1 PLACE: Chowan County Courthouse 2 Edenton, North Carolina Thursday, October 14, 2021 3 DATE: 7:00 p.m. - 7:38 p.m. 4 TIME: 5 DOCKET NO: EMP-118, Sub 0 and Sub 1 BEFORE: 6 Commissioner Kimberly W. Duffley 7 8 9 IN THE MATTER OF: 10 EMP-118, Sub 0 Application of Timbermill Wind, LLC, for a Certificate 11 12 of Public Convenience and Necessity to Construct a 13 Merchant Plant Wind Energy Facility in Chowan County, North Carolina and Registration as a New Renewable 14 15 Energy Facility 16 and EMP-118, Sub 1 17 Application of Timbermill Wind, LLC, for a Certificate 18 19 of Environmental Compatibility and Public Convenience 20 and Necessity to Construct a Transmission Line in 21 Chowan County, North Carolina 22 23 VOLUME 1 24

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A P P E A R A N C E S: FOR TIMBERMILL WIND, LLC: Katherine Ross, Esq. Parker, Poe, Adams & Bernstein, LLP 301 Fayetteville Street - Suite 1400 Raleigh, North Carolina 27608 FOR THE USING AND CONSUMING PUBLIC: Robert Josey, Esq. Public Staff - North Carolina Utilities Commission 4326 Mail Service Center Raleigh, North Carolina 27699-4300 

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EXAMINATIONS JOHN MITCHENER Direct Statement..... 10 FRANK SELLERS Direct Statement......15 JEAN HAROLD BUNCH Direct Statement......17 JOHN GUARD PATRICK FLYNN JEFF SMITH EXHIBITS Identified / Admitted Flynn Exhibit 1 / 

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| 1  | PROCEEDINGS  |
|----|--|
| 2  | COMMISSIONER DUFFLEY: Come to order.                   |
| 3  | Please, go on the record. I am Commissioner Kimberly   |
| 4  | W. Duffley. I now call for hearing Docket Numbers      |
| 5  | EMP-118, and EMP Sub 0 and Sub 1.                      |
| 6  | On June 14, 2021, Timbermill Wind, LLC filed           |
| 7  | an application for a certificate of public convenience |
| 8  | and necessity to construct a merchant plant wind       |
| 9  | energy facility with a capacity up to 189 megawatts to |
| 10 | be located in Chowan County, North Carolina, and for   |
| 11 | registration as a New Renewable Energy Facility        |
| 12 | pursuant to Commission Rule R9-66. This is the Sub O   |
| 13 | Docket.  |
| 14 | On June 28, 2021, the Public Staff filed a             |
| 15 | Notice of Completeness of the Sub O application for a  |
| 16 | CPCN for the proposed wind facility.                   |
| 17 | On June 29, 2021 the applicant filed                   |
| 18 | supplemental information regarding construction costs. |
| 19 | On July 22 2021, the Commission Staff sent a           |
| 20 | letter to the State Clearinghouse notifying them of    |
| 21 | Timbermill's application for a CPCN for the wind       |
| 22 | facility.  |
| 23 | On June 21, 2021, Timbermill also filed an             |
| 24 | application for a certificate of environmental         |

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1 compatibility and public convenience and necessity to 2 construct an approximately 6-mile 230 kV transmission 3 line (called the Timbermill Line) to allow 4 interconnection of the proposed wind Facility to the 5 existing 230 kV Winfall-Mackeys transmission line 6 operated by Virginia Electric and Power Company, d/b/a 7 Dominion Energy North Carolina. This is the Sub 1 8 Docket. On June 22, 2021, the Commission issued an 9 10 Order Scheduling Public Hearing, Requiring Public 11 Notice, and Requiring Clearinghouse Review in the Sub 12 That same date, Commission Staff sent a 1 Docket. 13 letter to the State Clearinghouse regarding the Sub 1 14 Docket application for a CPCN for a transmission line. 15 On July 22, 2021, the Commission issued its 16 Order Consolidating the Sub 0 and Sub 1 Dockets, 17 Scheduling Hearings, Requiring Filing Of Testimony, 18 Establishing Procedural Guidelines, and Requiring 19 Public Notice. The Sub 1 and Sub 2 Dockets were 20 consolidated and filings thereafter appear in both 21 dockets unless otherwise noted.

On July 30, 2021, State Clearinghouse filed its comments in the Sub 1 Docket indicating that no further review action by the Commission was required

1 for compliance with the North Carolina Environmental 2 Policy Act. 3 On August 11, 2021, the State Clearinghouse 4 filed additional comments in the Sub 1 Docket 5 requesting that a supplemental document providing 6 additional information requested by the Department of 7 Cultural Resources be submitted to the Clearinghouse 8 for further review and comment. 9 On August 25, 2021, the Applicant filed 10 Supplemental Testimony for Jimmy Merrick. 11 On August 26, 2021, the State Clearinghouse filed its comments in the Sub 0 Docket and requested 12 13 that a supplemental document providing additional 14 information requested by the Department of Cultural 15 Services be submitted to the Clearinghouse for further 16 review and comment. 17 On September 21, 2021, Timbermill filed an 18 updated site plan or the project. 19 On September 29, 2021, the Public Staff 20 filed the direct testimony of witness Jeff T. Thomas. 21 On September 30, 2021, Timbermill filed the Affidavits of Publication indicating that the Public 22 Notices the Commission required in its orders had been 23 24 published.

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1 On October 11, 2021, the Commission issued 2 an order establishing remote procedures for the expert 3 witness hearing to be held on October 27, 2021, due to 4 the ongoing community spread of the delta variant of 5 the coronavirus. Numerous statements of the position have been received and filed in this docket. 6 7 This brings us up to the hearing before us 8 tonight. 9 In compliance with the State Ethics Act, I 10 note that all members of the Commission have a duty to 11 avoid conflicts of interest and state, for the record, 12 that I have no known conflict of interest with respect 13 to the matters before us this evening. 14 (No response) 15 Please let the record reflect that no such 16 conflicts have been identified. I now call on the 17 parties to announce their appearances, beginning with 18 the Applicant. 19 MS. ROSS: Yes, Commissioner Duffley, 20 Katherine Ross, Parker, Poe, Adams & Bernstein 21 representing Timbermill Wind, and with me tonight is 22 Jimmy Merrick. 23 MR. MERRICK: Hello. 24 COMMISSIONER DUFFLEY: Hello. Good evening.

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1 MS. ROSS: We also have several Apex 2 representatives, but in the interest of time, we won't 3 put them all on the record, but thank you for being here this evening. 4 5 COMMISSIONER DUFFLEY: Thank you. 6 MR. JOSEY: Good evening. Robert Josey with 7 the Public Staff, representing The Using and Consuming 8 Public of North Carolina, and with me today is Jeff 9 Thomas. 10 COMMISSIONER DUFFLEY: Thank you. 11 MR. JOSEY: Engineer of the Public Staff. 12 COMMISSIONER DUFFLEY: Good evening. And do 13 the parties have any additional matters before we 14 begin? 15 MS. ROSS: No, ma'am. 16 MR. JOSEY: No. 17 COMMISSIONER DUFFLEY: Okay. Before we 18 begin tonight, I'd like to say a few words on the 19 process we will Use. We appreciate you coming to 20 voice your views on this important matter and we 21 welcome your testimony. 22 Because the Commission functions as a court, 23 I cannot respond to your questions, but rather I'm 24 here tonight to hear you and receive the evidence,

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1 your evidence in the form of your testimony. 2 If you have questions, please speak with the Public 3 Staff who is a party in the case representing you, The 4 Using And Consuming Public. 5 As far as logistics, when the Public Staff 6 calls your name, you come forward to the witness 7 stand. I will affirm you or swear you, whichever you 8 prefer, and this proceeding will be transcribed by the 9 court reporter, so please be sure to speak clearly and 10 slowly. 11 When you complete your testimony, the 12 attorneys for the parties will have an opportunity to 13 ask you questions, and then I will also have an 14 opportunity to ask you questions. 15 These questions are not meant to challenge 16 you or embarrass you, but to make sure everyone 17 understands what you're here to state tonight. 18 You'll each have three minutes to give your testimony which will begin when you start making your 19 20 statement, not when you're stating your name and 21 address. I will let you know or actually we have a 22 timer here, and you'll hear the buzzer. And she's 23 going to be using her phone, so we'll all hear when 24 your time ends.

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1 So, with that being said, I understand there 2 are no opening statements. So, Mr. Josey, will you 3 please call your first witness. 4 MR. JOSEY: John Mitchener. I hope I said 5 that right. 6 MR. MITCHENER: Good evening. 7 COMMISSIONER DUFFLEY: Good evening. What 8 was your name again, sir? MR. MITCHENER: John, J-o-h-n, 9 10 M-i-t-c-h-e-n-e-r. 11 COMMISSIONER DUFFLEY: Thank you. And do you wish to swear or affirm? 12 13 MR. MITCHENER: Ma'am? 14 COMMISSIONER DUFFLEY: Swear or affirm? 15 MR. MITCHENER: I can swear. 16 COMMISSIONER DUFFLEY: So place your left 17 hand on the bible and raise your right. 18 JOHN MITCHENER; 19 having been duly sworn, 20 testified as follows: DIRECT-EXAMINATION BY MR. JOSEY: 21 22 Could you please state your name and address for Ο. 23 the record, please. 24 All right. My name is John, J-o-h-n, Α

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M-i-t-c-h-e-n-e-r, John Mitchener at 1000 West Oueen Street here in Edenton. Q You may give your statement. First, I'd like to welcome the Commissioner. Α COMMISSIONER DUFFLEY: Thank you. And the essential thing I want to share tonight Α is that in the last eight or so years that I've been aware of when and its potential, and Apex as the proponent, they have shown themselves to be capable and flexible people with goodwill, with confidence to do what we're talking about. Wind energy has a future in this County, this country, and indeed around the world. It's something we need to invest in. I showed my interest back in 2013, thereabouts, when I was one of seven that went up to Delaware to see the windmill and the lab there at the University of Delaware. They were measuring wind current, all sorts of things, so -- and I also saw that there was some very nice residential housing close to the windmill. When we had hearings, the CUP hearings, there was a lot of concern about

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1 residential values and these declining. My experience is that this does not happen. 2 3 If it does, it's only a small amount for one year, things rebound after that 4 5 time, and windmills in the backyard, as it were, 6 are not a liability. 7 I'd like to move on very quickly 8 to talk about in Chowan County had the CUP. CUP 9 stands for Conditional Use Permits. These were 10 held on about eight or nine different days, 11 September, October, whatever of that year, and 12 they were very thorough. 13 We were educated as proponents, 14 presented their witnesses. They were critiqued, whatever, and the primary proof of that is not 15 16 only the fact that we proposed amendments, which 17 indicated we had been listening, but these 18 amendments were accepted. 19 For example, there was a lot of 20 concern about noise levels, decibels. It came in 21 initially at a 65 decibel proposal. I proposed 22 we move it down to 50, which people say it could 23 be done. 24 I said let's document it because

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1 there are those who don't believe that will ever 2 be the case, so we set up a mechanism to do that, 3 and without resistance in any way, shape or form. And when all of this was said and 4 5 done, the lawyers spoke to the Commissioners 6 during those times at the end and said, "You 7 people really did a good job. I said, "Why are 8 you telling me that?" He said, "Because we do 9 the same thing in other counties." 10 And they just listened politely. 11 "But we can tell that you were engaged, you were 12 paying attention, you were thinking about the 13 issues of the day, and you were trying to improve 14 on the situation." 15 So that's the kind of -- in a 16 nutshell what brings me to saying this is a 17 proposal that's worth endorsing. Thank you. 18 COMMISSIONER DUFFLEY: Thank you. Wait. 19 Hold on just one minute. We'll see if we have any 20 questions. 21 CONT'D EXAMINATION BY MR. JOSEY: 22 Did you say you were on the County Commission? Ο 23 Α Yes. 24 And are you here today in your official capacity Ο

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| 1  |   | or just as a citizen?                             |
|----|---|---|
| 2  | A | I served on the County Commission from 2010 to    |
| 3  |   | 2018.   |
| 4  | Q | Okay.   |
| 5  | A | Previous to that, I served 12 years on the County |
| 6  |   | School Board, but the time from 2012 to 2018 was  |
| 7  |   | the pivotal time in which this proposal           |
| 8  |   | developed, in which it was heard by the           |
| 9  |   | Commissioners of that day and time, in which it   |
| 10 |   | was refined, in which we expressed a setback when |
| 11 |   | some of them brought down from Onslow came up     |
| 12 |   | with his thing of putting everything east of I-95 |
| 13 |   | in the freeze forever.                            |
| 14 |   | That expired in December of 2018.                 |
| 15 |   | Things had moved forward. The Department of       |
| 16 |   | Defense developed new criteria. Apex responded    |
| 17 |   | to those. They were up to the challenges, so we   |
| 18 |   | are here today.                                   |
| 19 |   | And I'm also moved by the fact                    |
| 20 |   | that the Census has stopped Chowan County, 500    |
| 21 |   | plus people from the Census 10 years ago. So we   |
| 22 |   | have great aspirations, good things we want to do |
| 23 |   | for our people, and we have fewer resources.      |
| 24 |   | Apex offers a responsible way to                  |
|    |   |   |

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1 move this County forward. Thank you, ma'am. 2 COMMISSIONER DUFFLEY: Thank you. 3 MR. JOSEY: Thank you. 4 THE WITNESS: Anything else, sir? 5 MR. JOSEY: No. 6 MS. ROSS: No questions. 7 COMMISSIONER DUFFLEY: Thank you, 8 Mr. Mitchener. You may step down. We appreciate you 9 coming. 10 THE WITNESS: Thank you. 11 MR. JOSEY: Frank Sellers. 12 COMMISSIONER DUFFLEY: Do you want to swear 13 or affirm? 14 MR. SELLERS: I'll swear. 15 COMMISSIONER DUFFLEY: You'll swear. Okay. 16 Place your left hand on the bible and raise your 17 right. FRANK SELLERS; 18 19 having been duly sworn. 20 testified as follows: DIRECT-EXAMINATION BY MR. JOSEY: 21 22 Q. Could you please provide your name and address for 23 the record, please. 24 Yes. Frank Sellers, S-e-l-l-e-r-s, 119 Bella, Α.

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1 B-e-l-l-a Vista Drive, Edenton, North Carolina. 2 Thank you. You may give your statement. Ο. 3 Sure. I'm a 48-year resident of this County, Α 4 been here for a good while. Previously, I 5 enjoined a 40-year career as a scientist, an 6 engineer, and a business person. 7 And one of the things I've learned 8 is to investigate, investigate, investigate, and that's what I had done, me and my family, 9 10 regarding this project. 11 And after a lot of investigation, we've come to the conclusion this project 12 13 represents a tremendous opportunity to improve 14 the welfare of this County, and I wholeheartedly 15 support it. 16 We will generate some jobs. 17 Timbermill will generate some jobs, some 18 well-paying jobs. It will contribute significantly to our tax revenue, which we need 19 20 for schools, First Responders, other government 21 services in this County. 22 I think as John mentioned, I think 23 the number's about a thousand people we lost in 24 the Census, so our population's going down.

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1 I think it's very important to also point out that by endorsing or involving 2 3 this County and this particular project, it shows that we're going to be on the right side of 4 5 history, and that is to do something about 6 climate change, and renewable energy will do 7 that, so I'm very pleased with that. 8 I also want to comment that 9 throughout this whole process, which has been 10 very long, Timbermill has done an outstanding job 11 in bringing this project to its current state. 12 I applaud their patience, their 13 persistence, and, above all, their 14 professionalism. This is exactly what we need in 15 this County. 16 In all my 48 years here, this is 17 the best opportunity I've ever seen for this 18 County, to move forward and to really 19 significantly impact, in a positive way, this 20 County. Thank you very much. 21 COMMISSIONER DUFFLEY: Okay. Thank you. 22 Let's see if we have any questions. 23 No questions. MS. ROSS: 24 COMMISSIONER DUFFLEY: Okay. Thank you.

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| 1  | THE WITNESS: Thank you.                            |
|----|--|
| 2  | MR. JOSEY: Jean Bunch.                             |
| 3  | COMMISSIONER DUFFLEY: Do you want to swear         |
| 4  | or affirm?   |
| 5  | MS. BUNCH: I'll swear.                             |
| 6  | COMMISSIONER DUFFLEY: Okay. Place your             |
| 7  | left hand on the bible and raise your right.       |
| 8  | JEAN HAROLD BUNCH;                                 |
| 9  | having been duly sworn,                            |
| 10 | testified as follows:                              |
| 11 | DIRECT-EXAMINATION BY MR. JOSEY:                   |
| 12 | Q Can you state your name and your address for the |
| 13 | record, please.                                    |
| 14 | A Sure. My name is Jean Harold Bunch, and I reside |
| 15 | at 954 Sandy Ridge Road in Tyner, North Carolina.  |
| 16 | Q You may give your statement.                     |
| 17 | A Okay. Well, first of all, thank you for allowing |
| 18 | me to make some remarks, and welcome to Chowan     |
| 19 | County. A little disclaimer, if I may, please,     |
| 20 | is when I was kind of propelled to make some       |
| 21 | comments tonight, I thought the meeting was at     |
| 22 | the old what is it, 1776 Courthouse here in        |
| 23 | Edenton, and so I was going to play on that a      |
| 24 | little bit, and all, as we were overlooking the    |

1 beautiful Edenton Bay at the courthouse there. 2 I wanted to point out that when I 3 was a teenager, 50 plus years ago, I was -served as an actor, I reckon you would say, in 4 5 the Edenton Tea Party which was replicated the 6 Boston Tea Party, at that time, and it was some 7 teenagers that gathered together in Fillmore 8 Attire (spelling uncertain), and we re-enacted 9 the Boston Tea Party. 10 So as the Antonian women at the 11 time, 51 of them, sweared to never drink tea 12 again and to declare America's independence. 13 From that experience, and many 14 more in my lifetime, I developed a passion to become a community advocate for rights, if you 15 16 would. 17 So I know that our primary purpose 18 here tonight isn't to talk about the historical 19 significance of Chowan County, but I hope that 20 you get to visit and enjoy our beautiful town. 21 My husband and I, we have two adult children. 22 One lives in Alaska and one right here in 23 Edenton. They have both blessed us with five

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grandchildren.

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1 As a Chowan County lifetime 2 resident, you can say that I was homegrown and 3 that my roots are deep here in Chowan County. And most of my extended family and my husband's 4 5 extended family live right here in northeastern North Carolina. 6 7 I'm a retired nurse. And, for 8 now, I am a full-time tired grandmama, so with three small grandchildren. And I've served on 9 10 the Edenton-Chowan Board of Education for 12 plus 11 years, and presently serve as our Board of Education Vice Chairwoman. 12 13 I've lived in Tyner for 40 years. 14 And prior to that, my stomping ground was a 15 community called Cowpen Neck, right here in 16 Chowan County, and I'll let you figure out why 17 it's called Cowpen Neck. I'll try to bring out 18 my southern slang here. 19 Edenton-Chowan County is 20 well-balanced and diverse with hard-working folks 21 employed as boat builders, farmers, teachers, 22 nurses, and the like. And keeping our young 23 people here in Chowan County in our neck of the 24 woods, as you would call it, has become an

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1 increasing problem. 2 In short, the tax burden falls 3 directly on the people. It's paramount that we generate new tax growth. When, not if, but when 4 5 Timbermill is approved, the County Commissioner 6 and the tax regulators will determine the tax 7 revenue, and those projections, at this point, 8 look really good. 9 And as a citizen of Chowan County, 10 that can be a game changer where Chowan County 11 folks can work, play, and earn and learn right 12 here in Chowan County. 13 Turbines are near to my home. The 14 Apex Wind Energy, that is, will be right near to 15 I'll be able to enjoy the gracefulness my home. 16 of those wind blades and knowing that I live in a 17 County that is progressive and forward-thinking 18 that are good stewards out of our environment. 19 COMMISSIONER DUFFLEY: Thank you, 20 Mrs. Bunch. 21 THE WITNESS: Thank you. 22 COMMISSIONER DUFFLEY: Let's wait and see if 23 there are any questions. 24 MR. JOSEY: No questions.

1 COMMISSIONER DUFFLEY: Thank you. You may 2 step down. 3 THE WITNESS: Thank you. 4 MR. JOSEY: John Guard. 5 COMMISSIONER DUFFLEY: Do you wish to swear or affirm? 6 7 MR. GUARD: Swear. COMMISSIONER DUFFLEY: Place your left hand 8 9 on the bible and raise your right. 10 JOHN GUARD; 11 having been duly sworn, 12 testified as follows: 13 COMMISSIONER DUFFLEY: You can have a seat. 14 Α I want to thank the Commission and Commissioners 15 for allowing us here in Chowan County to have 16 this opportunity to come and share our ideas 17 about the Apex Wind Energy project. 18 MR. JOSEY: Excuse me. Sorry. Do you mind 19 stating --20 Oh, I'm sorry. My name is John Guard, G-u-a-r-d. Α 21 Q And could you please state your address for the 22 record. 23 Α And it's 211 Wake, W-a-k-e Avenue, Edenton. 24 Thank you very much. Q

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| -  | _ |   |
|----|---|---|
| 1  | A | All right. There are a lot of positives I feel    |
| 2  |   | about the Apex Windmill Project. I particularly,  |
| 3  |   | tonight, want to speak on the economic impact     |
| 4  |   | that I feel this project can have on our County.  |
| 5  |   | My wife and I are 52-year                         |
| 6  |   | residents of Chowan County. And of those 52       |
| 7  |   | years, I spent 47 years associated with our       |
| 8  |   | public education system; 30, 31 as a school       |
| 9  |   | administrator and 16 as an elected school board   |
| 10 |   | member.   |
| 11 |   | I recently heard a presentation                   |
| 12 |   | that was given by a representative of Apex Wind   |
| 13 |   | Energy to our local Lions Club, and I was         |
| 14 |   | particularly impressed with the figures that were |
| 15 |   | mentioned that there's a possibility that our     |
| 16 |   | County Commissioners would be able to have an     |
| 17 |   | additional \$800,000 a year in tax revenues that  |
| 18 |   | could be spent.                                   |
| 19 |   | And our County Commissioners have                 |
| 20 |   | recently approved a plan for a high school that   |
| 21 |   | is a price that I keep seeing in the newspaper,   |
| 22 |   | around 50 million dollars.                        |
| 23 |   | And our major tax revenue in this                 |
| 24 |   | County is property taxes, and I could see a very  |
| I  |   |   |

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1 positive impact that this project could have on that project itself, and so that is the major 2 3 thing I want to support. I'm also a strong proponent of 4 5 renewable energy, as others have said, and I feel like this will certainly add up to the clean 6 7 energy for our county, state, and nation, but I'm 8 particularly interested in the economic impact 9 this project would have. 10 COMMISSIONER DUFFLEY: Okay. Thank you. 11 Are there any questions? 12 MR. JOSEY: No questions. COMMISSIONER DUFFLEY: Thank you, Mr. Guard. 13 14 THE WITNESS: Thank you. 15 MR. JOSEY: Patrick Flynn. 16 COMMISSIONER DUFFLEY: Do you want to swear or affirm? 17 MR. BLEND: I'll swear. 18 19 COMMISSIONER DUFFLEY: Place your left hand 20 on the bible and raise your right. 21 PATRICK FLYNN;22 having been duly sworn, testified as follows: 23 24 DIRECT-EXAMINATION BY MR. JOSEY:

| 1  | Q | Could you please state your name and your address |
|----|---|---|
| 2  |   | for the record, please.                           |
| 3  | A | Patrick Flynn. I'm 1924 Paradise Road, here in    |
| 4  |   | Edenton.  |
| 5  |   | Q. You may give your statement.                   |
| 6  | A | Okay. Timbermill Wind, LLC's county property      |
| 7  |   | taxes will be paid by Dominion Energy's 220,000   |
| 8  |   | utility customers as well as the costs for any    |
| 9  |   | energy it may produce.                            |
| 10 |   | If the state's 100% this is the                   |
| 11 |   | long-term. If the state's 100% green energy plan  |
| 12 |   | is implemented, phasing out gas and coal power    |
| 13 |   | plants by 2060, North Carolina will suffer        |
| 14 |   | serious sticker shock.                            |
| 15 |   | Here's why the Utility Commission                 |
| 16 |   | should not approve Timbermill's Certificate of    |
| 17 |   | Environmental Compatibility and Public            |
| 18 |   | Convenience application, another green energy     |
| 19 |   | straw that could be placed on the NCUC camel's    |
| 20 |   | back.   |
| 21 |   | North Carolina consumes                           |
| 22 |   | 253,000,000 BTU per capita yearly. This is the    |
| 23 |   | EIA, that website. This equals 7,415 megawatts    |
| 24 |   | of electricity for each individual, according to  |
| I  |   |   |

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1 the statistics. 2 Wind energy would require every 3 North Carolina citizen to offset over 1,000,000,000 billion dollars (sic) to build 4 5 enough wind turbines to generate an equal amount 6 of energy, and I've given the number here: 7 1,000,000 billion, (sic) 890 -- 938 trillion, 727 billion, \$682,540, (\$1,008938,727,682,540) using 8 current new wind facility construction costs. 9 10 This is the cost for the Apex project listed in their documentations. 11 That's a 12 one with 15 zeros following. This amounts to 13 \$965,126,981 for each of North Carolina's 14 10,453,948 citizens, recoverable in future 15 utility billings. 16 The land area needed to host these 17 turbines is 7.2% of the state's usable land mass. 18 But wait. Wind developers prefer industrial 19 scale turbine sites in rural areas. This means 26.7% of North 20 21 Carolina's usable farmland area will be needed to 22 host the turbines necessary to meet our energy 23 requirements, beginning with Timbermill's 24 8,500 acres from their economic report.

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1 Alternatively, the number of 300 2 Watt solar panels needed to generate the energy 3 North Carolina consumes is 16 trillion, 910 billion, 920 thousand -- sorry. 4 5 \$16,910,920,155, with a minimum cost of over \$3 trillion dollars, and a square footage of 6 7 6,405,652 acres. That's approximately 18.6% of 8 North Carolina's land mass would be covered with 9 solar panels. 10 The Certificate should not be 11 approved and the application should be rejected. I hope the Utility Commissions will acknowledge 12 13 federal law I referred to in my petition which 14 are now considered public property. 15 COMMISSIONER DUFFLEY: Thank you, Mr. Flynn. 16 Are there questions for Mr. Flynn? 17 MS. ROSS: No. 18 MR. JOSEY: No questions. 19 COMMISSIONER DUFFLEY: Mr. Flynn, I do --20 would you like this submitted as your exhibit? 21 THE WITNESS: Yes, ma'am, if you could, 22 please. 23 COMMISSIONER DUFFLEY: So I'm going to 24 identify and mark this for submission as Mr. Flynn

Exhibit Number 1. 1 2 (Whereupon, Flynn Exhibit Number 1 was 3 identified and received into evidence) 4 THE WITNESS: Do you have enough copies? 5 COMMISSIONER DUFFLEY: I think we have 6 enough copies. Thank you for coming out tonight. 7 THE WITNESS: Thank you. MR. JOSEY: Jeff Smith. 8 9 MR. SMITH: I swear. 10 COMMISSIONER DUFFLEY: You swear. All 11 right. Place your left hand on the bible and raise 12 your right. 13 JEFF SMITH; 14 having been duly sworn. 15 testified as follows: 16 DIRECT-EXAMINATION BY MR. JOSEY: 17 Could you please state your name and address for Q 18 the record, please. 19 My name is Jeff Smith. I think everybody's been А 20 having trouble with last names, S-m-i-t-h. Ι 21 live at 2324 Virginia Road, Edenton. I am a 22 local farmer and I am a land owner, which has 23 land in the Timbermill project. 24 COMMISSIONER DUFFLEY: Do you have anything

| 1  | further you would like to say?                      |
|----|---|
| 2  | THE WITNESS: Are you ready?                         |
| 3  | COMMISSIONER DUFFLEY: Yes, we're ready.             |
| 4  | We're ready when you are.                           |
| 5  | A Okay. First, I'd like to thank you for coming     |
| 6  | here today to give us the opportunity to do this,   |
| 7  | and I'd also like to thank you for doing this       |
| 8  | here in Edenton rather than us having to go to      |
| 9  | Raleigh. We appreciate it. I know it was a bad      |
| 10 | ride for you, but it's a lot easier ride for us.    |
| 11 | COMMISSIONER DUFFLEY: No. It was actually           |
| 12 | a quite pleasant drive, and it's a beautiful city   |
| 13 | here, so I've enjoyed my afternoon with your lovely |
| 14 | City of Edenton.                                    |
| 15 | A Well, thank you. You know, however, you feel      |
| 16 | about alternative energy with the governor's and    |
| 17 | the President's mandate, it's going to happen.      |
| 18 | It's just the way it is.                            |
| 19 | As you know, Chowan County is a                     |
| 20 | Tier 1 County, which means we're one of poorest     |
| 21 | counties in the State of North Carolina.            |
| 22 | Timbermill will become the largest tax payer in     |
| 23 | Chowan County.                                      |
| 24 | Hopefully, this will our                            |

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| 1  | Commissioners will take this money that they're   |
|----|---|
| 2  | going to get as a and deliver it back to the      |
| 3  | taxpayers of the County rather than looking at it |
| 4  | as a little extra bunch of money to spend, but    |
| 5  | every farmer that has a piece of land in the      |
| 6  | project is going to benefit from the actual       |
| 7  | project, but, also, every other citizen of Chowan |
| 8  | County will benefit by this money going into the  |
| 9  | tax base and hopefully lowering our taxes.        |
| 10 | I'd like to thank you, again, for                 |
| 11 | coming here to Edenton. We hope that you got a    |
| 12 | chance to stay here and enjoy the County and      |
| 13 | enjoy Chowan County. It's full of history. It     |
| 14 | is wonderful.                                     |
| 15 | We have, you know, signers of the                 |
| 16 | Declaration, we have signers of the Constitution  |
| 17 | that have lived here in Edenton. I'd also like    |
| 18 | to say that when I was a boy, there was Chowan    |
| 19 | County was called historic and progressive Chowan |
| 20 | County, but the history is still here. We're      |
| 21 | still historic, but we haven't been progressive   |
| 22 | like we should be in a long time.                 |
| 23 | I think the Timbermill project                    |
| 24 | will put us back on that progressive state and    |
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1 we'll be proud of what we have in Edenton again. 2 COMMISSIONER DUFFLEY: Thank you, Mr. Smith. Are there questions for Mr. Smith? 3 4 MR. JOSEY: No. 5 COMMISSIONER DUFFLEY: Mr. Smith, have a 6 good evening. Thanks for coming out. 7 THE WITNESS: Thank you. MR. JOSEY: Commissioner Duffley, that's the 8 last person we have that have signed up. 9 10 COMMISSIONER DUFFLEY: Okay. Out of an abundance of caution, is there anyone else in the 11 12 courtroom that would like to testify tonight, please 13 step forward. 14 (No response) 15 COMMISSIONER DUFFLEY: Okay. Hearing none, 16 this evening has come to an end. We thank everyone 17 for coming out tonight. Your testimony is transcribed. You'll be able to find it on the NCUC 18 19 website, and we're officially adjourned for the 20 evening. 21 (Whereupon, the Proceeding was adjourned) 22 23 24

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| 1  | CERTIFICATE  |
|----|--|
| 2  | I, TONJA VINES, DO HEREBY CERTIFY that the             |
| 3  | proceedings in the above-captioned matter were taken   |
| 4  | before me, that I did report in stenographic shorthand |
| 5  | the Proceedings set forth herein, and the foregoing    |
| 6  | pages are a true and correct transcription to the best |
| 7  | of my ability.   |
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| 9  |  |
| 10 | Jun  |
| 11 | Tonja Vines  |
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