

1 PLACE: Johnston County Courthouse
2 Smithfield, North Carolina
3 DATE: Monday, October 30, 2017
4 TIME: 6:30 p.m. - 8:05 p.m.
5 DOCKET NO: E-2, Sub 1150
6 BEFORE: Commissioner Daniel G. Clodfelter, Presiding
7 Commissioner Bryan E. Beatty
8 Commissioner Lyons Gray
9
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11

12 **IN THE MATTER OF:**

13 DUKE ENERGY PROGRESS, LLC.

14 Application for a Certificate of Environmental
15 Compatibility and Public Convenience and Necessity to
16 Construct Approximately 11.5 Miles of New 230-kV
17 Transmission Line in Johnston County, North Carolina
18

19 VOLUME: 1
20
21
22
23
24

1 A P P E A R A N C E S:

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7
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NORTH CAROLINA UTILITIES COMMISSION

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

COMMISSIONER CLODFELTER: Good evening, folks. Let's come to order, and we will now call for hearing Docket Number E-2, Sub 1150. I am Commissioner Dan Clodfelter and I've been designated by the Chairman, Ed Finley, to preside over the panel at this evening's hearing. With me on the panel this evening, and the three of us will constitute the hearing panel, are Commissioners Bryan Beatty to my left, your right, and Commissioner Lyons Gray. We will be conducting the hearing this evening.

I'm calling now for hearing, public hearing Docket E-2, Sub 1150, which is In the Matter of the Application of Duke Energy Progress, LLC, for a Certificate of Environmental Compatibility and Public Convenience and Necessity to Construct Approximately 11.5 Miles of New 230-kV Transmission Line in Johnston County, North Carolina.

In compliance with the requirements of the State Government Ethics Act, I will remind the panel members of our duty to avoid conflicts of interest, and at this time I'll inquire whether any member of the panel has a known conflict of interest with regard to this particular docket?

1 (No response.)

2 Let the record reflect that no conflicts of
3 interest were identified, and we will proceed.

4 On July 14, 2017, Duke Energy Progress filed
5 an Application pursuant to General Statute 62-100 for
6 a Certificate of Environmental Compatibility and
7 Public Convenience and Necessity to construct
8 approximately 11.5 miles of new 230-kV transmission
9 line and a substation in Johnston County, North
10 Carolina. With the Application were filed the direct
11 testimony of Timothy J. Same and James Umbdenstock,
12 along with a routing study and an environmental
13 report.

14 On July 18, 2017, the Commission issued an
15 Order Scheduling Hearings, Requiring the Filing of
16 Testimony, Establishing Discovery Guidelines and
17 Requiring Public Notice. The Order scheduled this
18 hearing, the public witness hearing, for this date,
19 Monday, October 30, 2017, and then scheduled tomorrow
20 in Raleigh, October 31st at 10:00 a.m. in the
21 Commission Hearing Room in Raleigh, which is located
22 in the Dobbs Building at 430 North Salisbury Street.
23 The hearing tomorrow will be to continue to take
24 expert witness testimony and testimony from folks who

1 are formal parties to the proceeding. I'll say a
2 little more about that in just a minute.

3 On September 21, 2017, Duke Energy Progress
4 filed an Affidavit of Publication of Notice for
5 tonight's hearing.

6 The Commission has received and has docketed
7 numerous consumer Statements of Position. Those are
8 in this notebook I have in front of me so we've got a
9 pretty good hearing record already based on the
10 concerns that were expressed in these statements.

11 On September 25, 2017, the Commission issued
12 an Order requiring Duke Energy Progress to provide
13 certain additional information and respond to certain
14 additional questions.

15 On October 9, 2017, Duke Energy Progress
16 filed its responses to those additional questions from
17 the Commission.

18 On October 11, 2017, the State Clearinghouse
19 sent an email to the Commission indicating that the
20 Clearinghouse will complete its review of the
21 Application by November 3, 2017.

22 On October 16, 2017, the Public Staff filed
23 a letter recommending that the Commission grant the
24 Certificate requested by Duke Energy Progress.

1 On October 23, 2017, Oliver Canaday --
2 Mr. Canaday, did I -- are you Canaday or Canaday
3 (pronounced Kennedy)?

4 MR. CANADAY: It's Canaday like a can a beer
5 a day.

6 COMMISSIONER CLODFELTER: Got it.

7 On October 23, 2017, Oliver Canaday filed a
8 Petition to Intervene as a formal party to the
9 proceeding, and on October 25th, the Commission issued
10 an Order granting his Petition to intervene in the
11 proceeding.

12 And, finally, on October 25, 2017, Duke
13 Energy Progress filed rebuttal testimony from Timothy
14 Same and James Umbdenstock.

15 Before we go into the hearing, let me tell
16 you a little bit about what we're going to be doing
17 this evening. The purpose of this hearing is to take
18 testimony from public witnesses who are not official
19 parties to the proceeding, that's you, except for
20 Mr. Canaday who is an official party to the
21 proceeding. He will give his testimony in Raleigh at
22 the hearing tomorrow which begins at 10:00 a.m.
23 You're welcome to attend that hearing and observe that
24 hearing but your chance to talk to the panel members

1 is tonight. Mr. Canaday will be giving his testimony
2 tomorrow.

3 The purpose of this tonight is not for us to
4 answer questions or to make a decision tonight by the
5 panel, it's to get your input and your public
6 statements by this pending application. We are
7 required by the General Statutes to take the evidence
8 in an official record transcribed by a court reporter.
9 She's going to be taking down what you say so we have
10 a record of what is said tonight. And you will be
11 asked to testify under oath. You will be either asked
12 to swear or to affirm to your statement tonight. So
13 what we've done is circulate before the hearing a
14 call-up sheet. It was at the back when you came in.
15 And, if you want to testify tonight and state your
16 position on record tonight, you need to see
17 Ms. Fennell or the gentleman here or in the back --
18 he's in the back -- and put your name on the list at
19 some point. If you'll get up -- if you haven't done
20 so already, if you'll get up quietly and go back to
21 see the gentleman in the back, he'll be collecting
22 signatures, and then we'll call you in the order in
23 which you have signed up to speak. When I call you to
24 come up, please come up to the witness stand and you

1 will have to testify from the witness stand, we'll
2 administer the oath, and you'll swear or affirm, and
3 then give your statement.

4 Now, we're going to do something a little
5 bit different tonight so that we can identify where
6 everybody is located. When you are done with your
7 statement and you've finished saying what you need to
8 say on the witness stand, I want you to come down to
9 the desk here where Ms. Fennell is, she's the lawyer
10 for the Public Staff, and there will be a map of the
11 area that this transmission line is proposed for, and
12 there are a number of sheets on that map that are
13 detailed sheets that show all the individual
14 properties. When you're done testifying, if you'll
15 come down to the desk there and find the sheet that
16 has your property on it and just sign your name on it.
17 That way we'll know when we look at this map where you
18 were and you won't have to go through a lot of
19 pointing out because it's hard for us -- it's going to
20 be hard for us tonight to see that map over there from
21 the distance we're at. But, if we've got you signed
22 up on this we'll know exactly where you are, where
23 your property is located when you are talking to us.
24 So I'll call you, you come up, get sworn, give your

1 statement, and then go down and sign the map. Got it?

2 (Several audience members nod in agreement.)

3 Now, I know this is going to be a
4 well-behaved crowd. But one of the reasons we've got
5 the deputies in the courtroom is in case anybody does
6 get out of line, and sometimes that happens, but I
7 don't expect that's going to happen tonight. And the
8 deputy will help us out if we need to call on him, but
9 I know that's not going to happen.

10 You will have three minutes when I call you
11 to speak. And Ms. Swenson, who's sitting over here to
12 my left at the end of the table, she has a timer that
13 you'll be able to see. So, if you'll every once in a
14 while just sort of take a glance at that time, it will
15 show you how much time you've got and when your three
16 minutes is up then we're going to move to the next
17 person because there's a lot of folks that have signed
18 up to talk. So I need you to sort of be respectful of
19 each other and of the fact that the people behind you
20 are waiting to speak and we can't let somebody
21 monopolize the whole conversation all night.

22 Those are the ground rules. I think we've
23 got them.

24 Again, if you've got written material you

1 want to put in tonight, bring your written material up
2 with you, and as part of your statement we'll put your
3 written material into the record and it will become an
4 official exhibit in this hearing.

5 Now, I don't know -- Mr. Somers here is with
6 Duke Energy. He's the lawyer for Duke Energy
7 Progress. There may be some Company folks here
8 tonight. If you've got questions you want to ask of
9 the Company, when we're done with taking all of the
10 witness statements, I'm sure they'll be staying around
11 afterwards, and Mr. Somers will show you who's here
12 from Duke Energy Progress and they'll be available to
13 you after the hearing to answer the questions you've
14 got.

15 The purpose of Mr. Beatty, and Mr. Gray and
16 myself is to hear your statements, get them in the
17 official court record, and then we'll continue that
18 hearing tomorrow. Okay. Got it? Anything else?

19 (No response.)

20 So I'm going to ask now for -- Mr. Canaday
21 again is a little bit different because he's now an
22 official party to the proceeding, so I'm not going to
23 ask him to identify himself because we've already
24 called him out. But I'm going to ask the lawyers for

1 the other parties to identify themselves for the
2 record, please, starting with the Applicant.

3 MR. SOMERS: Good evening, Mr. Chairman and
4 Members of the Commission. I am Bo Somers, Deputy
5 General Counsel, on behalf of Duke Energy Progress.

6 COMMISSIONER CLODFELTER: Okay. Now, you
7 two don't have microphones, they tell me, that can be
8 turned on so, when y'all talk, if you would try to --
9 don't mind turning your back on me, but they'll have
10 an easier time hearing you if you turn to tell them.
11 Okay.

12 MS. FENNELL: Good evening. I'm Heather
13 Fennell with the Public Staff representing the Using
14 and Consuming Public.

15 COMMISSIONER CLODFELTER: Okay. Are there
16 any preliminary matters that we need to take up before
17 we hear the testimony?

18 (No response.)

19 Do you wish to make an opening statement?

20 MR. SOMERS: No. Thank you.

21 COMMISSIONER CLODFELTER: Okay, fine. So,
22 Ms. Fennell, do you have witnesses, and are you ready
23 to proceed --

24 MS. FENNELL: Yes.

1 COMMISSIONER CLODFELTER: -- with your
2 witnesses? Well, call your first witness.

3 MS. FENNELL: Lou Ann Johnson.

4 COMMISSIONER CLODFELTER: We need to make
5 sure microphone is turned on.

6 LOU ANN JOHNSON; was duly sworn and
7 testified as follows:

8 DIRECT EXAMINATION

9 BY MS. FENNELL:

10 Q Hi. Could you please state your full name and
11 your address, please?

12 A Lou Ann Lassiter Johnson.

13 Q And your address.

14 A 704 Maple Avenue. That's my street address.
15 Post Office Box 62.

16 COMMISSIONER CLODFELTER: Ms. Johnson, you
17 might want to pull the microphone a little bit closer
18 to you. I think that might help.

19 BY MS. FENNELL:

20 Q And the town?

21 A Four Oaks.

22 Q Would you like to read your statement?

23 A Yes, I would. I own a small track of land on 715
24 Parkertown Road, Four Oaks, North Carolina. I

1 don't want a 230-kV transmission line running
2 across my property.

3 I do not have a computer or
4 internet for research. I never got a map that I
5 could understand. No one, and I say no one, from
6 Duke Energy has contacted or met with me about
7 the survey. Thank you.

8 MS. FENNELL: Thank you.

9 COMMISSIONER CLODFELTER: Any questions for
10 this witness?

11 MR. SOMERS: No.

12 COMMISSIONER CLODFELTER: Ms. Johnson,
13 you're the first so you're going to be our Guinea pig
14 here, if you'll come down and sign the map. All
15 right.

16 THE WITNESS: Okay.

17 COMMISSIONER CLODFELTER: And take as much
18 time as you need because there's a lot of sheets on
19 that map. Okay.

20 (The witness is excused.)

21 MS. FENNELL: Alan Roberts.

22 ALAN ROBERTS; was duly sworn and
23 testified as follows:

24 MS. FENNELL: Could you please state your

1 full name and address, please?

2 THE WITNESS: Alan Ray Roberts, and I live
3 at 1250 Berea Church Road, Four Oaks, North Carolina
4 27524.

5 MS. FENNEL: Please make your statement.

6 DIRECT STATEMENT

7 BY THE WITNESS:

8 I'm a fourth generation member of our farm.
9 I live on a dead-end road on Berea Church Road. I
10 live on a 100-acre farm roughly that my great grandad
11 and -- was passed down from him to my grandad, to my
12 parents, and now I have a little parcel of land. As
13 Ms. Johnson stated as well, I do not want this power
14 line at all on our property. It's going to affect
15 generations. There's -- I have three kids. I have
16 two brothers. They have three kids a piece. And it's
17 going to completely affect our farm and our
18 inheritance going forward.

19 Being that we're on a dead-end road I'm very
20 concerned about the access that this -- being able
21 to -- Duke Energy constantly accessing the property.
22 We met with several members of Duke Energy and stated
23 our concerns and it's -- I feel like there's been some
24 lack of communication.

1 We had an incident with some
2 surveyors that we didn't know were out. My
3 daughter -- I have a seven-year-old daughter and
4 she rides and -- I grew up on the farm. We
5 live -- I've roamed the farm and we've had access
6 all of our lives and never had any issues with
7 any trespassers or any people. And my daughter
8 was riding around one day and some surveyor
9 stopped and spoke to her and it kind of -- I'm
10 concerned about this going forward.

11 And I don't understand why they're
12 looking to take this particular, longer route
13 when in several meetings where we've met with
14 Duke Energy they talk about how the longer you go
15 the more energy -- you lose energy and there's a
16 lot more shorter routes to take so. And also
17 I've read in some of the proceedings where
18 there's a -- they stated that there's no
19 businesses within 500 feet of the transmission
20 line when I have Articles of Incorporation where
21 I own a business. And I've gone on the map.
22 I've measured from the back of my back door to
23 the center line of the power line, 308 feet from
24 my back door to the center line of the

1 right-of-way.

2 I also have tax returns showing
3 that I have an active business so I feel like
4 that I don't know if they've completely done
5 their homework as they should. But anyway -- and
6 also they're crossing some major wetlands on our
7 property, and I'm just a little bit concerned
8 about the environmental impact as well. I guess
9 I'm out of time. I could talk for days.

10 MR. SOMERS: May I ask a question real
11 quick?

12 COMMISSIONER CLODFELTER: Sure. Yes.

13 EXAMINATION

14 BY MR. SOMERS:

15 Q Good evening, Mr. Roberts.

16 COMMISSIONER CLODFELTER: Let me say to you
17 in the audience, too, I didn't say this earlier, and I
18 apologize for interrupting you, but the lawyers do you
19 have a chance to ask you questions. They are parties
20 to the proceedings so if they, Ms. Fennell or
21 Mr. Somers, may want to ask you a question or two,
22 there's nothing unusual about that.

23 MR. SOMERS: Thank you.

24

1 BY MR. SOMERS:

2 Q Good evening, Mr. Roberts. Again, my name is Bo
3 Somers. I'm Duke Energy's lawyer. I appreciate
4 you coming tonight.

5 First of all, I want to apologize
6 if in any way your daughter felt scared or was
7 concerned that somebody was on your property and
8 spoke to her when she was out riding around. So
9 I -- did anything inappropriate happen? Was she
10 concerned about that interaction?

11 A No. No. No. I mean, nothing other than hey
12 some men stopped and talked to us.

13 Q I understand. I have two daughters myself and I
14 appreciate your concern. Just to clarify, you
15 mentioned that you own a business and it's within
16 380 feet of where you understand the line will
17 go; is that correct?

18 A 308 feet.

19 Q 308 --

20 A Yes, sir.

21 Q And does that measure -- is that your house that
22 you're measuring the 308 feet from?

23 A Yes. I met -- going on your interactive map and
24 you know you can measure from roughly from my

1 back door to the center line of the right-of-way,
2 it measures 308 feet.

3 Q Okay. So that's a residence that was also
4 factored into the routing problems, correct?

5 A It is my residence, yes, but I also operate a
6 business out of my residence, so yes.

7 Q Great. Thank you very much.

8 A Yes.

9 COMMISSIONER CLODFELTER: Thank you. If
10 you'll see the gentleman and sign on the map.

11 (The witness is excused.)

12 MS. FENNELL: Billy Prine.

13 UNKNOWN SPEAKER: Billy Price.

14 COMMISSIONER CLODFELTER: Can we pull it
15 down? (Referring to the microphone.) There we go.
16 That's good. I'm not going to make you get up there
17 if you don't want to. We'll take you from -- we can
18 hand the microphone to you down there.

19 MR. PRICE: Good evening.

20 COMMISSIONER CLODFELTER: But I do need to
21 swear you in.

22 BILLY PRICE; was duly sworn and
23 testified as follows:

24 DIRECT STATEMENT

1 BY MR. PRICE:

2 I'm Billy Price. I live at 1749 Parker Road
3 in Four Oaks, North Carolina. I've been on the farm
4 66 years and I'm concerned about it with the --
5 splitting my farm up; 31 acres. That splits it near
6 about in the middle. It's got a tower out there
7 199-foot high and the center line is 155-foot from the
8 center line to the center of the tower. I'm concerned
9 about that. And it's a -- they turned me off about
10 Duke Energy when they had a meeting here in Smithfield
11 and I went there and talked with them and asked them
12 questions. And I asked them do you get compensated.
13 Nope, you don't get compensated. Said if you run over
14 your stuff we'll pay you for it. And they just turned
15 me off.

16 I don't want no power line across my field.
17 Been there for 66 years and got grand-youngens and
18 great grand-youngens and I would love for them to
19 build out there somewhere and there ain't nowhere to
20 build when you get that power line across there. It
21 just ain't right. They have to put up with a power
22 line and I don't know what. I heard a voltage line.

23 I have a map. That's all I've ever had.
24 The same one just like I've always had the first time.

1 And I don't have a computer. I don't have all that
2 fancy stuff because I'm 86-years-old and there ain't
3 nothing I can do but switch it on. I've got neighbors
4 that looks after me and keep me informed of what's
5 going on, and I do appreciate what they have done for
6 me. And I -- I just don't want the power to run
7 across my farm. Thank you.

8 COMMISSIONER CLODFELTER: Thank you. Any
9 questions for Mr. Price?

10 Do you still farm?

11 THE WITNESS: Yes, sir, I farm. I have a --
12 raising horse hay.

13 COMMISSIONER CLODFELTER: Okay.

14 THE WITNESS: I can't do what I want to do.
15 I ain't walked in three months now. I've got
16 arthritis. I'm hoping they'll get me -- working on
17 me. I hope it'll get where I can get back on one of
18 my tractors.

19 COMMISSIONER CLODFELTER: We hope you will.

20 THE WITNESS: It's like therapy to get on
21 that thing and work.

22 COMMISSIONER CLODFELTER: If you'll sign on
23 the map there so we'll know exactly where your
24 property is, okay?

1 THE WITNESS: Thank you.

2 COMMISSIONER CLODFELTER: Thank you.

3 (The witness is excused.)

4 TIM DUKE; was duly sworn and
5 testified as follows:

6 MS. FENNELL: Could you please state your
7 full name and your full address, please?

8 THE WITNESS: Yes, ma'am. I'm Timothy
9 Nelson Duke. I live at 563 Parker Town Road in Four
10 Oaks.

11 DIRECT STATEMENT

12 BY THE WITNESS:

13 I'm forty-nine years old. 30 years, retired
14 from the fire service and small cattle farmer. I'm in
15 total opposition of them coming across my property.
16 It will completely cut my property in half. And I've
17 got a couple of concerns.

18 One thing that concerns me is the effects on
19 what cattle I have on my property and others' cattle
20 as well. I found -- I did some reading, and in Duke
21 Energy's Application they talk about agriculture and
22 in section 3.2.1.1, agriculture, it states that
23 livestock produced in Johnston County includes hogs,
24 pigs, and poultry. It does include cattle. And then

1 the North Carolina Department of Agriculture
2 statistics for agriculture in North Carolina, it
3 clearly states there's 12,400 cattle in 2015 in
4 Johnston County, and 12,500 cattle in Johnston County.
5 I just -- I called on the local owner of the stockyard
6 here in Johnston County and he says that on a
7 conservative side there's 26,000 head of cattle that
8 goes through his stockyard every year here in Johnston
9 County, and that number is conservative on his part.
10 20 percent of those are coming from Johnston County,
11 and with that number being it might be 200 a year so,
12 yes, we do have cattle in Johnston County. And, yes,
13 there is a study through the Missouri -- let me get
14 this right -- on magnetic fields with cattle, it does
15 say that their lactation rate is decreased, and that's
16 a concern that I have for my cattle eating under these
17 power lines. I'm raising beef cattle and mama cows
18 that don't lactate well they don't produce milk and my
19 cows don't produce any calves.

20 The other thing I'll say in closing, as I
21 said I was a 30-year veteran in the fire service.
22 Years ago, we answered a call, and a residential
23 transmission line came down on the -- on a rod-iron
24 fence. About 250-feet away from where it came down,

1 it actually boiled the concrete, not asphalt. It
2 boiled the concrete. I don't know why I kept this
3 sample but that's a sample of boiled concrete 250 feet
4 from my power line where it energized. That's
5 something I saw as a firefighter. This power line is
6 330-feet from my house and this is 230-k (sic) line so
7 I can't even begin to imagine what 230 feet is, what
8 that is going to do for me. I'm in opposition of it.
9 Thank you.

10 COMMISSIONER CLODFELTER: Thank you,
11 Mr. Duke, for coming.

12 (The witness is excused.)

13 MS. FENNELL: Ray Johnson.

14 RANDY WADE JOHNSON; was duly sworn and
15 testified as follows:

16 MS. FENNELL: Please state your full name
17 and your full address, please.

18 THE WITNESS: Randy Wade Johnson, 935 Parker
19 Town Road, Four Oaks, North Carolina.

20 DIRECT STATEMENT

21 BY THE WITNESS:

22 My name is Randy Wade Johnson. My address
23 is 935 Parker Town Road, Four Oak.s. I'm
24 41-years-old. I live there with my wife Casey,

1 daughters --

2 COMMISSIONER CLODFELTER: You're going to
3 have to slow down probably just a little bit so the
4 court reporter can keep up with you.

5 THE WITNESS: Well, you give us three
6 minutes.

7 (Laughter)

8 COMMISSIONER CLODFELTER: Now, if you've got
9 it in writing and you want to put it in, we'll get it
10 all that way.

11 THE WITNESS: Let me start over.

12 COMMISSIONER CLODFELTER: Go ahead.

13 THE WITNESS: I am opposed to Duke Energy
14 running their transmission line across my property.
15 Their communication to the public, the bias in their
16 matrix, and the fraud in their docket should be enough
17 for the Utilities Commission to make Duke Energy find
18 an alternative route for this line. Preferably in the
19 area that caused the need for it, and that will
20 benefit from it in the future.

21 Duke Energy mailed out letters about open
22 house. They used responses and information from the
23 open houses to determine the southern route selected
24 was the best route. Page 18, Direct Testimony of

1 Timothy J. Same, the minimal input for concerned
2 landowners as opposed to much greater input along the
3 other lowest scoring routes indicating less chance of
4 construction or access issues and a more positive
5 public perception of the project.

6 Page 4-24, Docket E-2, Sub 1150 states, the
7 disparity between comments received for the western
8 routes versus the southern routes illustrates the
9 general level of interest and/or concern from
10 landowners and the public along these routes.

11 Page 10, Direct Testimony of Timothy J.
12 Same, an informational letter and small scale map
13 describing the project and advertising the workshops
14 and mailed it to all property owners within 500 feet
15 of alternative routes. If you did not receive a
16 letter about workshops, how is one to make a comment?
17 You can see that there are several letters sent to the
18 Utilities Commission from property owners that did not
19 receive that letter. In addition, the map sent with
20 the letter has a map that does not have any road names
21 on them other than Highways 40, 70, 95 and 301. A
22 person cannot look at this map and tell if their
23 property was affected or not.

24 In Appendix C, Page 6 of 51, depicts a map

1 with segments 17 - 24. You can see that every state
2 maintained road is listed and this is a more accurate
3 map. A person could actually tell where their
4 property is and respond. To further prove the map
5 people received on this southern route is vague Duke
6 Energy admits to it.

7 Page 6 of the Duke Energy response to
8 Question 6, which I see was a question about *is the*
9 *map accurate* that I sent. Duke Energy's response was,
10 *yes, the referenced map from the letter dated July*
11 *31st to Chris Ayers from Randy Johnson is somewhat*
12 *illegible.* This is the interactive map that was
13 available online that I scanned into an email and sent
14 to them. If it is somewhat illegible to an engineer,
15 how does a person without an engineering degree
16 interpret and respond?

17 This leads to my next point in their
18 communication. The Duke Energy interactive map put on
19 the website was listed on this communication data --
20 dated November 4th. You could go online and view the
21 interactive map. Problem: There's little to no rural
22 broadband serving the "Parkertown Road". (Witness
23 used air quotes). I personally signed up with
24 CenturyLink twice on two separate occasions. (Timer

1 sounds)

2 Is that three minutes?

3 I'll make one more comment and this will be
4 the last one. This is the most important. So if you
5 do not have internet you cannot effectively see where
6 this went across your property and respond
7 accordingly. In addition, and most importantly, this
8 eliminated several landowners on our route to have a
9 voice. Reason: Many of the landowners on this route
10 are in their 60's, 70's, and 80's years of age, and at
11 least 11 I confirmed -- can confirm are 70 and older.
12 Many of these people have no interest in a computer or
13 internet. Most people this age are not going to drive
14 to an open house in the late afternoon when traffic is
15 bad or after dark. The scoring matrix they used gave
16 a lower score with property owners of more than one
17 acre and five acres.

18 COMMISSIONER CLODFELTER: Mr. Johnson, if
19 you would like, we can take your entire written
20 statement so anything that you didn't get in will get
21 into the official record and we'll have it along with
22 everything else we've got. Would you like to do that?

23 THE WITNESS: Yeah, I sure would.

24 COMMISSIONER CLODFELTER: Any objection to

1 mark this as Randy Johnson Exhibit 1?

2 (Counsel shakes head no)

3 Okay. It will be so admitted.

4 Randy Johnson Exhibit 1

5 (Admitted)

6 THE WITNESS: All right.

7 COMMISSIONER CLODFELTER: Can you leave a
8 copy of that with Ms. Fennell?

9 THE WITNESS: I've got it.

10 COMMISSIONER CLODFELTER: Got it.

11 THE WITNESS: Page 4-10 -- Oh, just leave a
12 copy.

13 COMMISSIONER CLODFELTER: Yeah.

14 THE WITNESS: I was going to keep on reading
15 it.

16 (Laughter)

17 THE WITNESS: You want to read it and ask
18 questions?

19 COMMISSIONER CLODFELTER: We will. Do you
20 have any questions for Mr. Johnson?

21 MR. SOMERS: No.

22 COMMISSIONER CLODFELTER: We will read it if
23 we've got it that way we get it in the book with
24 everything else. Thank you, sir.

(The witness is excused.)

MS. FENNELL: Casey Johnson.

COMMISSIONER CLODFELTER: I didn't offer you the chance, sir, to put in that burnt up piece of concrete. I figured you probably wanted to keep that.

MR. DUKE: Yes, sir, thank you. That was quite amazing.

COMMISSIONER CLODFELTER: We saw it.

CASEY L. JOHNSON: was duly sworn and testified as follows:

DIRECT EXAMINATION

MS. FENNELL: Please state your full name and address, please.

THE WITNESS: Okay. I'm Dr. Casey L. Johnson. I live at 935 Parker Town Road in Four Oaks. I'll try to be quick.

DIRECT STATEMENT

BY THE WITNESS:

My name is Dr. Casey L. Johnson. I'm 36-years-old and I'm married to Randy Johnson. Together we own a 40-acre farm on Parkertown Road in Four Oaks. We have two daughters, Carly Rae that is six and Cara that is three. We purchased our land in 2007 and built our forever home in 2008. Early in our

1 marriage we both worked tirelessly to pay down our
2 home and property before we had children. My husband
3 as a farmer and a full-time employee of Vermeer
4 Mid-Atlantic, and myself is a full-time pharmacist and
5 working relief on my days off for other local
6 pharmacies.

7 When we envisioned our future for ourselves,
8 and now our girls, we never thought we would face two
9 threats against our property in as much as 12 months.
10 One, when our local government offered our property
11 along with the 500 -- 500 other acres surrounding us
12 to CSX for an intermodal rail hub, and now to a
13 multibillion dollar company, Duke Energy, for a 230-kV
14 transmission line that will cut our property in half.

15 When we received the informational hearing
16 letters last November, we immediately planned to
17 attend and express our concerns and objection of the
18 placement of the line. When notified our route was
19 picked we began the process of contacting Duke
20 representatives for more information on how the route
21 was chosen and made contact with our county
22 commissioners and house of representatives.

23 On May 4th Duke visited us for -- and many
24 of our neighbors at our request and they heard the

1 same thing, that running parallel with Parkertown Road
2 and weaving in and out of homes does not seem logical
3 when our properties run perpendicular to the road. We
4 had many questions for Drew Gilmore, Marty Clayton,
5 Timothy Same, and Bill Williams that day. We
6 expressed what our family and neighbors had been
7 through what they had been through in 2016 with the
8 CSX rail hub. And I asked if the project would have
9 moved forward would the line still have come through.
10 Timothy Same replied that they follow the developments
11 closely and, in fact, that rail and industry work well
12 together. My take, and personally this is just my
13 take, not anything he said, is that this potentially
14 would have made it easier for Duke to acquire the
15 right-of-ways needed.

16 I find these statements like some others
17 made by property owners on blog posts from communities
18 up near Cleveland Matthews Road, that the southern
19 route was the "no-brainer" expressed by Duke reps at
20 the public hearings to imply that this route was
21 already being skewed as the route chosen and make an
22 unfair bias placed upon properties.

23 I also asked why 38 versus 39 through Four
24 Oaks was chosen when the 38 route goes not parallel to

1 roads and I was told that one more home was on that
2 route versus ours. There is a home on that route that
3 is unlivable but I was told if it had a Tax ID it was
4 counted. I asked to provide these numbers, which I
5 provided to the Commission in my written statement,
6 that they said 12 versus nine. I have used their tool
7 on their map to remeasure all of those and found the
8 exact opposite, 12 homes on 39 versus eight on 38 --
9 or nine on 38.

10 I would also like to mention that every
11 turn -- (Timer sounds)

12 Can I just do my closing?

13 COMMISSIONER CLODFELTER: Yes, ma'am.

14 THE WITNESS: Again this will run -- ruin my
15 daughters' inheritance and place limitations on my
16 husband's farming operations which has been commonly
17 used to save for our daughters' college fund.

18 I am concerned about the health aspects of
19 the EMF waves. I am concerned about the articles I've
20 read about our cows and the stray voltage. And I also
21 found about -- concerned about the depreciation of
22 properties. We found that a \$250,000 property in
23 Benson that's been on the market for over 365 days. I
24 will provide you with the Realtor's response that most

1 people said I will not buy the home that is close to
2 the power lines.

3 In closing, I ask you to keep the project in
4 the area of need and not affect the properties and
5 families who do not have benefit from this placement
6 of line. I ask you to make Duke Energy and county
7 developers to be more accountable with routing
8 renewable energy sources. Our land and the future for
9 our girls will be ruined. The past two years my
10 husband and I have given up way too much of our time
11 researching and trying to prepare for the worst-case
12 scenario. It has caused us to have wasted hours that
13 we could have spent with our girls. And try to
14 explain to a six-year-old what private property rights
15 are. Nothing is set in stone until you make your
16 decision. And I urge you and please ask you to
17 reconsider and make Duke find a better way. Thank
18 you.

19 COMMISSIONER CLODFELTER: Ms. Johnson, we've
20 got one written statement from you already, I know I
21 read it. So would you like to put --

22 THE WITNESS: Yes.

23 COMMISSIONER CLODFELTER: -- your rest of
24 your statement in?

1 THE WITNESS: I'll put this in. And I also
2 have that from the Realtor, and I have pictures of our
3 properties that we --

4 COMMISSIONER CLODFELTER: Do you want to put
5 those in, too?

6 THE WITNESS: Please.

7 COMMISSIONER CLODFELTER: Without objection,
8 we'll put those as Dr. Casey Johnson Exhibit Number 1.

9 THE WITNESS: Thank you.

10 Dr. Casey Johnson Exhibit 1

11 (Admitted)

12 COMMISSIONER CLODFELTER: Thank you very
13 much, ma'am.

14 (The witness is excused.)

15 MS. FENNELL: Gwyn Roberts. Gwyn Roberts,
16 would you take the stand.

17 GWYN ROBERTS; was duly sworn and
18 testified as follows:

19 MS. FENNELL: Could you please state your
20 full name and address for the record?

21 THE WITNESS: Gwyn Cobb Roberts, 1091 Berea
22 Church Road, Four Oaks, North Carolina.

23 MS. FENNELL: Please make your statement.

24 DIRECT STATEMENT

1 BY THE WITNESS:

2 Okay. The farm in question where the power
3 line is going by, at the first point when we got the
4 information it was like *what's going on*. And it was
5 coming through the main middle of the main farm right
6 at my son's back door. And I understand progress, I
7 understand we have to have electricity, but I am
8 respectfully requesting that this power line be moved
9 away from my back, away from our property, away from
10 where my grandchildren are, and so that my future
11 grandchildren, my great-grand -- my grandchildren's
12 future on that farm will not be compromised. I have
13 looked at these power lines and they're big and
14 they're massive, and I understand they have to go
15 somewhere. I do not understand why they have to come
16 where it's proposed to come when other line -- the
17 other line is much shorter, that I don't understand.
18 I'm just asking that it be moved and I'm asking when
19 it be moved, that when and if any construction happens
20 to come back there that we are considered because I
21 don't know how you're going to get in and do any
22 construction back there because there is no state road
23 to it.

24 We live on what's known as a hog path and

1 they will not even allow us to do any building back
2 there anymore because there's not a state road. So if
3 you follow through with this and if this construction
4 comes, how do you plan to get in there without
5 disturbing our homes? I mean, if we can't build a
6 home back there without building a road, how can you
7 can bring all of that equipment in and disturb
8 everything that we've lived for that my granddaddy --
9 oh, and if people are not really considering the
10 thing, I only had one signature on this, you've got to
11 get past my mother first. She has the lifetime rights
12 to it, and that's going to be another issue.

13 But I just -- I just want you to just think
14 through what you're doing to peoples' lives and farms
15 and know that we're not people that don't understand
16 that you have to do these things because I do. I want
17 my electricity, which was the first thing that was
18 said to me at the first meeting we had in my home. It
19 did not set well with me. Walked in the door and
20 says, *you want to keep your lights on, don't you?*
21 That didn't set well with me. That don't, you know,
22 don't treat people that way.

23 I have no prepared statement here. I had no
24 planned on really saying anything because I didn't

1 know what to say. I don't know what to do. I've just
2 been caught off guard here with what they call
3 progress and development. So, you know, just consider
4 our wishes if you will.

5 COMMISSIONER CLODFELTER: Any questions?

6 (Counsel shakes head no.)

7 Thank you, ma'am. No, you're fine. (Witness
8 exits stand)

9 (The witness is excused.)

10 MS. FENNELL: Kimberly Canady.

11 COMMISSIONER CLODFELTER: There is a door on
12 the front here. That's it. (Referring to witness
13 stand.)

14 KIMBERLY CANADY; was duly sworn and
15 testified as follows:

16 MS. FENNELL: Could you please state your
17 full name and your address, please?

18 THE WITNESS: Kimberly Lassiter Canady, 950
19 Gum Swamp Road, Four Oaks, North Carolina.

20 COMMISSIONER CLODFELTER: Ms. Canady, you're
21 going to need to pull the microphone a little closer.
22 There you go.

23 DIRECT STATEMENT

24 BY THE WITNESS:

NORTH CAROLINA UTILITIES COMMISSION

1 There is absolutely no way that I can get
2 through what I have prepared to say so I'm going to
3 try to hit the high points. I'm 43 years old. I
4 had -- I own the property in question jointly with my
5 brother, Marty R. Lassiter. I have lived there for 43
6 years, my entire life on the farm, and we inherited
7 the land from my grandfather. My father died at 44
8 from kidney cancer. He died at age 44 with kidney
9 cancer in '92, so my grandfather left the land to us.

10 I understand that it is a huge
11 responsibility to find the balancing point that
12 implements projects that are truly in the best
13 interest of the people that we serve, and I say "we"
14 because I am an employee of the State of North
15 Carolina, also. When I swipe the card there each
16 morning, there is a sign above it that says "Do the
17 right thing".

18 I'm a registered nurse, a nurse consultant,
19 and I work for the Department of Health and Human
20 Services. I have the responsibility and privilege to
21 work for a department that serves the most vulnerable
22 of the population. I have actually worked on both
23 sides as a nurse and a nurse -- both sides -- a nurse
24 with a previous vendor and with the state. I realize

1 that it is important that I provide the oversight
2 needed so that the vendor acts with the same interests
3 as the state. That responsibility may even be greater
4 when the entity is so large and powerful. However,
5 I'm not here as a professional, I'm here to discuss
6 this project on a personal level.

7 Actually, I can't read all this because I
8 have poured by heart and soul into this for months and
9 months and months because -- well I say months and
10 months and months, since I found out about the
11 project, which wasn't until May of this year, what the
12 full scope of it was, and that was from a neighbor. I
13 received very ambiguous documents that did not clearly
14 explain what the project was and word of mouth is
15 really the only way that the people in our area could
16 find out what was going on and so, anyway, that was a
17 huge problem. The questionnaire that was sent -- that
18 was given out at the public workshop last November
19 was -- it wasn't mailed to the rest of us so we did
20 not even know of its existence until the Docket came
21 out.

22 Let's see, I really would like to talk to
23 you about the health problems. (Timer sounds)

24 This is just a joke, really, because I did

1 not know that we only had three minutes.

2 COMMISSIONER CLODFELTER: Okay. What I'm
3 doing is I've allowed some others to go a little bit.
4 I will allow you to go another minute or two.

5 THE WITNESS: Can I read my statement? I
6 mean, can I read what I have prepared?

7 COMMISSIONER CLODFELTER: How long is it?

8 THE WITNESS: I can probably get through it
9 in about 10 to 15 minutes.

10 COMMISSIONER CLODFELTER: Oh, my goodness.
11 Well, see, I've got a lot of other people waiting and
12 we're trying to -- we're trying to sort of be
13 respectful of everybody's time here. You have gotten
14 some written statements in that I've read already.

15 THE WITNESS: Oh, I have some written
16 statements but that's just the beginning.

17 COMMISSIONER CLODFELTER: Okay.

18 THE WITNESS: I really thought I would be
19 able to speak.

20 COMMISSIONER CLODFELTER: I'll tell you
21 what, I'm going to give you another three minutes now.
22 Don't, don't, don't think this is going to go all
23 evening, but I'll give you another three minutes. And
24 then if you've got other additional materials that we

1 need to get into the record, let's get them in. I see
2 you've got the notebook there and we want to get that
3 in because I know you've gotten some written materials
4 in that I've read already.

5 THE WITNESS: I'm going to speed read and I
6 don't know if she can get it all in.

7 COMMISSIONER CLODFELTER: Well, she's going
8 to have trouble if you go too fast.

9 THE WITNESS: Okay.

10 COMMISSIONER CLODFELTER: Okay.

11 THE WITNESS: I'm Kimberly Lassiter Canady.
12 I appreciate the opportunity to address the Commission
13 tonight and discuss my concerns about this project. I
14 am a property owner in segment 33 of the proposed
15 route in the Four Oaks area in Johnston County, not
16 the Cleveland area of Johnston County. Let me
17 iterate -- reiterate, the material that Duke Energy
18 Progress has distributed states that it is a Cleveland
19 area of Johnston County project.

20 (WHEREUPON, interruption by the
21 Court Reporter.)

22 THE WITNESS: I'll give you my whole
23 notebook. You can have it all.

24 (Further statement by the Court

1 Reporter.)

2 COMMISSIONER CLODFELTER: I think that would
3 be the most efficient way to do it because it's quite
4 lengthy and to read it out and expect the Court
5 Reporter to copy it all down is not a very efficient
6 way to do it.

7 THE WITNESS: Well, what I have prepared is
8 only 10 pages. This is just supporting documents.

9 COMMISSIONER CLODFELTER: Yes, ma'am. Well,
10 we want to get it all. We don't want to miss any
11 piece of it just because we're short on not having
12 enough time to hear it all read aloud, and she's got
13 to copy down everything you say, she's required to.
14 So it actually will be a little better if we put it in
15 in writing and that way then we can all, the three of
16 us, can read it and she doesn't have to copy it all
17 down. It's actually more efficient that way, more
18 likely to get in the record. I'm going to give you
19 another three minutes like I said but I don't know
20 that reading the whole notebook is going to be the
21 best way to get it all before us. The best way is to
22 let us take the notebook, copy it, and read it, which
23 is what we've been doing.

24 THE WITNESS: Well, there's really no need

1 for me to continue.

2 COMMISSIONER CLODFELTER: Well, I'm going to
3 let you have another three minutes. But what might be
4 most useful to us this evening is if you try to
5 summarize things that you don't have in writing
6 that -- or tell us some things that we really need to
7 pay attention to that are in your written materials,
8 and then when we sit and read your written materials
9 we'll know what we've got to really focus on. That
10 would be very helpful.

11 THE WITNESS: The line placement on my
12 property is -- it goes straight down the middle and
13 what would -- it would leave us with a very little
14 value. I'd like to focus on the fact that my heritage
15 dates back to the 1700's in this area. My children
16 would be the 8th generation that lived on this land.

17 I have a BRCA1 gene mutation and it puts me
18 at a risk of developing cancer, as well as my
19 children.

20 And basically there's just a lot of flaws in
21 the process of the line selection find specifically
22 the fact that the z score is -32 for the first route,
23 and I have it in here what ours is, -11.64, and I just
24 feel like that the least impacted route should have

1 been chosen. That's all.

2 COMMISSIONER CLODFELTER: Ms. Canady, could
3 you leave that with us as an exhibit?

4 THE WITNESS: Absolutely.

5 COMMISSIONER CLODFELTER: We will, without
6 objection, Mr. Somers, without objection, we'll mark
7 that as Kimberly Canady Exhibit 1. Agreed?

8 Kimberly Canady Exhibit 1

9 (Admitted)

10 (Confidential portions of the exhibit
11 will be filed under seal)

12 COMMISSIONER CLODFELTER: Ms. Canady, we
13 have been reading the things that are coming in so
14 this will get read, too. You can be sure of it.

15 (The witness is excused.)

16 I'm sorry, folks, but there are a lot of you
17 and that's why we have -- sort of have limits so
18 everybody does get a chance to speak.

19 MS. FENNELL: Linda Lassiter Keen.

20 LINDA LASSITER KEEN; was duly sworn and
21 testified as follows:

22 MS. FENNELL: Could you please state your
23 full name and address?

24 THE WITNESS: Linda Lassiter Keen. I live

1 at 9217 O'Neal Road in Raleigh, North Carolina.

2 DIRECT STATEMENT

3 BY THE WITNESS:

4 Good evening. I'm Linda Lassiter Keen. I
5 grew up on our family farm on the south side of Black
6 Creek northwest of Four Oaks in Johnston County. The
7 proposed Cleveland Matthews Road 230-kV transmission
8 line is recommended to diagonally pass through the
9 most valuable part of my farm.

10 Thank you for this opportunity to speak
11 regarding concerns I have about the selected route of
12 the proposed line. I will speak regarding three main
13 topics: The Lassiter family tree which tracks through
14 nine generations that are called the north and south
15 side of Black Creek in Johnston County home; the
16 importance of green space to my father in particular
17 and all of us in general; and the dramatic and
18 longterm results that come from decisions made by
19 those in authority.

20 The first permanent Lassiter of record in
21 Johnston County was Elijah Lassiter. Born in 1762 in
22 Northampton County, by 1800 he had served in the
23 Revolutionary War and was included in the Johnston
24 County Census of 1800. It is believed he made his

1 home north of Black Creek near Lassiter Road. Through
2 his descendants, I can track my grandfathers back to
3 him. Although illiterate, by the time of his death in
4 1848, he had amassed over 1500 acres either near or
5 bordering Black Creek. Many Lassiters, in what was
6 known in my early years as "Lassiter Town", still call
7 this area home. This is my ancestral home. This is
8 the place nearest and dearest to my heart. This is
9 the place entrusted to me to treasure and protect.

10 That being said, I am now a resident of Wake
11 County and it is certainly fair to ask why. In
12 November of 1971, my only child at that time, a son,
13 was diagnosed with acute lymphocytic leukemia. If
14 chemotherapy and radiation treatments were successful,
15 we could expect to have Phillip with us until about
16 age 4. We were blessed and our son survived, but with
17 extensive brain injury from the treatment. He is now
18 48-years-old and is totally disabled. He resides in a
19 group home in Zebulon. Through a patchwork of
20 government services, he receives housing and basic
21 care. His dad and I supplement these funds. If this
22 line is approved as presented, it will go diagonally
23 through the very best part of my farm. It is
24 estimated the area around the 125-foot easement will

1 decrease the value by 40 to 50 percent. The security
2 that we felt we had in place for our son will no
3 longer be there. The take away from this is that
4 seemingly random decisions affect lives. We live in
5 Wake County simply because more services are available
6 for Phillip there.

7 Can I finish? I have that much.

8 COMMISSIONER CLODFELTER: Yes, ma'am.

9 THE WITNESS: Thank you.

10 COMMISSIONER CLODFELTER: I've let others do
11 it. I can't do 15 minutes, ma'am. I'm sorry. But
12 I'll let you finish.

13 THE WITNESS: And now a few words about
14 green space. My father was a farmer who thrived being
15 outside. He was a locally renowned fisherman who
16 loved to drop his line in the Creek. He made his
17 living working this land and in his spare time found
18 solace, peace, refreshment and recreation waiting for
19 him there. After his death in '98, I chose to honor
20 his commitment to nature and green space. A big
21 portion of what is now my farm has been in the CRP
22 Program since 1987 or possibly before, at least 30
23 years. Acres of loblolly pine cover the hillside. If
24 the suggested route is approved, this area will be

1 divided diagonally and the beauty and usability
2 totally destroyed. I cannot let this happen without
3 raising my voice in opposition.

4 I have five statements which people have
5 already made so I will not reiterate those.

6 In closing, I can attest to have no
7 recollection of receiving the Duke Energy letter dated
8 November 4, 2017. Since that letter is now deemed so
9 important, it should have been sent certified to all
10 landowners. A phone call or a visit would have added
11 a personal touch. The lack of personal contact sends
12 the impression that Duke Energy's time is more
13 important than my fundamental right to own and enjoy
14 personal property. Thank you.

15 COMMISSIONER CLODFELTER: You say you have
16 five other statements there.

17 THE WITNESS: I do.

18 COMMISSIONER CLODFELTER: Do you want to put
19 those in to make sure they get --

20 THE WITNESS: I gave her a copy. Would you
21 like to hear them out loud?

22 COMMISSIONER CLODFELTER: Well, what we'll
23 do is mark them as an exhibit. And, again, that way
24 they get -- are a part of the official documentary,

1 record. Can we --

2 THE WITNESS: Thank you.

3 COMMISSIONER CLODFELTER: We'll mark those
4 as Keen Exhibit Number 1.

5 THE WITNESS: Thank you.

6 Keen Exhibit 1

7 (Admitted)

8 MS. FENNELL: May I ask a quick question,
9 Mr. Chairman?

10 COMMISSIONER CLODFELTER: Yes, ma'am.

11 MS. FENNELL: In looking at Kimberly
12 Canady's Exhibit 1, there appears to be some personal
13 medical information in her notebook. Can I --

14 COMMISSIONER CLODFELTER: Well, we don't --
15 yeah, we don't want to put that in the public record
16 because that's her personal confidential medical
17 information.

18 MS. FENNELL: If there's no objection from
19 Duke, after the hearing, may I just confirm with her
20 to take out --

21 COMMISSIONER CLODFELTER: Yeah, we need to
22 do that, ma'am, to comply with state law. We don't
23 want your personal medical information in the public
24 record. So after the --

1 MS. CANADY: It's already been posted on the
2 website.

3 COMMISSIONER CLODFELTER: I'll tell you
4 what, I'm going to ask though that you confer with
5 Ms. Fennell afterwards just to make sure that anything
6 that's not public that we don't put up, like we don't
7 want to put social security numbers, or peoples' bank
8 account records, or their health information into the
9 public record. So, if after the hearing is done, if
10 you'll just talk with Ms. Fennell and we'll make sure
11 that nothing gets in the public record that shouldn't
12 be there. Okay?

13 MS. CANADY: (Nod head in agreement.)

14 COMMISSIONER CLODFELTER: Thank you, ma'am.

15 THE WITNESS: Thank you.

16 (The witness is excused.)

17 MS. FENNELL: Jeffrey Canady.

18 JEFFREY CANADY; was duly sworn and
19 testified as follows:

20 MS. FENNELL: Could you please state your
21 full name and address for the record?

22 THE WITNESS: My name is John Jeffrey
23 Canady. I live at 950 Gum Swamp Road in Four Oaks,
24 North Carolina.

1 DIRECT STATEMENT

2 BY THE WITNESS:

3 I am requesting that Duke's application for
4 the Cleveland Matthews Road Project be denied. My
5 family and I have lived at this address since 1994.
6 This is the only home I've ever known. During my
7 childhood I moved from place to place never living at
8 the same place very long. Our residence joins the
9 farm my wife inherited from her grandfather, Albin
10 Lassiter, and our residence is in segment 33 of Duke's
11 preferred route for the Cleveland Matthews
12 Transmission Line. Take note that I live in the Four
13 Oaks Community, not the Cleveland Community. In fact,
14 the majority of the approximately 11.5 mile route is
15 located in the Four Oaks Community and not the
16 Cleveland Community.

17 During the route selection, Duke stated the
18 primary goal regarding routing were to minimize the
19 overall impacts by paralleling existing right-of-ways,
20 including transmission lines, highways, and roads
21 where possible; maximize the distance of the line from
22 the existing residences; and minimize the overall
23 length of the route. Based on the route selected,
24 none of these goals were met. The route selected is

1 the longest route of approximately 11.5 miles. The
2 route selected does not utilize any existing
3 right-of-ways. The route selected crosses Middle
4 Creek three separate times and also crosses Black
5 Creek. This will have a negative impact on the
6 environment.

7 According to the study conducted for the
8 route selection, the Western Route 4 was the overall
9 lowest scoring route as well as the shortest route at
10 approximately 6.3 miles. Western Route 1 was the
11 second overall lowest scoring route at approximately
12 seven miles long. Both of these routes were
13 considerably shorter than the southern routes. And
14 why conduct the study if you're not going to use the
15 overall lowest scoring and shortest route. Common
16 sense tells you the shortest route will have the least
17 amount of impact. In Duke's Application, it states
18 that longer routes have higher -- higher overall
19 impacts because of the increased length provides
20 greater chances to affect all measured criteria. The
21 Application also states that in this case such
22 criteria as parcels crossed, cropland crossed and
23 wetland crossed favored the western routes due to
24 their shorter length. The Application states

1 engineering factors were considered for the route
2 analysis. Total length is a greater indicator of the
3 overall presence of the project. Length is also an
4 indicator of construction costs. The longer the
5 proposed route, the more expensive the project would
6 be, so why choose the longest route?

7 Duke stated that public comment was used to
8 determine the preferred chosen route. Only one letter
9 was mailed out by Duke on the Cleveland Matthews
10 Route, and several landowners along the route said
11 they did not receive this letter about the public
12 meeting. In fact, some landowners stated they did not
13 even receive the certified letter from Duke informing
14 them that their land had been chosen for the route.
15 During the public meeting Duke passed out
16 questionnaires about -- to voice concerns. Would it
17 have been too much to ask for these questionnaires to
18 be mailed out to the landowners along the proposed
19 routes? I receive a monthly statement from Duke
20 telling how much electricity I have used compared to
21 other residences in the area. This monthly statement
22 looks much like junk mail and the letter sent in
23 November 2016 looked much like these monthly
24 statements. We also receive monthly emails from Duke

1 but none contained information about the proposed
2 line.

3 The only face-to-face contact we have had
4 was initiated by my wife. On June 6, 2017, we met
5 with representatives of Duke. Those representatives
6 were Joe Luis and Miranda Gregory. My brother-in-law,
7 Marty Lassiter and my wife was also present. We were
8 attempting to get information on what type of
9 structure would be coming through. And during this
10 meeting representative Joe Luis said it best, "You
11 would have to be crazy to want this thing". So Joe
12 Luis with Duke don't want it, why would they think we
13 would want it? The meeting ended abruptly when Joe
14 Luis stated they would start surveying in probably a
15 week and any trees they cut we would be compensated
16 for later.

17 Duke said another reason the western route
18 was not chosen was because the route crossed
19 open/green spaces in subdivisions. I have looked at
20 the map provided on Duke's website -- I blowed it up
21 as large as the map would allow -- and the western
22 route crosses mostly forest and crop lands. The
23 western route does come near a subdivision but it does
24 not appear to cross cul-de-sacs as stated in the

1 Application by Duke. Some of the land in the western
2 routes may have been approved for subdivisions but
3 have not yet been developed. So if the subdivisions
4 have not been developed, how does this cause
5 litigation problems with all residents of the
6 subdivision if no residents or houses are in these
7 subdivisions that's in the proposed western route?
8 What about my family's rights to enjoy our green and
9 open spaces? How can someone else's rights to open
10 and green space be more important than our rights,
11 especially since most of the land in the western
12 routes mark subdivisions that's not yet been
13 developed.

14 In the fall of 2016, my wife was diagnosed
15 with the BRCA1 mutated cancer gene. And it's most
16 likely this rare gene was passed on to one of both of
17 my children. We enjoy hiking, hunting and fishing on
18 our property. If the line comes through our land, my
19 family will not be able to use our land due to
20 increased risk of my wife or two children developing
21 cancer. And fishing is one of my son's favorite
22 hobbies. And the center line of the proposed route
23 for the transmission line crosses directly over the
24 pond on our land. If the line is allowed to come

1 through, my son will no longer be able to enjoy what
2 is on our land. And most importantly, neither one of
3 our children will be able to build their dream house
4 and live on our family farm due to the power line
5 cutting through the most valuable part and cutting the
6 road frontage completely in half.

7 And upon traveling areas of North Carolina,
8 I discovered that 230-volt transmission lines run on
9 existing right-of-ways along roadways. I first
10 discovered this in July of 2017, while traveling North
11 Carolina Highway 17 in Brunswick County. These lines
12 are run on a single pole with three 230-volt
13 transmission lines being run at the top of the poles
14 with the normal service line below the transmission
15 lines. I took photographs of these lines and included
16 a copy for the Utilities Commission. And on July 26th
17 of 2017, we spoke with Kevin Hardin with Brunswick
18 Electric and he confirmed that these lines along
19 Highway 17 were, in fact, dual purpose 230-volt
20 transmission lines as well as service lines on the
21 bottom. And he also told us these --

22 COMMISSIONER CLODFELTER: Mr. Canady, how
23 much more we got?

24 THE WITNESS: I'm just about finished, sir.

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1 COMMISSIONER CLODFELTER: Cause we're way
2 over. I've let you go.

3 THE WITNESS: And they stated that Progress
4 Energy upgraded 230-volt transmission lines on a
5 single pole from Whiteville to Florence, South
6 Carolina. And I've also spoke with these -- same
7 single pole lines are along Highway 27 in Harnett
8 County as well as 242 in Sampson County. And I've
9 spoken with members of South River Electric and
10 they've both confirmed that these were 230
11 transmission lines with service lines at the bottom.

12 I think you have a copy of my statement and
13 photos of all the power lines that I took.

14 COMMISSIONER CLODFELTER: Your statement
15 includes all of that information --

16 THE WITNESS: Yes, sir.

17 COMMISSIONER CLODFELTER: -- about those
18 power lines that you did --

19 THE WITNESS: Yes.

20 COMMISSIONER CLODFELTER: -- and you're
21 going to offer that up so we can get it --

22 THE WITNESS: Yes, sir, I put it right here.

23 COMMISSIONER CLODFELTER: We'll, without
24 objection, we'll admit that as Jeffrey Canady Exhibit

1. 1.

Jeffrey Canady Exhibit 1

(Admitted)

COMMISSIONER CLODFELTER: Any questions?

MR. SOMERS: No.

MS. FENNELL: No.

COMMISSIONER CLODFELTER: Thank you, sir.

Do you want to leave that with Ms. Fennell? Great.

Thank you.

(The witness is excused.)

MS. FENNELL: John Webster.

JOHN WEBSTER; was duly sworn and

testified as follows:

MS. FENNELL: Could you please state your full name and address for the record, please?

THE WITNESS: My name is John Fletcher Webster. I live at 320 Sandy Road, Four Oaks, North Carolina.

DIRECT STATEMENT

BY THE WITNESS:

I'm speaking tonight as a friend -- as a concerned Johnston County citizen, but also as a personal friend of Jeffrey and Kim Canady along with their children.

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1 And the overall purpose of this project is
2 to improve the infrastructure of the Cleveland
3 Community, most of which is clearly not included in
4 the area of the proposed transmission lines. Those
5 living in the proposed sites are residents of Four
6 Oaks, Parkertown Communities and other areas. What do
7 they stand to gain from this project? It is my
8 contention they stand to gain nothing other than the
9 loss of property value, multiple health risks, damage
10 to the wildlife in the area, et cetera. There's no
11 doubt that community growth comes with some degree of
12 pain for all residents, but surely the bulk of the
13 negative impact should not be forced upon those
14 residents who stand to gain the least.

15 As mentioned above, the health risk to the
16 Canady family and countless other families impacted by
17 such a project cannot be ignored. Kim, as she stated,
18 has a long history of cancer in her family and is at
19 high risk of developing cancer due to a genetic
20 mutation. Kim fears negative repercussions for her
21 own health but more importantly she's concerned for
22 the health of her two minor children both now and in
23 the future as the land is passed down from generation
24 to generation.

1 The mere thought of having an 150-foot
2 easement split the property that is co-owned by Kim
3 and her brother Marty is unimaginable. After all, who
4 wants to sit back and watch the negative effects that
5 would come with this project? The loss of trees, loss
6 of wildlife, and loss of beautiful rural landscapes
7 would be devastating to the beauty of this land.

8 While the concerns listed above are
9 measurable and objective, there's something I would
10 like for this Commission to consider that's even more
11 powerful: The impact of the project on such
12 intangibles as family ties, heritage, and what defines
13 those who have chosen to live in a less populated area
14 of the county. (Timer sounds)

15 I'm almost finished.

16 The Canady family is a family of faith and a
17 family who has never tried to steal from or harm a
18 fellow member of their community. They are not trying
19 to stand in the way of progress. Instead, they're
20 trying to do everything in their power to pass down to
21 their children and future generations the age-old
22 values and traditions of their ancestors such as land
23 ownership, quiet and good living, and protecting the
24 value and natural resources of the land in which they

1 Live.

2 I beg this Commission to consider who is

3 being forced to pay for this project. Is it really

4 fair and right to force the weight of this project

5 onto the backs of those who stand to gain the least or

6 should it be moved to a site that is less impactful

7 and more beneficial to those affected? Thank you.

8 COMMISSIONER CLODFELTER: Thank you, sir.

9 Any questions?

10 MR. SOMERS: (Shakes head no.)

11 MS. FENNELL: (Shakes head no.)

12 (The witness is excused.)

13 MS. FENNELL: Ronnie Stewart. Do you want

14 to put your written statement in?

15 MR. WEBSTER: Yes, sir. I just --

16 COMMISSIONER CLODFELTER: We'll call that --

17 MR. WEBSTER: Actually, that will be

18 perfect.

19 COMMISSIONER CLODFELTER: Why don't we do

20 that. Why don't we call it Webster Exhibit Number 1,

21 without objection.

22 MR. WEBSTER: Okay.

23 Webster Exhibit 1

24 (Admitted)

1 RONNIE STEWART; was duly sworn and
2 testified as follows:

3 MS. FENNELL: Could you please state your
4 full name and address for the record?

5 THE WITNESS: My name is Ronnie Chris
6 Stewart. I live at 1050 Parkertown Road and I'm
7 opposed of this project.

8 DIRECT STATEMENT

9 BY THE WITNESS:

10 I'm a fourth generation living on this farm
11 and I'd like to pass it onto my future generation.
12 There's going to be six acres that it's coming through
13 by that thing and I might be able to salvage two of
14 those six acres. There's still no future with that,
15 and I am opposed of it. Thank you.

16 COMMISSIONER CLODFELTER: You've got how
17 many acres total, sir?

18 THE WITNESS: I've got a total of 18 acres,
19 total of 18. Across the road is six and it's going to
20 cut down the middle of that six.

21 COMMISSIONER CLODFELTER: I understand.

22 THE WITNESS: That's the future of my
23 grandchildren, I mean.

24 COMMISSIONER CLODFELTER: Any questions.

1 MR. SOMERS: (Shakes head no.)

2 MS. FENNELL: (Shakes head no.)

3 (The witness is excused.)

4 MS. FENNELL: Marty Lassiter.

5 MARTY LASSITER; was duly sworn and

6 testified as follows:

7 MS. FENNELL: Could you please state your
8 full name and address for the record?

9 THE WITNESS: My name is Marty Randolph
10 Lassiter. I live at 4456 Benson Hardee Road in
11 Benson, North Carolina.

12 DIRECT STATEMENT

13 BY THE WITNESS:

14 As Kimberly Canady's brother, the nephew to
15 Linda Keen, I think most of my points have already
16 been covered. So in order to be brief, this project
17 is going to basically destroy the value of our
18 property. It divides it in such a way that really
19 limits any future use for it. And to echo what my
20 brother-in-law Jeffrey Canady said, I see no purpose
21 for it if the other routes are better and shorter.
22 Why would Duke Energy even consider doing this?

23 At the same time, everybody's mentioned
24 there's been a complete lack of public notification,

1 or a very minimal amount of notification. What I have
2 received, you know, it's like my brother-in-law said,
3 you could look at it, all this is is just another
4 survey or another estimate of how much power the
5 neighbors used. You had to get down and look at it to
6 know well does this really affect us or not; why did
7 we get this because that was very vague. You know,
8 something with this gravity and this financial
9 importance to everyone in this room affected by it,
10 looks like they would come with the decency to say,
11 you know, a certified letter saying okay you are
12 really in the line of fire for this. That would just
13 be a basic expectation. That's all I have.

14 COMMISSIONER CLODFELTER: Any questions for
15 Mr. Lassiter?

16 MS. FENNEL: No.

17 MR. SOMERS: (Shakes head no.)

18 COMMISSIONER CLODFELTER: Thank you, sir.

19 (The witness is excused.)

20 MS. FENNEL: Tracy Adams.

21 TRACY ADAMS; was duly sworn and
22 testified as follows:

23 MS. FENNEL: Could you please state your
24 full name and address for the record?

1 THE WITNESS: Tracy Adams. I live at 1703
2 F. Parkertown Road, Four Oaks, North Carolina.

3 DIRECT STATEMENT

4 BY THE WITNESS:

5 And I'm a 53-year-old. With the people that
6 we have living on our property now, there's five
7 different properties around there, and this will be
8 the sixth generation. So I'm just -- I'm not good at
9 public speaking so I'm just going to read the letter
10 that I sent, and give some of the pictures that we
11 took when they come through.

12 I put I'm a concerned property owner that
13 the Duke Energy preferred route for the construction
14 of the new 230-kV transmission line for the new
15 Cleveland Matthews Road Substation crosses. I
16 strongly oppose the construction of the transmission
17 line running across our property.

18 This property is my inheritance from our
19 father and I value it very much. It was also his
20 inheritance from his mother and it went on back -- I
21 really don't know how far it did go back. This is
22 part of him that I have left in his memory and my
23 ancestors. To me, that's not just a piece of land.
24 It's priceless. This is where I grew up and we played

1 and worked. I have wonderful memories here. My
2 grandparents worked hard for this land and they valued
3 it a lot. They had to sell some of their land when
4 I-95 come through years ago.

5 I am writing because we are against this
6 power line coming through our land and losing more of
7 our land. To start with we were not notified until
8 April the 20th, 2017, of any of the meetings. Well, I
9 actually got my letter April the 26th. The letter was
10 wrote on the 20th. And it was -- then it was
11 certified. After the meeting had already taken place
12 the prior year, we could not voice our opinions. We
13 were left out of all until the survey crew come and
14 cut down trees on our property without warning, and I
15 have pictures where they come through to make a path
16 and cut down -- they won't suppose to cut down no more
17 than six inches or less and I have trees to where that
18 is 150-year-old tree is one of them that joins right
19 next to mine. But when they come through, they come
20 through and just made them a -- you could drive
21 through it. That's when I got to voice our opinions.
22 I was upset that they come onto our property without
23 informing us and started making a path through it.

24 First, we can't get any answer for how they

1 come up with this route and why it is the best. We
2 have more land that we farm, and the other route
3 because it is a residential house on the other route.

4 We chose to live in the country where it's
5 quiet. The only noise I hear is crickets and frogs at
6 night. We raise animals and raise our food for -- on
7 our land. We also make money with what we do raise.
8 Our land is profitable and if lines come across
9 they're going to make it less profitable and our land
10 value will decrease. We wouldn't be able to sell it
11 if we wanted to, which we don't.

12 It has me worried about the amount of
13 voltage that is going to be coming off them. That's
14 235-kv (sic) which is equal to 230,000 volts. That's
15 a lot! I also have researched the danger -- health
16 dangers that come from such a high voltage. There is
17 electromagnetic radiation that comes from these power
18 lines. And electromagnetic magnetic radiation from
19 high voltage lines is something that can affect the
20 health of people. I mean, my husband has had cancer
21 twice. My daughter has a blood disorder. My sister
22 has had cancer. I mean, what else can -- you know,
23 what's it going to do, take us out?

24 So then I wrote a variety of studies suggest

1 living close to high-voltage power lines has increased
2 the incidence of several kinds of cancer, as well as
3 other diseases. It is dangerous for our children and
4 for us. We don't need anymore sickness in our family.
5 When we bought our land we -- where our house is we
6 thought we would grow old and have a peaceful life.
7 Someday this will be left to our daughter to grow --
8 to live and grow what she wants to in the country and
9 live a good life. There is a reason we live in the
10 country and we don't live in the city. Now Duke
11 Energy wants us to sit around and hear humming noises
12 from power lines all the time, along with health
13 issues.

14 Another concern we have is the communication
15 that has come from Duke Energy. It has not been what
16 would think would come from a professional company.
17 This has been a lack of communication ever since we
18 found out about this. Another thing is we do not even
19 use Duke Energy power. We have South River. I feel
20 that there could be another route that would
21 benefit -- that would benefit better than taking our
22 farm land which, when they do that, we're not going to
23 have any farmland, then what's all the farmers going
24 to do. Where are we going to get our food. You know,

1 there's a lot of things that they need to sit and
2 think about.

3 We have heard nothing, anything in -- we
4 have not heard anything positive about this project,
5 only negativity. If you will consider our concerns
6 and feelings on this power line, there is another --
7 okay, this is the meeting that I wanted to voice my
8 opinion since we knew about it. The only reason that
9 we did know about this one here and what was going to
10 happen is we have friends and neighbors that actually
11 called us and told us. Because I work for a living, I
12 don't have time to stay on the internet all the time.
13 And it's going to actually affect two pieces of my
14 land. One me and my husband has and then what I was
15 inherited from my daddy. So if you'll consider and
16 use this, you can use this, and I'll give you a copy
17 of this right here, too, where you can use it. I
18 probably left some things out I wanted to say but you
19 know --

20 COMMISSIONER CLODFELTER: We've got some
21 more --

22 THE WITNESS: I kind of got out what I
23 wanted to because, you know, we kind of got left out
24 of this.

1 COMMISSIONER CLODFELTER: We've got some
2 other materials from you and we also did ask Duke
3 Progress for additional information about the tree
4 cuttings. So we got some additional information about
5 the tree cuttings.

6 THE WITNESS: Yeah, I don't think there's
7 been anything given there that --

8 COMMISSIONER CLODFELTER: The pictures we
9 don't have so let's get those in the record, okay.

10 THE WITNESS: Well, I have more on my phone.
11 I just got the ones of the big trees that were --

12 COMMISSIONER CLODFELTER: Well, I don't want
13 to take your phone.

14 THE WITNESS: No.

15 COMMISSIONER CLODFELTER: We'll take the
16 ones you've got --

17 THE WITNESS: I'll get you some copies if
18 you want it.

19 COMMISSIONER CLODFELTER: Okay. Without
20 objection, we'll mark the statement and the
21 photographs as Tracy Adams Exhibit 1.

22 THE WITNESS: Thank you.

23 Tracy Adams Exhibit 1

24 (Admitted)

1 COMMISSIONER CLODFELTER: And if you'll make
2 sure to give those to Ms. Fennell.

3 THE WITNESS: Okay. Thank you.

4 (The witness is excused.)

5 MS. FENNELL: Danny Wood.

6 DANNY WOOD; was duly sworn and
7 testified as follows:

8 MS. FENNELL: Could you please state your
9 full name and address for the record?

10 THE WITNESS: My name is Danny Owen Wood. I
11 live at 646 Stephenson Road, Benson, North Carolina.

12 DIRECT STATEMENT

13 BY THE WITNESS:

14 I own two pieces of property in the
15 Parkertown area. One of them is our family farm. My
16 son lives on it now. He's a sixth generation on that
17 farm and he will eventually own it, and he's raising a
18 seventh plant generation there right now. The
19 property line does come in front of the house on the
20 farm, and naturally we're opposed to it. But, you
21 know, and I'm not -- I understand that progress is
22 progress but I've seen the maps, like others, and
23 there are some shorter ways to get to where they're
24 going. And I had the -- the two pieces of property I

1 have, you know, we've had problems so far with
2 communication and Duke. I had a conversation with I
3 think Mr. Buzz (spelling uncertain) and he -- we made
4 it perfectly clear they were suppose to give us
5 24-hours' notice about surveying. They didn't do
6 that. They came and my son comes home and they're
7 sitting in the yard, don't know where they're at, and
8 they're on the back side of the farm surveying. You
9 know, he lives a quarter mile off the road to the farm
10 and his wife is there by herself sometimes. She
11 wouldn't have known who it was. He just happened to
12 be the one to come home. But then they told us there
13 would be no metal rods, metal stakes in the fields,
14 going across the field. The first stake they drove
15 was three-foot long and it was metal in the field
16 right where the tractors would go. My son dug it up
17 and he took a picture of it, and I don't have the
18 picture with me, but he took a picture of it and sent
19 it to me over his phone. The other piece of property
20 is on the other side of 95. I've already got a
21 230-kilowatt line crossing that piece of property.
22 That's where this one is going to join all of that.
23 And it's going to go perpendicular to that one across
24 the property. So there's approximately 22 acres over

1 there that's going to be all power line and be
2 literally worthless for anything.

3 Now, they talk about devaluation of
4 property. I've got one piece that's literally going
5 to be worthless. Nobody could ever live there, would
6 ever want to live there. And then I hear you talk
7 about the undeveloped subdivisions. Well, I could
8 tell you that my family farm is an undeveloped
9 subdivision. It could be in the future, a subdivision
10 as anyone else in here. So what make it any less
11 valuable at this point and time than those over there.
12 And I appreciate the opportunity to speak.

13 COMMISSIONER CLODFELTER: Thank you, sir.
14 Any questions?

15 MS. FENNELL: No, sir.

16 MR. SOMERS: (Shakes head no.)

17 COMMISSIONER CLODFELTER: Thank you, sir.

18 (The witness is excused.)

19 MS. FENNELL: That's the end of my list.

20 COMMISSIONER CLODFELTER: You do not have
21 anyone else?

22 MS. FENNELL: No. We have no more signed
23 up.

24 COMMISSIONER CLODFELTER: I'm going to ask

1 If there are folks who haven't signed up, anybody who

2 has not signed up, do you want to speak?

3 (No response)

4 COMMISSIONER CLODFELTER: Nobody else wants

5 to speak?

6 (Gentleman raises his hand in the audience.)

7 COMMISSIONER CLODFELTER: You can come on

8 up, sir. If you'll take the witness stand there.

9 You'll want to come in the box there.

10 UNKNOWN SPEAKER: All right.

11 COMMISSIONER CLODFELTER: Yeah. Great.

12 CARL HOLLOWAY; was duly sworn and

13 testified as follows:

14 MS. FENNELL: Could you please state your

15 full name and address for the record?

16 THE WITNESS: My name is Carl Holloway. My

17 address -- well I live -- it's not the address about

18 what I'm here about. I live at 390 Old Barbour Road,

19 Benson.

20 MS. FENNELL: You can mark the property at

21 the end, if you'd like, that you're concerned about on

22 the map.

23 THE WITNESS: Okay.

24 MS. FENNELL: Please feel free to make your

1 statement.

2 DIRECT STATEMENT

3 BY THE WITNESS:

4 All right. I didn't come prepared because
5 this is the first time I've come about this. I got
6 the certified letter and my understanding, that was
7 after the fact that I would have had an opportunity to
8 look at other, five or six different routes. And I
9 reckon it's hard to -- aggravating to cross Black
10 Creek in different places but this is not, I
11 understand, a real long route and some miles. And I
12 was just judging the people out here in the
13 congregation out here, that it seems like once it
14 takes off from down there around 95 at Parkertown, it
15 just goes angling across and quite a bit.

16 But to make a long story short, my folks, my
17 aunt, it's going to disrupt her place. It's coming
18 real close to her house and it's catching me across
19 the road and messing up what little bit of road
20 frontage I've got, and glancing off there, and then
21 it's catching another aunt, and then some cousins.
22 And about six parcels of a family farm you busted up
23 and then you're dancing near Four Oaks. It's
24 really -- it's really going to make it, like the man

1 said before me, not attractive for the future
2 subdivision over there. That was once talked about
3 sometime ago. I feel for everybody here. A lot of
4 these people I know, I recognize, and I really wish --
5 I just hate that -- I don't see how you can come
6 along -- I didn't get a letter the first time. I
7 mean, surely you can pull things off of the tax books.
8 And I've been paying the taxes on it for a long time
9 and they've always got the right address to send the
10 bill. So that's about all I can say. I heard some
11 really good arguments tonight, different things, and I
12 hope the people will take it in consideration.

13 COMMISSIONER CLODFELTER: Thank you, sir.
14 Thank you. Any questions?

15 MS. FENNEL: (Shakes head no.)

16 MR. SOMERS: (Shakes head no.)

17 THE WITNESS: Thank you, sir.

18 (The witness is excused.)

19 COMMISSIONER CLODFELTER: Anyone else who
20 didn't sign up?

21 (Lady raises her hand in the audience.)

22 COMMISSIONER CLODFELTER: Yes, ma'am. Well,
23 now you've talked to us.

24 UNKNOWN SPEAKER: That's not me.

1 COMMISSIONER CLODFELTER: Then my glasses
2 need to be changed.

3 UNKNOWN SPEAKER: My twin back there.

4 COMMISSIONER CLODFELTER: All right. Is
5 that your twin?

6 UNKNOWN SPEAKER: No, not really.

7 COMMISSIONER CLODFELTER: You come on up,
8 ma'am. You can testify. Come on up. I need to
9 change my glasses.

10 UNKNOWN SPEAKER: I have red hair. She
11 don't have red hair.

12 COMMISSIONER CLODFELTER: I can't see that
13 far back.

14 DANA ADAMS REEVES; was duly sworn and
15 testified as follows:

16 MS. FENNELL: Could you please state your
17 full name and address for the record?

18 THE WITNESS: Dana Adams Reeves, 1703 E
19 Parkertown Road, Four Oaks, North Carolina.

20 DIRECT STATEMENT

21 BY THE WITNESS:

22 Well, I didn't come prepared to speak, but I
23 do want to mention that we did not get notification
24 last year of any letter for anything about this

NORTH CAROLINA UTILITIES COMMISSION

1 process that's been going on. So I think that's a
2 problem with maybe some Duke process there. And it
3 was only until we got the certified letter that we
4 were notified.

5 Then the next thing that happened was
6 surveyors came. They didn't come by our house, they
7 came from Danny Wood's property to access our
8 property. We did not know anything about it and they
9 cut trees that they left as spikes, cut them at an
10 angle, left the stubbles there as spikes that, if
11 someone had a fell on it, you know, that's part of
12 where they would have died. They would have laid
13 there and died if they did, you know, fell on it. And
14 then the -- so the only thing -- time Duke Energy came
15 to see us was after we had taken pictures of those
16 trees -- I think my sister left some with you. And,
17 of course, they got notified of those pictures because
18 they got emails about them and that's the only time
19 any Duke Energy officials came and saw us on our
20 property.

21 Next, you know, they were talking about
22 businesses. Well, I think probably every farm that
23 we're speaking about is a business in our families
24 because we either rent to farmers or we grow and sell

1 ourselves what's on, you know, from the property. And
2 then there also next to -- it's pretty much cutting my
3 property in half because I do have years of pine trees
4 growing on the property where they're going through in
5 order to harvest those later, and I have a buildable
6 lot within well and septic tank that's -- their lines
7 are coming right to the back of that. I mean, just
8 going to abut, and so that's a concern for me. And I
9 think that's pretty much it. I mean, you know, we've
10 mentioned -- everybody else has pretty much mentioned
11 things that I'd like to talk about. I think we've hit
12 all the high points.

13 COMMISSIONER CLODFELTER: Thank you, ma'am.
14 Any questions?

15 MS. FENNELL: No.

16 MR. SOMERS: No.

17 COMMISSIONER CLODFELTER: Thank you, ma'am.

18 (The witness is excused.)

19 COMMISSIONER CLODFELTER: Anybody else?

20 (Lady raises her hand in the audience.)

21 COMMISSIONER CLODFELTER: Yes, ma'am. Come
22 on up.

23 SAM HOLLOWAY; was duly sworn and
24 testified as follows:

1 THE WITNESS: I didn't come prepared tonight
2 to speak either but --

3 COMMISSIONER CLODFELTER: Tell us who you
4 are first.

5 THE WITNESS: Sam Holloway.

6 COMMISSIONER CLODFELTER: Okay.

7 THE WITNESS: 390 Old Barbour Road, Benson.

8 DIRECT STATEMENT

9 BY THE WITNESS:

10 There's a lot of concern here about lives,
11 health issues, children, grandchildren. There's a lot
12 of things that need to be taken into consideration. A
13 lot of times all you have now in this world is your
14 land and your home. You know, you look at this news,
15 you look at what's around us, you need what you've got
16 and what you've got security in. We need power, yes
17 we do, but there's other things that need to be taken
18 into consideration. We got one letter. The guy said,
19 oh, well you'll be paid a one-time payment. But you
20 pay taxes on that the rest of your life as long as you
21 own it. What is that compared to a one-time payment,
22 if that's even true, you know. The lady in here with
23 the health issues, who's going to pay her medical
24 bills? Who's going to look after her? Duke Energy.

1 No. They're going to look after their self. They've
2 got all this money, all this money, but you know
3 they're wanting to take from these people who don't
4 have as much. That's all I've got to say.

5 COMMISSIONER CLODFELTER: Thank you for
6 coming down. Any questions?

7 MS. FENNELL: (Shakes head no.)

8 MR. SOMERS: (Shakes head no.)

9 (The witness is excused.)

10 COMMISSIONER CLODFELTER: Anyone else?

11 (No response.)

12 COMMISSIONER CLODFELTER: Now, Mr. Canaday,
13 we're going to see you tomorrow, right?

14 MR. CANADAY: Yes, sir.

15 COMMISSIONER CLODFELTER: Right, we'll see
16 you tomorrow. Folks, if you've got additional things
17 that you want us to read, to know about - pictures,
18 documents, records, maps - get them to us. We do read
19 this stuff. I know a lot of you have been here
20 tonight have already sent us materials, we've read it,
21 we know. But if you've got other things that you
22 weren't able to get to tonight and then the things
23 that you want us to consider, get them to Ms. Fennell
24 with the Public Staff and we'll make sure they get

1 into the book. Thank you all for coming. I know this
2 is important to you and we appreciate the time you
3 took to come out tonight.

4 Is there anything else from the parties?

5 MS. FENNELL: Do we need to say anything
6 about the map?

7 COMMISSIONER CLODFELTER: We do. I think we
8 agreed beforehand that we're going to admit that as
9 Public Staff Exhibit Number 1, that's the map. If you
10 did not sign on that map when you came up here and
11 put -- so we can know who is where and what property
12 when we're looking at the maps, please do that before
13 you leave.

14 Public Staff Exhibit Number 1

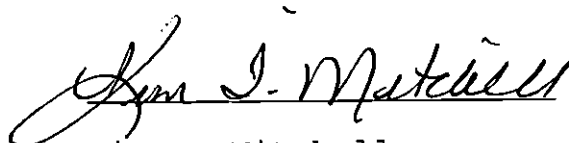
15 (Admitted)

16 COMMISSIONER CLODFELTER: Thank y'all for
17 coming. Appreciate it. We are adjourned for the
18 evening.

19 (WHEREUPON, the proceedings were adjourned.)
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
Court Reporter II

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