roster.

19 Second, in order to allow each person an  
20 equal amount of time, there will be a limit of three  
21 minutes for each witness to speak; therefore, we would  
22 appreciate it if witnesses would try to avoid  
23 cumulative, repetitive, and redundant testimony. And  
24 as you will see, there will be a clock that is set for

1 three minutes and you can watch when your time is up  
2 as you are testifying.

3 Third, to comply with the Rules of Procedure  
4 and Evidence, each witness must swear or affirm the  
5 truth that his or her testimony prior to providing  
6 that testimony. When you hear your name called,  
7 please proceed to the stand which is to the left of me  
8 and I will deliver the oath. If you prefer to affirm  
9 your testimony, please let me know when you come to  
10 the stand. After your testimony has been sworn or  
11 affirmed, I will ask you to please state your name and  
12 address for the evidentiary record and then you may  
13 provide your testimony.

14 Fourth, please refrain from offering  
15 opinions on matters that are not related to the  
16 Applicant's Application which is before the Commission  
17 in these dockets. Also, please be sure to address  
18 your testimony to me as the Presiding Commissioner and  
19 not to members of the audience. In lieu of oral  
20 testimony, you may submit written testimony so long as  
21 you swear to its accuracy. Written statements must be  
22 submitted by a person under oath during this hearing.

23 Fifth, if you wish to testify this evening,  
24 counsel for any party may ask questions of you. In

1 addition, I will have the opportunity to ask  
2 questions. This means that if you provide testimony  
3 you might be asked questions by the attorneys or by me  
4 as the Presiding Commissioner.

5 Sixth, the testimony is being recorded by  
6 the court reporter. To ensure the accuracy of the  
7 record, we ask you that you speak clearly and not  
8 engage in any types of unconventional modes of  
9 testimony. Additionally, I would appreciate it if you  
10 remain quiet when you're not testifying to make sure  
11 the court reporter is able to hear the testifying  
12 witness.

13 And then, again, as a final reminder, the  
14 Commission and the attorneys for the parties are not  
15 allowed to respond to any questions during the  
16 hearing. However, as Mr. Creech mentioned, both the  
17 Public Staff and the Applicant have representatives  
18 here who will be available after the hearing to answer  
19 questions. So with that being said, let's begin.

20 Mr. Creech, can you call the first witness,  
21 please.

22 MR. CREECH: Yes. I'd call Richard Gray.

23 COMMISSIONER KEMERAIT: Please place your  
24 left hand on the Bible and raise your right.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

RICHARD GRAY;

having been duly sworn,

testified as follows:

COMMISSIONER KEMERAIT: Would you begin by stating your name and address for the record?

THE WITNESS: Yes. My name is Richard Gray and I live at 283 Westbrook in Boone. And I am a customer of New River Light and Power.

COMMISSIONER KEMERAIT: Please proceed with your statement.

DIRECT STATEMENT BY THE WITNESS:

Thank you. Thank you for the opportunity of testifying. What I have come here this evening for is to speak against the request or the proposal of New River Light and Power to charge small rooftop solar providers a charge of \$6.17 per kilowatt of their systems.

I have had a 12-solar panel installation on my rooftop for about 15 years. I receive some -- this is linked into the grid so, essentially, what happens is New River Light and Power purchases my power and then turns it around and sells that power back to the public. And I would just like to give you some statistics on this. So, because my solar panel

1 installation is 2.5 kilowatts, that means that this  
2 charge will be \$15.43 per month or that works out to  
3 be about \$185 per year that I will have to pay to New  
4 River Light and Power for the privilege of providing  
5 clean solar energy to Boone and that is what I  
6 protest.

7 Let me just give you a few figures that I  
8 think will illustrate that New River Light and Power  
9 really has no justification whatsoever to charge this  
10 extra amount.

11 So, for instance, I receive from New River  
12 Light and Power 2.6 cents per kilowatt hour. New  
13 River Light and Power turns around and sells that to  
14 the public for 8.9 cents to the public. And so what  
15 that means is that New River Light and Power makes a  
16 profit of about 6.3 cents for every kilowatt hour that  
17 I produce. And so they are actually making a lot of  
18 money off of the power that I produce.

19 Now, New River Light and Power, of course,  
20 offers a Green Power Program which they state is to  
21 bring renewable carbon-free energy to the high  
22 country. What they did is for households that take  
23 that option on, they charge -- they levy a charge of  
24 \$5 per 250-kilowatt hours. That works out to the two



1 cents per kilowatt hour which is very, very close to  
2 what I get from New River Light and Power. And so,  
3 essentially, New River Light and Power for providing  
4 green energy to the people of Boone pays me or,  
5 essentially, has a charge of six-tenths for one sent  
6 and then they turn around and pay and charge 8.9 cents  
7 to the public plus a \$5 surcharge.

8 So I find that it is absurd that New River  
9 Light and Power is charging an extra \$185 to me and  
10 the similar rooftop solar providers in Boone for the  
11 privilege of producing the green power that they go  
12 back around and sell at an extra cost to the public in  
13 Boone. So I think that they have no justification  
14 whatsoever for this charge. Thank you very much.

15 COMMISSIONER KEMERAIT: Mr. Gray, before you  
16 step down, did you state that your rooftop solar has  
17 been -- you've had it for 15 years?

18 THE WITNESS: About 15 years. Yes.

19 COMMISSIONER KEMERAIT: And are there any  
20 questions for Mr. Gray before he steps down?

21 MR. CREECH: Mr. Gray, several things but  
22 I'm going to defer to the utility. You go ahead.

23 MR. DROOZ: No questions.

24 EXAMINATION BY MR. CREECH:

1 Q Mr. Gray, you have some statistics in your hand.  
2 Is that something you would like to mark as an  
3 exhibit and place into the record.

4 A No. I did not bring it along but I can provide a  
5 typical bill from New River Light and Power  
6 showing exactly how much they give me for a  
7 kilowatt hour, and it is 2.6 cents.

8 Q Is that -- and that maybe -- for purposes of  
9 tonight's hearing, would you like to place what  
10 you have there in the record?

11 A What I have right here?

12 Q Yes, sir.

13 A It's basically what I said. I don't have that  
14 bill along but I can still provide it. Or New  
15 River Light and Power can certainly can provide  
16 it as well.

17 Q If you will be sticking around tonight we can  
18 talk to you about that.

19 A Okay. I can do that.

20 MR. CREECH: Thank you, Mr. Gray.

21 COMMISSIONER KEMERAIT: Thank you, Mr. Gray.

22 You may be excused.

23 Please call the next witness.

24 MR. CREECH: David Jackson.

1 COMMISSIONER KEMERAIT: Do you wish to be  
2 sworn or affirmed?

3 MR. JACKSON: Whichever.

4 DAVID JACKSON;  
5 having been duly sworn,  
6 testified as follows:

7 COMMISSIONER KEMERAIT: Please state your  
8 name and address for the record.

9 THE WITNESS: My name is David Jackson. I  
10 live at 606 Northridge Drive in Boone. It's a Watauga  
11 County address. My business is located in the Town of  
12 Boone at 579 Greenway Road, just down the street from  
13 New River Light and Power.

14 COMMISSIONER KEMERAIT: Thank you.

15 THE WITNESS: Suite 101. So, we just moved.  
16 Still remembering the address.

17 COMMISSIONER KEMERAIT: Thank you. You're  
18 welcome to be seated if you'd like.

19 DIRECT STATEMENT BY THE WITNESS:

20 I would just really like to take the  
21 opportunity here this evening to speak on behalf of  
22 the community interest that we have come to know from  
23 New River Light and Power being in business here since  
24 the nineteen-teens.

1 I can tell you in the near seven years that  
2 I've been a president of the Boone Area Chamber of  
3 Commerce, we have come to know New River Light and  
4 Power and Appalachian State University as good  
5 corporate and community citizens, whether that is  
6 educating the public on the different programs that  
7 they offer and that is the Green Power Program that  
8 they mentioned this evening or other things that New  
9 River does to ensure reliability for our community.

10 I think that's one thing that our community  
11 is and a benefit to others is the fact that due to our  
12 weather concerns, we have plenty of opportunities  
13 whether it's winter snow storms, summer thunderstorms,  
14 to lose power and lose reliability for the business  
15 interests and the residents of our community, and we  
16 have very little problem with that. New River  
17 delivers in that regard. They train their staff  
18 appropriately to be able to handle the unique  
19 conditions here. I think they may have been proactive  
20 in helping us expand our capabilities as our community  
21 has grown quite a bit over the last several years.

22 We have known the staff at New River to be  
23 responsive when we have had members that have had  
24 issues with New River. Picking up the phone and

1 calling their staff has been an easy thing for us to  
2 do. Sometimes the conversations aren't always easy  
3 but they hear us. They hear from those members and  
4 they are quick to respond in the ways that we ask them  
5 to.

6 So, on behalf of the organization that I  
7 represent, the Boone Area Chamber of Commerce, and the  
8 community in general, I thank New River for doing what  
9 you do. It's not easy work, I understand that, but it  
10 helps our community function. And as we know in a  
11 tourism economy, we need the lights to be on, and we  
12 appreciate what you do to make that happen on a daily  
13 basis. Thank you very much.

14 COMMISSIONER KEMERAIT: Before you step  
15 down, Mr. Jackson, does the Applicant have any  
16 questions for Mr. Jackson?

17 MR. DROOZ: No. Thank you.

18 COMMISSIONER KEMERAIT: Does the Public  
19 Staff have any questions?

20 MR. CREECH: A few questions.

21 EXAMINATION BY MR. CREECH:

22 Q One, are you a customer of the utility? And  
23 number two, do you have anything to say with  
24 respect to the Company's application in this

1 case?

2 A The business that I represent is a customer. I  
3 am not a residential customer. And to the  
4 application itself, no, I do not.

5 MR. CREECH: Thank you so much. Thank you  
6 for being here.

7 COMMISSIONER KEMERAIT: Mr. Jackson, thank  
8 you for your testimony. You may be excused.

9 THE WITNESS: Thank you.

10 MR. CREECH: Chris Thaxton, T-H-A-X-T-O-N.

11 COMMISSIONER KEMERAIT: Mr. Thaxton, will  
12 you place your left hand on the Bible and raise your  
13 right?

14 CHRIS THAXTON;  
15 having been duly sworn,  
16 testified as follows:

17 COMMISSIONER KEMERAIT: Please state your  
18 name and address for the record.

19 THE WITNESS: Chris Thaxton, 353 Appalachian  
20 Drive in Boone. And I am a customer of New River  
21 Light and Power. I have a brief statement that I've  
22 written down today.

23 DIRECT STATEMENT BY THE WITNESS:

24 I want everyone to know I am the property

1 owner association president at University Village here  
2 in Boone. It's an R-1 subdivision with 92 lots, 76  
3 heads of households and over 200 residents. The UV  
4 was spawn back in the late 1960's. So many of you may  
5 be familiar with it.

6           The last few years, since 2021, New River  
7 Light and Power performed extensive work in burying  
8 our power lines. The need to convert overhead power  
9 lines to underground was evident in our subdivision.  
10 We've had many large mature trees in the UV. And in  
11 my 20 years there, we've had countless outages due to  
12 fallen trees from things like landfall hurricanes, ice  
13 storms, and other intense weather events.

14           So the New River Light and Power is very  
15 responsive to this need. I worked closely with Matt  
16 Makdad, the engineering supervisor on the project and  
17 his team. Matt and his team were excellent to work  
18 with. They met with me on several occasions during  
19 the planning and construction phases of the project.  
20 Matt joined us in our Zoom sessions, our UV Board  
21 meetings, and was very responsive to our concerns and  
22 requests. The conversion went very smoothly and  
23 everyone in the UV is very happy with how it worked  
24 out. So I think it's obvious that New River Light and

1 Power provides a strong and valuable source to the  
2 community.

3 The relocation of the overhead power lines  
4 to underground was very beneficial to the reliability  
5 by reducing and, to this date, eliminating outages.  
6 The conversion was done professionally, including  
7 strong communication with the community throughout the  
8 entire conversion process. And so on behalf of the UV  
9 I can say that it's obvious that New River Light and  
10 Power cares about their partnership with our  
11 community, and I trust that they will continue to  
12 listen and be responsive to the input from our  
13 neighborhood and the broader community, including  
14 statements stated this evening. Thank you.

15 COMMISSIONER KEMERAIT: Mr. Thaxton, what  
16 year was -- what year did -- was the under-grounding  
17 of power lines performed?

18 THE WITNESS: It began I believe in 2021 and  
19 it just finished up last year.

20 COMMISSIONER KEMERAIT: Thank you. And are  
21 there any questions from the Applicant?

22 MR. DROOZ: Just for clarity.

23 EXAMINATION BY MR. DROOZ:

24 Q When you refer to UV you mean University Village?



1 A University Village, yes.

2 Q And that's the residential subdivision?

3 A That's right. Yes. I'm sorry if I wasn't clear  
4 about that.

5 MR. CREECH: That was my question. No  
6 additional questions.

7 COMMISSIONER KEMERAIT: Thank you for your  
8 testimony. You may be excused.

9 MR. CREECH: Perry Yates, Y-A-T-E-S.

10 COMMISSIONER KEMERAIT: Good evening,  
11 Mr. Yates. Please place your left hand on the Bible  
12 and raise your right hand.

13 PERRY YATES;  
14 having been duly sworn,  
15 testified as follows:

16 COMMISSIONER KEMERAIT: Please begin by  
17 stating your name and address for the record.

18 THE WITNESS: I'm Perry Yates and I live on  
19 789 Stadium Drive in Boone North Carolina. And I am a  
20 New River Light and Power customer from a residential  
21 standpoint. I have a prepared statement. And it's  
22 been a long day so I may read it. It's just notes is  
23 all it is so I'm going to try to read what it says.

24 DIRECT STATEMENT BY THE WITNESS:

1 I'm pleased with the level of service and  
2 reliability that I have grown to expect. And as a  
3 local business owner and a former County Commissioner,  
4 I understand that the customer choice is important.  
5 New River Light and Power's approach to renewable  
6 energy means customer have a choice to install their  
7 own generation and are paid the value of what they  
8 generate. If the customer does not want or cannot  
9 install a solar energy to their home, they shouldn't  
10 be asked to help pay for the neighbors' home that is  
11 going to install the solar panels.

12 I'm all for renewable energy. I believe in  
13 it. I think if you net that down to 2.6 and you're  
14 charging 8.9, I'm only paying four point something per  
15 kilowatt for my energy. Also, the service of New  
16 River Light and Power has been outstanding in my area.  
17 When the high storms come, the snow comes, they are  
18 there. They are on the spot. They got me back on and  
19 ready to go. And I can live comfortably.

20 I know in the 2009 ice storm, when that came  
21 through, I think it was 2009, I lived in town and I  
22 got a backup generator and we only had to run it for  
23 about 24-hours before our lights came on. And it was  
24 a disaster. It looked like a bomb had went off up

1 here.

2 I also believe that in giving the customers  
3 their choice. If they want to make the solar  
4 panels -- and I respect your information for that. I  
5 looked into that as well and it's very costly as well  
6 to do that. That should be their option and to sell  
7 it back. But I guess what I look at on the rate  
8 increase is from the standpoint, when the power -- and  
9 I've researched this enough to know that if the power  
10 goes off on the grid you've got to shut your grid  
11 down. And you can't be on when they're coming to work  
12 on the grid.

13 So, with inflation, with rising costs and  
14 trucks and utilities, and I know that from owning a  
15 business, you just can't stay at the same rate forever  
16 and maintain a good infrastructure, and maintain a  
17 good power grid, and do all of that. So, if the power  
18 goes down, we've got to pay those people to come out  
19 there and turn the power back on. And we've got to  
20 pay those people to repair those lines that aren't  
21 underground. You're very fortunate to have that  
22 underground in the University Village. And that was a  
23 good project. I remember that happening.

24 But, you know, we look at this, and in

1 today's society, we can't maintain the level of  
2 service that's being demanded by growth in our area.  
3 And I don't like price increases as much as anybody  
4 but common sense will show you, and I'm running a  
5 hardware store, and if I'm selling a hammer for \$10  
6 and a guy comes in and tries to sell it to me for \$10,  
7 I don't have my labor, my cost, my overhead, my  
8 building lease, and all of that figured in to that. I  
9 can't turn around and sell the hammer for the same \$10  
10 I paid for it and stay in business. I mean, it's just  
11 that simple.

12           So when we look at this I think that it's  
13 been a very good company and has done a great job with  
14 the expansion that the Town of Boone has had. In the  
15 past, I've been a resident -- I'm 60-years-old and  
16 I've been a resident all the 60 years of my life. And  
17 it's kept up within the city limits and in the extra  
18 territorials on and jurisdiction has kept up very,  
19 very well at a good low rate of power. I don't know  
20 how you guys have done it. I mean, look across the  
21 street and see this thing coming in, the University  
22 expands, the public expands, the student housing  
23 expands, the residential keeps expanding, and you  
24 can't build power grids to meet the demand unless you

1 have some kind of money, and at the same time maintain  
2 the quality level of service that they maintained.  
3 And I just want to thank you guys for doing that and  
4 offering to help people learn how to build their own  
5 solar energy. And if they can furnish their homes  
6 with their solar energy, I think that's fantastic.  
7 And I appreciate you offering to do that as an  
8 alternative to buying power of y'all, which tells me  
9 you are caring about the green energy coming down the  
10 pipe.

11 COMMISSIONER KEMERAIT: Are there any  
12 questions for Mr. Yates from the Applicant?

13 EXAMINATION BY MR. DROOZ:

14 Q Just to make sure I understand the concept here  
15 that you're stressing. Is it your opinion that  
16 each customer should pay his or her fair share of  
17 the utility's overall costs?

18 A Yes, sir.

19 MR. DROOZ: Thank you.

20 COMMISSIONER KEMERAIT: Any questions from  
21 the Public Staff?

22 EXAMINATION BY MR. CREECH:

23 Q Mr. Yates, I was just -- you made some comments  
24 about solar, renewable. Could you restate your

1 point there, if you could, on the cost and what  
2 you think customers out to bear and what --  
3 A I know I talked to a gentleman Friday night that  
4 did this a couple of years ago and his solar  
5 panels cost, I think he told me \$35,000, and  
6 that's a lot of money. And, you know, he's -- if  
7 you pay \$35,000, it's going to take Mr. Gray a  
8 long time to get his money back at 2.6 kilowatts.  
9 And I think he said New River is charging 9, so I  
10 think there's a difference of around four  
11 something there; just off the top of my head.

12 I think solar power is great.  
13 But when the power goes off, say New River loses  
14 power, he's got to shut his solar panels down as  
15 well for the repairman to come in there and fix  
16 that. Those repairmen can't come in there for  
17 free. And I'm having a hard time keeping  
18 employees now because people -- it's an employee  
19 market and that's great. People have been  
20 under-paid in this area for a long time. But  
21 they don't come out for anything and he's got  
22 fantastic people coming out. But if you were on  
23 a solar system just by yourself with battery  
24 backup and everything and not attached to the

1 grid, then you wouldn't have to shut your house  
2 down. And I am building a cabin right now and  
3 I'm looking at solar energy entirely for that.

4 MR. CREECH: Thank you.

5 COMMISSIONER KEMERAIT: Thank you for your  
6 testimony, Mr. Yates. You may be excused.

7 THE WITNESS: Thank you.

8 MR. CREECH: Douglas James.

9 COMMISSIONER KEMERAIT: Good evening,  
10 Mr. James. Can you place your left hand on the Bible  
11 and raise your right hand?

12 DOUGLAS JAMES;

13 having been duly sworn,

14 testified as follows:

15 COMMISSIONER KEMERAIT: If you can begin by  
16 stating your name and address for the record.

17 THE WITNESS: Sure. I'm Douglas James. I  
18 live at 239 Wildwood Lane in the Town of Boone. And I  
19 am a New River Light and Power customer.

20 COMMISSIONER KEMERAIT: Please proceed with  
21 your statement.

22 DIRECT STATEMENT BY THE WITNESS:

23 All right. I'm here to speak against the  
24 solar rate policies that New River is proposing. My

1 partner and I refinanced our home about three years  
2 ago and we set aside about \$30,000 to put solar on our  
3 house. We believe strongly in clean energy and we  
4 want to do our part to reduce the use of carbon fuels.  
5 The buy-all/sell-all policies of New River at that  
6 time have already been described by Mr. Gray, and they  
7 are a great disincentive to put in solar on a house  
8 that just doesn't pay.

9           The new rates, as I understand, proposed by  
10 New River does pay more than the old rate for the  
11 power that we would put into the grid but the \$6.17  
12 per kilowatt would come to a -- it's an enormous  
13 amount of money. For example, if we can put 10  
14 kilowatts on our roof, that's \$61 a month. And then  
15 you -- that's about \$740 a year. And if you multiply  
16 that out by the life span -- I'm sorry, the numbers --  
17 I was sort of crunching when I got in here. At the  
18 rate of pay -- at the rate of our utility usage that  
19 we can currently -- we think we can generate with  
20 10 kilowatts, we can generate about 40 percent of our  
21 own usage, so we can save about \$1,200 a year. The  
22 system costs \$30,000 so it takes about 25 years to pay  
23 it off.

24           If you add on the \$6.17 per kilowatt rate,



1 that comes to \$740 a year. So that's going to push  
2 our time of paying off to 43 years rather than 25  
3 years. I'm not going to be here in 43 years.  
4 Twenty-five is hard enough.

5 So, it can be a considered to be a  
6 deliberate disincentive to have homeowners put rooftop  
7 solar on their house. I don't see any other way you  
8 can interpret that. And just look around, do you see  
9 solar in Boone? No, you don't see it. If this sort  
10 of policy was nationwide, you probably wouldn't see  
11 any in the whole country. So I'm strongly against  
12 this proposal. That's it.

13 COMMISSIONER KEMERAIT: Does the Applicant  
14 have any questions for Mr. James?

15 MR. DROOZ: No questions. Thank you.

16 EXAMINATION BY MR. CREECH:

17 Q Mr. James, just to clarify, you indicated that  
18 you paid approximately \$30,000 for your solar  
19 panels?

20 A We haven't done it yet. That's what we set aside  
21 and that's what we got -- we estimate that's  
22 going to the cost of it.

23 Q You estimate that under the existing program that  
24 you would be able to save about \$1,200 a year.

1 But under the change, you would save about \$500 a  
2 year; is that correct? And so the difference of  
3 \$700 per year?

4 A Right. If I understand your question correctly,  
5 there's no doubt that if we have 10 kilowatts  
6 then we're charged six -- was it \$6.17 per  
7 kilowatt, that we will spend \$740.40 per year as  
8 a fee to have that solar on the roof. So that  
9 takes away from any money that we might save on  
10 our electric bill.

11 Q So the payback period is extended from 20-some  
12 odd years to approximately forty-some odd years?

13 A Exactly.

14 MR. CREECH: Thank you.

15 COMMISSIONER KEMERAIT: Thank you for your  
16 testimony. You may be excused.

17 THE WITNESS: Thank you.

18 MR. CREECH: Jeff Deal, D-E-A-L.

19 COMMISSIONER KEMERAIT: Good evening,  
20 Mr. Deal. Please place your left hand on the Bible  
21 and raise your right hand.

22 JEFF DEAL;  
23 having been duly sworn,  
24 testified as follows:

1           COMMISSIONER KEMERAIT: State your name and  
2 address for the record, please.

3           THE WITNESS: My name is Jeff Deal. My  
4 address is 220 Tall Timber Trail, Boone, North  
5 Carolina. I am a proud member of New River Light and  
6 Power.

7           COMMISSIONER KEMERAIT: Thank you. Please  
8 go ahead and give your statement.

9           THE WITNESS: Thank you.

10          DIRECT STATEMENT BY THE WITNESS:

11                 I just wanted to state that I've been very  
12 pleased with the service I've received from New River  
13 Light and Power since I've been a customer for over 20  
14 years now. They patterned with us on one of the first  
15 solar systems in Boone at the King House which is a  
16 business here just off King Street, and they were  
17 fantastic partners. That's why this particular policy  
18 they're now proposing is so shocking to me. It seems  
19 incredibly unfair.

20                 First of all, I just want to say that I  
21 haven't seen any math or arithmetic from New River  
22 Light and Power that supports a \$6.17 per kilowatt  
23 charge on a solar system that their customer buys and  
24 assumes full cost for installing. So, if they want to

1 propose this I think they need to explain line item  
2 exactly how they came to that incredibly heavy charge  
3 for somebody who's investing tens of thousands of  
4 dollars in the property. So we need to see that.  
5 Maybe it's been provided and I've missed it but I've  
6 not seen it anywhere. So, I would ask the Utilities  
7 Commission to make sure that's provided in line item  
8 in the way that we the customers can easily  
9 understand.

10 My second point is \$6.17 per kilowatt is a  
11 flat fee. If I install a solar system in a not-shaded  
12 area with no trees, it's going to produce a lot more  
13 than if I install it on my house where I have trees  
14 and shade and I'm going to get about half as much  
15 production from that solar system as I would if I put  
16 it in full sun.

17 New River Light and Power basically mandates  
18 that a customer have a second meter for them that  
19 tracks the production of the solar system such that  
20 they know how much to pay avoided costs for the power  
21 their customer produces. I don't have any problem  
22 with them charging less -- paying a wholesale rate for  
23 that power. I think that's complete fair.

24 I do have a problem with the flat fee that's

1 not based on the production of the system when New  
2 River Light and Power knows exactly what the  
3 production of the system is and they should base it on  
4 the production of the system, not a flat fee. If my  
5 solar system goes offline for six months because an  
6 inverter goes down and I can't get another inverter  
7 and it doesn't produce a single kilowatt hour, New  
8 River Light and Power is asking me to pay for six  
9 months when my system has produced nothing. That is  
10 incredibly unfair. I mean, there is just no other way  
11 to put that.

12           So a flat rate just does not work. It's a  
13 nonstarter. They pay based on production for the  
14 electricity that we produce, the solar generators.  
15 They should also base whatever fee that may be fairly  
16 assessed, and I'm not sure there is one that's merited  
17 here. But if a fee is assessed for a solar system, it  
18 should be based on production in exactly the way they  
19 pay for power now. So if New River Light and Power  
20 wants to put a system on my house, a solar system at  
21 their cost, I will happily pay them to do that. But  
22 if I put a solar system on my house, I shouldn't be  
23 further disincentive and further penalized for  
24 investing my own personal property. I mean, I think

1 this is just one of the hallmarks of what it is to be  
2 an American personal property. And I do not think any  
3 institution of government or otherwise, in this case  
4 New River Light and Power should have the power to  
5 assess me basically what amounts to an unfair tax on  
6 my property. So I have to say that I am pretty  
7 disappointed in the way that this has been done.

8           So it also, I think, goes against a lot of  
9 the sustainability initiatives that the University,  
10 the Appalachian State University is out there  
11 promoting, which I agree with. I think they have a  
12 fantastic technology program and sustainable  
13 development program, and I think renewable energy  
14 production is part of that, and I think for the  
15 University to promote this and then to turn around and  
16 charge with a utility they own a \$6.17 per kilowatt  
17 hour flat rate on somebody's personal property is just  
18 morally inconsistent. I mean, that's just the nicest  
19 I can be about it. I mean incredibly unfair. And I  
20 have to say very surprising for me for as somebody  
21 who's worked with New River Light and Power in the  
22 past and been very satisfied and very happy with the  
23 service I've received. Nothing but good things to say  
24 about them just about up until this moment.

1           So the final point. You know, we --

2           COMMISSIONER KEMERAIT: Mr. Deal, you've  
3 been out of time for a little while so if you could --

4           THE WITNESS: That's fine.

5           COMMISSIONER KEMERAIT: If you want to  
6 summarize your final point, that's fine.

7           THE WITNESS: Well, I was just going to say  
8 that the taxpayers have provided grants and tax breaks  
9 to utilities for decades now. Billions of dollars  
10 worth. I understand about paying your fair share but  
11 I think it's not asked a lot of any utility to not  
12 charge an additional fee on top of the other fees they  
13 assess a customer for a solar system. And that's it  
14 for me.

15           COMMISSIONER KEMERAIT: Thank you. Wait  
16 just one minute --

17           THE WITNESS: Sure.

18           COMMISSIONER KEMERAIT: -- in case there's  
19 some questions. Any questions from the Applicant?

20           MR. DROOZ: Mr. Deal, you mentioned early on  
21 that you had not seen a map, and I just wanted to  
22 offer that there are Company representatives here who  
23 after the hearing can talk through and explain the  
24 cost basis for that number, if you wish to listen to

1 how they came up with it.

2 EXAMINATION BY MR. CREECH:

3 Q My question related to some of your comments on  
4 the map as well. I'm a lawyer not an accountant  
5 or engineer, but I have colleagues who are here  
6 and who will be looking at the record on this  
7 matter.

8 When you say you want to look  
9 behind the numbers and inputs, what are the types  
10 of inputs that you have in mind?

11 A Yeah. I mean, so for solar energy say, as an  
12 example, if I put solar in my house and New River  
13 buys it from me, they don't have to install  
14 anymore transmission distribution to get that  
15 power so that's a saving to them so that should  
16 go in my favor.

17 Now, if they were planning on  
18 me buying a certain amount of power from them,  
19 and my solar system is going to cause that not to  
20 happen, and they're basing their rates on that, I  
21 get that, you know, that that would go on their  
22 electric. But I need to see a line item  
23 breakdown - everything they're paying and  
24 everything they're getting and then what it nets



1 out as, you know, just line item; every single  
2 factor that goes into whatever assessment that  
3 fee is determined to be.

4 MR. CREECH: Thank you.

5 COMMISSIONER KEMERAIT: Thank you for your  
6 testimony. You may be excused.

7 MR. CREECH: Nancy LaPlaca L-A-P-L-A-C-A. I  
8 believe it's a capital "P" as well.

9 MS. LAPLACA: Yes.

10 COMMISSIONER KEMERAIT: Can you pronounce  
11 your name. I did not --

12 MS. LAPLACA: LaPlaca. Nancy LaPlaca.

13 COMMISSIONER KEMERAIT: And Ms. LaPlaca,  
14 will you place your left hand on the Bible and raise  
15 your right hand.

16 NANCY LAPLACA;

17 having been duly sworn,

18 testified as follows:

19 COMMISSIONER KEMERAIT: Please begin by  
20 stating your name and address for the record.

21 THE WITNESS: My name is Nancy LaPlaca, and  
22 I live at 239 Wildwood Lane in Boone 28607.

23 COMMISSIONER KEMERAIT: Please go ahead and  
24 provide your statement.

1 DIRECT STATEMENT BY THE WITNESS:

2 I want to first thank New River Light and  
3 Power for their service. I certainly appreciate it.  
4 But this isn't about service. This is about rooftop  
5 solar and whether or not we are going to have any in  
6 Boone. I mean, look around, we don't have any. So  
7 buy-all/sell-all, the current system, I call buy-all  
8 kill all solar because that's exactly what it does.  
9 And if you go ahead and Google buy-all/sell-all solar  
10 in the United States, you will find exactly no utility  
11 that really uses that because it doesn't work. It  
12 means no solar. And so the choice that we're given by  
13 New River Light and Power which is an exorbitant rate  
14 of \$6.17 per kilowatt, we've seen what happens when  
15 utilities do that because they've done it before and  
16 they've done it in states that I've worked in like  
17 Arizona. And what happened when they raised the price  
18 like that is solar installations, rooftop, went down  
19 95 percent; 95 percent in one year. So if we want to  
20 continue to have zero rooftop solar in Boone like we  
21 do now, then by all means charge that but it's going  
22 to kill solar. Look around. We don't have any. It's  
23 really sad.

24 I've been doing this work now for almost 20

1 years all across the country. Here in North Carolina  
2 we have far more solar than sunny Arizona where I  
3 lived for most of my life. And the reason is because  
4 their policies are so awful. They kill solar. So our  
5 question is not is New River Light and Power doing a  
6 good job. Yes, I appreciate it. Yes, I appreciate  
7 the under-grounding lines. But I don't appreciate the  
8 fact that they are a monopoly utility that is tying me  
9 and everyone I know to fossil fuels for the next 15  
10 years.

11 New River Light and Power has surveys that  
12 go back probably 20 years. Over and over and over and  
13 over Boone residents have said "we want solar". About  
14 25 percent of the power goes to App State. The rest  
15 of it goes to homes and businesses in New River Light  
16 and Power's district and they really don't seem to  
17 listen to us at all.

18 The other thing I want to mention is they  
19 are tying us to natural gas for 15 years. There is a  
20 climate scientist named Kevin Anderson who says,  
21 natural gas is a bridge fuel to four degrees Cel. rate  
22 in rising temperature. So look at your grandkids. I  
23 know I have a couple myself, grandkids. Look at them  
24 and impose on them a 2-degree C world and then a 3C

1 and then a 4C world because it's coming. They're  
2 saying 1.5 by 2027. Two to 3C maybe by 2040. We're  
3 not going to have life as we know it past 2 degrees.  
4 So, I'm going to bring this up, even though perhaps  
5 climate change is something people don't want to talk  
6 about, when New River Light and Power is tying all of  
7 us to natural gas for 15 years, you've got tons of  
8 volatility, you've got staggering emissions, you've  
9 got enormous climate change effects, and we can't do  
10 anything because they are a monopoly utility and we  
11 can't go outside of that. I mean, when I listen at  
12 App State's defining sustainability since 1899. Are  
13 you kidding me? If the rest of the United States had  
14 the rules that New River Light and Power did we'd have  
15 no energy efficiency in this country, we'd have no  
16 utility scale solar, we'd have no rooftop solar, and  
17 we'd have no wind; we'd have nothing.

18 And so this is not personal. This -- I do  
19 this work because I care about the future and I care  
20 that we're killing the planet. And we're killing it  
21 with natural gas. And that's really a problem. And  
22 rooftop solar -- I want to say one last thing,  
23 Commissioner Kemerait. You know Lazard. Lazard is  
24 the word on levelized cost of electricity. Lazard.

1 And Lazard says that the cost of rooftop PV comes in  
2 at 4.9 to 18.5 cents per kilowatt hour unsubsidized  
3 and 3.2 to 15.5 cents subsidized. We can do this. We  
4 choose not to. And unfortunately, our utilities are  
5 choosing for us and our children. Thank you.

6 COMMISSIONER KEMERAIT: Thank you. Wait  
7 just one moment. There might be some questions. Any  
8 questions from the Applicant?

9 MR. DROOZ: Yes.

10 EXAMINATION BY MR. DROOZ:

11 Q Ms. LaPlaca, are you familiar with the Green  
12 Power Program offered by New River?

13 A Yes, I am.

14 Q And do you understand that you have the choice of  
15 subscribing to that if you wish to use non-fossil  
16 energy?

17 A Yes, I do, but I choose not to because I want my  
18 power local. That's what I want. Local  
19 distributed clean energy. Not hydro.

20 Q Thank you.

21 EXAMINATION BY MR. CREECH:

22 Q Ms. LaPlaca, you mentioned a figure of 95 percent  
23 in your comments. What was the source of that?

24 A I'll be happy to send it to you. Salt River

1 Project in Arizona is the utility. They raise  
2 their fees to \$50 a month. I think it was \$50  
3 flat. Installations went down 95 percent.  
4 Arizona Public Service Company killed retail net  
5 metering in 2013. A very sad day. And  
6 basically, rooftop installations went down  
7 95 percent. And I'm happy to send you that  
8 information. I've used it in many talks and  
9 presentations.

10 Q Thank you, Ms. LaPlaca. One more question. You  
11 talked about volatility.

12 A Yeah.

13 Q Can you with speak to that?

14 A Yeah. Natural gas, I mean, it's -- you know, in  
15 2008 natural gas spiked to about \$13 a million  
16 BTU. Natural gas is extremely volatile right  
17 now. Twenty years ago, our country was 2 or  
18 4 percent natural gas power. Now it's 40. Same  
19 with North Carolina. We were 2 or 4 percent  
20 natural gas 20 years ago. Now we're 40 percent  
21 natural gas. So we are tied to that cost. As we  
22 export more and more natural gas because Russia  
23 is getting shut down and more gets turned to LNG.  
24 LNG is even worse for emissions. It's like five

1 times worse for emissions because you're  
2 constantly compressing this gas and re-gasifying  
3 it and putting it on a ship and leaking all over  
4 the place. And so basically what we're doing is  
5 we're looking at a future with more and more  
6 natural gas volatility, right, and the growing  
7 possibility and virtual near certainty that we're  
8 going to be running out. We need to plan ahead  
9 so that we can replace that natural gas because  
10 if we start paying what Europeans paid last year  
11 for natural gas-fired power, those bills of New  
12 River Light and Power are going to be triple and  
13 quadruple like they have all over Europe.

14 COMMISSIONER KEMERAIT: Thank you. You  
15 may -- unless Mr. Creech has more questions. You may;  
16 be excused.

17 THE WITNESS: Thank you.

18 MR. CREECH: Steve Owen, O-W-E-N.

19 COMMISSIONER KEMERAIT: Good evening,  
20 Mr. Owen.

21 THE WITNESS: Hello.

22 COMMISSIONER KEMERAIT: Place your left hand  
23 on the Bible and raise your right hand.

24 STEVE OWEN;

1                   having been duly sworn,

2                   testified as follows:

3                   COMMISSIONER KEMERAIT: Please begin by  
4 stating your name and address for the record.

5                   THE WITNESS: Sure. My name is Steve Owen.  
6 I live at 208 Apple Blossom Lane. That's Boone, North  
7 Carolina.

8                   COMMISSIONER KEMERAIT: Please go ahead and  
9 provide your statement.

10                  THE WITNESS: Sure.

11 DIRECT STATEMENT BY THE WITNESS:

12                  So I live in the ETJ which used to be sort  
13 of the Town, although my residential power comes from  
14 Blue Ridge, but I have several properties that are  
15 serviced by New River. And I just want to go back to,  
16 this was referenced just a little bit earlier, about  
17 2002, 2007, 2008, somewhere right in there, we worked  
18 with New River. We had a very small 2.4 kilowatt  
19 solar project on a building I have an ownership  
20 interest the next block down here, and our intent was  
21 to demonstrate a model where we could own solar  
22 cooperatively, we, our community members, and so we  
23 worked with New River and come to find out we were  
24 ready to interconnect it and New River said, "oh, we



1 don't have an interconnection standard". So this  
2 project was referenced earlier by a Jeff Deal,  
3 provoked this buy-all/sell-all interconnection  
4 standard that everybody knows about now. That was  
5 2007 or '08. I forget exactly when that was.

6 In the meantime, up until fairly recently,  
7 I've been involved in doing solar developments, mostly  
8 and unfortunately out of the State of North Carolina,  
9 doing nonprofit solar development for schools,  
10 churches, that sort of thing, for any tax exempt  
11 entity. And we always called that the "high hanging  
12 fruit" because as hard as solar is to actually  
13 develop, developing solar, having a church or a school  
14 or some other community institution or agency own it,  
15 it's a pretty stout uphill challenge, as has been  
16 mentioned a number of times. Solar isn't cheap.  
17 Although it's come down a heck of a lot since we  
18 started in 2007 or '08. It's come down by a lot.

19 I didn't come prepared for a quantitative  
20 information. But one of the things I've seen through  
21 developing a lot of these projects is a lot of  
22 spreadsheets; we've worked with a lot of boards at a  
23 lot of these institutions; and looked at really what  
24 is the value to them, solar on their roof or out at

1 their cow pasture, or on their lawn. And we have a  
2 pretty good idea of what it takes to kill solar and in  
3 this case six seventeen for a kilowatt hour,  
4 regardless of what it actually may produce. Maybe  
5 I'll buy a used system and its production capacity is  
6 going to diminish over five or 10 years. That's a  
7 steeper penalty for me, that six seventeen per  
8 kilowatt.

9           So I believe we've seen a lot of projects  
10 and there are a lot of little death by thousand cuts  
11 that tend to really -- the term that we came to hate  
12 was "it just doesn't pencil", and A lot of it really  
13 don't. If you're looking at just the economics, they  
14 just don't. Six, you know, twelve, eighteen, twenty,  
15 whatever, however much you have installed, that adds  
16 up. That is a big deal. So, I -- you know, I think  
17 it's just a killer as other folks have mentioned. I  
18 very much am not in favor of it.

19           I've been thinking about my grandparents a  
20 lot lately and they were people that thrift. I  
21 learned thrift from them. They were country people.  
22 Very smart, knew how to do everything. And I think  
23 about the gardens that my grandmother grew. And I  
24 think about the analogy here with New River. To me,

1 it sort of plays out like this. We can grow a garden,  
2 grow our tomatoes and grow a few things for the summer  
3 and enjoy that. And I don't expect to go to the  
4 grocery store and them tell me I've got to pay an  
5 extra six bucks to come in the store. I'm still  
6 buying food. I'm still buying staples from them. But  
7 for me, it just seems really a lot to go into my  
8 grocery store and they say, "sorry, you grew those  
9 tomatoes. We're going to charge you extra". You  
10 know, the great thing about a grocery store is it's  
11 not a monopoly. I can go from one to the other. But  
12 that just, to me, just common sense-wise, seems  
13 really, really unjust, and it really speaks to me.

14 I will just end by saying that, mentioned  
15 before, I have six properties within a block of here,  
16 and I've talked to business owners, building owners,  
17 since 2007 about hey, let's do this, and I get from a  
18 lot of them - these are MBA-type people who were  
19 thinking it doesn't quite pencil. Well, right now I  
20 have three a block from here that we were planning on  
21 doing this as soon as we get some other construction  
22 done, and this would be a killer. And --

23 COMMISSIONER KEMERAIT: Thank you, Mr. Owen.  
24 Can you wrap it up?

1 THE WITNESS: Yeah. I'm ashamed that New  
2 River, great utility, known some of the people over  
3 the years, I agree with everything, but I'm ashamed of  
4 this, my town. Yes. Thank you.

5 COMMISSIONER KEMERAIT: Are there any  
6 questions for Mr. Owen from the Applicant?

7 MR. DROOZ: No questions. Thank you.

8 COMMISSIONER KEMERAIT: From the Public  
9 Staff?

10 EXAMINATION BY MR. CREECH:

11 Q Mr. Owen, I suppose my question is, you talked  
12 about how you've been here in the town and  
13 working solar. How do you -- how do you --  
14 you've heard some comments tonight on the  
15 University's sustainability programs and then  
16 this. How do you mirror -- how do you make sense  
17 of that? What's your impression about -- I  
18 suppose, how do you make sense of that,  
19 that economy there?

20 A I've taught a sustainable development program  
21 before. And you asked a question that could keep  
22 me here awhile so I'll try to be brief.

23 I just think, first of all, it  
24 doesn't make sense given where we are, you know,

1 an inclemented world, you know, a carbon  
2 constrained world. It doesn't make sense at all.

3 There are a lot of us saying  
4 "hey, we want to do this, we want to -- we'd like  
5 to start pitching in". I'd like to produce some  
6 of my own power, just like my grandma grew  
7 incredible tomatoes. I don't want to have to pay  
8 to do that. I think it's really backward,  
9 unjust. And I also have a degree in economics.  
10 The dismal signs and I know that you can get a  
11 bunch of economists in a room and we can concoct  
12 anything in terms of our -- how we cost out  
13 production and-whatnot.

14 MR. CREECH: All right. Thank you.

15 COMMISSIONER KEMERAIT: Thank you for your  
16 testimony.

17 THE WITNESS: Thank you.

18 MR. CREECH: Karen Brown, B-R-O-W-N.

19 COMMISSIONER KEMERAIT: Good evening,  
20 Ms. Brown.

21 Can you place your left hand on the Bible  
22 and raise your right hand.

23 KAREN BROWN;

24 having been duly sworn,

1 testified as follows:

2 COMMISSIONER KEMERAIT: Can you begin by  
3 stating your name and address, please?

4 THE WITNESS: Karen Brown, 126 Iris Lane,  
5 Boone, North Carolina.

6 COMMISSIONER KEMERAIT: And please go ahead  
7 and provide your statement.

8 DIRECT STATEMENT BY THE WITNESS:

9 I did not prepare anything. I think that  
10 we've heard some pretty amazing testimony. I  
11 represent your fairly uninformed, I could say  
12 ignorant, homeowner in the Town of Boone.

13 When I started to think -- and I have  
14 children and they're thinking about having children so  
15 climate change is important to me. I hope it's  
16 important to all of us.

17 So I have friends who live in the county and  
18 they are putting up solar and I thought *oh, what a*  
19 *great idea*. I have a building with four apartments  
20 and I have people living there who are struggling  
21 already to pay their rent. Utilities went up.

22 So I have been asking and trying to figure  
23 out, again, a pretty -- what I consider ignorant in  
24 this area -- what's going on? Why? And I'm going to

1 ask you because I don't understand. So I'm not  
2 telling you anything, I'm asking you. How is that --  
3 how is it that Blue Ridge Electric is managing this  
4 and we're not. How is that New River Light and Power  
5 is connected to the University and promotes  
6 sustainability and we're not going to get anywhere  
7 with it? I don't know. It seems to me to be what I  
8 would call "a sham", and it's embarrassing.

9 I would like to put solar on my house. Oh,  
10 one more thing. Someone said something about *you*  
11 *shouldn't have to pay for what you don't get.* Right.  
12 Like, you know what, there are a lot of things I pay  
13 for that I don't get. Schools: I will pay for the  
14 schools until the day I leave, until the day I die. I  
15 don't have any children in the school system. So I  
16 think that that -- that is something that is really  
17 un-American because we do -- instead of thinking about  
18 individuals, we need to think about community. And we  
19 do need the best for each other.

20 I would really love for New River to look at  
21 this and to consider not just your pocket, because I  
22 think someone else could probably figure it out  
23 financially, but to truly consider here we all are  
24 humans in this room who want a future. So it's not

1 just -- it's not so cut and dry. Does New River want  
2 to see success, sustainability?

3 So that's -- I'm disappointed and I'm  
4 shocked. That's it. I'm finished.

5 COMMISSIONER KEMERAIT: Are there any  
6 questions from the Applicant?

7 MR. DROOZ: No questions. Thank you.

8 COMMISSIONER KEMERAIT: From Public Staff?

9 MR. CREECH: No questions.

10 COMMISSIONER KEMERAIT: Thank you for your  
11 testimony.

12 MR. CREECH: Amber Milton, I believe, or  
13 Melton.

14 MS. MELLON: I apologize for the long walk.

15 COMMISSIONER KEMERAIT: Good evening,  
16 Ms. Milton.

17 MS. MELLON: Mellon.

18 COMMISSIONER KEMERAIT: Mellon. Okay.

19 MR. CREECH: My apologies.

20 COMMISSIONER KEMERAIT: Would you place your  
21 left hand on the Bible and raise your right hand.

22 AMBER MELLON;  
23 having been duly sworn,  
24 testified as follows:



1           COMMISSIONER KEMERAIT: And Ms. Mellon,  
2 would you state your name and address for the record?

3           THE WITNESS: It's Amber Mellon. I live at  
4 154 Pond Road in Boone.

5           COMMISSIONER KEMERAIT: And please go ahead  
6 and provide your statement.

7 DIRECT STATEMENT BY THE WITNESS:

8           Again, I'm a homeowner at 154 Pond Road here  
9 in Boone, North Carolina. I apologize, I will be  
10 reading from a prepared statement.

11           I understand that New River Light and Power  
12 has been criticized in recent months regarding options  
13 for renewable energy. With the recent pandemic, high  
14 labor and material costs, I would like convey that New  
15 River has and continued to have high quality service  
16 for my family and me.

17           In fact, a storm in 2009, we didn't have a  
18 generator, and we had to leave our house because of  
19 the downed power lines, right around the neighborhood  
20 like a bomb went off and trees coming down. We came  
21 back home a couple of days later after visiting my  
22 inlaws, and the ice cream in my freezer had barely  
23 even melted, and I thought that was amazing because we  
24 got our power right back. My brother works for Duke

1 Power and he has been amazed at our power bills. He  
2 just wonders how it works. Our electric costs remain  
3 comparatively low while reliable -- reliability, I'm  
4 sorry, remains excellent, except for that squirrel  
5 that keeps -- the squirrel -- I think we got the  
6 squirrel. It keeps chewing our power line.

7 I'm all for customers having a choice to  
8 install their own generation. I do not think I should  
9 have to pay for the installation of someone else's  
10 solar through unfair rates if solar generators were to  
11 get more for the energy they generate than the value  
12 they offset. As a math instructor, I believe that New  
13 River Light and Power's offer for renewable energy is  
14 chose -- is choice not to. If New River Light and  
15 Power is proposing to pass on any savings they see to  
16 the generating customer while continuing to prepare --  
17 I'm sorry -- to provide fair and reasonable rates to  
18 those that don't, then I feel confident that they  
19 are -- what they are doing -- I'm sorry -- what  
20 they're proposing is in the best interest of our  
21 community. Thank you.

22 COMMISSIONER KEMERAIT: Are there any  
23 questions from the Applicant?

24 MR. DROOZ: No questions. Thank you.

1                   COMMISSIONER KEMERAIT: From the Public  
2 Staff?

3 EXAMINATION BY MR. CREECH:

4 Q Ms. Mellon, it's M-E-L-L-O-N?

5 A Yes. Like a cantaloupe with two "L's".

6 Q Perfect. Thank you. You mentioned solar and you  
7 referred to various testimony, and you provided  
8 some just now. I was hoping you could expand on  
9 that one more moment. You said as a math teacher  
10 or math student, I'm sorry.

11 A I'm a math teacher Appalachian State.

12 Q Perfect. And can you restate what you said  
13 there? I'm sorry. And if you would like you can  
14 enter your statement into the record.

15 A Yeah, I'm just a little, you know, nervous. It's  
16 been an afternoon.

17                   Let's see. I believe New  
18 River Light and Power's offer for a person to buy  
19 in is fair when a person has a choice. Because  
20 we're living in an economy now and like the  
21 previous person -- speaker mentioned, you know,  
22 rents are going up. You know, they're trying to  
23 keep things in check.

24 Q Okay. Any additional comment on that?

1 A No, sir.

2 MR. CREECH: Thank you.

3 COMMISSIONER KEMERAIT: Thank you for your  
4 testimony.

5 THE WITNESS: Thank you.

6 MR. CREECH: Presiding Chair Kemerait, I'm  
7 not aware of any other witnesses who have signed up  
8 and I'm told by my colleagues that that is -- those  
9 were the individuals who have signed up.

10 COMMISSIONER KEMERAIT: Thank you. And  
11 since we've heard from all of the witnesses this  
12 evening, is there anything else that needs to be  
13 addressed from the parties before we are adjourned?

14 MR. DROOZ: None from the Applicant.

15 MR. CREECH: None from the Public Staff.

16 COMMISSIONER KEMERAIT: And I want to thank  
17 everyone for coming this evening and speaking and  
18 testifying. It's very much appreciated. And the  
19 Commission does listen to the statements that are  
20 provided at the public witness hearings.

21 So we are now at the conclusion of this  
22 evening's public witness hearing and we are now  
23 adjourned. Thank you very much.

24 (The proceedings were adjourned)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

C E R T I F I C A T E

I, KIM T. MITCHELL, do hereby certify that the Proceedings in the above-captioned matter were taken before me, that I did report in stenographic shorthand the Proceedings set forth herein, and the foregoing pages are a true and correct transcription to the best of my ability.

Kim T. Mitchell

Kim T. Mitchell