

October 13, 2009

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State Corporation Commission
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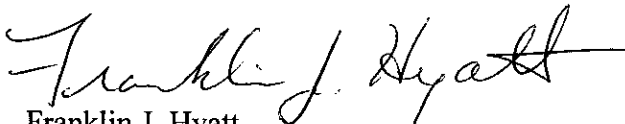
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Dear Mr. Peck,

Attached is my direct testimony and 15 additional copies with regards to Case No. PUE
2009-00043.

Sincerely,


Franklin J. Hyatt

COMMONWEALTH OF VIRGINIA
BEFORE THE
STATE CORPORATION COMMISSION

PATH ALLEGHENY VIRGINIA)
TRANSMISSION CORPORATION)

Case No. PUE-2009-00043

)
For approval and certification of electric)
transmission facilities under Va. Code)
Section 56-46.1 and the Utility Facilities)
Act, Va. Code Section 56-265.1 *et seq.*)

DIRECT TESTIMONY OF
Franklin J. and Shauna Hyatt

October 12, 2009

Franklin J. Hyatt and Shauna Hyatt are owners in fee simple of 14.72 acres in Loudoun County adjacent to and near to the land over which Dominion Virginia and Allegheny Electric have separate overhead high voltage transmission lines of 500 kV and 138 kV respectively. The 14.72 acres are divided in 4 recorded parcels. Two 3 acre parcels (39705 Wenner Road and 39699 Wenner Road) are adjacent to (and within the 1200 foot Virginia Route Corridor) the land over which Dominion Virginia and Allegheny Electric have separate overhead high voltage transmission lines of 500 kV and 138 kV respectively. The other 2 parcels are located within 300 feet of the proposed 1200 foot Virginia Route Corridor one of which is located in the Rivers Edge Subdivision. The 3 acre parcel located on 39705 Wenner Road is a leased property to a licensed Assisted Living Facility. The Assisted Living facility has operated in that location since 1986 and was one the first opened assisted living facilities in Loudoun County. The facility is licensed by the Virginia Department of Social Services to care for 17 elderly residents. The facility is located approximately 400 feet from the center of the proposed 200 foot right-of-way for the proposed 765 kV line.

Franklin J. and Shauna Hyatt own and operate Woodland Retirement Home of Loudoun County Inc. This corporation does business as Woodland Assisted Living. Woodland Assisted Living is located on a 3 acre parcel (39705 Wenner Road) that is contiguous to the Allegheny easement and a corner of the property is located under the Dominion Easement and the 500Kv lines. The Woodland facility is located approximately 150 feet from the Dominion lines and approximately 200 feet from the Allegheny lines. The Woodland Assisted Living square parcel shares two of its four sides with properties in Rivers Edge Subdivision. Mr. and Mrs. Hyatt are concerned about the increased strength of the EMF if an additional 765Kv line is located within 200 feet of the Woodland facility. If the additional 765Kv is added to the current 638Kv the total will be more than 1.4 million volts. Some of the residents and family members and representatives of the residents over the 23 years of operating history of Woodland Assisted Living have questioned the safety of the heart pacemakers inside of those residents due to the proximity of the current transmission lines. The real and perceived negative health aspects of the proposed 765Kv line has caused Mr. and Mrs. Hyatt to delay an expansion of Woodland Assisted Living from 17 beds to 39 beds. The Hyatt's have spent over \$20,000 in studies in preparation for the expansion project that has been put on hold. Woodland Assisted Living has received letters from Loudoun County officials confirming vesting rights to expand.

Mr. and Mrs. Hyatt are also concerned about the increased potential electrical arcing from the new power lines. Mr. Hyatt tested the power of the current Dominion 500Kv lines by holding up an 8 foot aluminum pole near the power lines when the power lines were transmitting power and Mr. Hyatt had to drop the pole as it felt like a 110 volt shock. Mr. Hyatt experienced a few 100 volt shocks when he assisted his father in the family electrical contracting business. Mr. Hyatt related this experience with a PATH specialist when PATH presented information at the Lovettsville Elementary School. The PATH specialist mentioned that Mr. Hyatt could have been killed by an arc of electricity and any nearby tree or person can act as a grounding facility for strong transmission lines that may arc. Mr. and Mrs. Hyatt are concerned that the new proposed 765Kv line will increase the lethal threat to the residents of Woodland Assisted Living as they walk around the Woodland Assisted Living 3 acre parcel and thus cause the proposed expansion of Woodland Assisted Living from 17 residents to 39 residents to not be financially feasible.

This concludes our direct testimony.